

North East Derbyshire District Council

Standards Committee

10th December 2025

Government response to the results of the consultation on changes to the ethical framework

Report of the Assistant Director of Governance and Monitoring Officer

Classification: This report is public

Report By: Sarah Sternberg, Assistant Director of Governance and Monitoring Officer

Contact Officer: Sarah Sternberg, Assistant Director of Governance and Monitoring Officer

PURPOSE / SUMMARY

To inform members of the Government response to the recent consultation on changes to the ethical framework in Local Government.

RECOMMENDATIONS

1. That the report be noted.

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details:

Not in relation to the contents of this report.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details:

Not in relation to this report. There will be legal considerations in the future when the Government makes the changes of legislation as outlined in their response.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Equality Impact Assessment (EIA) details:	
Stage 1 screening undertaken <ul style="list-style-type: none">Completed EIA stage 1 to be appended if not required to do a stage 2	No – this is a report on the response to a consultation exercise by Government.
Stage 2 full assessment undertaken <ul style="list-style-type: none">Completed EIA stage 2 needs to be appended to the report	No, not applicable
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Standards Committee

Links to Council Plan priorities;
<ul style="list-style-type: none">• A great place that cares for the environment• A great place to live well• A great place to work• A great place to access good public services
All

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 As Members are aware the Government undertook a consultation on proposed changes to the Standards and ethical framework.
- 1.2 The Government has now reviewed the responses and published its response “Strengthening the standards and conduct framework for local authorities in England – consultation results and government response.”
- 1.3 The link to this is: [Strengthening the standards and conduct framework for local authorities in England - GOV.UK](#)

2. **Details of Proposal or Information**

- 2.1 The Ministerial introduction to the response includes a strong emphasis on getting things right for Devolution and Local Government Reorganisation across England. The Government wants to introduce a clearer and consistently applied Standards and Conduct regime for the whole of local government in England. They want to ensure misconduct is dealt with swiftly and fairly whilst ensuring due process and fair opportunity for those Elected Members the subject of complaint.
- 2.2 Victims are to be put at the heart of this framework and be provided with support during the period when the complaint is being dealt with and by providing rights to appeal to both the Elected Member and the complainant. This is likely to be an appeal to an external body.
- 2.3 The paper acknowledges that whilst there are not significant numbers of Elected Members “misbehaving”, where that behaviour includes persistent bullying and harassment causing personal distress to Elected Members and/or Officers, the current regime offers no real prospect of perpetrators being held to account. The Standards regime must provide both appropriate safeguards and sanctions.
- 2.4 There were 2092 respondents to the consultation.
- 2.5 The Government now intends to develop the elements of the proposal, including a mandatory Code of Conduct and a set of guidance

2.6 The Ministerial Statement sets out the main points:

“In summary, we intend to legislate for a whole system reform of the current regime as set out in Localism Act 2011. The measures will include:

- the introduction of a mandatory code of conduct, which will include a behavioural code, for all local authority types and tiers
- a requirement that all principal authorities convene formal standards committees, to include provisions on the constitution of standards committees to ensure objectivity, accountability and transparency
- the requirement that all principal authorities offer individual support during any investigation into code of conduct allegations to both the complainant and the councillor subject to the allegation
- the introduction at the authority level of a ‘right for review’ for both complainant and the subject elected member to have the case reassessed on grounds that will be set out in legislation
- powers for authorities to suspend elected members for a maximum of 6 months for serious code of conduct breaches, with the option to withhold allowances during suspension for the most serious breaches and introduce premises and facilities bans either in addition or as standalone sanctions
- in response to the most serious allegations involving police investigation, or where sentencing is pending, the introduction of powers to suspend elected members on an interim basis for an initial period of 3 months which, if extended, will require regular review
- a new disqualification criterion for any elected member subject to the maximum period of suspension more than once within 5 years
- the creation of a new national appeals function, to consider appeals from elected members to decisions to suspend them and/or withhold allowances, and for complainants if they consider their complaint was mishandled. Any appeal submitted will only be permitted after the complainant or elected member has invoked their ‘right for review’ of the local standards committee decision has been invoked and that process is completed

2.7 In addition the Government is looking at a requirement for there to be an independent Chairs of Standards Committees, the publication of outcomes of investigations and a greater emphasis/ requirement for the promotion of high ethical standards by Standards Committees.

2.8 There is still a lot of detail to be determined in respect of these changes and that includes whether the role of Independent Person is strengthened. As said above, the Government proposes developing this with the relevant stakeholders. However there is no deadline or available Parliamentary time to make these changes to the Framework currently.

3 Reasons for Recommendation

- 3.1 That Members are informed of the outcome of the consultation and the probable changes proposed.

4 Alternative Options and Reasons for Rejection

- 4.1 Not applicable

DOCUMENT INFORMATION

Appendix No	Title
None	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	
None	