

Standards Committee

19 March 2026

Agenda item number 10

Update on the consultation on strengthening the standards and conduct framework for local authorities in England

Report by Head of Governance and Monitoring Officer

Purpose

To provide an update on the consultation on strengthening standards and conduct framework for local authorities in England, undertaken by the Ministry of Housing, Communities and Local Government in 2025.

Recommendation

To note the Government's proposals for strengthening the standards and conduct framework for local authorities.

1. Introduction

- 1.1. The Localism Act 2011 requires the Broads Authority and a range of other types of local authorities (referred to as "Relevant Authorities" in the 2011 Act) to promote and maintain high standards of conduct by members and co-opted members.
- 1.2. The current regime requires every local authority (including the Broads Authority) to adopt a Code of Conduct, the contents of which must as a minimum be consistent with the seven 'Nolan' principles of standards in public life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership), and set out rules on requiring members to register and disclose pecuniary and non-pecuniary interests. Beyond these requirements, it is for individual authorities to set their own local code. The Local Government Association (LGA) published an updated model Code of Conduct and guidance in 2021, which the Broads Authority has adopted with appropriate minor amendments.
- 1.3. Every authority must also have in place arrangements under which it can investigate allegations of breaches of its Code of Conduct and must consult at least one independent person before coming to decisions. These decisions are normally taken in one of two ways depending on an authority's specific arrangements. The decision can

be made by the full authority following advice from their Standards Committee (or equivalent). Alternatively, the decision can be made by the Standards Committee if they have been given the power to do so. Although a Standards Committee may contain unelected independent members and co-opted members, only members of the authority may vote in a decision-making Standards Committee.

- 1.4. The Broads Authority operates a Standards Committee and any decisions on allegations are taken by the Committee, which at present is composed only of members of the Authority.
- 1.5. Prior to the consultation, the Government considered that the current local authority standards and conduct regime is in certain key aspects ineffectual, inconsistently applied, and lacking in adequate powers to effectively sanction members found in serious breach of their Codes of Conduct. Currently, there is no provision in legislation for a sanction to suspend a member found to have breached the Code of Conduct.

2. The consultation

- 2.1. The 'Strengthening the Standards and Conduct Framework for Local Authorities in England' consultation sought views on a whole system reform of the standards and conduct framework for local government. The proposed reforms consulted on reflected the government's ambition to introduce a clearer and consistently applied standards and conduct framework for local government in England.
- 2.2. The reforms aim to ensure misconduct is dealt with swiftly and fairly across the country in every type and tier of local government, and that local government is empowered, fully accountable and deserving of people's trust and confidence.
- 2.3. The consultation sought views from members of the public, current and prospective local authority elected members, local government officers from all types and tiers of authorities, and local authority sector representative organisations.
- 2.4. The Standards Committee was consulted on the [Authority's formal response to the consultation](#) for submission to the Ministry of Housing, Communities and Local Government (MHCLG) on 20 February 2025.

3. Government response

- 3.1. On 11 November 2025, the MHCLG published the [Consultation results and government response](#).
- 3.2. The proposals and 40 consultation questions were arranged under 2 principal headings: Strengthening the Standards and Conduct framework; and introducing the power of suspension with related safeguards.
- 3.3. 2,092 responses to the consultation were received, and results showed that there was widespread appetite for system reform.

3.4. MHCLG have set out their intent to legislate for a whole system reform of the current regime as set out in the Localism Act 2011, which established the current standards and conduct and framework for all local authorities, and have recommended the following measures:

- The introduction of a mandatory code of conduct, which will include a behavioural code, for all local authority types and tiers
- Requirement that all principal authorities convene formal standards committees, to include provisions on the constitution of standards committees to ensure objectivity, accountability and transparency
- Requirement that all principal authorities offer individual support during any investigation into code of conduct allegations to both the complainant and the councillor/member subject to the allegation
- 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 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 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 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 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 complainant or elected has invoked their 'right for review' of the local standards committee decision has been invoked and that process is completed.

4. Public Office (Accountability) Bill (“the Hillsborough Law”)

4.1. Alongside the Government’s proposals for strengthening the current standards framework, members should note the passage through Parliament of the Public Office (Accountability) Bill, popularly known as the Hillsborough Law.

- 4.2. Though entirely separate from the standards proposals, the Hillsborough Law bill contains some significant related obligations on public bodies, including the Broads Authority, its members and officers.
- 4.3. The Bill imposes a duty of candour on local authorities who will be required to provide information with complete honesty during investigations, inquiries and inquests, including non-statutory inquiries. Local authorities will be required proactively to provide complete disclosure of information as soon as reasonably practicable, even when that information may be unfavourable.
- 4.4. The Bill also imposes a professional duty of candour on public officials. A public official will include the chief executive and staff and possibly an appointed member of the Broads Authority but as currently drafted does not include a local government councillor unless a member of the executive of the authority. The Broads Authority does not have an executive model of governance.
- 4.5. It will be an offence to:-
 - a) fail to comply with the duty of candour and to intentionally or recklessly mislead the public where to do so would be seriously improper.
 - b) use a public office to obtain a benefit if to do would be seriously improper.
 - c) breach a duty to prevent death or serious injury
- 4.6. These offences are intended to replace the current common law offence of misconduct in public office.
- 4.7. Under clause 9 of the Bill, a public authority must promote and take steps to maintain high standards of ethical conduct at all times by people who work for the authority. The public authority must adopt a code of conduct, take steps to make sure that those people are aware of it and the consequences for failing to act in accordance with it. The code must, amongst other things, set out whistleblowing and complaint procedures.
- 4.8. Should the Bill be enacted in its current form, it will be necessary to assess against expected Government guidance whether there will need to be changes to:-
 - d) the member code of conduct
 - e) officer code of conduct
 - f) whistleblowing policy
 - g) health and safety reporting policy
 - h) critical incident recording (such as a fatality involving a member or staff or user of a vessel licensed by the Authority)

5. Conclusion

- 5.1. The proposed changes for strengthening the standards and conduct framework should be welcomed, especially in regard to a mandatory code of conduct and improved sanctions. However, it should be noted, that the Broads Authority already has in place several of the recommendations. This includes the setting up of a Standards Committee; and the provision of individual support for both complainants and members who are subject to any allegation, is set out in the [Whistleblowing Policy for Members](#) and [Whistleblowing Policy](#) for Officers.
- 5.2. Further scrutiny and assessment of the Public Office (Accountability) Bill will be needed when Government guidance is issued.

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