

Public Administration and Constitutional Affairs Committee

Oral evidence: Propriety, ethics and the wider standards landscape in the UK, HC 899

Tuesday 3 February 2026

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Members present: Simon Hoare (Chair); Richard Baker; Markus Campbell-Savours; Charlotte Cane; Sam Carling; Lauren Edwards; Peter Lamb; John Lamont; Mr Richard Quigley.

Questions 36 - 95

Witnesses

I: Councillor Matt Boughton, Chair, LGA Safer and Stronger Communities Committee, and Leader, Tonbridge and Malling Borough Council; Councillor Iain Hamilton, Chair, National Association of Local Councils; Kim Wright, SOLACE spokesperson on Leadership and Learning, and Chief Executive, Brent Council.

Examination of witnesses

Witnesses: Councillor Matt Boughton, Councillor Iain Hamilton and Kim Wright.

Chair: Good morning, colleagues, and good morning to our witnesses as we continue our perambulations around the landscape and architecture of propriety and ethics in public life. We have three distinguished witnesses before us this morning from the—sometimes in this arena—overlooked area of local government, but I say, while not actually declaring an interest, as a former parish councillor, district councillor, county councillor and local government Minister, I know precisely the issues at hand. Are there any declarations of interest? Mrs Cane?

Charlotte Cane: Yes, Chair. I am a district councillor, East Cambridgeshire District Council.

Chair: We all have our crosses to bear, and your declaration is noted.

Mr Quigley: Chair, I am still a county councillor at the moment.

Q36 **Chair:** We do not need to detain this hearing with why standards are important. I am going to guess that there is a parity of view that



standards in public life are important to attract the right people and to ensure that there is public confidence in all that we do. So let us not detain ourselves on that. We would be interested to hear your assessment of the current standards landscape as it pertains to local government. Shall we start with Ms Wright?

Kim Wright: Thank you very much, and thank you for the opportunity to come before you today representing SOLACE. The important point we would want to make is that the continuing inequity in local government and being the only sector across the public service without having a set of standards with teeth is an ongoing and continuing risk that is being carried by the sector.

There are four risks that I would like to bring to your attention, as this is not just a standards debate. It is actually as much about workforce safety, sector sustainability, and organisational resilience. From our perspective, the risks are operational. Poor behaviour undermines effective decision making and service delivery for the communities that we serve, and it is one of those indicators that increases the likelihood of Government intervention.

There is a workforce risk. Everyone has the right to go to work with dignity and to feel safe, and we are seeing an ongoing impact on morale and attrition. Senior officers in particular are leaving the sector or feeling significantly damaged by the behaviours and indignity they face. There is a financial risk. There are costs associated with not just Government intervention, but grievances, absences, and external investigations that you might have to do.

Finally, and probably most significantly, there is a democratic risk because public confidence decreases when they see behaviours and standards go unchecked, and it diminishes the trust in public institutions that is so important. The quicker we can get a standards regime that has real teeth introduced in the sector, the better. That is my opening statement to you.

Q37 **Chair:** Would I be right to assume that if a local authority, for example, gets a reputation for barrack-room lawyers, unacceptable behaviour and so on, in the locality, that has an adverse effect on the officer core, a depressing effect on other elected members who are just trying to get on with the job, as it were, and a negative impact on recruiting people to stand for election, because why put yourself through the hassle? A word or two will suffice, and it can be just yes or no.

Kim Wright: Yes, that is absolutely right.

Q38 **Chair:** Mr Hamilton, the same question to you, Sir, if I may.

Councillor Hamilton: Thank you very much for the question. From a NALC perspective, we have been calling quite loudly for this for over 10 years. There needs to be a mandatory national code that can be followed by all levels of local government. The current framework lacks



consistency, meaningful sanctions, and clear guidance and training, which can leave councillors exposed. We are unable to address persistent misconduct effectively, as touched upon by Kim, which leads to all sorts of consequences for councillors, members of the public, and the officers who work within the sector. It undermines public perception and trust, which has a real effect of putting people off putting themselves up for election or remaining in post if there is trouble. It erodes confidence over time. The speed at which this is implemented is quite important. It has been a long time coming, and there need to be teeth in this to help the sector develop, because it is developing at the moment, especially with LGR.

Q39 **Chair:** Councillor Boughton?

Councillor Boughton: Thank you for having us. It is really important to say from the outset that it is absolutely right that councillors are accountable and held to the highest possible standards. That goes without saying, as elected officials. The vast majority of councillors stand for election, get elected, and fulfil their duties with the highest standards of conduct. So the key issue for us at the Local Government Association is recognising that actually this is about some of the worst offenders, which is where the issues arise. We would not want to tar all councillors with the same brush by simply saying there is a problem across all 17,000 elected councillors in principal authorities, because that certainly is not the case. The majority of councillors will go through their career in elected office without any need to be the subject matter of a standards complaint.

It is fair to say that, particularly in England, it is notably lighter-touch than it is for the rest of the other nations within the country. I agree with a lot of what Kim and Iain have said around there being a lack of effective sanctions to deter and respond to the small number of substantial breaches that we have. As we have heard from Kim, that is a frustration for officers, other elected councillors who have done nothing wrong, and for voters or people who have had to engage and have perhaps witnessed and been the ones complaining about that particular councillor. That is a really important point from the outset and underpins everything that we will probably go on to talk about.

Q40 **Chair:** I wondered if the three of you might share any thoughts you have. Councillor Hamilton, you referred in passing to the local government reorganisation, and one thinks of the very considerable power exercised by combined authorities, directly elected mayors and so on. Would it be right to have a concern that the sort of bespoke ethos of standards, as it reflects those rather immense powers which can be discharged, has had a bit of a time lag?

Councillor Hamilton: With regard to standards, it needs to be reflected from the ground up. Across the entire sector, it has to be consistent. At any level of local government where you are elected, you need to be held to the same standards, whether it is at parish level, mayoral level, or



principal authorities. It is not about ensuring that people are held to account; it helps councillors go into their roles being assured that they have protections and can actually carry out their roles responsibly. That is one of the key points. Matt touched on it earlier. It is not widespread to the degree that it is every councillor, but in the situations where it arises, it has an impact on others who effectively get dragged along for the ride, which is a little unfair on them. With regard to that, it needs to be consistent across the board.

- Q41 **Chair:** Ms Wright, could I ask you specifically, in terms of the guardrails—for want of a better phrase—for senior officers in and around a mayoralty, and indeed directly elected mayors/combined authorities, is there enough transparency as and when they leave post or leave office with regard to future appointments corporately within the geography in which they have held some considerable sway and importance in shaping?

Kim Wright: Can you just help me understand that question in terms of future appointments?

Chair: For example, if you are a Minister of the Crown and you want to take up a business appointment once you have relinquished office, you have to go through a procedure whereby somebody says, “Yes, this is absolutely fine.” Nothing really seems to exist for a chief executive, senior planning officer, or directly elected mayor to go through the same thing. If you are in one of the big regions, such as Manchester or Liverpool, where there are some large commercial concerns, there does not appear to be the architecture to give the transparency and public confidence that one might expect, given the fact that very often they are exercising powers far greater than the parliamentary under-secretary of state for paperclips.

Kim Wright: I do not believe that transparency currently exists. As part of developing and shaping the code going forward, we could work collaboratively with the sector to see how to bring something fair, transparent, and proportionate into any new system.

Chair: Mr Quigley, you wanted to come in.

- Q42 **Mr Quigley:** Just very briefly. Nice to see you all. This is not to anyone in particular, but to those of us who have had an experience of councillors who become a bit errant. You mentioned teeth, Ms Wright. What would the teeth look like?

Chair: Sharp and long.

Mr Quigley: And growly. My experience is we end up relying on a monitoring officer to try to put in place things that we would see in private business to discipline councillors when effectively they are not employed by anyone. So it is a very difficult system where the monitoring officer is put under a lot of pressure. The other however many councillors are all nodding along saying, “Yes, this particular person has behaved



very badly,” but there does not seem to be any actual mechanism for saying, “Stop behaving like a silly billy.”

Councillor Boughton: What you described about some councillors, I can almost envision who you are talking about in my own authority and no doubt in every authority across the country. Obviously, when the standards framework changed back in 2011, 2012, local government subsequently developed a model code of conduct essentially, and 60% of authorities use that at the moment. That demonstrates a couple of things.

First, the model code of conduct is a really good place to start with in terms of looking to roll this out nationally. Second, there is a desire for joint learning across the sector. It does not matter whether you are a district council in Kent, as I am, in Cumbria or Northumberland; it does not matter across England. These standards issues go beyond geography. What is really important, though, particularly if we look towards a national code, is that this is kept under review a lot because we see, particularly with social media and how social media has become more and more used by elected officials at all levels, including councillors, that it has led to a whole new generation of problems when it comes to standards, that 20 years ago would have been just unthinkable.

There is absolutely a place for this to be dealt with nationally. The LGA code is a really good place to start, but of course that has been designed within the framework that we have at the moment. We would actually like to go further in terms of adding the teeth to it—I absolutely agree with you—and ensure there is a mechanism in which it is kept under review, just as society changes and as elected officials change their behaviour.

Kim Wright: SOLACE’s position is that there needs to be a mandatory national minimum code for both councillors—and officers, of course. There need to be stronger local standards committees that are mandatory for all principal authorities, and that have powers to enforce sanctions. There also needs to be a national appeals panel so that those sanctions above a certain level—obviously not all sanctions, but say, a suspension—would go to a national appeals panel. That would give some fairness and transparency. Online conduct must also be addressed as part of any reform. We also need to think about what new powers chief executives and monitoring officers might need to have to deal with the vexatious complaints that sometimes come in, which can get in the way of the fair process being followed that we would all want to see through any new system.

- Q43 **Mr Quigley:** It must be frustrating, as a chief executive, to see that although the standards you expect from officers are quite clear contractually and when they behave in a way some councillors do, they would have to get a job somewhere else—probably at X or somewhere like that—but as a councillor, you can behave in a very different manner



without any sanctions. We don't seem capable of keeping up with what seems like a very real need in terms of behaviour.

Kim Wright: There certainly is a decline in behaviours that we are seeing, and SOLACE did a survey in 2024 that indicates that. If I may bring that to life, I have a quote from that survey, which speaks to your point about frustration. It is from an officer who replied to the survey, who said, "I have experience of a member who uses standards as a badge of honour and laughs during any conduct inquiries as he is aware that there are no sanctions." That speaks to exactly the point you are making, Mr Quigley.

Councillor Boughton: If I may, there are a couple of things I would add to that. First, I have seen experiences of certain councillors referring themselves to the standards committee because they know that they have breached the code, but there are no sanctions, so they use it because they want to become a martyr in their community—*[Interruption.]* Exactly, or they want to prove the point that the council corporately is out to get them, because usually they are an opposition councillor.

Mr Quigley: You have the same councillor going round all councils.

Councillor Boughton: Yes, exactly; that is a really important point. The LGA has done some work around our 2025 Debate Not Hate survey. You may have seen this in your own local authorities because it has been taken up really well; some authorities have passed motions—including ours at Tonbridge and Malling. Some 72% of respondents to that survey reported that they had been subject to abuse and intimidation in the previous 12 months. So nearly three-quarters of councillors have had some sort of abuse or intimidation, the majority of which is not from fellow councillors but from members of the public. That is something to really dig into because it demonstrates that actually, as a councillor—this links to the point about encouraging people to stand for election in the first place—you are likely, based on that survey, to end up with some sort of abuse for simply doing your job to the best of your ability.

Q44 **Chair:** With the expectation that there would need to be subtle bespoke tweaks, would we as a Committee be right to presume that within the local government family there is an appetite for a fairly uniform approach on the expectation of standards and sanctions applied, from county or unitary down to town and parish? In the public mind, a councillor is a councillor irrespective of remit, remuneration and responsibility.

Councillor Hamilton: That is something that I am acutely aware of in the town and parish sector, where there is a lot of conflation between what a town and parish council is responsible for and what a principal authority is responsible for. Often when there is an issue with the principal authority, it will come to the town and parish council and get



quite cross when you try to explain that it is not the town and parish council's issue.

To the point you raised, NALC and SLCC have developed model policies and training through our civility and respect programme and its guidance, but it is primarily guidance; it does not have teeth. However, when you asked what teeth look like, it is not just about the ability to punish or take action. It gives a point of clarity in which to provide training and policies and set correct policies around those potential repercussions that may be there for councillors that step out. Sometimes, it happens due to a lack of training or education. It would provide a framework in which to produce stronger training and policies that would hopefully impact individuals' own behaviour over time. It would have its own natural ability to correct some problems without their escalating further.

Q45 John Lamont: How well understood are the current standards systems, both within the local council and more widely with the public?

Councillor Hamilton: With regard to members of the public, and even to an extent councillors within the town and parish sector, they are not easily understood because everything is so grey. Because there are no actual repercussions to anything, if there was an incident, it would be investigated and reported to the monitoring office. Quite often, it comes back with guidance recommending that so-and-so apologises. But there is no need for them to do that, and a lot of councillors realise that, but a lot of the members of the public do not. So when they do not see something happening, it diminishes their trust in politics at any level, because if members of the public see something that they believe is wrong, report it and no action can realistically be taken at that point, it does not do our sector any benefit at all, at any level. With all the issues around trying to get people engaged to move into our sector and work with our sector, it is vital to correct that.

Councillor Boughton: I think it is slightly different for principal authorities, for a couple of reasons. First, the complaints that come from town and parish councillors are dealt with by monitoring officers at the principal authorities and at districts and boroughs in two-tier areas, and there are standards committees that borough councillors sit on as part of their regular cycle of work.

At the LGA, when we surveyed this last year we found that there was a good understanding of standards from, certainly, borough and district councillors. Where there was not the understanding, as Iain said, was with members of the public because if they have a particular gripe with a councillor and ask for it to go through the standards process, more often than not the response they will get back—notwithstanding the merits of their complaint—will be that if that councillor is found guilty of breaching the code, the lack of sanctions that can be applied means that it will not meet the expectations of the complainant in that case. So while it is very much the case that councillors we surveyed in the LGA had a good understanding, it is not shared by members of the public, and the more



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of them who have reason to complain, the more of them find out just how few teeth the current standards regime has.

Kim Wright: From SOLACE's perspective, unfortunately the current system is understood only too well by those in local government in so far as we understand it is not fit for purpose, lacks teeth and needs rapid reform, and those minorities of colleagues who demonstrate poor behaviours also understand that there are no sanctions to which they can be held accountable. As my councillor colleagues have said, the public understanding is rare until they interact with it, and then they are left disappointed. Also, the malign impact that it has on the delivery of council services to communities when that behaviour is left unchecked has an impact on the trust and the way in which services are delivered locally.

Q46 **John Lamont:** Do you think previous systems were better understood?

Kim Wright: We would not advocate for the return of the previous system, but at least we had a system that was better than is the case currently. It was understood, but it probably did not have the effect on controlling poor behaviour that we want to see now.

Q47 **John Lamont:** Do you both agree with that in terms of previous systems?

Councillor Boughton: Yes, I agree with that. The system that we have at the moment, where there is a lack of sanctions, is almost the worst of all worlds because there is an expectation that the council can sanction somebody for poor behaviour. If it was actually made clear that there are no sanctions in place, that is arguably a better place to be because it does not set expectations going down completely the wrong route. I know I am lucky in Tonbridge and Malling to have a brilliant monitoring officer who has spent far too much of his time dealing with these sorts of complaints, and it is a great frustration for him that even those complaints in which he is recommending to standards panels and independent persons actually have some merit in terms of there has been a breach of the code, he cannot recommend what the sanction would be. So it is not just a frustration to us; if I can steal Kim's role for a bit here, I think there are monitoring officers who, from my experience, feel very strongly about that too.

Councillor Hamilton: I agree with pretty much everything that has been said. A stronger standards regime would benefit monitoring officers and the amount of work and complaints they may receive. With no standards there, the occurrences of poor behaviour simply increase due to the lack of sanctions. If sanctions were in place it would reduce those complaints and instances quite significantly, whether through training or just a change in behaviour.

Q48 **John Lamont:** Obviously, we expect the highest standards from those who are elected to office or are running councils, and I appreciate that



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the system in Scotland is different, but have you ever had any experience of the standards system being used to protect officers from proper accountability? The reason I ask that is my own council has had a number of examples where councils have challenged advice that officers have given, and the response from the officers has been, "I think you need a refresher on standards," to avoid difficult questions being asked about the advice that is being given. Is that unusual, or is that common?

Councillor Boughton: From our perspective, it is unusual. There will always be a degree of tension between members and officers, particularly when officers are given advice that members don't want to hear. The circumstances in which that would effectively lead to a standards complaint are rare, particularly if you have a good chief executive, leader, or monitoring officer; they would hopefully have the gravitas to be able to deal with that informally beforehand. From my experience, it is rare that you get to that situation.

Kim Wright: Yes, I would agree with Councillor Boughton. I have not experienced that myself, but as you said, the trust, shared purpose and mutual accountability that you see in a mature council relationship should, I hope, prevent the misuse of standards as you describe.

Councillor Hamilton: I have also not experienced it myself; it would be very rare. It is not something I have personally come across.

Q49 **Chair:** So we are agreed that the threat of standards with sanctions is not a tool in the arsenal of officers who are, as one of you said, giving advice that members do not want to hear. But it could be advice that members just simply do not agree with, do not want to take and on which they have a different world view on an issue—different to that of the officer, who should not just say, "Well, in that case, you're off to the standards board because you haven't taken the advice of the officer." That is not a standards issue; it is just an intellectual discussion.

Kim Wright: In a mature organisation, those discussions would happen on quite a regular basis with politicians and officers.

Councillor Boughton: Normally, most councils have some sort of member-officer protocol that determines a framework in which those discussions take place, almost as a stopgap to prevent it getting to a standards issue.

Q50 **Sam Carling:** First to you, Kim. We have seen a SOLACE survey that highlighted how 81% of chief executives and senior officers in local authorities experienced abuse or intimidation in the previous year. Do you have any sense of what level of that came from councillors versus the general public?

Kim Wright: From the responses to the survey?

Sam Carling: Sorry, no; as in the level of abuse that senior officers and chief execs are getting. Did you get any sense of how much of it is public



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access versus councillors causing that?

Kim Wright: I have not been made aware of the difference there, but I can come back with the details of that.

Q51 **Sam Carling:** If that is available, that would be really helpful. No worries if it is not. Does anyone have any anecdotal thoughts on the extent to which we are seeing senior officers having to deal with abuse from councillors?

Councillor Boughton: It falls into two categories, from what I can see. The first are the "martyr councillors" as I referred to them earlier, who will use any tool in their armoury, including unfairly accusing officers of being in cahoots with members who wish to pursue a different policy position. That is usually quite outlandish for the purposes of our discussion, but certainly the experiences that the LGA has found are that most of the abuse comes from outside the council rather than from councillors themselves, and that is reflected up and down the country, regardless of which sort of council it is.

Q52 **Sam Carling:** That is really useful. In terms of councillor behaviour, is there a difference in the level of issues at the different local authority level, particularly between town and parish councils versus principal authorities?

Councillor Hamilton: From a town and parish perspective, unlike principal authorities, there is no designated route for complaint other than passing it up through the monitoring office, which is an issue. There is also an issue with training, particularly in smaller parishes and town councils, where budgetary constraints start becoming an issue because there is no funding passed to a lot of these councils, so it becomes incredibly difficult to train a lot of the councillors on what is expected of them and on what action potentially could be taken if they got into any difficulties, or if there was an incident. Certainly, the way officers interact with councillors can vary, but the vast majority of councillors act in a responsible manner. It is just on the occasions that they do not where it becomes incredibly difficult, obviously, for the officer to deal with, and then of course it can spill over into social media and all the other issues that come with that. In our sector, a lot of it is down to being able to correctly train a lot of councillors, which would be very beneficial, and a lot of that would come from the standards actually being in place to base that training around, as well as funding in order to deliver it.

Councillor Boughton: There is a difference here between town and parish councils and district and borough councils in particular, but also county councils, in the sense that the complaints end up going to the principal authority, as Iain said. They are not dealt with by the town and parish councils themselves, which means—as I said in answer to the earlier question—there is much more awareness from district and borough councillors in two-tier areas of standards than there is from town and parishes. That causes a workload issue for principal authorities.



Again, my own monitoring officer spends most of his time dealing with town and parish council complaints rather than complaints for the borough council, which is notable and needs to be addressed. It is also worth saying that you have standards issues that arise regardless of the size of authorities.

When local government reorganisation happens for much of England, there will obviously be fewer councillors and fewer authorities, and those councillors will be serving a larger number of people. But at the end of the day, they are likely to still end up being part-time roles. Given that, there is an issue around time, frankly, and making this as attractive as possible if they have to undergo lots of training. At the same time, you expect councillors to take decisions about tax, resourcing, the provision of vital services, and regulatory decisions, whether that is licensing or planning, so they absolutely need to be held to the highest standards that they possibly can be. Particularly if and when LGR happens, that is something that needs to be addressed quite significantly too, because you are still likely going to end up with councillors who are part-time.

Kim Wright: Another important feature of the survey is that the majority of the respondents said that councillor behaviour had become worse or significantly worse in the last three years. That decline in behaviour is worthy of note and further amplifies the need to act swiftly to bring in an enforceable, robust set of standards.

Q53 Sam Carling: That is really helpful. We are having a lot of these issues locally in terms of particular situations as well, so I very much appreciate that. Iain, I particularly value that point around the training because with the Government bringing in a minimum code of conduct across councils, that problem may well intensify in the short term, so that is worth being able to flag. Just finally from me for now, and Kim, perhaps you might want to answer this one, if there is a situation where officers are being overwhelmed with lots of code of conduct complaints about different councillors, what options are currently available to them to prioritise the ones that actually need to be investigated?

Kim Wright: A lot of that would come down to a judgment call on behalf of the monitoring officer with the chief executive to try to understand which ones, on the face of it, seem likely to be having most impact, to see if there are any patterns and trends coming out from a large number of conduct complaints coming in, and to look more widely to see what that might be indicating across the culture of the organisation more generally. That would currently be left to a judgment call based on the monitoring officer's observations of the number of complaints.

Q54 Sam Carling: Does it work, or does it need to change?

Kim Wright: It would be helpful as part of any standards reform to give some clarity around what the sanctions might be and some examples of behaviour to help assess whether that complaint falls into that higher



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category of sanction potentially. That might be a way to better prioritise investigations into conduct.

Sam Carling: That is helpful. I guess that sounds almost like sentencing guidelines, maybe.

Chair: Charlotte, you just wanted to come in briefly.

Q55 **Charlotte Cane:** Yes, thank you. I just wanted to pick up on Councillor Hamilton's reference to training. What do you think about some sort of centrally-funded training and something to actively encourage parish and town councillors to attend training? You touched on the point that for a small parish council, the cost of training can be quite significant and they are often trying to keep their costs to a bare minimum. Also, you may have people who have joined a parish council because they are concerned about their local community but they see it as quite similar to all the other community groups. They do not have a full understanding of where it sits, and therefore they do not necessarily see the need for training, whereas on the next levels, there are a whole range of structures that make you feel the training is almost compulsory. It is not, but it feels like it. Do you have any views on that?

Councillor Hamilton: Yes. It comes down to resource and capacity, really. There are insufficient resources within the sector to provide effective training. There is not enough capacity as a result of insufficient resources being available. Building a package of training relies upon establishing very strong foundations in which to put that training in place. Having centralised training available for town and parishes to be able to access would be beneficial. Anything that is going to make training more accessible for anyone entering public service should be encouraged. Training does not stop at any point in any career. Particularly going into public offices, for example you are going into a smaller parish, you may come from a community group and may not be aware of the standards that are expected or potential consequences of behaving in a particular manner. Having accessible training becomes vital quite early on when you come into the office; it is not something that should be done one or two years down the line. When something happens and a recommendation comes back to say, "You really should be doing this training," it should be something that happens proactively rather than reactively.

But again, that comes down to resources. The resources need to be there to be able to establish that effectively, but those resources would pay back. Some people who have been town and parish councillors go on to become borough or county councillors, or to hold further office. The initial training and grounding that you receive will serve you well throughout your career. It establishes a level of engagement as well. It prevents people from leaking out of the sector, being frightened away because they have had a bad experience.

Q56 **Chair:** I take the point about time pressures and so on, but one has to



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undertake standards training before one can speak at or exercise a vote on a committee or at a full council meeting.

Councillor Boughton: There is merit in that, but you could say that about a lot of different aspects of work in local government. Obviously, for regulatory services such as licensing and planning, you have to—

Chair: You cannot sit on licensing or planning unless you have had the training, precisely.

Councillor Boughton: So you could apply the same standards, absolutely.

Chair: That is what I was getting at.

Councillor Boughton: That is absolutely a valid point. I suppose the question that might arise from a resource perspective is, at what point do you stop, particularly where you have unitary authorities that obviously cover every service that local government delivers in a particular area? Then there is a question about time that arises from that.

Q57 **Mr Quigley:** The CSPL had a long history of inquiries and recommendations, usually on local government, usually before the national Government made some changes. What role do you think the replacement body—the Ethics and Integrity Commission—should play? What role should it have in monitoring the standards in local government based on what we have just discussed?

Councillor Boughton: Its role at the moment, as far as I understand, includes local government, but it is very much a hands-off role. As a leader of an authority and chair in the safer and stronger communities committee at the Local Government Association, I have not had any dealings with the EIC at all, so it would be wrong for me to come here and say it is implicitly intertwined in how local government operates at the moment. However, ultimately, it is a high-level body, so it is unlikely to be the appropriate body to engage in monitoring complaints, given the remit of its work.

The other point I would make is that it is the guardian of the Nolan principles of public life, which are broadly accepted and understood across the sector. Ultimately, the minimum action that a principal council can take to fulfil the requirements of the Localism Act 2011 is to have a code of conduct for councillors, and by virtue of that to adopt the Nolan principles. If the EIC was to play a more interventionist role within local government, then I don't think that necessarily would solve the problem. It might create other problems, given the oversight that it would probably want at that point, which is why I am slightly cautious and hesitant in my answer to that question.

Kim Wright: SOLACE does not have an explicit position on the question, but you would think that there could be a role for EIC in advising on the process, given their experience. We have said in the consultation that, as



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far as enforcing the code is concerned, and the national appeals panel that I mentioned, nominating lay members to be part of that panel would be something that we have suggested the EIC could become involved in.

Q58 Mr Quigley: From what you are saying, the EIC is doing its bit to raise awareness of standards in public life. How effective is it, and how could it be more effective at that? You have probably part-answered that already.

Kim Wright: There is also a role in terms of a network of where other standards are in operation, sharing good practice and identifying any common trends coming through from other standards regimes, and if there is a role there for being the repository of the good practice and bringing together similar standards bodies to talk to one another about that.

Q59 Mr Quigley: I suppose the question should be, would we notice if the EIC was not there?

Kim Wright: There is a role for some work that it does, but as far as this particular work we are talking about today is concerned, its role is one still to be debated.

Q60 Peter Lamb: At various points you have alluded to the potential need for a minimum code, and the LGA has set out its desire for one. Who would be the best author and owner of that code?

Councillor Boughton: That is a really good question because at the moment, obviously, the code has been written by the LGA. We are very proud of it, which is why I have mentioned it today and why it has been adopted by 60% of councils. If we are to be in a position in which, essentially, there is a national code, there is a question about the ownership of that because ultimately, if it is mandated by the Government that local authorities adopt that, the Government have to take ownership of that code to a degree.

Obviously, we would be very keen for all local authorities to sign up to the LGA code of conduct as part of their subscription to the LGA, but how you would do that legislatively is quite tricky to get around. But absolutely, it is the case that if we are to have a national code, in effect, then that has to be essentially required of councils, because you could end up with administrations at councils that wish to implement their own code.

Q61 Peter Lamb: Of course, membership of the LGA is voluntary.

Councillor Boughton: Exactly.

Q62 Peter Lamb: Reference has been made to co-producing this with local government. If it is a nationally implemented standard, how do you feel that would work in practice?

Councillor Boughton: A lot depends, as I said earlier, on how you design the code. You are not starting with a blank sheet of paper because



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we have the standards code in place, and the code includes a lot of things that work very well. As we all have said so far this morning, the issues primarily arise from those worst offenders, those worst scenarios and the lack of sanctions. Obviously, because of the regulatory framework by which the code operates, the challenge that we face is that the code is not able to go as far as many of us would like it to go.

The co-design work is there. The basis of it is really there. I am representing the LGA with MHCLG at the moment on a task and finish group looking at this, and looking at some ways in which, essentially, we can co-design that work arising out of last year's consultation. We are quite pleased to be around the table with that too, along with a lot of other authorities, including NALC. We are very pleased to be there because we recognise that a lot of good work happens on standards at the minute. We know that the code itself is a really good starting place. We see that because authorities are adopting it. We would just like to go further in the co-design of that.

Q63 Peter Lamb: The Committee has not been aware of that task and finish group before. How long has the group been running?

Councillor Boughton: About six weeks.

Q64 Peter Lamb: That might be why it is not necessarily in the paperwork. What instigated it?

Councillor Boughton: Essentially, after the consultation that the Government did last year closed, the MHCLG instigated a task and finish group with various representatives across the sector. This was just to look at its response to the consultation, and how it could move from some ideas that it had in the consultation towards a clear set of proposals to implement at some point when it desires to.

Q65 Peter Lamb: But you are only six weeks in. What stage have you reached in that process?

Councillor Boughton: We have had three meetings so far, which have been very good. They are roundtable meetings. I don't want to over-emphasise the steps that we have gone to so far; we have just been looking in detail at some issues. For example, we have a particular session looking at sanctions. It is early days, and I would not want to prejudge the outcome yet. It has been led by officials, but it is a good opportunity for that co-design to happen.

Q66 Peter Lamb: In terms of identifying this new minimum standard, a minimum standard could always be exceeded on the local level. In terms of the balance between trying to have things with local flexibility, versus a single national standard around determining that scheme, owning it, and enforcing it, where do you feel ownership for this whole thing really should rest? Is it more on the national level—albeit through the LGA, potentially—or on a local level?



Councillor Boughton: Ultimately, there is a recognition that the current regime does not work as well as it could. As we have discussed this morning, moving forward, the question is how far can local authorities go to ensure that the highest standards are applied to their members? The way you do that comes from giving local authorities—monitoring officers in particular—the absolute clarity to know that they can recommend sanctions that are appropriate to the breach that has happened. But if you want that to be rolled out nationally, there has to be a sense of national ownership.

For us, it comes down to using the skills and expertise that the Local Government Association has, representing most of local government, to be able to co-design that piece of work with the Government. The Government must also be in a position in which essentially they have a really good and flexible standards regime that can be applied to all the different authorities up and down the country, because every authority is different. As I said, if we get into a position in which that code is designed, and designed really well, and there is the ability to review that moving forward, then actually, we can make great strides from where we are at the moment.

Q67 **Chair:** I just want to ask Councillor Boughton two very quick questions. First, can you confirm—yes or no—if a council is not a member of the LGA, is that council still able to adopt your model standards code?

Councillor Boughton: To my knowledge, there are only two councils that are not a member of the LGA, and yes, they can adopt the LGA standards code if they wish to.

Q68 **Chair:** You mentioned that 60% have signed up or adopted it. It is not a particularly impressive figure. What are the main reasons that you understand for councils not doing so?

Councillor Boughton: My own council has, so I can explain from my perspective as a leader of a borough council why we did.

Chair: That is not my question: 60% have, which means 40% have not. Only two councils are not members of the LGA, so there is quite a large number of councils that have not. You might not have it at your fingertips now, but does anybody have a record or whatever as to why 40% of eligible councils have not adopted the LGA model code?

Councillor Boughton: The councils have the ability to determine their own local code. That is what the other 40% do, essentially. There are some councils that have taken elements of what the LGA has done but not adopted it in full. I am happy to write to the Committee after the session to get into the detail, which I do not have at my fingertips.

Q69 **Chair:** To clarify, all councils will have some form of standards of governance: 60% of them have the LGA's; none have none.

Councillor Boughton: Correct.



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Chair: That was my suspicion. I just wanted to clarify it for the record, in case anybody thought, "Gosh, there's 40% of our councils that think it's the wild west."

Councillor Boughton: This is not the wild west—certainly to my knowledge, at least, in local government.

Q70 **Peter Lamb:** In terms of NALC, your organisation has already said that you are interested in having a minimum code. Who would you think was the best person to produce it, and how would you achieve that balance between national and local design?

Councillor Hamilton: It really needs to be outlined nationally so that there are core standards in place, just to ensure that there is consistency across the board. It has to operate within a shared framework. We at NALC would welcome any support and direction from national Government on this, but it has to come from a national level in order to be adopted successfully. It is not something that should be passed down to a smaller level to start tinkering around the edges; that would not help or benefit anyone. Fundamentally, it comes down to foundations again. If it has national foundations, it is something that can be consistent and can be consistently applied. Everyone will know where they stand at that point.

Q71 **Peter Lamb:** Do you feel that Government or NALC or some other organisation should be responsible for producing it?

Councillor Hamilton: Government should be responsible for producing that guidance across the board. The minute you start splitting it up into responsibility across multiple organisations, you will end up with a framework that is very patchwork and very difficult to implement, with significant changes from area to area. That would not be effective in dealing with a lot of the issues that we have raised.

Q72 **Peter Lamb:** Can I ask how SOLACE would view the idea of having this minimum standard, where you feel it should be produced, and that balance between national and local?

Kim Wright: At SOLACE, we are absolutely in favour of a code that is co-created and co-agreed by local government and central Government, which is then prescribed by the Government as being mandatory for all local authorities in England and should be uniform across the country. We also support the fact that all principal authorities should form standards committees. Those committees would ensure that that mandatory minimum code of conduct was applied consistently and robustly across the country. Those standards committees themselves as part of this should be strengthened, so that they have a responsibility to improve transparency and accountability through the evaluation in public and reporting of the effectiveness of their processes.

Just to build on the point that Councillor Boughton made, SOLACE itself last year launched a commission on standards, which has met three



times now. We are very much focused on looking at how we can bring together tools, advice and best practice in this space around standards. We have produced a guide for managing political transition to a new administration as part of our work this year. We have heard from a variety of speakers and experts. That work is ongoing, and I am happy to share that with the Committee as it continues to develop.

Q73 Peter Lamb: Lastly, can I ask you to what extent officials feel they need that code of conduct to be decided and enforced at a national level? What level of local flexibility do you feel there should be for local officials?

Kim Wright: There potentially would be the need for local context to be taken into account and variations in size, scale and type of authorities. But we are very clear that there needs to be a national minimum standard that is prescribed and uniform across the country.

Q74 Markus Campbell-Savours: If I could pick up on that last point with Ms Wright, I have read in various places that there needs to be scope for some local variation, but to be honest, I am not quite clear I have any examples in my mind of what that local variation looks like. I know this might be something that Councillor Boughton wants to pick up on as well. Could you give us any examples of what the value of local variation in a code of conduct looks like?

Kim Wright: Well, potentially it is about scale. As Councillor Hamilton has said, some resource and capacity constraints around parish and town councils might mean that there is not the capacity to put in place all the structure that you might expect to see at a mayoral strategic authority, for example, because of those constraints that exist at that very local level.

Q75 Markus Campbell-Savours: In terms of carrying out investigations, potentially sanctioning, if there is sanctioning available?

Kim Wright: Yes, and as Councillor Boughton says, it is his MO who does the work currently for those parish councils because there is not that resource locally.

Councillor Boughton: I agree absolutely with the point that Ms Wright makes, but you have a big difference between mayoral strategic combined authorities and small district councils at the minute. Certainly, you have some authorities in which you have significant numbers of town and parish councils, and complaints get referred to the principal authority, yet you have some authorities that don't have any town and parish councils too.

It follows that a monitoring officer is likely to be busier where they have more town and parish councils. The size of the principal authority does not necessarily correlate with the number of town and parish councils that you have. That is a good example of where there is a difference.

Q76 Markus Campbell-Savours: Just to clarify, you mentioned that in some



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instances councils had adopted the LGA's model code of conduct, but not in full because they had made their own amendments. Do they all relate to this issue of scale?

Councillor Boughton: The majority do. There are always some authorities that have—

Q77 **Markus Campbell-Savours:** I believe the LGA guidance is that councils should consider doing that, so to not adopt it in full is within the scope of what the LGA envisaged. These are not people making a Frankenstein's monster; this is something that you have promoted as the LGA.

Councillor Boughton: Yes, and you hit the nail on the head in the question, which is that the LGA promotes this. The LGA is not dictating to its member councils that it should. Part of the purpose of the LGA is that we represent local government; we don't tell local government what to do. Ultimately, it is the elected members of that authority who at the moment have the ability to shape their code depending on their local circumstances.

Q78 **Markus Campbell-Savours:** The Ethics and Integrity Commission has said it sees a role in helping these codes develop. Is there value in a national body like that doing this? What value do you think it can add? How could it work more closely with local government to help?

Councillor Boughton: As I mentioned earlier, the role of the EIC is incredibly interesting in this space. The reason I find this to be particularly interesting is, how far do we want them to be interventionist when it comes to local government and the way that standards are maintained across local government? Certainly, if you end up with a new national appeals body, the EIC could be included within this network. It actually might be well placed to provide that high-level view on how the new standards system and code of conduct are functioning.

At the same time, it is important to recognise the wider experiences of individual councils and councillors and ensure they are reflected in the work that the Commission would do. There is a question that arises from the role of the EIC in all this.

Q79 **Markus Campbell-Savours:** Do you have a similar view to Ms Wright, in terms of what that investigating body might look like as a committee of lay members? Should it be at a national level or could it be at a regional level?

Councillor Boughton: Whether it is at a national or regional level, for the purposes of principal authorities, it is still sitting above and outside principal authorities. The key thing for us is ensuring that there is local government representation on there. The reason that is incredibly important is we know that part of the reason elected councillors, in particular, get into standing for local authorities is because they want to influence their local area; they want to influence what that looks like.



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There is a general resistance from local councillors when they are forced down routes that are mandated or that Government have determined they must follow, when they want to have absolute freedom and flexibility. It is one of the reasons why I stood for local government in the first place.

I would be very mindful that actually, if you are to have a new national appeals body, we absolutely need to ensure that we have some sort of local government representation on there.

Q80 Markus Campbell-Savours: I have a question for the whole panel, and I say this as a former parish councillor, town councillor, district councillor and unitary authority councillor. I am frustrated that the system does not have any sanctions. A system with teeth is what everybody seems to want. Is there not a risk that when we give it teeth, monitoring officers are far more likely to push things through without relying on local resolution, and members are far more likely to make complaints? I also assume that once things go to a standards committee, there is a very high chance that people will appeal and try to go through to this national body. Are we not just creating a system that will be very expensive and bogged down, even if it does not look like the old Standards Board for England?

Councillor Boughton: I take the point. There is a particular question, given that a number of authorities are in no overall control at the moment. Obviously there is always a risk, given that standards committees are politically balanced, that the politics of a local council can overcome that. That relies on good governance and good leadership to overcome it within the local authority. I say that as someone whose authority was on the mayor's casting vote for two years, which was challenging, and fortunately we managed to resist the standards committee being used as a political football. I take the point, and it is an important point to raise.

Ultimately, this comes down to two things: the independent persons are really important in terms of providing that advice, but also—I am sure Kim will want to comment on this—the monitoring officers. It is a very difficult job, being a monitoring officer. Getting people with the right skills and training is hard. Those of us who have outstanding monitoring officers, as I am lucky to have at Tonbridge and Malling, are very keen to ensure that they are empowered as much as possible. But provided that that advice and their role is absolutely clear in the process, and you have councillors on standards committees who fully understand their role and the training associated with it, you can mitigate that as much as you possibly can.

Kim Wright: There is a greater risk in not putting in place a standards regime that is fit for purpose, with teeth. I would say as a reminder that local government is the only part of the public sector without one currently, and where other parts of the system have them, we are not seeing what you have described. SOLACE is clearly of the view that this is



needed, it needs to be a mandatory minimum code, it needs to be implemented robustly and swiftly, and the risk is too great not to do that.

- Q81 **Markus Campbell-Savours:** Are whistleblowing rules sufficient? I come into this discussion remembering a councillor by the name of Paul Dimoldenberg, who was pushed through a standards system after calling out the Westminster city council on its failure to get money back following the famous gerrymandering case. There was a huge injustice in the way that that happened. Is there work to do alongside any work on this? In some ways, it goes back to the comment that Mr Lamont made earlier, on how we need to look at this in the round and ensure that people do not use the tougher system to gag people.

Kim Wright: Obviously, I am not going to comment on any particular case, but it makes sense and is the right thing to do to look at this in the round. The constant reviewing of the application of any new standards system, as Councillor Boughton has said, would be a very welcome safeguard. Indeed, it would be good practice to constantly be reviewing the impact of any new system. Part of that would be to see how the whistleblowing rules and regulations around that would need to be updated and amended, to make sure they were dovetailed to, aligned with, and not undermining any new standards regime.

- Q82 **Markus Campbell-Savours:** I should just add that he was cleared by the adjudication panel at the end of that investigation.

Chair: Thank you for that clarification, Mr Campbell-Savours. Have you concluded your questioning?

Markus Campbell-Savours: I have indeed.

- Q83 **Sam Carling:** I would like to move into the online space a little now. Matt, in written evidence you have raised the issue of how much political activity is happening online, and we have mentioned it a little today, and how that interacts with the standards system. Are you able to give us a bit of clarity on what aspects of political activity online most concern you on that front?

Councillor Boughton: Yes. As you all know, political campaigning has changed significantly over recent years. The online space is an important way of campaigning for your community, as you do as Members of Parliament and we do as councillors. The greater the voice and presence you have online—particularly within local community spaces online—the more you open yourselves up to abuse and intimidation. We found in the Debate Not Hate survey that 64% of respondents had actually experienced online abuse. When you take into account that there are still a number of councillors who just don't go online, full stop, you have a significant number who are getting online abuse.

While most councillors engage appropriately online in an official capacity, and will go on the local village Facebook page and tell people that the road is going to be closed because a pothole is going to be filled in—that



is absolutely fine and should not be discouraged—an increasing share of complaints that councils receive relate to breaches around online behaviour, around that digital footprint. This obviously raises broader concerns about freedom of speech and what constitutes a personal social media account or otherwise.

Just to give you an example of this, lots of councillors will have—I do it myself—their councillor Facebook page, “Councillor Joe Bloggs,” but then they operate their personal Facebook page, and they end up in some spaces using their personal profiles to engage with residents on matters of council concern. Are they acting in an official capacity when they do that, and therefore, are they effectively subject to the standards regime? This is an area in which we need to use this opportunity to get some absolute clarity.

That is really important because there is a very, very fine line between those two things. You can be engaging online in a debate about whether your local football team is any good, and all of a sudden that will move very quickly into matters of local interest that affect you in your role as a councillor. Being able to draw that distinction is incredibly important, in the view of councillors, to understand when they are required to act in accordance with the code at their relevant authority and when they are not. This is a huge area of importance now, and it is only growing.

Q84 Sam Carling: That is really useful. It chimes with some experiences I am having locally at the moment, where we have a councillor who has published the work addresses of another councillor and encouraged a lot of personal vitriol in my authority, which is really difficult. It is interesting hearing that point you have made around the personal versus page situation, because as an MP there are various groups that do not let pages in. I have to put my personal account in those ones occasionally, and then that blurs the lines. That is quite helpful. Are there any actions you think we could ask the social media companies to take to help with that, or will it just always be an issue?

Councillor Boughton: I think there absolutely are. If I use myself as an example here, I am banned from my local village Facebook page, which in some ways is a great relief, unless I need a plumber urgently or something. The reason for that is essentially that the admin does not like me, and he does not like me because I voted a particular way on a planning application. There is a really important point there, which is around freedom of speech, the role of social media companies as publishers, and the ability of elected representatives to have their voice and be able to communicate with their electorate.

It is certainly my view that this grey area is only getting greyer at the moment, because I could go on there with my council profile and ask for a plumber if I needed a plumber, for example. But actually, is that really an appropriate use of that? I take the view that I have my page, Matt Boughton, Leader of Tonbridge and Malling borough council, and I will just talk about Tonbridge and Malling borough council matters on there. I



will keep my personal Facebook profile as personal as I possibly can. But if you are blocked from one, should you use the other, or should you not use the other? Are you subject to a code of conduct or not?

It is an incredibly grey area, where we need some absolute clarity. All elected councillors would benefit from having absolute clarity on that question.

Chair: I am quite keen that we draw this session to a conclusion within about the next quarter of an hour, if we could all just be mindful of that. Mr Campbell-Savours, you wanted to come in on this element as well, did you not?

Q85 Markus Campbell-Savours: I just wondered if we could drill into that last point a little further, in terms of what constitutes personal and what constitutes people working in their capacity as a councillor. I have witnessed a situation where what I consider to be a fairly libellous post was posted online, by a councillor, talking about the inner workings of a council, conversations had with a leader of a council, criticising other councillors and talking about council business and money spent by a council. I saw a monitoring officer tell me that this was done in a personal capacity and therefore was not the business of the council.

Did the LGA's 2020 code of conduct reform—sorry, I have not read it in its entirety—contain any clarity on this issue? Is there anybody that has any guides on what this distinction looks like? You have mentioned there about the two different types of accounts, but sticking "Councillor" in the name of your account does not really change the fact that if you are talking about council business on your private account, you are clearly working in your business as a councillor. In other lines of work, you would really struggle to argue that you were not releasing private information of a business that you are working in just because it was in a private account. Can we get a bit more detail on how this distinction could be made?

Councillor Boughton: Yes. At the moment, the model code of conduct for the 60% of councils that have it incorporates requirements to treat each other with respect and not bring the council into disrepute, regardless of how you are getting that point across. That is absolutely the right thing, and obviously we would like that to go further, as we have said throughout. The circumstance you describe is very similar to one in my own authority, in which I actually had to make the complaint. I was in a private meeting with an opposition back bencher, and we were talking about ideas for regeneration of a town centre. That back bencher subsequently went all over Facebook and said that the administration I lead wished to remove the very much loved model railway and put a new building on there. Uproar happened a month before the election, so it was deliberately timed.

That ended up going through our standards process. It was a slam-dunk breach of it. It was obviously concluded after the election, which perhaps



set the underlying tone. The outcome was a report to full council, because again, there were no sanctions. That is a really good example similar to the one you describe, where actually the standards regime was able to commission the investigation; we got an independent investigator in to do it; we held a hearing panel throughout the day; the hearing panel did absolutely everything right, and it produced a really good report other than the sanctions element of it that was missing. In some ways that is a great shame, really. It had done all that work. The code was quite clear that this was a breach, even though it was posted on a political page. But there was not any genuine consequence for that particular action.

This is where going a bit further than the model code is going to be really important going forward. It starts with the sanctions element of it, because if you get the sanctions element right, your codes can be tougher as a result. That discourages the sort of behaviour you have described, and that I have just used as another example.

Chair: In essence, this is analogous to a defendant in court. The jury finds them guilty, and the judge says, "Well you're bang to rights, you're guilty, but I can't fine you, and I can't send you to prison. I just hope you go away and sin no more," sort of thing, which is quite a Catholic way of dealing with things—I say that as a Catholic—but it is not necessarily exactly what the public expect, is it?

Q86 **Charlotte Cane:** It moves on quite well from what we were just talking about. There has been lots of talk from you all about needing stronger sanctions. What kind of sanctions would be appropriate and effective?

Chair: Hanging, drawing and quartering.

Councillor Hamilton: NALC has called for suspension powers to address bullying, harassment or disruptive behaviour, effectively. We feel that it is good that the Government have listened to that. We have been campaigning for that for a number of years. It has to be a graduated framework, and it has to be proportionate, transparent and linked to the severity of the infraction. I think I have used the right word there. The sanctions need to be meaningful, so suspension and disqualification for the most serious or repeat offences have to be available. I keep going back to training, but that is where the training comes in, because if people are aware that sanctions would be inevitable for the most serious breaches, you would hope that the likelihood of them would decrease because people would know that there is potential for that outcome.

Again, it just goes back to behavioural change. Everything is underpinned by the framework and providing teeth, as it were. Everything hinges on that. If that is in place, it enables stronger foundations to be built around that, which in turn will hopefully have the knock-on effect of improving the behaviour within this sector. I know there has been lots of touching on putting pressure on monitoring officers and so on. That pressure would naturally decrease because there would be fewer occurrences,



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because people would have an understanding that if they continued to behave like that, it could have very severe consequences for the future.

- Q87 **Charlotte Cane:** I can see suspension working for parish councils, but once you get to town councils and principal authorities, people are elected to represent a part of that area. How do the people that councillor should be representing continue to be represented at those levels?

Councillor Hamilton: I can speak on behalf of my own parish. My parish has six councillors representing each area. I would like to hope that not all six councillors in that area are getting suspended at the same time. In the situation where one councillor from a ward is facing suspension, perhaps pending an investigation or otherwise, communication is key. The hope is that the other councillors within that ward would continue to represent those electors while that incident or issue is being investigated.

Again, these would be for the most serious of offences. I am talking only from my own experience, but on quite a lot of occasions where there have been incidents, a lot of it is down to councillors perhaps not understanding what they should and should not be doing. I know social media has been mentioned, but that is a big one. A councillor will pop on to social media and post something that perhaps they should not, quickly followed by a phone call an hour later from a panicked clerk asking them if they can remove it. But by that point, the fuse has already been lit because someone screenshotted it or shared it. It would hopefully reduce incidents like that, purely through the awareness that those particular sanctions would be there in the event that that incident was escalated beyond that.

- Q88 **Charlotte Cane:** Councillor Boughton, do you think that would work for principal authorities—such as counties where there may be only one member for the division? Is that the only sanction?

Councillor Boughton: Yes. Ultimately, I agree with a lot of what Iain has said. We have to recognise that this is a very small number of cases. The majority of councillors will never have any sort of engagement with the standards regime. Of those who have any engagement with the standards regime, it is only a minority of the most serious breachers that we are talking about here. Therefore, we support a wider range of meaningful sanctions to deal with those small numbers of extreme or persistent infringers, which would include the ability to suspend councillors for up to six months in the most serious of cases.

But we need to ensure that that is how it is embedded, and that where there are other routes to address poor behaviour, these have been exhausted first through early intervention where it is needed. That means that, say, six months should not become the default period for suspension at all, and there should be the ability to use that time range appropriately, depending on the nature of the breach in question.



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Of course, a vast number of breaches are administrative or inadvertent, and therefore they can be dealt with through training requirements, through apologies and so on. Certainly, our experience has been that where there is an administrative breach, usually the subject is quite happy to simply do that and move on with life. Obviously, a suspension is a substantial act. It would have ramifications potentially for authorities. I referred to my own, which was run on the mayor's casting vote for two years. If the wrong member—from my perspective—got suspended, then that would change the control of the council. That is why it has to be used sparingly. But critically, it has to be available as a clear deterrent to the worst behaviour, and to ensure that councillors continue to uphold the best behaviour they possibly can while they are in elected office.

Q89 Charlotte Cane: What would be the solution to the single member representing an area? How would that area still be represented?

Councillor Boughton: That is a very tricky question. Obviously, unlike Members of Parliament, most wards are multi-member wards, certainly in the majority of authorities. As Iain said, it would be the case for districts and boroughs that you will normally—not always—have a ward colleague who will be able to take on that work. Obviously, how a suspension works would be interesting. Is it a suspension in terms of just being unable to participate in council meetings? Then they can continue to do casework as the local representative. That can be done without setting foot in the council chamber. That would usually require access to council IT and to private and restrictive papers, for example, that help you discharge your duty.

There is a question as to how far you go down there. But ultimately, from our position, it is a case of recognising that you do not want to create a democratic deficit at all. As you describe, particularly for county councillors, there are scenarios in which that is a possibility. That then has an impact, where you are in multi-member wards, on the other councillors who represent the ward. But the critical point here is that if you are at that point, and these are the most serious of circumstances, then the option needs to be on the table to be used, because the member has clearly not been able to get the message, if there has been early intervention and they have gone through rigorous training.

Q90 Chair: What about docking of pay?

Councillor Boughton: Docking of their allowance?

Chair: Yes.

Councillor Boughton: Ultimately, we have to remember that councillors have been elected to serve a term of office. Their work as councillors is not just in the council chamber, it is in the community as much as anything. For example, if they are expected to continue with casework even if they are suspended from duties at the council, then perhaps they should still be receiving part of their basic allowance that covers that.



Chair: It concentrates the mind though, does it not?

Councillor Boughton: It certainly would. It certainly would post-LGR, when the likelihood is that you would not have two tiers of government any more. Your unitary councillors usually get paid a higher basic allowance than district and borough councillors at the moment. As you say, Chairman, it would definitely focus the minds of those representatives who may be minded to do something that is a clear breach of the code.

Q91 **Chair:** In a circumstance where something was an egregious breach but not meeting the threshold of criminality, should there be the ultimate sanction of dismissing somebody from service—that is, creating a by-election and/or prohibiting them from standing in future elections?

Councillor Boughton: I feel very uncomfortable with that. The reason I say that is simply because ultimately, there should not be anything preventing the people from electing whomever they wish to represent them. That puts us in a highly uncomfortable place as a democracy.

Markus Campbell-Savours: That was a sanction under the old regime, was it not?

Chair: Yes.

Councillor Boughton: But it was under the old regime. I feel quite uncomfortable. Ultimately, you would—

Q92 **Chair:** But it is not designed to make people feel comfortable or create a comfort zone. I suppose my underlying presumption is that if one was aware that that was an ultimate sanction, it might help shape behaviours.

Councillor Boughton: It would help shape behaviours, but again, I suppose you then get into the question of, do you impinge on the right of the voters to elect whom they wish? It may be that the voters are happy to elect a councillor who has a long history with the standards committee, at their authority. But I take your point, absolutely.

Q93 **Chair:** It is a sobriquet of unfit for public office, is it not?

Councillor Boughton: Yes.

Councillor Hamilton: With regard to that question, you can see a similarity there with serving on a board of directors and being disqualified as a director, but normally that is when it reaches over into criminality. It would be in the case of the most serious breaches, which perhaps verge on the realms of criminality, that that sanction would be looked at. But I agree with my colleague, that is—

Chair: I am not suggesting it is a weapon that is deployed at every step and turn, but it may be useful to have in the arsenal. Let us just take Markus, then. Markus is very keen on criminality.



Q94 **Markus Campbell-Savours:** It is something that came out of the much earlier reforms, and a question as to whether we should return to it. Should failure to declare pecuniary interests be a criminal offence?

Chair: Deliberately not declare?

Markus Campbell-Savours: Yes.

Councillor Boughton: Potentially. I would say this is a bit above my pay grade, but how do you determine what “deliberately” is? Sometimes it is just a clear oversight. There are some members who have directorships all over the place, just because of the nature of the business they were in before they entered local government. Most people, when they put themselves forward for election, do so because they want to serve their community. One of the considerations—it certainly was the case for me—is not, “Goodness, what do I have to declare on my register of interests?” at that point.

As I say, it is a little beyond my pay grade, I would say, but the register of interests is important. That is something that perhaps others will have a stronger view on.

Q95 **Sam Carling:** I just wanted to say that in terms of the suspension or dismissal of councillors that the Chair mentioned, or preventing from standing in future elections, is it made easier, in your view, if there is a time limit on it? I am just looking here at the Government response from November 2025 to the most recent consultation. It looks as though they are looking to introduce powers whereby if somebody is suspended twice, they can be disqualified from standing for a period not exceeding five years. Does the time limit affect that?

Similarly, we have a situation locally—this is all in the public domain—where a councillor is being charged with sex offences and has been remanded in custody, really not able to do their job. Is that a situation in which we ought to consider allowance deductions maybe, which then if they are found not guilty later could be dealt with? Is it worth exploring that, in your view?

Councillor Boughton: Absolutely, it is worth exploring, albeit there has to be recognition that where there is a criminal investigation, that naturally has to take precedence, obviously. There must be the presumption of innocence before being proven guilty, but at the same time recognising that just the sheer knowledge that a councillor may be under investigation for some sort of criminal act may impact both their standing in the community and the trust that residents have in approaching him or her for any advice they wish to get from their local councillor.

To my mind, it is a really important question. Fundamentally, though, the line between a standards issue and a matter of criminal investigation is one that needs to be held firm, because ultimately, we cannot pretend that the standards regime is of equivalence to a police investigation.



HOUSE OF COMMONS

Chair: I thank the three of you very much indeed for your attendance here this morning and for taking our questions, and thank you to colleagues for asking them.