

BOLSOVER DISTRICT COUNCIL

Meeting of the Standards Committee on 9th February 2026

Government Response to the Consultation on Changes to the Standards Framework

Report of the Director of Governance and Legal Services & Monitoring Officer

Classification	This report is Public
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PURPOSE/SUMMARY OF REPORT

To advise the Committee of the Government's response to the consultation on Strengthening the Standards and Conduct Framework for Local Authorities in England

REPORT DETAILS

1. Background

1.1 In 2025 the Government consulted on proposed reforms to the standards regime for local authorities. A summary of the response to the consultation including legislative proposals are set out in section 2 below. The full document is set out in Appendix 1 to this report.

2. Details of Proposal or Information

2.1 The Government received 2,092 responses to its consultation on reforms to the standards and conduct framework. The responses indicate broad support for systemwide reform of the current legislative regime contained within the Localism Act 2011. The response indicates support for stronger sanctions accompanied by commensurate procedural safeguards. The stated intention of the reforms is to ensure that misconduct is dealt with promptly and fairly, whilst strengthening public confidence in local democratic institutions.

2.2 Key themes

The Government's response places emphasis on the role of the standards framework in supporting a positive organisational culture within local authorities. It recognises that elected members are expected to demonstrate leadership through their behaviour and that poor conduct can have a wider impact on officers, fellow councillors and members of the public.

- 2.3 The response acknowledges concerns raised during the consultation that persistent poor behaviour, including bullying or intimidating conduct, can cause significant personal distress and undermine effective governance. The proposed reforms are intended to strengthen councils' ability to address such behaviour and to reinforce expectations of decency, professionalism and respectful working relationships.
- 2.4 The Ministerial foreword notes the importance of maintaining space for robust political debate and the expression of strongly held views within local democracy. At the same time, it emphasises that such debate should take place within a framework of fair and reasonable democratic discourse, characterised by respectful behaviour and conduct. The response makes clear that the standards regime is not intended to inhibit legitimate political disagreement, but rather to address conduct that crosses the line into behaviour that is toxic, intimidating or undermines confidence in local democratic institutions.
- 2.5 The Government recognises that the conduct of elected members increasingly takes place in public and online settings, including through the use of social media. Respondents to the consultation highlighted that behaviour in these forums can have a significant impact on public trust and on relationships within councils. The Government indicates that matters such as the use of social media are likely to be addressed through a mandatory minimum code of conduct and associated guidance.
- 2.6 Proposed changes

The Government proposes to legislate for a mandatory minimum code of conduct for all local authorities in England. The code will embed the Seven Principles of Public Life and require members to co-operate with standards investigations. Local authorities will be permitted to develop guidance and protocols that align with the mandatory code, but these will not form part of the statutory code itself.

- 2.7 The Government intends to require all principal authorities to formally constitute Standards Committees to consider the outcome of investigations into Code of Conduct breaches. Moreover, decisions on the application of sanctions will be taken by those committees. There is also support in the response for co-opted members holding voting rights and for standards committees to be chaired by either an independent or co-opted member.
- 2.8 The Government proposes that councils should be required to publish the outcome of investigations and decisions once concluded, including cases where a member has been exonerated or where a member has stood down during an investigation.
- 2.9 Respondents to the consultation emphasised the importance of support for those affected by misconduct by councillors. In response, the Government has stated they intend to develop best practice guidance on complaint handling and support mechanisms for those impacted.
- 2.10 The Government proposes to legislate to give local authorities the power to suspend elected members for serious breaches of the Code of Conduct for up to six months. During this period, councils would have the discretion to withhold allowances and impose bans on access to council facilities. Any decisions on

suspension would be made by standards committees, following formal investigation and the views of the Independent Person.

- 2.11 In serious cases, where a councillor is subject to external investigation or where a court decision is pending, the Government plans to legislate for interim suspensions. Interim suspensions would last for up to three months and be subject to ongoing review by standards committees.
- 2.12 The response confirms the Government's intention to introduce disqualification where a member is suspended twice within a five-year period, reflecting a cumulative pattern of serious misconduct.
- 2.13 The Government proposes a 'right for review' for both complainants and subject-members to request local reassessment of standards committee decisions. Pending further engagement with the sector, there will also be a national appeals function following the exhaustion of local review processes.

2.4 Public/stakeholder engagement

The consultation response reflects input from a wide range of stakeholders, including councillors, council officers, sector bodies, and members of the public. The Government indicates it will continue to engage with local government representative organisations as proposals are developed into draft legislation.

3. Reasons for Recommendation

- 3.1 To ensure members of the Standards Committee are informed of Government policy developments that may affect Derby City Council's locally agreed standards procedures.

4 Alternative Options and Reasons for Rejection

- 4.1 There are none.

RECOMMENDATION(S)

1. To note the contents of the Government's consultation response as summarised in the report

IMPLICATIONS:

<u>Finance and Risk</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:		
On behalf of the Section 151 Officer		

Legal (including Data Protection)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Details: The current standards framework is detailed within the Localism Act 2011. The Government's intended reforms will require primary legislation and Parliamentary approval prior to adoption. The timescale for this is not currently known.		
On behalf of the Solicitor to the Council		
Staffing	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:		
On behalf of the Head of Paid Service		
Equality and Diversity, and Consultation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Details: The proposed reforms will improve the ability of the Council to act in circumstances where a councillor may be in breach of the local authority's legal responsibilities under the Equalities Act 2010.		
Environment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment		
Details:		

DECISION INFORMATION:

<i>☒ Please indicate which threshold applies:</i>		
Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.	(a) <input type="checkbox"/>	(b) <input checked="" type="checkbox"/>
Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.	(a) <input type="checkbox"/>	(b) <input checked="" type="checkbox"/>
District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i>	All <input type="checkbox"/>	

<p>Please state below which wards are affected or tick All if all wards are affected:</p>	
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<p>If Yes, is the call-in period to be waived in respect of the decision(s) proposed within this report? (<i>decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer</i>)</p> <p>Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p>Leader <input type="checkbox"/> Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
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<p>Links to Council Ambition: Customers, Economy, Environment, Housing</p>	
<p>Customers</p>	

DOCUMENT INFORMATION:

Appendix No	Title
1	Strengthening the standards and conduct framework for local authorities in England – consultation results and government response

<p>Background Papers</p> <p><i>(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 Executive, you must provide copies of the background papers).</i></p>	
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DECEMBER 2024