

Appendix A

List of Best Practice Guidelines	Current	Actions
<p>Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.</p>	<p>The current Members Code of Conduct contains the following, but does not mention harassment or give definitions or example behaviours: <i>(e) Bully, intimidate or attempt to intimidate others (p.3)</i></p>	<p>Amend Members Code of Conduct to include definitions of bullying and harassment.</p>
<p>Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.</p>	<p>No current provisions.</p>	<p>Add additional wording re: compliance with investigations added to Members Code of Conduct</p>
<p>Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.</p>	<p>Code of conduct reviewed as and when necessary.</p>	<p>Add to Governance Service Plan and work programme for Constitution & General Purposes Committee</p> <p>Governance Service to work with Communications to determine how best to involve the public, community organisations, etc. (e.g. via a formal consultation, engagement with the Citizens Panel, etc.)</p>
<p>Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.</p>	<p>The Member's Code of Conduct is currently available on the committee papers section of the council's website (see section 19 here). A link is also available via the main website here.</p> <p>Hard copies will be made available in council premises on request.</p>	<p>N/A</p>

<p>Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.</p>	<p>Details of gifts and hospitality declared by individual Members is available via the profile page for each individual Member (see here)</p>	<p>Governance Service to liaise with Information Management Team to identify how Members declarations of interests can be published in an accessible format list on a regular (quarterly) basis (e.g. on the Open Data Portal).</p> <p>Add to Governance Service Plan for Head of Governance to send quarterly reminders to Members to update their register.</p>
<p>Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.</p>	<p>No public interest test is referred to in the Members Code of Conduct or Procedure for Dealing with Complaints.</p>	<p>Public interest test added to Procedure for Dealing with Complaints.</p>
<p>Best practice 7: Local authorities should have access to at least two Independent Persons.</p>	<p>The Council currently has two Independent Persons appointed whose terms of office expire in October 2022. Council will be asked to extend their appointments up to May 2024.</p> <p>Consideration is being given to whether there is a requirement for a third Independent Person to be recruited.</p>	<p>Update details of Standards Committee on committee papers website to include independent persons.</p>
<p>Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.</p>	<p>According to the Council’s current Procedure for Dealing with Complaints (Section 20A of the Constitution), the Independent Person is contacted once the Monitoring Officer has completed the final report (see section 3.6 of ‘The Investigation’). However, the main Council website section about making a complaint about a councillor the Independent Person is referenced earlier:</p>	<p>Amend the Council’s Procedure for Dealing with Complaints and website to include consultation with an Independent Person at each stage of the investigation.</p>

	<p><i>The Monitoring Officer will decide whether any complaint should go to a formal process. If the Monitoring Officer believes that the complaint is frivolous or vexatious or does not fall within the scope of the Code of Conduct, the complaint can be rejected following consultation with an appointed Independent Person.</i></p>	
<p>Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.</p>	<p>The Constitution & General Purposes Committee receives an annual report from the Monitoring Officer on Code of Conduct Allegations (e.g. see item 11 here)</p>	<p>An annual report should continue to be produced and reported to committee shortly after year end (i.e. June annually). The Monitoring Officer and Head of Governance will consider how the annual report might include references to the views of the Independent Person and reasoning of the decision-maker.</p>
<p>Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.</p>	<p>The Procedure for Dealing with Complaints (Section 20A of the Constitution) has clear guidance on how to make a complaint. The Council website clearly signposts the form to use in making a complaint against a Councillor and the estimated timescales (however it does make reference to the Group Leaders Panel so should probably be updated).</p>	<p>Request Web Team to update web pages to refer to Standards Committee rather than Group Leaders Panel.</p> <p>Ensure that web page has a link to the Members Code of Conduct.</p>
<p>Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.</p>	<p>N/A</p>	<p>N/A</p>

<p>Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.</p>	<p>N/A</p>	<p>N/A</p>
<p>Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.</p>	<p>The Council's current Procedure for Dealing with Complaints (Section 20A of the Constitution) allows for the appointment of an Investigating Officer:</p> <p><i>The Monitoring Officer may conduct the investigation personally or may appoint an Investigating Officer, who may be another senior officer of the Council, an officer of another authority or an external investigator.</i></p>	<p>No changes to Procedure for Dealing with Complaints required as the Monitoring Officer can appoint an investigating officer if a conflict of interest is identified.</p>
<p>Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies.</p> <p>Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.</p>	<p>The Council has several bodies which it has established to discharge various functions including (but not limited to): The Barnet Group (including Barnet Homes (and subsidiaries) and Your Choice Barnet; The Inglis Consortium; Regional Enterprise (Re); regeneration partnership boards and joint ventures; etc.</p>	<p>Details of separate bodies established or owned will be included in the Council's Annual Governance Statement.</p> <p>The Monitoring Officer and Head of Governance will discuss with separate bodies whether they currently publish board papers and encourage them to do so.</p>

<p>Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.</p>	<p>The Director of Assurance, Monitoring Officer and Head of Governance meet regularly with the Leaders of the Administration and Opposition and standards issues are discussed. Group Leaders raise issues with individual Members as and when required.</p>	<p>No action required as officers already meet with Group Leaders.</p>
---	---	--