



South Tyneside Council

A national update on standards issues affecting Local Government

This document has been classified as: **Not
protectively marked**
Lucy Keating Director of Legal and Governance
(Monitoring Officer)
Standards Committee – 6 July 2026

Report to Standards Committee

Cabinet Portfolio/Lead Member: Cllr Susan Sybenga – Deputy Leader & Lead Member for Member for Finance and Resources

Report of the Director Legal and Governance

Subject: To consider a report of the Monitoring Officer providing a national update on standards issues affecting Local Government

Date: 6 July 2026

Wards affected: All

Council ambitions: Financially Secure, Part of Strong Communities and Targeting support to make things fairer

Does the report and any appendices contain information which has been identified as confidential or exempt?

- No, this report does not contain information identified as confidential or exempt.

For Executive Decisions only:

Is the decision a Key Decision? No

Is it included in the Forward Plan? N/A

If not in the Forward Plan is the report: N/A

Relevant Scrutiny Chair: N/A

Is the decision eligible for call-in by Scrutiny? No

Purpose of Report

1. To inform Members of the Standards Committee of the national picture on standards issues affecting Local Government.
2. This report is for information to update the Standards Committee on national developments and cases which relate to the work of the Standards Committee since it last met on 16 March 2026.

Background Information

3. The Standards Committee has previously agreed for this report to form part of the Annual Work Programme as a standing agenda item with a quarterly update to the Standards Committee.

Main issues and Options to be Considered

Ethics and Integrity Commission chair backs ‘middle ground’ standards regime

4. The Chair of the government’s Ethics and Integrity Commission, Doug Chalmers, spoke to the parliamentary Public Administration and Constitutional Affairs Committee (PACAC) on 15 April 2026. He discussed standards in local government and stated that he favoured an approach which stood “somewhere in the middle” between the former Standards Board for England and the current standards framework. He stated his view that a new framework should be able to impose sanctions.
5. He indicated, following a question from the Committee’s chair, that he would consider establishing a network of local government bodies similar to the Commission’s existing network of standards bodies in central government.
6. He stated that the Commission plans to produce guidance on the forthcoming Public Office (Accountability) Bill, which is expected to introduce mandatory codes of conduct across public authorities. The Bill is still awaiting review by the House of Lords.
7. However, he cautioned that codes of conduct alone would not be sufficient to drive behavioural change, as in isolation they do not shape behaviour. He emphasised the importance of having codes of conduct link with other organisational policies.

8. On 13 May 2026, the King delivered the King's Speech on 13 May 2026, outlining the new legislation planned for the new parliamentary year. There was no reference to the proposed revised Standards regime. The Ministry of Housing and Local Government have since confirmed that the proposed changes to the Standards regime will not be considered in this parliamentary session.

Legal requirement for authorities to publish members' home addresses repealed

9. From 29 June 2026, local authorities will no longer be required to publish an elected or co-opted member's home address in their registers of interest.
10. Under the previous law, authorities could only remove a member's home address from a register of interests when the authority considered there to be a risk of violence or intimidation towards the member.
11. The new English Devolution and Community Empowerment Act 2026 makes clear that from 29 June 2026, the default position will be that a member's home address will not be disclosed on the authority's register of interests unless the member expressly requests otherwise.
12. The address must still be declared to the monitoring officer and will remain internally available to the authority in order to prevent conflicts of interest.
13. Additional addresses, such as second homes, still need to be published by default. However, if a member considers that the publishing of an address could lead to violence or intimidation of them or their family, they will continue to be able to apply to the monitoring officer to have the address classed as sensitive interests and therefore not made public.

Two Edinburgh Councillors Censured for Breaching the Councillors' Code of Conduct

14. At a Hearing held in the City Chambers on 11 March 2026, City of Edinburgh Councillors Neil Ross and Marie-Claire Munro were censured by the Standards Commission for having breached the Councillors' Code of Conduct. This was for failing to declare an interest when matters concerning the Braid Estate 'Quiet Route' were being considered at meetings of the Council's Transport and Environment Committee and at a workshop.
15. Dr Lezley Stewart, Standards Commission Member and Chair of the Hearing Panel, said: "The Panel found that Cllrs Ross and Munro failed to declare a non-financial interest in relation to matters concerning the Braid Estate 'Quiet Route' and, instead, took part in the discussion and decision-making. This was despite them having a connection to the matter by virtue of where they lived".

16. The Panel found that, at the time of a meeting of the Transport and Environment Committee in June 2023 and a workshop for elected members in August 2023, Cllr Ross lived on the road parallel to the road that was the subject of the 'Quiet Route'. It further found that Cllr Munro lived on the road itself (albeit at a part that was not included as part of proposed redesigned route) at the time of both the meeting and workshop, and a later meeting of the Transport and Environment Committee in March 2024. As such, the Panel was satisfied a connection existed between both Respondents and the Quiet Route that was the subject of the item being considered at the meetings and workshop.
17. The Panel noted that the Code requires councillors to declare any connection to a matter being considered if the objective test is met. This is where a member of the public, with knowledge of the relevant facts, would reasonably regard the connection to the particular matter as being so significant that it would be considered as being likely to influence their discussion or decision-making.
18. While the Panel accepted that where the councillors lived may not have actually influenced their decision-making at the meeting, it noted that the objective test is just that – objective. In other words, it is not about what a councillor might know about their own motivations and whether any connection would unduly influence them or affect how they contributed to any discussion. Instead, it is a matter of what others would reasonably think, if they were in possession of the relevant facts.
19. The Panel was satisfied, in this case, that the relevant facts, in respect of the objective test were:
- That the location of the properties owned by the two councillors were so close to the Quiet Route that any change to the ways in which traffic was being directed under it, and the consequent impacts (for example in respect of traffic volume, parking and pedestrian and cycle routes) were likely to affect where they lived.
 - That councillors present at the meetings and workshop were being asked to consider matters concerning how the future of the Quiet Route would be planned or determined.
20. The Panel considered that, having applied the objective test both Cllrs Ross and Munro should have reached the view that a member of the public with knowledge of the relevant facts, as outlined above, would reasonably regard their connections as being so significant that they would be considered as being likely to influence their discussion or decision-making. This was because it was evident any decision or potential decision resulting from consideration of these matters would likely have a direct impact on the road in question and any nearby streets.

21. The Panel agreed, therefore, that both councillors should have declared an interest, withdrawn from the meetings and taken no part in the discussion and decision-making on the matter. The Panel found that their failure to do so amounted to a breach of the Code.
22. In reaching its decision on sanction, the Hearing Panel noted that both councillors had co-operated with the investigative and Hearing processes. The Panel was satisfied that there was no attempt by either Respondent to conceal their connections, or any evidence that the Respondents benefitted financially or personally.
23. Dr Stewart nevertheless noted: "The Panel emphasised that the requirement for councillors to declare interests is a fundamental requirement of the Code as it gives the public confidence that decisions are being made in the public interest, and not the personal interest of any councillor or their friends, family or close associates. A failure to comply with the Code's requirements in this regard can erode confidence in the Council and leave its decisions open to legal challenge."

Councillor found in breach of code of conduct over disrespectful comments

24. A Leicester City Council standards panel has found a Green party councillor in breach of the council's code of conduct for disrespectful comments made at a full council meeting.
25. Cllr Patrick Kitterick, member for Castle ward, was found to have failed to treat a fellow councillor with respect at a Full Council meeting on 18 September 2025. The standards hearings sub-committee ruled that comments he made regarding another councillor's allowances were unwarranted, irrelevant to the debate, and intended to humiliate.
26. Cllr Kitterick has been recommended to issue a written apology and attend code of conduct training. The findings, from a hearing held on 21 April 2026, were endorsed by the standards committee on 7 May and published on the council's website as part of the agreed sanctions.
27. A separate complaint from the same meeting was not upheld, as the panel found those comments benefitted from protection under Article 10(2) of the European Convention on Human Rights.
28. Standards committee chair Cllr Susan Barton said disrespectful behaviour 'has no place in our council chamber.'

29. The Standards Committee Chelmsford City Council considered the investigation report of Mr John Austin of John Austin Associates concerning the complaint raised by a member of staff about Councillor Clark's behaviour towards her on 5 June 2025.
30. The complainant alleged that Councillor P. Clark attended the Council offices unannounced and questioned the officer regarding an enforcement notice and the related decision. It was further alleged that the Councillor was hostile and argumentative from the outset. He reportedly raised his voice and repeatedly questioned the officer in a dismissive manner. Councillor P Clark's challenge focused on the validity of the enforcement notice, which, in his view, should not have been issued. His demeanour was described as threatening.
31. This behaviour was said to be consistent with previous occasions when he attended council offices unannounced and acted disrespectfully towards staff. Mr Austin considered whether there had been a breach of Paragraph 1 of the Code of Conduct, as follows:

1 Respect Para 1.2 –

As a councillor: 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

32. Mr Austin's report concluded that there was evidence to support a finding of a breach of the Code of Conduct by Councillor P Clark.
33. The Committee heard from Mr Austin, who summarised his report and in particular emphasised the following points:
- The meaning of Respect is politeness in speech and conduct.
 - The Local Government Association Guidance on the meaning of Respect in the Code of Conduct includes unreasonable or demeaning behaviour.
 - He noted that it was clear from Officer A that Councillor P Clark's behaviour had got to a point that officers are hesitant to speak up in front of him.
 - There are no recordings of what happened so Mr Austin had to weigh up the evidence from the complainant and the witnesses. He found the officers' evidence credible.
 - He noted that it is rare for officers to complain about councillors and it is a brave act.
 - He had also tried to speak to Councillor P. Clark on several occasions as stated in the Report, but Councillor P. Clark had refused to meet him. Councillor P. Clark had, however, provided comments after the report was complete, refuting the report.
 - Mr Austin stated that, weighing everything up, he found Councillor P. Clark had demonstrate a lack of respect.

34. The Committee also heard from the complainant and two witnesses. The Committee also heard from the complainant's supervisor.
35. The Committee asked if Councillor P. Clark had asked the complainant to do anything against normal planning procedure. The complainant said she felt the implication from Councillor P. Clark was that she should remove the notice. He had asked them in the past to drop particular cases.
36. The Committee asked Mr Austin and the witnesses several questions. They also considered how the Monitoring Officer had previously communicated with Councillor P. Clark about access to officers. The Committee noted that, in November 2024, the Monitoring Officer had emailed all councillors reminding them of the process by which to raise questions with officers, providing them with an email address to use to raise queries and asking them to make appointments to speak to officers.
37. The Committee noted also that on 18th June 2025, following this complaint, the Monitoring Officer had confirmed to Councillor P. Clark the Management Team's decision to impose temporary measures to control Councillor P Clark's access to officers, including restricting his access to those areas to which he needs access as a councillor e.g. publicly accessible meeting rooms and the members' area.
38. The Committee was concerned that Councillor P. Clark had ignored specific advice from the Monitoring Officer, i.e. the email she sent to all councillors in November 2024.
39. The Committee was also concerned – and mentioned on several occasions – that relations between councillors and officers at the Council is generally excellent and that the Committee would be very concerned if one councillor's behaviour negatively impacted relationships between members and officers.
40. The Committee recognised that members are often put under a lot of pressure from their constituents, but that that does not excuse poor behaviour towards officers. The Committee also commented that although officers – particularly senior officers – are meant to demonstrate a level of robustness, members are in a position of power in their relationship with officers and must not abuse that authority. The Committee was also grateful to the complainant for bringing the complaint and wished to record its thanks to her for raising this important issue.
41. The Committee also heard from the Independent Person, who stated that, having worked for other councils, she had seen poor behaviour from members towards officers before and it was therefore very important that this behaviour was not allowed at the Council. She felt that Councillor P. Clark had shown a lack of respect towards the complainant and the whole team. She was also

concerned about his refusal to cooperate with the investigation. Balanced against that, the Independent Person said that councillors should be able to challenge officers, but she commented that this should always be done in a respectful way.

42. Having heard from Mr Austin, the complainant, her supervisor and witnesses, and in consultation with the Independent Person, the Committee agreed that Councillor P. Clark had breached paragraph 1.2 – Respect – in the Code of Conduct. The Committee also considered:

- Councillor P Clark’s failure to meet with Mr Austin, despite several requests;
- the tone of his written response to the Report, which was felt to be dismissive, and;
- the disrespect that Councillor P. Clark had shown to the Code of Conduct process and this Committee in failing to attend the Hearing, despite several emails to him from the Monitoring Officer and her team; and in his attitude to the process.

43. The Committee noted that it is open to it to consider other breaches of the Code of Conduct and found that Councillor P. Clark was also in breach of paragraph 8 - Complying with the Code of Conduct - specifically paragraph 8.2, which states: As a Councillor: 8.2 I cooperate with any Code of Conduct investigation and/or determination.

44. After a further period of deliberation, hearing from Mr Austin about his views on appropriate sanctions and, in consultation with the Independent Person, the Committee imposed the following sanctions:

1. To publish its findings in respect of Councillor P Clark’s conduct.
2. To recommend to Council that Councillor P. Clark be issued with a formal censure.
3. To instruct the Monitoring Officer to arrange training for the Councillor P. Clark on the Code of Conduct, with specific emphasis on the ‘Protocol for Relationships between Councillors and Officers’.
4. Exclude the Councillor from the Council’s Offices or other premises, with the exception of meeting rooms and the members’ area as necessary for attending Council, Committee and Sub-Committee meetings for a period of 12 months, reduced to 6 months upon compliance with attendance at the training arranged under No. 3 above.

Financial and Resources Implications

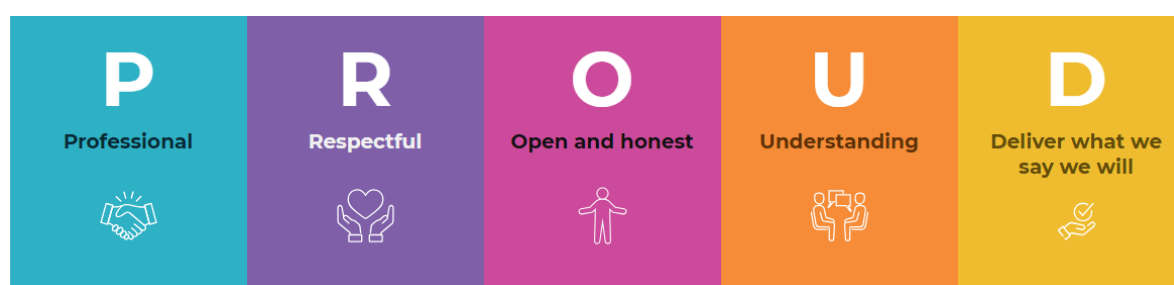
45. There are no direct financial or value for money implications arising from this Report. Public money must be used economically, efficiently and effectively and it cannot be ignored that there are significant resource implications and an impact on Member and Officer time in tackling issues similar to those covered in this report. It is therefore important that the Council continuously reflect and learn from elsewhere and others to promote and maintain high standards of conduct.

Legal and Governance

46. There are no specific legal implications arising from this report. The issues referred to in this report will assist Standards Committee in complying with its obligations under section 27 Localism Act 2011 to promote and maintain high standards of conduct.

Risk

47. There are no direct risk implications arising from the Report. The Monitoring Officer and Deputy Monitoring Officers continue to take opportunities for learning to further improve and develop the standards processes and procedures.
48. To minimise risk of reputational harm and help protect elected members, Standards Committee regularly reviews the Code of Conduct to ensure it is up to date, extensive and well-communicated to all elected members. Borough Council approved and adopted and updated Member Code of Conduct in May 2025 as part of the review and update to the Council's Constitution. The Member Code of Conduct includes specific reference to the Council's Proud values.



Equality and Diversity and Community

49. There are no identified equality and diversity implications arising from the Report. Under equality legislation the Council has a legal duty to pay due regard to the need to eliminate discrimination and promote equality in relation to race, disability gender (including gender reassignment), age, sexual orientation, pregnancy and maternity, and religion or belief. The recommendations in this report have no particular impact on any of the above groups. An Equality Impact Assessment is not required. However, the experiences of Elected Members could have a negative impact upon the willingness of the public to put themselves forward to be councillors in future.

Environmental and Sustainability

50. This report does not give rise to any environmental or sustainability implications.

Council Ambitions, Policies, Strategies and Plans

51. It is important that this report is considered in the wider context of the Council's corporate policies and work to assist the Council in delivering its priorities and objectives. The Council monitors a wide range of performance indicators and feedback from those that use our services, considers the number of complaints and compliments, including elected member code of conduct complaints, to ensure the ongoing health of the organisation and its ability to deliver the highest quality services to our residents.
52. Council finances and resources spent on Code of Conduct complaints could be better applied to work that will help our residents to be financially secure and have what they need for a good standard of living. Matters that could negatively impact the council's reputation and the reputation of our elected members could impact our ambition to be part of strong communities across South Tyneside – where a very small minority could question their trust and confidence in the Council and their respect of the Council, its elected members and its officers. The Council's mechanism of dealing with Code of Conduct complaints illustrate accountability of due process.
53. Our Council Values are the things that matter most to us in terms of how we behave and work. They are our guiding principles, and they apply to every person who works for or represents the Council. They are the things we most care about and are our promise to residents, each other and to all who interact with the Council. We are progressing with an exciting programme of

engagement to ensure Our Council Values are deeply ingrained principles at the heart of our workplace culture and guide all that we do, individually and collectively.

Consultation and Engagement

54. This report is publicly available to the press and public. Members of Standards Committee may wish to signpost colleagues to this Report for wider awareness.

Recommendations

55. That Standards Committee is recommended to:

- a) note the report and request that Officers continue to monitor and report on matters that may be relevant to the work of the Standards Committee; and
- b) consider any recommendations it wishes to make arising out of the content of the report.

Reasons for Recommendations

56. To ensure the Standards Committee is aware of national updates.

List of Appendices

None.

To consider a report of the Monitoring Officer team providing a national update on standards issues affecting Local Government

The following is a list of the background papers (excluding exempt papers) relied upon in the preparation of the above report:

Background Paper	File Location
------------------	---------------

Ethics and Integrity Commission chair backs 'middle ground' standards regime	https://www.localgovernmentlawyer.co.uk/governance/396-governance-news/100246-ethics-and-integrity-commission-chair-backs-middle-ground-standards-regime
Legal requirement for authorities to publish members' home addresses repealed	https://www.local.gov.uk/our-support/devolution-and-lgr-hub/english-devolution-and-community-empowerment-act
Standards Commission for Scotland: Two Edinburgh Councillors Censured for Breaching the Councillors' Code Of Conduct	1773248443260311Pressrelease.pdf
LocalGov: Councillor found in breach of code of conduct over disrespectful comments	Councillor found in breach of code of conduct over disrespectful comments LocalGov Leicester councillor 'humiliated' colleague over allowances - BBC News https://www.bbc.co.uk/news/articles/cddrm3863d2o
Chelmsford City Council: Standards Hearing 11 March 2026	standards-hearing-11-march-26-decision-notice.pdf