

East Herts Council Report

Standards Committee

Date of meeting: Wednesday 21 January 2026

Report by: James Ellis – Director for Legal, Policy and Governance and Monitoring Officer

Report title: Standards Update

Ward(s) affected: (All Wards);

Summary – The report updates Members of the Committee on standards issues generally.

RECOMMENDATIONS THAT:

- a)** The Committee receive the report and provide any observations to the Director for Legal, Policy and Governance and Monitoring Officer.

1.0 Proposal(s)

- 1.1 As above

2.0 Background

- 2.1 Within its terms of reference, the Standards Committee has a function “to promote and maintain high standards of conduct of Members and Co-opted Members of the Council” and “to receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members’ Code of Conduct”.
- 2.2 Paragraph 7.5.1 of the Constitution also states that “The Monitoring Officer will present a general report on standards matters at each Committee meeting, updating the Committee on the workload of the Monitoring Officer and current standards issues”.

2.3 The Committee will therefore receive update reports from the Monitoring Officer on matters that relate to, or assist to govern, Member conduct.

East Herts complaints/ issues update

2.4 There have been five complaints made to the Monitoring Officer since the last report to the Standards Committee on 16 July 2025, which are as follows:

Complaint about: Parish/Town or District Councillor	Summary of complaint	Action taken
Complaint 02/2025 Complaint against a District Councillor made by two fellow District Councillors	Inappropriate social media post.	No acting in capacity.
Complaint 03/2025 Complaint against a District Councillor made by three Parish Councillors	Inappropriate social media post.	No breach found.
Complaint 04/2025 Complaint against a Parish Councillor made by a member of the public.	Inappropriate social media post.	Referred back to attempt local resolution under paragraph 5.2.1 of the Procedure
Complaint 05/2025 Complaint against a Town Councillor made by a local business.	Misuse of position as a councillor.	Referred back to attempt local resolution under paragraph 5.2.1 of the Procedure
Complaint 06/2025 Complaint against a District Councillor made	Inappropriate social media post.	Ongoing

by a member of the public.		
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Strengthening the standards and conduct framework

2.5 At the last meeting of the Standards Committee, members asked for an update on central government's proposed reform of the standards regime, which the Monitoring Officer responded was still with central government and there was nothing to bring forward to members at that time.

2.6 On 11 November 2025, however, the Ministry of Housing, Communities & Local Government (MHCLG) released the outcome of its consultation on strengthening the standards and conduct framework for local authorities in England¹

2.7 The core reforms MHCLG says it will take forward are as follows:

2.7.1 A nationally prescribed mandatory Code of Conduct.

MHCLG proposes to legislate so it can set a mandatory code in regulations, intended to apply across all types/tiers (including co-optees).

2.7.2 Formal Standards Committees with stronger, clearer functions. MHCLG proposes to require principal authorities to formally constitute a standards committee (or appropriate sub-committee for standards cases).

2.7.3 Transparency: publication of outcomes. MHCLG's position is that authorities should publish a list of allegations only after:

- a full investigation, and

¹ [Strengthening the standards and conduct framework for local authorities in England – consultation results and government response - GOV.UK](#)

- a standards committee determination whether to uphold or not uphold, plus any sanction, so allegations aren't publicised mid-investigation.

2.7.4 Investigations to continue even if a member resigns/stands down.

MHCLG says it will require (subject to legal restrictions) that investigations be completed and that findings/decisions be published even if the member stands down, including publishing "no case to answer" outcomes to exonerate where appropriate.

2.7.5 Supporting complainants and others affected by misconduct.

MHCLG say that the current framework has "virtually no reference" to complainants/victims and that that imbalance needs correcting. MHCLG says its best practice guidance will include recommended actions to support individuals through the process, and it will explore an independent confidential helpline for complainants

2.8 MHCLG are also looking to introduce new sanctions, those being:

2.8.1 Suspension and related sanctions. MHCLG proposes to legislate for a power to suspend elected members for serious code breaches for up to 6 months. There will also be an option to withhold allowances for the most serious breaches, and to impose premises/facilities bans, either alongside suspension or as standalone sanctions.

2.8.2 Interim suspension for the most serious cases. MHCLG proposes interim suspension powers where allegations are of a serious criminal nature and subject to police investigation / pending sentencing, with statutory grounds including seriousness and risk of harm (including reputational/safeguarding considerations). • Interim suspension would be capped at an initial 3 months, with ongoing review required if unresolved.

2.8.3 Disqualification for repeat serious misconduct. MHCLG intends to legislate so that if a member/co-optee receives the maximum 6-month suspension twice within 5 years, they can be disqualified.

Appeals and Right for Review

2.9 It is also proposed to have a route of appeal, as currently the only recourse is to take matters to the Local Government and Social Care Ombudsman, who will only consider if there has been maladministration in how the matter was considered.

2.10 Under the proposals there will be a two-stage structure:

- a local “right for review”, then
- access to a new national appeals function.

2.11 The national function is intended to hear appeals by members against suspension / allowance withholding and appeals by complainants where they believe a complaint was mishandled, but only after the local review route has been exhausted.

Likely Impact on Councils

2.12 If the proposals are implemented as described, it is likely that standards work in the future will feel less like an internal governance process and more like a structured quasi-judicial function.

2.13 Complaint volumes may rise, and processes will need to be more customer focused than they currently are. MHCLG explicitly links a more complainant-centred system with a likely increase in complaint volumes due to people having more confidence to come forward.

2.14 A built-in challenge route will increase second-looks and extend timelines. Both the right for review and the national appeals

function will likely result in longer end-to-end durations for high-stakes cases, consisting of initial investigation, sub-committee hearing, potential review, and eventually a potential national appeal.

- 2.15 Sanctions will become meaningful, potentially changing member behaviour due to it being a genuine deterrence.
- 2.16 Repeat serious misconduct that leads to disqualification has a direct electoral consequence in that, where a member is disqualified, there will be the need for a by-election. Where one group has a slender majority, this could also potentially affect the balance of power on the Council.

Implementation

- 2.17 There is not set time for when these proposals will be implemented, with MHCLG only stating that it intends to bring forward the necessary legislation “as soon as parliamentary time allows”.

3.0 Reason(s)

- 3.1 To ensure good governance within the Council.

4.0 Options

- 4.1 Not providing updates to Members on standards issues. This option is NOT RECOMMENDED, as to do so would weaken the Committee’s ability to adequately promote and maintain the Ethical Standards Framework, and to maintain an oversight of the council’s arrangements for dealing with complaints.

5.0 Risks

- 5.1 Appropriate reporting processes and policy frameworks help to ensure good governance of the Council and therefore reduce risk of poor practice or unsafe decision making.

6.0 Implications/Consultations

- 6.1 None.

Community Safety

No – None in this report.

Data Protection

No – All information pertaining to the complainants, Councillors complained of, and the Parish and Town Council involved have been removed to maintain confidentiality.

Equalities

No – Not in this report, however, where complainants make it known that they require assistance in making their complaints e.g. with language issues, the Monitoring Officer takes additional steps to assist them in this regard.

Environmental Sustainability

No – There are no environmental implications to this report.

Financial

No – There are no capital or revenue implications arising from the content of this report. Complaints are dealt with by the Monitoring Officer with some referrals externally should the Procedure indicate that this is appropriate or because of resource implication within the Directorate in dealing with this in-house.

Health and Safety

No – None in this report.

Human Resources

No – None in this report.

Human Rights

No – None in this report.

Legal

Yes – The Standards Committee has a function under paragraph 7.4.1(a) and (f) to promote and maintain high standards of conduct of

Members and Co-opted Members of the Council and receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members' Code of Conduct.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

- 7.1 [Strengthening the standards and conduct framework for local authorities in England – consultation results and government response](#)

Contact Officer

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