


Is the standards regime about to undergo a significant overhaul?

29 May 2025  Helen Gill

The need for a review of the local authority standards regime has been an ongoing topic of discussion for a number of years.

The current framework, established under the Localism Act 2011, has faced criticism for being inconsistent and lacking the necessary input to address misconduct effectively.

We've all been involved in matters where the process leaves questions unanswered and/or outcomes feeling unsatisfactory, but what changes are needed and what has the recent government consultation considered?

The consultation proposed several measures, including:

1. Strengthening the role of monitoring officers;
2. Introducing mandatory training for councillors;
3. Standardising sanctions; and
4. Improving transparency.

These proposals have been put forward to explore how a more consistent and effective standards regime could work, addressing the inconsistencies and inefficiencies of the current system and the unsatisfactory outcomes that have been reported both within local government and, more widely, in the press.

While the consultation did not propose or make reference to specific criminal sanctions for breaches of the code of conduct, it has been previously discussed that introducing criminal penalties for serious misconduct, such as corruption or misuse of public funds, could act as a stronger deterrent. However, this approach has to be met with caution, as it risks blurring the lines between ethical breaches and criminal behaviour, potentially over-politicising the standards regime and deterring individuals from standing for local government positions. This indicates an ongoing need for the government to take a balanced approach that ensures accountability in the regime while preserving the integrity and accessibility of local government.

On the face of it, there is scope to improve the standards regime for the benefit of local authorities and elected members, and to increase the trust and confidence the public have in the governance arrangements. However, whilst increased accountability for elected members reflects fundamental public law principles, and ensuring that mandatory training provides a consistent and robust understanding for Councillors, how exactly will these be resourced and delivered? Mandatory training and enhanced investigative processes would require significant resources and expenses, as will the constitutional and procedural changes that will be required to effect reforms - which is likely to put a further strain on funding and require additional staff support to properly (and fairly) administer the regime.

There is certainly a balancing act to be undertaken: weighing up the benefits of reforming the regime to deliver a wholly robust, consistent, effective process with increased accountability, public trust and scrutiny, whilst balancing this against the need to preserve the integrity and accessibility of local government, the importance of proportionality and the role of Standards Committees to implement decisions at a local level.

The government has not committed to any timescale for responding to the consultation, but the prospect of reform has certainly paved the way for some interesting and challenging discussions!

If you have any queries, on this or standards/code of conduct matters more widely, I'm always happy to discuss.

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