

Report of	Meeting	Date
Monitoring Officer	Governance Committee	1 July 2020

## MODEL CODE OF CONDUCT 2020

### PURPOSE OF REPORT

- To share with members a draft Model Code of Conduct prepared by the Local Government Association.

### RECOMMENDATION(S)

- That the Committee respond to the consultation accepting the new draft document.

### EXECUTIVE SUMMARY OF REPORT

- In 2019, the Office for Standards in Public Life published a report reviewing the current standards regime. The report made a number of recommendations for changes. The Committee considered this report and implemented the recommendations where appropriate.
- One of the recommendations was a national review of the Code of Conduct for Members. This has been undertaken and a new draft Model Code is attached for consultation

Confidential report Please bold as appropriate	Yes	No

### CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy homes and communities		An ambitious council that does more to meet the needs of residents and the local area	X

### BACKGROUND

- Following a review of standards in public life by the Office for Standards in Public Life a report containing a number of recommendations was published. This report was considered by the Governance Committee and some of the recommendations were adopted locally.
- One of the national recommendations was a change to the Model Code of Conduct and the Local Government Association commissioned the preparation of a new draft code. This is attached for discussion.
- Each council is obliged to adopt a code of conduct for members but the content of that code is for each council to decide. However, it has been recognised that a consistent form of

code assists the public in understanding the obligations placed on members. Similarly it provides members with a consistent framework against their behaviour can be managed.

## THE MODEL CODE

9. The draft remains based on the Nolan Principles of public life and again references them on page 3 (reference to Appendix A). It also includes on this page a helpful commentary to assist councillors and members of the public on when councillors are acting in that capacity. Members will note the words in square brackets reflect recommendations made in the review report. Finally, it restates the commitments councillors make in how they will discharge their duties. Members of the committee will be familiar with these statements which already form part of the Council's code.
10. The draft also expands on the behaviours. As with the council's current code of conduct the obligations are placed in the first person with the councillor committing to comply with the requirements (page 4-6). Again and in line with the recommendations of the review, a new part of the code is to include example behaviours to assist in interpretation. The review was clear that certain of the behaviours, bullying and harassment for example, was open to a level of interpretation. By including example behaviours this provides greater clarity as to what will be perceived as a breach of the code.
11. Page 7 provides a summary of the approaches to be taken to enforcement of breaches of the code and details potential sanctions. Members may recall the Review Report highlighted a belief that the sanctions were an inadequate deterrent. The list provided includes 2 sanctions of suspension from roles, but does not prevent members acting as a councillor.
12. Detail on the registration of interests is contained at Appendix B (pages 9-10). This largely replicates the detail provided in the existing code.
13. The draft document concludes with 2 tables, the first confirming disclosable pecuniary interests (page 11) and the second other registerable interests (page 12).

## CONCLUSION

14. The draft code departs little from the existing adopted document, however, it does incorporate changes proposed by the review into standards in public life. The changes are beneficial providing greater clarity on how the code is to operate. The principles remain the same and there are no changes which would prevent the adoption of this code.

## IMPLICATIONS OF REPORT

15. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

16. The Council are obliged by law to have a code of conduct for members. There are no risks in adopting this draft code which is consistent with the requirements of the legislation and local understanding and familiarity with the Nolan Principles.

## COMMENTS OF THE STATUTORY FINANCE OFFICER

17. No comment

**COMMENTS OF THE MONITORING OFFICER**

18. In the body of the report.

CHRIS MOISTER  
MONITORING OFFICER

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>
Chris Moister	5160	23 June 2020