

<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>4 February 2021</p>	
<p>Report of Janet Fasan, Divisional Director Legal and Interim Monitoring officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>Model Member Code of Conduct</p>	

Originating Officer(s)	Janet Fasan, Divisional Director, Legal Services
Wards affected	(All Wards);

Executive Summary

This report requests the committee to consider the new Model Code of Conduct published by the Local Government Association (LGA) on 23 December 2020. The Model Code follows consultation on a draft code which ran from 8th June to 17th of August 2020.

Recommendations:

The Standards Advisory Committee is recommended to:

- 1) Note the contents of the new Model Code of Conduct at Appendix 1.
- 2) Note some of the differences between the Model Code and the Council's current code as (highlighted) in Appendix 2, which Members may want to recommend to Council.
- 3) Consider what other recommendations to make to Council on changes to the current Code of Conduct for Members.

1. REASONS FOR THE DECISIONS

- 1.1 This report will enable the Committee to consider the Model Code and make recommendations to the Council on any necessary changes to the current Member Code of Conduct. Under the Council's Constitution, the Committee is responsible for advising the Council on the adoption or revision of the Code of Conduct for Members.

2. ALTERNATIVE OPTIONS

- 2.1 There are no alternative options.

3. DETAILS OF THE REPORT

- 3.1 Members are referred to the new Model Code at Appendix 1. The differences between the Model Code and the Council's current Code of Conduct for Members are highlighted in Appendix 2.
- 3.2 The Model Code was produced by the LGA following consultation which ran from the 8th of June to 17th of August 2020. The review was carried out whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on Local Government Ethical Standards. If the Government chooses to implement any of the recommendations, this could require a change to the Model Code.
- 3.3 Members of the Committee considered the draft Code (as it was), at a meeting of the committee on 30th of July 2020, and were invited to respond to the consultation.
- 3.4 Under the Council's constitution, the Committee's functions include advising the Council on the adoption or revision of the Code of Conduct for Members. Members of the Committee play a key role in upholding standards of behaviour on the part of members of the Council and co-optees as set out in the current Code of Conduct.
- 3.5 The current Code of conduct is familiar to members and the committee will want to take this into account when making recommendations on changes to it.

4. EQUALITIES IMPLICATIONS

- 4.1 None specifically arising from this report.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 None specifically arising from this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report recommends that the Standards Advisory Committee consider what changes may be needed to the current Code of Conduct for members. There are no direct financial implications arising from this report

7. COMMENTS OF LEGAL SERVICES

- 7.1 The principal statutory provisions relating to standards of conduct are contained in the Localism Act 2011. S.27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by members and co-opted members of the authority.

- 7.2 S.27 and s.28 of the 2011 Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about the alleged breach of the Code that has been investigated.
- 7.3 Under the Council's Constitution, the Standards Advisory Committee's terms of reference include advising the council on the adoption or revision of the Council's Code of Conduct for Members.
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Linked Reports, Appendices and Background Documents

Appendices

Appendix 1 – Code of Conduct for Members.

Appendix 2 – LGA Model Councillor Code of Conduct with highlighted differences to current code

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None

Officer contact details for documents:

N/A