

<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>18 April 2023</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Janet Fasan, Director of Legal and Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>Review of Code of Conduct for Members</p>	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	(All Wards);

Executive Summary

The Code of Conduct for Members (The Code), commits the Standards Advisory Committee and the Monitoring officer to undertake an annual review of the Code. This report invites the Committee to review and identify any changes they consider should be made to the Code.

The current Code was adopted by full council in November 2021 and came into force following the local elections in May 2022. Members will be aware that the current code largely reflects the version drawn up and recommended by the Local Government Association (LGA).

A number of bespoke changes were made to suit the council's local circumstances prior to its recommendation to full council in November 2022. These were proposed by a working group constituted from members of the Committee, including the chair.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Review the Code of Conduct for Members as set out in Appendix 1 and consider what (if any) changes need to be made.
2. Delegate authority to the Monitoring Officer, following consultation with the Chair of the Advisory Committee, to make any such changes to the Code prior to submission to Council.

1. REASONS FOR THE DECISIONS

- 1.1 This report enables the committee to undertake the annual review of the Code of Conduct as required under the Code.

2. ALTERNATIVE OPTIONS

- 2.1 The Advisory Committee may consider that the existing Code of Conduct does not require review.
- 2.2 The Advisory Committee may consider that the Code should operate for another year before review as that will allow more time to understand its impact.

3. DETAILS OF THE REPORT

- 3.1 The current Model Code of Conduct was produced by the Local Government Association in 2021. It was adopted by Full council in November 2022 with some bespoke amendments that were proposed by a working group constituted from members of the Committee.
- 3.2 The new Code came into force in May 2022 . The Code was provided to all Members at the election and promoted at the Member Induction training sessions and its provisions are reinforced whenever possible. The number of complaints for breaches of the code has continued to reduce from previous years.
- 3.3 In the year since its adoption, officers have been monitoring the Code and do not, at this stage, have any changes to propose.
- 3.4 Since its adoption by Full council there has been one minor amendment to the Model Code of Conduct issued by the LGA. This added unpaid directorships to the list of Disclosable Pecuniary Interests in the table 1 to the Code and is reflected in Appendix 1.
- 3.5 Members are asked to review the Code and consider if they have any amendments to propose for consideration or if they wish to direct officers to review in more detail any particular sections of the existing Code.
- 3.6 It should also be noted that once the Member/Officer Protocol review has been completed then it may prove useful to consider whether any subsequent changes to the Code would be beneficial.

4. EQUALITIES IMPLICATIONS

- 4.1 Equalities considerations are important as part of the consideration of the Code. The Committee should ensure they are satisfied that the Code covers all relevant equalities issues.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 There are no specific statutory implications other than those addressed under paragraph 7 below.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 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. Section 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 Sections 27 and 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

Linked Report

- Reports on the Code of Conduct to the last three Standards Advisory Committee meetings.

Appendices

- Appendix 1 – Code of Conduct

Local Government Act, 1972 Section 100D (As amended)

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