


ETHICAL STANDARDS AND MEMBER DEVELOPMENT COMMITTEE

29 June 2020

Subject:	LGA Model Code of Conduct
Director:	Director of Law and Governance & Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
Contact Officer(s):	Elaine Newsome – Service Manager Democracy

DECISION RECOMMENDATIONS

That :

1. The Director of Law and Governance and Monitoring Officer, in consultation with the Vice-Chair of the Committee, be authorised to undertake a consultation exercise with Elected Members and develop the Council’s response to the consultation on the LGA Model Code of Conduct.

2. The Director of Law and Governance and Monitoring Officer, in consultation with the Vice-Chair and Committee members, be authorised to agree and submit the final response to the LGA concerning the Model Code of Conduct.

1 PURPOSE OF THE REPORT

- 1.1 To advise the Committee on the national development of a model Code of Conduct and seek authority to undertake consultation with Elected Members and submit the Council’s response to the LGA thereafter.

2 **IMPLICATIONS FOR VISION 2030**

- 2.1 This matter falls within the Council's Governance agenda which sits at the heart of delivering Vision 2030.

3 **BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 The Local Government Peer Challenge in 2018 and 2019 endorsed the Council's proposed holistic review of its governance arrangements through its planned Governance Review. The Council's constitution as the guiding governance document was included in the review. The Code of Conduct for elected members is included at Part 5 of the constitution and outlines the expectations placed on Members and Co-opted members of the authority. It was last reviewed in 2016 and was to be reviewed as part of the Governance Review
- 3.2 In January 2019, the Committee for Standards in Public Life published a series of findings and recommendations which included:

“The Local Government Association should create an updated model code of conduct, in consultation with representative bodies of Councillors and officers of all tiers of local government.”

The Local Government Association (LGA) commenced work on revising the model code in September 2019 with an anticipated introduction of the new code at the LGA conference on 30th June 2020. This consultation was halted due to the developing Covid-19 situation and has now recommenced with the consultation running from 9th June to 17th August 2020.

The draft code of conduct forms part of a broader programme of work around civility in public life that aims to address concerns about intimidation of those holding public office and the standards of public and political debate.

4 THE CURRENT POSITION

- 4.1 Elected Members and Officers have been involved in initial discussions on the content of the code. The Council's Monitoring Officer has been invited by the LGA to participate in progressing this element of the LGA's programme and this was approved by the Committee at its meeting on 6th March.
- 4.2 A copy of the draft code and associated appendices are attached. Consultation has now recommenced with a number of avenues offered to local authorities to aid in forming a view. The LGA has developed an online questionnaire accessible using the following link https://research.local.gov.uk/jfe/form/SV_blupYNXmiJ0xECV, is offering a series of webinars over the summer on 29th, 30th July and 5th August and a dedicated email address ModelCode@local.gov.uk for any enquiries on the code or consultation process.
- 4.3 The outcome of the national review will influence the Council's own review of its governance arrangements.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 Local authorities and stakeholders are invited to contribute to the consultation process. The outcome of the consultation and any associated revisions to the draft code are anticipated to be considered by the LGA general assembly in the autumn.

6 ALTERNATIVE OPTIONS

- 6.1 The Council could opt not to be involved in the LGA consultation. This would be a missed opportunity to affect a key national initiative.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 None directly associated with this report.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The Council has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by its elected members. The Code of Conduct sets out the expectations placed on members.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 None associated with this report.

10 DATA PROTECTION IMPACT ASSESSMENT

10.1 None associated with this report.

11 CRIME AND DISORDER AND RISK ASSESSMENT

11.1 The proposed revised code of conduct forms part of a wider piece of work by the LGA to explore civility in public life.

12 SUSTAINABILITY OF PROPOSALS

12.1 The Council has a responsibility to ensure that the Monitoring Officer is appropriately resourced in order to that they are able to carry out their statutory functions.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

13.1 None associated with this report.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

14.1 None associated with this report.

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 The LGA review of the model code will influence the direction of the Council's review of its governance arrangements. It is appropriate and timely for the Committee and the Council's Director of Law and Governance & Monitoring Officer to contribute to the development of the revised model.

16 BACKGROUND PAPERS

16.1 None associated with this report.

17 APPENDICES:

LGA Draft model Code of Conduct and appendices

Surjit Tour

Director of Law and Governance and Monitoring Officer