

**STANDARDS AND ETHICS COMMITTEE WORKING GROUP**  
**Tuesday, 31st January, 2017**

Present:- Councillor McNeely (in the Chair); Mr. P Beavers, Mr. P. Edler and Mr. D. Rowley.

Apologies for absence were received from Councillors Allen and Simpson.

**22. REVIEW OF THE CODE OF CONDUCT**

Consideration was given to the report submitted and presented by Stuart Fletcher, Deputy Monitoring Officer, which detailed how the Standards and Ethics Committee Terms of Reference required that a review of the Members' Code of Conduct be undertaken periodically. The Code of Conduct was revised last year as part of the overall review of the Standards Committee arrangements.

The current Code of Conduct was based on the previous National Model Code issued in 2007 and an addendum added by Commissioner Sir Derek Myers, approved by Council on the 9<sup>th</sup> December, 2015.

The Working Group, were, therefore, as part of the Standards and Ethics Committee's workplan, asked to review the Code of Conduct and in doing so consider different styles of Code of Conduct from a variety of Authorities, these being Bradford, Manchester, Leeds and Sheffield, which included simplified versions of the Code of Conduct.

If there were to be any changes to the Code of Conduct, these would need to be firstly approved by the Standards and Ethics Committee, and subsequently by the full Council as this would require a change to the Council's Constitution. Clearly then any amendments would need to be properly communicated to all Members and those Parish Councils and Town Councils who have adopted the Council's Code of Conduct.

The Working Group sought clarification on the adoption of the Council's Code of Conduct by Parish Councils and tasked the Deputy Monitoring Officer with an audit to write out to all Parish Clerks seeking a copy of their current Code to be kept on file by Legal Services.

Whilst the Working Group acknowledged the need to review the Code of Conduct it was mindful that the Council was still subject to intervention and, simplifying the Code when it had been approved by the Commissioners, may not be appropriate at this time.

Working Group Members, whilst expressing their disappointment at the sanctions available within the Standards regime, were more concerned with the procedures for investigating allegations made in respect of the Code of Conduct, rather than the Code of Conduct itself. It was noted that the Chief Executive had written to the Secretary of State regarding

the lack of sanctions following a breach of the Code, but until the legislation was changed there was little the Standards and Ethics Committee could recommend or impose in terms of sanctions.

The Group were in total agreement that the procedures could be simplified further for complaints in the absence of any real sanctions that could be enforced to avoid any undue time consuming complications for investigating officers.

Further consideration was given to any inclusions such as predetermination/predisposition.

It was suggested that, any proposed amendments to the Code of Conduct, be deferred and an appropriate consultation with the Lead Commissioner be undertaken to ascertain his view.

Agreed:- (1) That the Working Group places on hold its consideration of the different Codes of Conduct to allow consultation to take place with the Lead Commissioner to ascertain his view.

(2) That the arrangements (Procedures) for investigating allegations made in respect of the Code of Conduct be reviewed at the next meeting of the Working Group.

(3) That the next meeting of the Working Group take place on Monday, 6<sup>th</sup> March, 2017 at 2.00 p.m.