

Committee Name and Date of Committee Meeting

Standards and Ethics Committee – 18 June 2020

Report Title

Consultation on the LGA Model Member Code of Conduct

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

N/A

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

A report requesting the Standards and Ethics Committee's views and comments as part of the LGA consultation on their draft model Code of Conduct

Recommendations

1. That the Committee provides its views and comments in response to the LGA consultation questions included in the report.
2. That the Monitoring Officer submit a consultation response to the LGA based on the Committee members comments.

List of Appendices Included

Appendix 1 – Draft Model Member Code of Conduct

Appendix 2 - Excerpt from the LGA website re. arrangements for consultation

Appendix 3 - Consultation questions

Appendix 4 - Current members Code of Conduct

Background Papers

CSPL – Review of Local Government Ethical Standards

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public
No

Consultation on the LGA Model Member Code of Conduct

1. Background

- 1.1 Members will recall the Committee on Standards in Public Life report into Local Government Ethical Standards being reported to the Committee in March 2019. One of the recommendations of the report was that the LGA review the current model Member code of Conduct, and prepare a draft model Member Code of Conduct.
- 1.2 As such the LGA held an event on Civility in Public Life with a range of stakeholders at the end of last year and three consultation workshops at the beginning of this year. Consultants which the LGA has retained have examined examples of good practice, both in local government and other professions and produced a draft model Member Code of Conduct as the result of that initial work. The draft model Member Code of Conduct is at Appendix 1.
- 1.3 The LGA is now consulting on the draft model Member Code of Conduct. The consultation runs from Monday, 8 June until Monday, 17 August 2020. The exact arrangements for the consultation are set out on the LGA's website, at <https://www.local.gov.uk/code-conduct-consultation-2020> . The arrangements in respect of the consultation, as set out on the LGA's website are set out at Appendix 2, for ease of reference.
- 1.4 The introduction to the draft model Code of conduct, setting out the importance of the role of the Councillor and holding Councillors to account, as taken from the LGA website is set out below:

Local Government Association Model Member Code of Conduct

The Local Government Association (LGA) is providing this Model Member Code of Conduct as part of its work on supporting the sector to continue to aspire to high standards of leadership and performance.

The role of councillor in all tiers of local government is a vital part of our country's system of democracy. In voting for a local councillor, the public is imbuing that person and position with their trust. As such, it is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. The conduct of an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to and want to participate with. We want to continue to attract individuals from a range of backgrounds and circumstances who understand the responsibility they take on and are motivated to make a positive difference to their local communities.

All councils are required to have a local Member Code of Conduct. This Model Member Code of Conduct has been developed in consultation with the sector and is offered as a template for councils to adopt in whole and/or with local amendments. The LGA will undertake an annual review of the Code to ensure it continues to be fit-for-purpose, particularly with respect to advances in technology, social media and any relevant changes in legislation. The LGA

can also offer support, training and mediation to councils and councillors on the application of the Code, whilst the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

- 1.5 The questions which the LGA has provided to be answered as part of the consultation appear at Appendix 3. It is proposed that the Committee discuss each of the issues raised in the consultation questions and if possible, put forward its views at the meeting on 18 June, in order that an online consultation form may be completed by the Monitoring Officer thereafter.
 - 1.6 It is also possible for a narrative, or further comments to be submitted on behalf of the Council as part of the consultation, and this may also be discussed at the forthcoming meeting. Committee Members should also be aware that the consultation can be completed by individuals should they wish to do so.
 - 1.7 For ease of reference, the Council's current Members Code of Conduct is attached at Appendix 4.
- 2. Key Issues**
 - 2.1 Key issues are set out above.
- 3. Options considered and recommended proposal**
 - 3.1 Recommendations are set out above.
- 4. Consultation on Proposal**
 - 4.1 N/A
- 5. Timetable and Accountability for Implementing this Decision**
 - 5.1 N/A
- 6. Financial and Procurement Advice and Implications**
 - 6.1 Any work undertaken by Legal Services in dealing with this matter is within the budget for Legal Services.
- 7. Legal Advice and Implications**
 - 7.1 The Council and the Standards and Ethics Committee have a statutory duty to promote and maintain high standards of conduct. An appropriate Code of Conduct is an important part of complying with that duty.
- 8. Human Resources Advice and Implications**
 - 8.1 None.

9. Implications for Children and Young People and Vulnerable Adults

9.1 None.

10. Equalities and Human Rights Advice and Implications

10.1 None

11. Implications for Partners

11.1 None.

12. Risks and Mitigation

12.1 There is a risk that if the Council does not have an appropriate Code of Conduct, then public trust in local democracy could be undermined.

13. Accountable Officer(s)

Bal Nahal, Head of Legal Services

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