

# STANDARDS COMMITTEE



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| Report subject             | <b>Local Government Association - Revision to Model Code of Conduct for Councillors</b>   |
| Meeting date               | 5 October 2021  |
| Status                     | Public Report   |
| Executive summary          | <p>The Local Government Association has published a revised update to the New Model Code of Conduct for Councillors which was approved by full Council in June 2021.</p> <p>The Standards Committee is responsible for monitoring the Code of Conduct and for making recommendations to Full Council on any changes to the Code.</p> <p>The Committee is asked to consider the changes identified in the appendix to this report and asked to recommend the changes to full Council for adoption.</p>                         |
| Recommendations            | <p><b>It is RECOMMENDED that:</b></p> <ul style="list-style-type: none"><li><b>(a) the Committee recommends to Council that the proposed changes to the Local Government Association Model Councillor Code of Conduct, as set out in Appendix 1 to this report, be adopted;</b></li><li><b>(b) the online guidance published by the LGA be noted;</b></li><li><b>(c) the guidance flowchart published by the LGA be adopted to replace the flowchart currently published on the reverse of agenda front sheets.</b></li></ul> |
| Reason for recommendations | <p>The adoption of the proposed changes to the Model Code will support councillors in maintaining high standards of conduct and provide consistency with neighbouring councils and other public bodies.</p>   |

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| Portfolio Holder(s): | Not applicable  |
| Corporate Director   | Graham Farrant (Chief Executive)  |
| Report Authors       | Susan Zeiss (Service Director for Law and Governance and Monitoring Officer)<br>Richard Jones (Head of Democratic Services) |
| Wards                | Not applicable  |
| Classification       | For Recommendation (a) and Decision (b) and (c)   |

## Background

- Members will recall that the Model Code of Conduct published by the Local Government Association was considered by the Committee in April 2021 and recommended for adoption by full Council in June. The Model Code as recommended was adopted and incorporated into the Constitution accordingly.

## Subsequent Revision to Model Code

- Following adoption and initial implementation, it was identified by officers that the Model Code contained ambiguous references in relation to the disclosure of other registrable interests. It became apparent that the LGA had updated the model code to address a number of issues but had not drawn this to the attention of local authorities at the time.
- On 21 September, the LGA wrote to all Monitoring Officers apologising for the oversight and provided details of the changes made to the previous version. Appendix 1 to this report shows the amendments using 'track changes' facility.
- In summary, the following amendments form the core changes to the previous version.
  - to reflect the guidance relating to Other Registrable Interests (ORIs)
  - to tidy up the executive arrangements section
  - to add in missing text from Table 2
  - a number of typographical corrections.
- The Committee is asked to consider the changes highlighted in Appendix 1 and to recommend to Council the adoption of these changes.

## Training

- The LGA has given a commitment to providing training on the Model Code and is currently in the process of assessing the delivery methods. This could be via a mixture of e-learning, workshops or train-the-trainer.
- In the meantime, officers are working on the delivery of in-house training and awareness on the new Model Code and, at the time of agenda publication, has

provisionally scheduled three dates in November for delivery. The proposed dates are Tuesday 2 (4.00pm), Thursday 4 (6.00pm) and Friday 5 (10.00am).

### **Guidance for Councillors**

8. The LGA has also published online guidance for Councillors on the Model Code of Conduct. The guidance is aimed to help understanding and consistency of approach towards the code. The LGA states that *“the code, together with the guidance, has been designed to protect our democratic role, encourage good conduct, and safeguard the public’s trust and confidence in the role of councillor in local government.”*
9. The Guidance can be viewed on the LGA web site at <https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct>
10. Finally, the guidance includes a flowchart to assist councillors declaring an interest under the Code. A copy of the flowchart is attached as Appendix 2 to this report. The Committee is asked to consider the LGA flowchart against the council’s existing flowchart, which can be seen on the reverse of all agenda frontsheets and to consider which to adopt and any required changes.

### **Options Appraisal**

11. The Committee may consider the changes do not warrant a further recommendation to full council determine not to make any further changes to the Code of Conduct, however, previously it has been acknowledged that the adoption of the Model Code would assist councillors who represent the council on different bodies and who may also be parish/town councillors.

### **Summary of financial implications**

12. There are no financial implications arising from this report.

### **Summary of legal implications**

13. A Councillor Code of Conduct is required by Section 27 of the Localism Act 2011. The adoption of the changes proposed in the Model Code is in accordance with those provisions.

### **Summary of human resources implications**

14. There are no human resources implications arising from this report.

### **Summary of sustainability impact**

15. There are no sustainability implications arising from this report.

### **Summary of public health implications**

16. There are no public health implications arising from this report.

### **Summary of equality implications**

17. There are no equality implications arising from this report. The requirement of the Code for Councillors to promote equalities and to not discriminate unlawfully against any person, remains unchanged under these proposals.

## **Summary of risk assessment**

18. The adoption of the proposed changes to the Code of Conduct would provide clarity on a number of issues and provide clear expectations of councillors regarding their conduct.

## **Background papers**

Published works

## **Appendices**

Appendix 1 – Code of Conduct for Councillors showing changes proposed by the Local Government Association.

Appendix 2 – Local Government Association – Councillor Interest Flowchart