

Wednesday, 8 June 2022

Report of the Monitoring Officer

Update on the new updated LGA Model Code of Conduct

Exempt Information

None.

Purpose

To inform members and bring to their attention the new Local Government Association Model (LGA) Code of Conduct in response the recommendations made by the Office for Standards in Public Life so the Committee can consider whether to adopt it in full or in part, or to retain the Council's current Code of Conduct for Councillors ("Code of Conduct").

Recommendations

It is recommended that:

1. That members note the new LGA model code of conduct.
2. That the Council's current Code of Conduct and Procedure for dealing with Code of Conduct complaints is reviewed by the Monitoring Officer and legal (where required) and revised code be presented to the Audit & Governance Committee in January 2023. This may incorporate specific elements of the LGA Model Code.
3. Welcome a number of all member workshops prior to the final draft being presented to A&G in January 2023.
4. Note and approve the timetable for review

Reason for recommendation

To ensure that the Council's Code of Conduct is and continues to be fit for purpose

Executive Summary

Section 27(2) of the Localism Act 2011 requires local authority must adopt 'a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.

Options Considered

N/A

Resource Implications

N/A

Legal/Risk Implications Background

Section 27 of the Localism Act 2011, requires each local authority has to adopt a Members' Code of Conduct

Equalities Implications

None identified.

Environment and Sustainability Implications (including climate change)

N/A

Background Information

Members will recall a report from the Office for Standards in Public Life that made a number of recommendations in relation to the form and content of codes of conduct for member behaviour.

Partially in response to this report the Local Government Association commissioned a new model code of conduct document in December 2020, with guidance on the application of the Model Code due to be available in March 2021 however this was delayed until July 2021.

A link is provided to the model code and updated guidance below.

- [Local Government Association Model Councillor Code of Conduct 2020 | Local Government Association](#)
- [Guidance on Local Government Association Model Councillor Code of Conduct | Local Government Association](#)

In addition to the guidance and in response to the LGA's request for views (21 September 2021) on what training support would be helpful, the LGA developed (15 March 2022) further resource to support councils to deliver comprehensive and bespoke training to Councillors on the Member Code of Conduct.

Members are not being asked to recommend the model code for adoption, but it is being shared at this time to ensure members of the Audit & Governance Committee can familiarise themselves with it.

It isn't considered appropriate to adopt the new LGA code or propose a revised Council Code in the middle of the municipal year. It would be more appropriate for the Monitoring Officer to review the Council's code between September and November, incorporating a number of all member workshops to capture members views and these fed into the draft code, with the view to present to final draft to A&G Committee (January 2023) and the Full Council (March 2023). The revised code coming into effect in time for the new municipal year 2023/2024. This will provide a clear transition date and can be built into the training for new Councillors post-election.

The Monitoring Officer also intends to review the Procedure for Dealing with Code of Conduct Complaints and to bring a revised procedure to Audit & Governance Committee in January 2023.

The Council has a code of conduct in place and there is no legal requirement for this to be replaced or for the Council to adopt the new LGA Model, however it is acknowledged that there are some potential positives in the new updated LGA Code which can be added to the Council's Code.

Timetable

September 2022 – November 2022

- Review of the current code of conduct by the Monitoring Officer with the consideration of including any new elements of the new LGA Model code.
- Review of code of conduct complaints process
- 2 x all member workshops to be arranged so members views can be taken as part of the drafting process.

January 2023

- Revised code of conduct presented to A&G for consideration and potential referral to the Full Council

- Revised code of conduct complaints process presented to A&G for consideration and potential referral to the Full Council

February 2023

- Revised code conduct and procedures presented to Full Council for consideration and approval

May 2024

- Implementation of new code of conduct
- Revised code of conduct training all Councillors

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List of Background Papers

None

Appendices

None

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