

Audit, Risk and Governance Committee
Meeting to be held on Monday, 25 January 2021

Electoral Division affected: None;

Code of Conduct - review
Appendices A-C refer

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Executive Summary

This report presents an update to the committee on the response to the Committee for Standards in Public Life's recommendations in relation to best practice in local authority code of conducts.

Recommendation

The Audit Risk and Governance Committee is asked to consider and agree for recommendation to Full Council any amendments to the Code of Conduct for Members

Background and Advice

At the meeting on 19 October 2020, the Audit Risk and Governance Committee considered the best practice recommendations of the Committee for Standards in Public Life in relation to Local Authority Codes of conduct for elected members.

The committee resolved that officers consider further five of the recommendations and present proposals back to the Audit Risk and Governance Committee:

- Recommendation 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.
- Recommendation 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.
- Recommendation 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

- Recommendation 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.
- Recommendation 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

A detailed response to the above is attached at Appendix A. A draft "public interest test" is attached at Appendix B.

Local Government Association Model Code of Conduct

Since the last meeting of the Audit Risk and Governance Committee, the Local Government Association has produced a new model Code of Conduct, attached as Appendix C. Local Authorities are not required to adopt this model code. However, it has been created by an umbrella organisation for local authorities, and in consultation with them. The Audit Risk and Governance Committee is invited to consider the Local Government Associations model code and comment as appropriate.

The model code has been shared with the political groups represented on the council and also with the Independent Persons, and any comments will be shared with the committee at the meeting.

Consultations

Political Groups represented on the council have been consulted on the proposals.

Implications:

This item has the following implications, as indicated:

Risk management

There are no significant financial implication.

The council is required to have a Code of Conduct in accordance with the provisions of the Localism Act 2011. The council's current code meets those requirements.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		