



## Standards Committee

<b>Meeting or Decision Maker:</b>	Standards Committee
<b>Date:</b>	10 March 2020
<b>Classification:</b>	General Release
<b>Title:</b>	Review of the model code of conduct by the Local Government Association (LGA)
<b>Report of:</b>	Tasnim Shawkat, Monitoring Officer

### 1. Executive Summary

- 1.1. The Committee on Standards in Public Life (CSPL) published a report in January 2019 following its review of Local Government Ethical Standards. Members considered the report and its recommendations at its meetings in March and July 2019.
- 1.2. One of the recommendations of the review was that the LGA should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.
- 1.3. This report sets out the draft timetable of the review which the LGA published on 24 February 2020. It also asked the Committee to agree the process by which the Council should respond to the consultation by 24 April 2020.

### 2. Recommendations

- 2.1. To note the time table set out by the LGA for the review of the LGA model code of conduct.
- 2.2. To agree that the Monitoring Officer will respond to the consultation on behalf of the City Council, having considered any views expressed by the Committee, Members of the Council and the independent Persons.
- 2.3. To note that the Head of Committee and Governance Services will circulate to Members details of the consultation once published and will invite Members to forward any comments to him by 10 April 2020.

### **3. Background information**

- 3.1. In accordance with the provisions of the Localism Act 2011, the Council has adopted a Code of Conduct for Members and Arrangements for dealing with complaints that members have breached the Members' Code of Conduct. The code was adopted from the illustrative text for local codes of conduct published by the Department for Communities and Local Government in April 2012.
- 3.2. The work by the LGA is part of a wider programme of work on civility in public life and in response to rising local government concern about the increasing incidence of public, member to member and officer/ member intimidation and abuse and overall behavioural standards and expectations in public debate, decision making and engagement.
- 3.3. Hoey Ainscough have been appointed through a competitive exercise to work with the LGA to review the Code. The first stage of the review consisted of a series of workshops with national representatives of Monitoring and Democratic Services Officer and elected members from the main parties to review what worked and to develop some broad principles.
- 3.4. The LGA's objectives in reviewing the model code of conduct are to:
  - Articulate what local government believes are good standards for all in public office
  - Show leadership in good standards of conduct for those in public office, both elected and as employees
  - Achieve consensus between the stakeholders affected by local government conduct
  - Support its member councils and partners in achieving good standards of conduct
  - Produce a code that is fit for purpose, useful and held in high regard
  - Enhance the reputation of local government and local politicians
  - Support the good running of councils
  - Support all democratically elected local representatives to deliver their best on behalf of their local communities
  - Build on the good practice that already exists within member councils
- 3.5. Set out below is the timetable for the next stage of the review process:
  - 3 February –2 March preparation of draft code and report for LGA Board
  - 11 March – Draft Code to Board for consideration and approval for consultation
  - W/C 16 March – launch of consultation period (6 weeks takes us up to 24 April)
  - W/C 16 March – Round table discussion with key stakeholders (including LGO)
  - 24 April – close of consultation

- 27 April – Friday 15 April (3 weeks) review of consultation findings and final drafting
- Week commencing 18 May – Drafting of report for Board /final edits to code
- 25 May – LGA deadline for submission of report for Board
- 3 June – Final copy to Board for approval
- 30 June – Launch at first day of LGA conference

#### **4. Financial Implications**

- 4.1. There are no financial implications for this report.

#### **5. Legal Implications**

- 5.1 The principal statutory provisions relating to standards of conduct for Members are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by Members and Co-opted Members of the authority.
- 5.2 Sections 27 and 28 of the Localism Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about an alleged breach of the Code that has been investigated.
- 5.3 There is no obligation by the Council to adopt a particular model of the code of conduct. The statutory duty is to adopt a code of conduct which complies with the statutory requirements referred to in paragraph 5.2.

#### **6. Background Papers**

[Members code of conduct](#)

[Arrangements to deal with an alleged breach of the Members Code of Conduct](#)

**If you have any queries about this report please contact: Hazel Best,  
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