

Meeting or Decision Maker:	Standards Committee
Date:	4 November 2021
Classification:	General Release
Title:	Local Government Association model code of conduct
Report of:	Hazel Best, Monitoring Officer

1. Executive Summary

- 1.1. The Committee considered the model code of conduct issued by the Local Government Association (LGA) in December 2020. This was created in consultation with representative bodies of councillors and officers of all tiers of local government. The Committee has considered and discussed the recommendations of the report entitled “Local Government Ethical Standards” published by the the Committee on Standards in Public Life (CSPL) in 2019, one of which was for the LGA to create an updated model code of conduct
- 1.2. This report appends the updated model code of conduct. The LGA will undertake an annual review of the guidance and the code to ensure it continues to be fit for purpose, incorporating advances in technology, social media, case law and changes in legislation.

2. Recommendations

- 2.1. To note the changes to the LGA model code of conduct.

3. Background information

- 3.1. When the LGA published the model code of conduct in December 202 it was considered that there remained some issues with the model Code, not least is definitions and application.
- 3.2. The LGA has updated the model code of conduct to

- reflect the guidance relating to Other Registrable Interests (ORIs)
 - tidy up the executive arrangements section
 - add in missing text from Table 2
 - number of typographical corrections.
- 3.3. A link to the updated model code of conduct is at appendix two to this report with track changes to enable members see the changes made.
- 3.4. At its meeting on 8 April 2021 Members considered and discussed a table comparing the LGA model code of conduct with the Council's model code of conduct with the Council's existing code of conduct. Much of the substance contained in the Model Code is also covered in the Council's current Code of Conduct. A number of changes to the Council's Code of Conduct following the CSPL report which are in line with the LGA model code of conduct.

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. The code must be consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Councils must also ensure that their codes include appropriate provisions about declaring pecuniary and other interests
- 5.4 The Council must publicise its adoption, revision or replacement of a code of conduct in such manner as it considers likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area.

Appendix One

Updated LGA Model Code of Conduct

Background papers

[LGA model code of conduct- report for Standards Committee 08.04.21.pdf](#)
(westminster.gov.uk)

[https://committees.westminster.gov.uk/documents/s41469/LGA model code of conduct v
WCC code of conduct.pdf](https://committees.westminster.gov.uk/documents/s41469/LGA_model_code_of_conduct_v_WCC_code_of_conduct.pdf)

**If you have any queries about this report please contact: Hazel Best,
Principal Lawyer, Bi-Borough Legal Services, Email:
hbest@westminster.gov.uk**