

# LOCAL GOVERNMENT ASSOCIATION DRAFT MODEL MEMBERS CODE OF CONDUCT

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**MEETING:** (1) **STANDARDS AND AUDIT COMMITTEE**  
(2) **CABINET MEMBER FOR FINANCE AND GOVERNANCE**

**DATE:** (1) **22<sup>ND</sup> JULY 2020**  
(2) **tbc**

**REPORT BY:** **MONITORING OFFICER**

**WARD:** **ALL**

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FOR PUBLICATION

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## **1.0 PURPOSE OF REPORT**

1.1 To inform members of the Local Government Association (LGA) draft model code of conduct for members and to seek any initial comments on the proposals.

## **2.0 RECOMMENDATION**

2.1 That members of the committee consider and comment on the draft LGA model code.

## **3.0 BACKGROUND**

3.1 The current standards system has been in place since changes were introduced by the coalition government in the Localism Act 2011. While simplifying the members' ethical standards system, dispensing with much bureaucracy, and closing the national body overseeing standards (Standards for England), after several years of operation there is a growing belief that the current system lacks teeth and consistency. All local authorities must have a

code of conduct which must be followed by its councilors and procedures for dealing with alleged breaches.

- 3.2 Various reports were submitted to this committee during 2019 considering and enabling best practice changes to this Council's ethical procedures in response to the Committee on Standards in Public Life report, published late January 2019<sup>1</sup>.
- 3.3 One of the CSPL report recommendations was that the LGA draft a new model code. The consultation draft was published in May and a copy is attached at Appendix 1. Some of the CSPL recommendations required legislation. The government has yet to bring forward any proposals in response.

#### **4.0 DRAFT LGA MODEL CODE**

- 4.1 No changes were made to the Council's members code of conduct in response to the CSPL report, pending the LGA's proposals.
- 4.2 The draft code is contained in an explanatory document, which makes the proposals easier to understand. In many ways the drafting is similar to the Council's current code and contains some familiar wording<sup>2</sup>.
- 4.3 However, the document explains that it contains the minimum requirements of member conduct. Particular points to note include:
  - Some provisions (in square brackets) are those requiring further consideration in the consultation and government action.
  - Notable is the use of the word "civility" which appears to be used instead of "respect".
  - Specific provisions address bullying and harassment
  - Explanatory notes make the code easier to understand
  - There are also suggestions for an adoptable resolution procedure and escalation process, with sanctions.
  - It provides for an annual review by the LGA.
- 4.4 The consultation on the draft code runs until 17<sup>th</sup> August<sup>3</sup> and various monitoring officer and governance seminars are being held to explain and considers the changes in the interim.

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<sup>1</sup> <https://www.gov.uk/government/collections/local-government-ethical-standards>

<sup>2</sup> <https://www.chesterfield.gov.uk/media/144612/council-members-code-of-conduct-2012.pdf>

<sup>3</sup> <https://www.local.gov.uk/code-conduct-consultation-2020>

4.5 A further report will be submitted in due course once the model code is finalised, so the committee and full council can consider adoption.

## **5.0 CONCLUSIONS**

5.1 Members are asked to note the draft LGA model code of conduct and comment on the proposals.

## **6.0 RECOMMENDATION**

6.1 That members of the committee consider and comment on the draft LGA model code.

## **7.0 REASON FOR RECOMMENDATION**

7.1 To enable members to consider the draft LGA model code of conduct.

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