

SUBJECT:	Review of the Code of Conduct
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Joanna Swift
REPORT AUTHOR	Joanna Swift
WARD/S AFFECTED	None

1. Purpose of Report

To consider a proposed revision to paragraph 6 of the Member's code of conduct as recommended by Audit and Standards Committee.

RECOMMENDATION

That paragraph 6 of the code of conduct be amended to clarify that a member who declares a personal interest is still entitled to speak and vote on the item of business as shown at Appendix.

2. Reasons for Recommendations

It is good practise for the Council to review its adopted policies and procedures on a regular basis to ensure they remain relevant and effective. Additional wording in paragraph 6 of the code of conduct is being proposed in order to clarify the effect of declaring a personal interest.

3. Content of Report

- 3.1 As members are aware the Council has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct amongst its elected and co-opted members, to adopt a code governing member conduct and to have arrangements in place for dealing with any complaints that members may have breached the code of conduct.
- 3.2 Under the Act and accompanying statutory regulations members must disclose any pecuniary interests (DPI's) held by themselves or their spouse/partners in items of Council business. Failure to disclose a DPI is a criminal offence.

THE CODE OF CONDUCT

- 3.3 The Act gives the Council discretion over the contents of their code of conduct provided that it accords with the following 7 principles of conduct in public life:-
 - selflessness
 - integrity
 - objectivity
 - accountability
 - openness
 - honesty
 - leadership

- 3.4 The Council's current code of conduct was adopted on 24 July 2012 and is based on a lighter-touch set of general obligations than the previous national model code but retains the requirement for members to disclose non-pecuniary personal and prejudicial interests, in addition to the new statutory DPI's. This was considered vital in view of the Council's regulatory role in determining planning and licencing applications..
- 3.5 It is considered that the obligations in the code of conduct are generally understood by Members and that declarations of interest are being made appropriately. However, following complaints about the declaration of personal interests under paragraph 6 of the code, the Audit and Standards Committee considered a recommendation from the monitoring officer that an additional sentence is added to this paragraph to make it clear that members who declare a personal remain entitled to speak and vote on the item of business concerned. The additional wording proposed is shown in bold and underlined at paragraph 6 (6) of the code at Appendix. This proposed revision to the code was supported by the Committee and is therefore recommended to Full Council for approval

4. Consultation

Not applicable at this stage

5. Options

The Council can agree to the revised wording or has the option of proposing other changes to the code of conduct which could be the subject of wider consultation with members before formal consideration by Full Council.

6. Corporate Implications

Financial - None
Legal – As set out in the report
Risks issues – None
Equalities - None

7. Links to Council Policy Objectives

Whilst there is no direct link to the Council's main objectives the Council has a statutory obligation to adopt a code of conduct.

8. Next Steps

If agreed by Full Council an updated code of conduct would be published on the Council's website and the Constitution amended accordingly.

Background Papers:	None except those referred to in the report
---------------------------	---