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| SUBJECT | Changes to the Constitution- Amendment to the Members Code of Conduct |
| RELEVANT MEMBER | Chairman of Audit & Standards Committee – Councillor David Anthony |
| RESPONSIBLE OFFICER | Monitoring Officer- Joanna Swift joanna.swift@chilternandsouthbucks.gov.uk Tel : 01494 732761 |
| REPORT AUTHOR | Edwina Adefehinti:edwina.adehinti@chilternandsouthbucks.gov.uk Tel : 01895 837377 |
| WARD/S AFFECTED | All |

1. Purpose of Report

To report a recommendation from Audit & Standards Committee on 10 July committee meeting amend paragraph 8 of the Council's Code of Conduct.

RECOMMENDATIONS:

1. The Council adopts the amended code of Conduct attached at Appendix 1.
2. The Council authorise the Council's Monitoring Officer to make the necessary changes to the Constitution, including any consequential amendments, to reflect the adoption of the amended Code.

2. Reasons for Recommendations

To clarify the effect of paragraph 8 of the Code of Conduct in respect of Members who sit on policy advisory groups.

3. Content of Report

3.1 On 10 July 2019, the Audit and Standards Committee considered the annual report of the Monitoring Officer about Member complaints received in the financial year 2018/19. In relation to one particular complaint the Deputy Monitoring Officer identified a need to consider clarifying the circumstances when a Councillor had to declare a prejudicial interest at Overview and Scrutiny Committee (OSC) under paragraph 8 of the Code. It was considered that this paragraph could be ambiguous in that it refers to decisions and actions taken by Policy Advisory Groups (PAGs). However, PAGs are not decision making bodies and it was therefore recommended that reference to PAGs in paragraph 8 is removed. A Member asked if there was any conflict of interest between sitting on a PAG and being a Member of Overview and Scrutiny Committee (OSC). The Monitoring Officer reported that there was no conflict of interest and that the constitution (Protocol for the operation of PAGs) stated that to strengthen the relationship between the PAGs and the OSC each PAG would include at least one Member from the OSC.

3.2 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

3.3 The Council’s current code of conduct was adopted on 24 July 2012 and is attached at Appendix 1 with the recommended amendment shown in bold type.

4. Consultation

Not applicable.

5. Options (if any)

5.1 The Council has the option of refusing to agree the proposed amendment to paragraph 8 of the code at Appendix 1 but this would remove the current ambiguity around when members who sit on PAGs must declare a prejudicial interest. .

6. Corporate Implications

Reports must include specific comments addressing the following implications:

- 6.1 Financial- None
- 6.2 Legal – As set out in the report
- 6.3 Risks issues – None
- 6.4 Equalities - None

7. Unitary Implications (if applicable)

The standards arrangements for the new unitary District Council are being developed and will form part of the Constitution.

8. 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.

9. Next Steps

The Code of Conduct will be updated if Full Council approves the recommended amendment to paragraph 8.

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| Background Papers: | None except those referred to in the report |
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Appendices

Appendix 1 – Amended Code of Conduct