

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Mandatory	Be entirely within Cabinet's powers to decide		<del>YES</del> /NO	
		Need to be recommendations to Council		YES/ <del>NO</del>	
		Is it a Key Decision		<del>YES</del> /NO	
Lead Member: Cllr Stuart Dark E-mail: <a href="mailto:cldr.stuart.dark@west-norfolk.gov">cldr.stuart.dark@west-norfolk.gov</a>		Other Cabinet Members consulted: None			
		Other Members consulted: None			
Lead Officer: Monitoring Officer E-mail: <a href="mailto:alexa.baker@west-norfolk.gov.uk">alexa.baker@west-norfolk.gov.uk</a> Direct Dial: 01263 616270		Other Officers consulted: None			
Financial Implications <del>YES</del> /NO	Policy/ Personnel Implications <del>YES</del> /NO	Statutory Implications <del>YES</del> /NO	Equal Impact Assessment <del>YES</del> /NO If YES: Pre-screening/ Full Assessment	Risk Management Implications <del>YES</del> /NO	Environmental Considerations <del>YES</del> /NO

Date of meeting: 7 March 2023

### REVISION OF THE MEMBER CODE OF CONDUCT

#### Summary

A review of the Member Code of Conduct has been undertaken by the Standards Committee, based on the Model Code of Conduct and associated guidance issued by the Local Government Association ("LGA").

The Standards Committee resolved to approve a revised Member Code of Conduct which is largely based on the LGA Model Code, but tailored to this Council's specific circumstances.

#### Recommendation

1. Recommend the revised Member Code of Conduct set out at Appendix 1 to Full Council for adoption.

#### Reason for Decision

It is a statutory function of the Standards Committee to advise the Council on the adoption or revision of the Member Code of Conduct. The Standards Committee have recommended that a revised Code of Conduct be adopted, as attached at Appendix 1, which Cabinet is asked to consider for onward recommendations to Full Council.

## 1 Background

1.1 On 30 January 2019, the Committee on Standards in Public Life (CSPL) produced a report on Local Government Ethical Standards. The report found that there is considerable variation in the length, quality and clarity of local authority Codes of Conduct. CSPL made various formal and best practice recommendations intended to improve local government ethical standards and improve public confidence in local democracy.

- 1.2 The first recommendation was that the LGA should create a Model Code of Conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.
- 1.3 The Localism Act 2011 states that relevant authorities must promote and maintain high standards of conduct by members and co-opted members. It requires these authorities to adopt a Code of Conduct for their Councillors. It is for individual Councils to set their own local code.
- 1.4 It is open for Parish and Town Councils to adopt the Code of the Principal Council, i.e. the Borough Council's Code.
- 1.5 The LGA has produced a Model Code of Conduct. Sitting behind the Model Code, the LGA has produced Guidance on the interpretation of the Code and on the handling of complaints. These have all been considered by the Standards Committee. The Committee was not minded to approve the LGA Model Code as drafted. Various areas were considered for improvement and additions. In particular, a flowchart on declaring interests and managing any conflicts has been created and is appended to the Code. The Standards Committee considered two drafts of a revised Code of Conduct for this Council before approving the Code attached as Appendix 1.
- 1.7 The Standards Committee has adopted revised Guidance on Complaint Handling, which is within its powers to adopt without referral to Full Council. The Member Code of Conduct is required to be adopted by Full Council, and the draft is therefore put before Cabinet for consideration and onward recommendations to Full Council.

## **2 Options Considered**

- 2.1 Cabinet may consider the following:
  - 2.1.1 Agree the revised Member Code of Conduct at Appendix 1 and recommend to Full Council that it be adopted.
  - 2.1.2 Agree alternative changes to the revised Member Code of Conduct at Appendix 1 and recommend to Full Council that they be adopted.
  - 2.1.3 Do not agree the revised Member Code of Conduct at Appendix 1 and recommend to Full Council that no changes be made to the current Member Code of Conduct.

## **3 Policy Implications**

The Council must have an adopted Member Code of Conduct. The requirements of the Member Code of Conduct sets out the minimum standard of behaviour expected from elected Members whenever they are acting in an official capacity, therefore permeates all functions of the Councillor role.

## **4 Financial Implications**

There will be no additional financial implications with regards to adopting a revised Member Code of Conduct.

## **5 Personnel Implications**

As above.

## **6 Environmental Considerations**

None

## **7 Statutory Considerations**

It is a statutory requirement for the Council to have an adopted Member Code of Conduct, it is a statutory function of the Standards Committee to advise the Council on the adoption or revision of the Member Code of Conduct and it is a statutory requirement for every Councillor to undertake or comply with the Member Code of Conduct.

The Localism Act 2011 requires that the Council must publicise its adoption, revision or replacement of a code of conduct in such manner as it considers is likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area. In view of the Pre-election period, it is recommended that this publicity takes place after elections via social media.

## **8 Equality Impact Assessment (EIA)**

(Pre screening report template attached)

No direct impact.

## **9 Risk Management Implications**

Reviewing and evolving the Member Code of Conduct supports accountability and transparency, which will be reflected within the Annual Governance Statement.

## **10 Declarations of Interest / Dispensations Granted**

None

## **11 Background Papers**

None