

STANDARDS COMMITTEE

10 DECEMBER 2008

GOVERNMENT CONSULTATION ON REVISIONS TO THE MODEL CODE OF CONDUCT FOR MEMBERS AND ON THE INTRODUCTION OF A MODEL CODE OF CONDUCT FOR EMPLOYEES

Report from: Deborah Upton, Monitoring Officer

Summary

To inform and invite Members to consider and give their views about the publication of a consultation paper concerning proposals to revise the model code of conduct for local authority Members and for proposals for the introduction of a model code of conduct for local authority employees.

1. Budget and Policy Framework

- 1.1 According to the constitution one of the roles of the Standards Committee is to monitor the operation of the members' code of conduct and therefore Members of the committee are therefore asked to comment on the proposals to revise the model code of conduct for local authority Members and proposals for the introduction of a model code of conduct for local authority employees.

2. Background

- 2.1 In early October 2008 the Communities and Local Government (CLG) published a Consultation Paper entitled "Communities in control: Real People, Real Power. Codes of conduct for local authority members and employees". This paper builds upon progress from the 2006 White Paper, "Strong and Prosperous Communities" and is concerned with proposals for revising the model code of conduct for Local Authority Members, principally to clarify its application to Members' conduct in their non-official capacity. It also invites views on proposals for associated changes to the Relevant Authorities (General Principles) Order 2001, which sets out the general principles which govern the conduct of Local Authority Members. The consultation paper is attached to this report as Appendix A.

- 2.2 CLG has invited comments on the consultation paper to be made by 24 December 2008. In particular a number of specific questions for consideration have been asked , which are set out in Annex A of the consultation paper.
- 2.3 A discussion paper with suggested responses to the consultation paper is set out in Appendix B and Members are invited to comment and give their views.

3. Advice and analysis

- 3.1 The consultation document principally invites views about extending the application of the Code of Conduct relating to Members conduct in their non official capacity and making consequential amendments to the General Principles of Conduct. It is also proposed to change the format of the Code of Conduct and to divide it into two sections, one dealing with conduct when a member acts in their official capacity and the other section relating to when they act in their non official capacity.
- 3.2 The consultation document also seeks comments on proposals to introduce a model code of conduct for local government employees.
- 3.3 The Employment Matters Committee considered the element of the Communities and Local Government (CLG) consultation paper which related to the proposals for a national model code of conduct for employees on 12 November 2008. The Committee agreed that the Assistant Director, Organisational Services, send a response in relation on behalf of the Council, in consultation with Committee Members (minute no. 446(ii)/2008 refers).

4. Financial and legal implications

- 4.1 There are no financial or legal implications arising from this report.

5. Recommendation

- 5.1 Members are requested to consider the contents of the consultation paper and to approve the response, subject to any amendments, that will be submitted to the CLG by the Monitoring Officer on behalf of the Committee.

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Background papers

CLG Consultation Paper entitled "Communities in control: Real People, Real Power. Codes of conduct for local authority members and employees".
October 2008.