

COUNCILLOR CONDUCT COMMITTEE

20 JANUARY 2021

UPDATE ON LGA'S MODEL CODE OF CONDUCT

Report from/Author: Jan Guylar, Head of Legal Services

Summary

This report provides the latest information regarding the Local Government Association's (LGA's) Model of Conduct.

1. Budget and policy framework

- 1.1. The Councillor Conduct Committee has the role of promoting and upholding high standards of conduct by councillors. The Monitoring Officer is the senior officer supporting the Committee's work and the initial contact when concerns about misconduct are raised.

2. Background

- 2.1. The Councillor Conduct Committee receives reports relevant to its work and considers formal complaints about the misconduct of councillors.
- 2.2. The Committee on Standards in Public Life (CPSL) published its' 20th report in January 2019 on the subject of ethical standards in local government. The report made 15 best practice recommendations to local authorities (which has already been actioned and referred to the CCC) and further recommendations to central government, including that the LGA be tasked with preparing an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.
- 2.3. The draft Model Code was circulated in June 2020 followed by a 10 week consultation. Members of the CCC received a briefing on the review of the Model code of conduct in July and submitted an online response to the LGA's Consultation in August. The response was generally positive stating that the Council's Member Code of Conduct already includes most aspects of the draft Model Code although the Council would not support the introduction of an appeals process given limited sanctions available and additional work this would create. A copy of the response is attached as Appendix 1.
- 2.4. The final version of the Model Code was issued in December 2020 and a copy is attached as Appendix 2.

2.5. The final Model Code has been compared to the draft Model Code and the following amendments to the final version have been noted:

- 2.5.1. All references to “civility” have been replaced with “respect”
- 2.5.2. Discrimination added to the bullying and harassment section
- 2.5.3. More wording added relating to access to information
- 2.5.4. Gifts and hospitality threshold of £50 confirmed
- 2.5.5. More detail added to Appendix B relating to Declaring Interests.

2.6. The Deputy Monitoring Officer is the chair of the Kent Secretaries group, a forum for Heads of Legal and Monitoring Officers, and proposes that they set up an officer working group to consider the final version of the Model Code of Conduct and advise on the contents to try to gain consistency across the county. It is therefore proposed that this matter returns to CCC in March with any suggestions as to how the Council’s Member Code of Conduct could be amended to mirror the Model Code.

3. Financial implications

3.1 There are no financial implications arising directly from this report.

4. Legal implications

4.1 There are no direct legal implications set out in the body of this report. The LGA are keen for as many local authority’s as possible to adopt the Model Code to increase consistency however it is entirely discretionary.

5. Recommendation

5.1 The Committee to discuss and note this updating report.

Lead officer contact

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Background papers

None.

Appendices

None.