

North East Derbyshire District Council

Standards Committee

1 July 2020

Local Government Association Model Code of Conduct Consultation

Report of the Head of Corporate Governance and Solicitor to the Council & Monitoring Officer

This report is public

Purpose of the Report

- To inform the Committee of the Local Government Association's (LGA) consultation on the model member code of conduct.

1 Report Details

- 1.1 The Local Government Association is providing a model member code of conduct as part of its work on supporting the sector to continue to aspire to high standards of leadership and performance.
- 1.2 The LGA has committed to reviewing the current model member code of conduct, as recommended by the Committee on Standards in Public Life's report into Local Government Ethical Standards. The LGA held an event on Civility in Public Life with a range of stakeholders at the end of 2019 and three consultation workshops at the beginning of 2020. The LGA consultation draft model member code of conduct is a result of this initial work.
- 1.3 The LGA has published the model member code of conduct for consultation. This is available to view on the LGA's website - <https://www.local.gov.uk/local-government-association-model-member-code-conduct>. The consultation will run for 10 weeks from Monday 8 June until Monday 17 August.
- 1.4 A comparison between the Council's member code of conduct and the consultation model member code of conduct has been made and this is attached to the report at Appendix 1.

2 Conclusions and Reasons for Recommendation

- 2.1 The Committee should consider whether it has any comments to make on the consultation.
- 2.2 The Committee should be presented with the final version of the model member code of conduct when it is published (expected in the autumn) and at that time consider whether any changes are required to the Council's member code of conduct.

- 2.3 It is important that the Council has a clear and up to date Member Code of Conduct setting out the behaviours and responsibilities required in the role of Councillor as the Council has a duty to promote and maintain high standards of conduct by Councillors and co-opted Members of the authority.

3 Consultation and Equality Impact

- 3.1 There is no equality impact from the report.
- 3.2 The Committee are being consulted on the LGA's model member code of conduct.

4 Alternative Options and Reasons for Rejection

- 4.1 There are no alternative options at this time as the Committee is just being informed of the consultation.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 There are no specific finance or risk implications arising from this report.

5.2 Legal Implications including Data Protection

- 5.2.1 Section 27 of the Localism Act 2011 places a duty on local authorities to promote and maintain high standards of conduct by Councillors and co-opted Members of the authority. Section 27(2) requires local authorities to adopt a code dealing with the conduct of Councillors and co-opted Members when they are acting in those capacities.
- 5.2.2 Section 28 of the Localism Act deals specifically with the code of conduct. The code of conduct adopted must be consistent with the general principles of public life.

5.3 Human Resources Implications

- 5.3.1 There are no human resources implications arising from this report.

6 Recommendations

- 6.1 That Members note the current open consultation in regards to the LGA's model code of conduct and provide any comments to the Monitoring Officer to feed into a response to the consultation.
- 6.2 That the outcome of the consultation and the final version of the model member code of conduct be submitted to a future meeting of the Committee.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes/No
<p>District Wards Affected</p>	All indirectly
<p>Links to Corporate Plan priorities or Policy Framework</p>	All indirectly

8 Document Information

Appendix No	Title
1	LGA's model member code of conduct
2	Comparison of North East Derbyshire District Council's code of conduct with the draft model member code of conduct
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
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