

Audit, Governance and Standards Committee

14 April

2022

New Worcestershire-wide Member Code of Conduct

Relevant Portfolio Holder	Councillor Mike Rouse
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Report Author	Job Title: Clare Flanagan Contact email:clare.flanagan@bromsgroveandredditch.gov.uk Contact Tel: 01527 534112 x3173
Wards Affected	n/a
Ward Councillor(s) consulted	n/a
Relevant Strategic Purpose(s)	n/a
Key Decision / Non-Key Decision	n/a
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Committee is asked:

- 1) to review the Worcestershire-wide draft Code of Conduct at Appendix 1 and its appendices, and consider whether it recommends its adoption by the Council**

2. BACKGROUND

- 2.1** The Committee will recall from previous reports that the National Committee on Standards and Public Life carried out a review of the operation of the Standards Regime under the Localism Act 2011. The report on the implementation of the Committee's recommendations and resulting changes to the Council's arrangements for handling member complaints was considered by this committee on 26 November 2020.
- 2.2** In December 2020 the Local Government Association (LGA) published a model Code of Conduct as part of its work in supporting the sector to continue to aspire to high standards of leadership and performance. It was broadly similar to the current Worcestershire-wide Code. The main areas where it differed were:
 - The LGA Code included detailed guidance to explain the reasons for obligations and how they should be followed

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- It included a statement about a right to respectful behaviour from the public which is not referred to in the Worcestershire-wide Code
- It included an obligation to undertake Code of Conduct training provided by the local authority
- The value for registering gifts and hospitality is £50 compared to £15 in the Worcestershire Code
- There was more detail about registering and declaring **Other Interests**. The LGA Code states (in table 2) that Councillors have a personal interest in any business where it relates to or affects any body of which a Councillor is in general control or management and to which they are nominated or appointed by the Council. This is in direct contrast to the current situation in the Worcestershire Code where appointment to an outside body by the Council does not automatically mean that an Other Interest should be declared.

2.2 The LGA Model was offered as a template and it was recognised that councils might either adopt it or make local amendments to it.

2.3 Members have previously expressed a preference for a Code of Conduct that applies to all councils across the County and at all tiers of local government, as is currently the case in Worcestershire and so resolved at its meeting on 11 March 2021 to refer the LGA Model Code to the Monitoring Officers across the County to consider the feedback from this and the other Standards Committees, and bring back a new pan-Worcestershire Code for consideration / adoption.

2.4 Attached at Appendix 1 is the draft Code of Conduct as proposed by the Monitoring Officers following their discussions. The changes and/or additions to the LGA Model Code are highlighted in the attached draft so that members can see what they are. There are a number of appendices, which support the core document. These are:

- Appendix A: The Ten Principles of Public Life;
- Appendix B: Guide to Registerable Interests set out in
 - Table A – Disclosable Pecuniary Interests
 - Table B – Other Registerable Interests;
- Appendix C: Best Practice Recommendations
- Appendix D: to be read alongside:
 - ACAS Guide and
 - Guidance on The Public Sector Equalities Duty

This suite of documents comprises the proposed Code of Conduct. These are being referred to all of the local authorities across

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Worcestershire for consideration and adoption.

3. FINANCIAL IMPLICATIONS

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

4. LEGAL IMPLICATIONS

4.1 Under the Localism Act 2011, the Council is required to adopt a Code of Conduct, which it has. Following a review of the operation of the Standards regime under the Localism Act, carried out by the Committee for Standards in Public Life, the Local Government Association issued a new Model Code for adoption or local amendment.

4.2 Adoption by the Council will ensure compliance with the requirements of the Localism Act and the Code proposed here will meet members' requirement for a pan-Worcestershire Code of Conduct.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

5.1 n/a

Climate Change Implications

5.2 n/a

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

6.1 n/a

Operational Implications

6.2 n/a

7. RISK MANAGEMENT

8. APPENDICES and BACKGROUND PAPERS

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- Appendix 1 –Member Code of Conduct and supporting documents.

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor Mike Rouse	Various
Lead Director / Head of Service	Claire Felton	Various
Financial Services	N/A	
Legal Services	Claire Felton	Various
Policy Team (if equalities implications apply)	n/a	
Climate Change Officer (if climate change implications apply)	n/a	