

# Local Government Association Model Councillor Code of Conduct

Date: 14<sup>th</sup> March 2022

Report of: City Solicitor

Report to: Standards and Conduct Committee

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## What is this report about?

### Including how it contributes to the city's and council's ambitions

- This report presents to Members further amendments which have been made to the Local Government Association's Model Councillor Code of Conduct for local councillors with a view to considering recommendations for adoption by the authority (LGA (Local Government Association) Model Code).
- The LGA Model Code was adopted<sup>1</sup> by Full Council in March 2021. The new Councillor Code of Conduct took effect on 20 May 2021.
- The Council became aware of amendments to the LGA Model Code after the Full Council decision in March 2021. The amendments add further clarification to the LGA Model Code.
- In addition, at the request of the Leader, the adopted Councillors Code of Conduct has been further reviewed to consider any unintended consequences that have arisen because of it.
- The Councillor Code of Conduct provides a framework compatible with the Council's Values of being open, honest, and trusted and treating people fairly.

## Recommendations

The Standards and Conduct Committee is asked to:

- a) Consider the proposed further LGA amendments to the adopted Councillor Code of Conduct as set out in Appendix 1 to this report; and
- b) Consider the proposed additional amendments to the adopted Councillor Code of Conduct as set out in Paragraphs 7 and 11 of Appendix 1; and
- c) Recommend to General Purposes Committee that Full Council adopt the amendments to the Councillor Code of Conduct.

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<sup>1</sup> Subject to the addition of the word "known" in paragraph 7 of Appendix B

## Why is the proposal being put forward?

- 1 At its meeting on 5 February 2021 Standards and Conduct Committee considered that there was considerable benefit to the Council from adopting in full the LGA's Model Code so the Council could play its part in achieving consistency across the Country in this important area.
- 2 The Committee resolved to recommend to General Purposes Committee that the adoption of the LGA Model Code of Conduct be adopted by Full Council with effect from the Annual Council Meeting, subject to an amendment in relation to paragraphs 7 of Appendix B relating to the declaration requirements relating to family, friends, and close associates.
- 3 General Purposes Committee duly recommended the same to Full Council and in March 2021 Full Council adopted the LGA Model Code subject to the minor amendments described above.
- 4 Following the decision of Full Council in March 2021, the LGA made further amendments to its Model Code, meaning the Council's Code of Conduct no longer fully reflects the LGA Model Code.
- 5 The reason for the LGA amendments falls into three categories, (i) those required to insert missing text (ii) those required to add clarity to executive arrangements section and (iii) those required to reflect the guidance relating to Other Registrable Interests (ORIs).
- 6 In addition, at the request of the Leader, the Code has been further reviewed to consider any unintended consequences that have arisen because of it. That review has led to additional proposed amendments in relation to Appendix B of the Code (see paragraphs 7 and 11 of Appendix 1) relating to the disapplication of the requirement to disclose both ORIs and Non-Registerable interests where that interest is one which relates to any body of which a Councillor is a member or is in a position of general control or management and to which they were nominated or appointed by the Council.
- 7 For ease of reference, the recommended amendments have been inserted into the adopted Code of Conduct as tracked changes and are attached as Appendix 1 to this report.

## What impact will this proposal have?

### Wards affected:

Have ward members been consulted?  Yes  No

- 8 Officers have considered the impact these amendments will have on the Councillor Code of Conduct and are of the view they will positively enhance the clarity of the Code, specifically in respect of declaration of interests.
- 9 The proposed amendments also disapply the need to disclose either an ORI or a Non-Registerable interest where that interest is one which relates to any body of which a Councillor is a member or is in a position of general control or management and to which they are nominated or appointed by the Authority.

## What consultation and engagement has taken place?

- 10 The LGA consulted widely within the local government sector and with other stakeholders and many of the further amendments made to the LGA Model Code were in response to stakeholder feedback.
- 11 Group Leaders have been consulted on the amendments set out in paragraph 6 above and are supportive of the proposals.

### **What are the resource implications?**

12 There are no specific implications arising from this report.

### **What are the legal implications?**

13 The amendments to the LGA Model Code are compliant with the requirement of the Localism Act 2011 and adoption of the amendments would be compliant with the duties placed on the Council.

### **What are the key risks and how are they being managed?**

14 There are no specific risk implications arising from this report. If the amendments are not adopted, the Code of Conduct would remain fit for purpose, however, the recommended amendments will provide greater clarity and reduce the risk of potential confusion around declarations of interests.

### **Does this proposal support the council's three Key Pillars?**

Inclusive Growth

Health and Wellbeing

Climate Emergency

15 N/A

### **Options, timescales and measuring success**

#### **What other options were considered?**

16 Not adopting the further amendments to the LGA Model Code is an option, however, for the reasons described above, this would mean the Code would no longer fully reflect the LGA Model Code.

17 The option not to disapply disclosure requirements specified in paragraph 6 above, would result in unintended consequences of the Code for some Members who are appointed to such outside bodies as it may lead to circumstances where they are restricted from speaking on a matter.

#### **How will success be measured?**

18 Success will be measured by the adoption by Full Council of further LGA amendments into the Council's Code of Conduct.

#### **What is the timetable for implementation?**

19 It is proposed that General Purposes Committee will consider the recommendations of this committee at their next meeting and, subject to agreement - a resolution will be considered by the Annual Council Meeting.

### **Appendices**

20 Appendix 1 – Adopted Councillor Code of Conduct including recommended amendments.

### **Background papers**

21 None