



---

## Report of the Assistant Chief Executive (Corporate Governance)

### Annual Meeting of Council

Date: 24<sup>th</sup> May 2007

Subject: Adoption of a new Code of Conduct for Members

---

#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

---

### Executive Summary

1. This report seeks Members' approval for the adoption of a new Code of Conduct for Members drafted in accordance with the new Model Code of Conduct issued by order of the Secretary of State on 4<sup>th</sup> April 2007, and brought into force on 3<sup>rd</sup> May 2007.

## 1.0 Purpose Of This Report

- 1.1 This report seeks Members approval for the adoption of a new Code of Conduct for Members drafted in accordance with the new Model Code of Conduct issued by order of the Secretary of State on 4<sup>th</sup> April 2007, and brought into force on 3<sup>rd</sup> May 2007.

## 2.0 Background Information

- 2.1 The Local Government Act 2000 makes provision for the Secretary of State to issue a Model Code of Conduct for Members. The Code must be adopted by Local Authorities and Members must give a written undertaking that they will abide by the Code.
- 2.2 The current Code of Conduct for Members in Leeds was approved by parliament in November 2001 and adopted by the Council on 27th March 2002.
- 2.3 Over the period of its operation a number of problems have been identified with the current Code of Conduct and the Secretary of State has drafted a new Model Code of Conduct.

## 3.0 Main Issues

- 3.1 The Secretary of State for Communities and Local Government made the Local Authorities (Model Code of Conduct ) Order 2007 on 4<sup>th</sup> April 2007. The Order came into force on 3<sup>rd</sup> May 2007.
- 3.2 Local Authorities are required to adopt the Code within 6 months of its being made<sup>1</sup>, or the provisions of the Code are imposed upon the authority. It is therefore necessary that Leeds City Council adopts a new Code of Conduct, reflecting the provisions set out in the Code by 1<sup>st</sup> October 2007.
- 3.3 Section 50 of the Local Government Act, which sets out the Secretary of State's power to issue a Model Code of Conduct, provides that the Model Code may contain provisions which are mandatory and provisions which are optional. Section 51(4) of the Local Government Act 2000 provides that the authority must adopt a Code which incorporates any mandatory provisions and may include other provisions which are consistent with that Model Code.
- 3.4 All of the provisions set out in the Model Code are mandatory for Leeds City Council.
- 3.5 The Local Government Act 2000 Part 3 Section 54(2) states that the Standards Committee **must** carry out the following functions:
- advising the authority on the adoption or revision of a Code of Conduct; and
  - advising, training, or arranging to train Members and Co-opted Members of the authority on matters relating to the authority's Code of Conduct.
- 3.6 At a meeting on 1<sup>st</sup> May 2007 the Standards Committee considered the new Model Code and resolved to recommend to Council that a new Code of Conduct be adopted for Members of Leeds City Council in the form set out at Appendix 1 to this report.

---

<sup>1</sup> The Standards Board for England have recently confirmed that the 6 month period runs from the making of the order rather than its coming into force.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 The Council is obliged to adopt, and Members will be obliged to abide by, the new Model Code of Conduct by no later than 1<sup>st</sup> October 2007. The Code is intended to uphold standards of Conduct in public life, whilst supporting members fully in their roles as community advocates.
- 4.2 Whilst Members are required to give a written undertaking to abide by the Code, advice has been received to indicate that Members undertaking to abide by the existing Code will suffice. However, it will be necessary for all Members to register their interests afresh. The Assistant Chief Executive (Corporate Governance) will seek to assist Members in this through the provision of training and individualised pro-formas based on their current register of interests.
- 4.3 Steps will be taken to ensure that Members receive appropriate training to enable them to abide by the new Code of Conduct when implemented.

#### **5.0 Legal And Resource Implications**

- 5.1 There are no legal implications to this report.
- 5.2 There will be clear resource implications for the training of Members and officers to support the implementation of the new Code of Conduct. However, it is considered that these can be met from existing resources.

#### **6.0 Conclusions**

- 6.1 Leeds City Council is required to adopt a new Code of Conduct reflecting the mandatory provisions of the new Model Code by no later than 1<sup>st</sup> October 2007. The draft Code set out at Appendix 1 to this report contains those provisions which are mandatory for Leeds City Council.

#### **7.0 Recommendations**

- 7.1 Members are requested to approve adoption of the draft Code of Conduct for Members set out at Appendix 1 to this report.