



Report of the Assistant Chief Executive (Corporate Governance)

Member Management Committee

Date: 18th November 2008

Subject: Codes of conduct for local authority Members and employees: a consultation

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to advise Member Management Committee of the Communities and Local Government consultation paper published on 1st October 2008.
2. This report also invites comments from Member Management Committee on the questions posed in the consultation paper (attached as Appendix 1), and on the consultation process outlined within the report.
3. Communities and Local Government published a consultation paper called "Codes of conduct for local authority members and employees" on their website on 1st October 2008. The consultation paper invites views on proposals for revising the model code of conduct for local authority Members, principally to clarify the Code's application to Members' conduct in their non-official capacity. The consultation also invites comments on proposals to introduce a requirement for authorities to incorporate a code of conduct for employees, based on a statutory model code of conduct, into the terms and conditions of employment of their employees.
4. Members of the Member Management Committee are invited to:
 - Make any comments on the draft consultation response attached as Appendix 2; and
 - Notify their political group members of the consultation paper and invite them to submit any comments for consideration by the Standards Committee by Friday 5th December 2008.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to advise Member Management Committee of the Communities and Local Government consultation paper published on 1st October 2008.
- 1.2 This report also invites comments from Member Management Committee on the questions posed in the consultation paper (attached as Appendix 1), and on the consultation process outlined within the report.

2.0 Background Information

- 2.1 Communities and Local Government published a consultation paper called "Codes of conduct for local authority members and employees" on their website on 1st October 2008. The consultation paper invites views on proposals for revising the model code of conduct for local authority Members, principally to clarify the Code's application to Members' conduct in their non-official capacity. The consultation also invites comments on proposals to introduce a requirement for authorities to incorporate a code of conduct for employees, based on a statutory model code of conduct, into the terms and conditions of employment of their employees.
- 2.2 The government is minded, subject to the consultation responses, to implement the proposals in the consultation paper so that they come into effect in line with the local government elections 2009.
- 2.3 The Standards Committee's Terms of Reference include the following functions:
- To make representations to and to liaise with external agencies about any matter relating to general principles of conduct, model codes of conduct and the codes of conduct or protocols approved from time to time by or on behalf of the Council; and
 - To consider and advise the Council with respect to the adoption or amendment of a Code of Conduct for officers and to promote, monitor and review the Code of Conduct.
- 2.4 The consultation is public and anyone is able to respond. The consultation will close on 24th December 2008. Details of how to respond can be found within the consultation paper (attached as Appendix 1).

3.0 Main Issues

- 3.1 Officers have formulated a draft response to the consultation paper on behalf of the Standards Committee, which will be considered by the Standards Committee at their next meeting on 16th December 2008. This draft response is attached as Appendix 2.
- 3.2 It is proposed that all political groups are notified of the consultation and asked for their comments on the consultation paper via the Group Whips. Voting co-opted members of the Council and Independent Councillors will be contacted separately by officers for comments.
- 3.3 The consultation and the draft response will also be considered by the Corporate Leadership Team and Leader Management Team meetings, before being presented to the Standards Committee at their meeting on 16th December 2008.

3.4 The Head of Human Resources has also contributed to the draft consultation response with regard to the proposed national code of conduct for local authority employees, and will be presenting a report on this subject to the Corporate Negotiating Group on 16th December 2008.

4.0 Implications For Council Policy And Governance

4.1 One of the Key Lines of Enquiry to reach level 4 in the Use of Resources section of the Comprehensive Performance Assessment is that "The council can demonstrate that its members and staff exhibit high standards of personal conduct". It is therefore important to the ethical governance of the Council that Members and employees of Leeds City Council are aware of the provisions of the codes of conduct and are able to contribute to the development of these codes.

5.0 Legal And Resource Implications

5.1 There are no legal or resources implications to the information in this report.

6.0 Conclusions

6.1 Communities and Local Government published a consultation paper called "Codes of conduct for local authority members and employees" on their website on 1st October 2008. The consultation paper invites views on proposals for revising the model code of conduct for local authority Members, principally to clarify the Code's application to Members' conduct in their non-official capacity. The consultation also invites comments on proposals to introduce a requirement for authorities to incorporate a code of conduct for employees, based on a statutory model code of conduct, into the terms and conditions of employment of their employees.

6.2 Officers have drafted a response to the consultation on behalf of the Standards Committee of Leeds City Council, which will be considered by the Standards Committee at their next meeting on 16th December 2008. The consultation is also open to anyone to respond, and details of how to submit comments and responses can be found within the consultation paper itself.

7.0 Recommendations

7.1 Members of the Member Management Committee are invited to:

- Make any comments on the draft consultation response attached as Appendix 2; and
- Notify their political group members of the consultation paper and invite them to submit any comments for consideration by the Standards Committee by Friday 5th December 2008.