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

### Standards Committee

Date: 16<sup>th</sup> December 2008

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

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#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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### Executive Summary

1. The purpose of this report is to advise the Standards Committee of the Communities and Local Government consultation paper published on 1<sup>st</sup> October 2008.
2. This report also invites comments from the Standards Committee on the questions posed in the consultation paper (attached as Appendix 1).
3. Communities and Local Government published a consultation paper called "Codes of conduct for local authority members and employees" on their website on 1<sup>st</sup> 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 Standards Committee are invited to make any comments on the draft consultation response attached as Appendix 2.

## **1.0 Purpose Of This Report**

- 1.1 The purpose of this report is to advise the Standards Committee of the Communities and Local Government consultation paper published on 1<sup>st</sup> October 2008.
- 1.2 This report also invites comments from Standards Committee on the questions posed in the consultation paper (attached as Appendix 1).

## **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 1<sup>st</sup> 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 24<sup>th</sup> December 2008. Details of how to respond can be found within the consultation paper (attached as Appendix 1).

## **3.0 Main Issues**

- 3.1 The consultation and draft response was considered by Member Management Committee on 18<sup>th</sup> November 2008. Member Management Committee undertook to provide comments via Group Whips to feedback to Communities and Local Government as appropriate. Members of the Member Management Committee raised concerns about the Council's response to the consultation being from the Standards Committee rather than a Committee of Councillors.
- 3.2 Officers have formulated a draft response to the consultation paper on behalf of the Standards Committee. This draft response is attached as Appendix 2.
- 3.3 The Conservative Group have provided comments on the consultation and the Standards Committee's response, and this response is attached as Appendix 3. Members of the Standards Committee are invited to consider these comments when finalising their draft response.

- 3.4 Voting co-opted members of the Council and Independent Councillors have been contacted separately by officers for comments.
- 3.5 The consultation and the draft response have also been considered by the Corporate Leadership Team, Leader Management Team and Corporate Governance Board. Any comments received from these meetings have either been incorporated within the draft response or Members have been advised of the alternative routes of responding to the consultation.
- 3.6 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 16<sup>th</sup> 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 1<sup>st</sup> 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. 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 Standards Committee are invited to make any comments on the draft consultation response attached as Appendix 2.