

<b>Report to:</b>	Standards Committee
<b>Relevant Officer:</b>	Mark Towers, Director of Governance and Regulatory Services / Monitoring Officer
<b>Date of Meeting</b>	23 June 2015

## REVIEW OF THE CODE OF CONDUCT FOR MEMBERS

### 1.0 Purpose of the report:

- 1.1 To consider a draft revised Code of Conduct for Members following a joint workshop with three members of the Standards Committee, three Independent Persons and three councillors from Fylde Borough Council.

### 2.0 Recommendation(s):

- 2.1 To consider the attached revised Code of Conduct and if in agreement recommend this document to Council to for approval.
- 2.2 To appoint a replacement opposition councillor to serve on the Joint Working Group, to replace former Councillor Mrs Delves.

### 3.0 Reasons for recommendation(s):

- 3.1 The Code of Conduct has not been reviewed since its approval in June 2012. The document is more succinct, provides greater clarity and is based upon the legislation and recommendations from the joint workshop.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No but it will, if approved replace the current Code of Conduct for Members, in the Council's Constitution.

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

To not agree to a revised code of conduct and maintain the current code or to make different changes to the Code. However, having the same/ very similar Code of Conduct to Fylde Borough Council will help in carrying out reciprocal arrangements.

#### **4.0 Council Priority:**

4.1 The relevant Council Priority is “Deliver quality services through a professional, well-rewarded and motivated workforce.”

#### **5.0 Background Information**

5.1 This Committee last met on 24<sup>th</sup> September 2014 and at that meeting agreed to review the Code of Conduct for Members and the framework surrounding it, ahead of the local elections in 2015. It was noted that Blackpool Council and Fylde Borough Council had reciprocal arrangements relating to standards issues. To that end, a joint working group was proposed to include the three Independent Persons and representatives from the Standards Committees from both Fylde Borough Council and Blackpool Council. It was agreed at that meeting that the Blackpool representatives be the Chairman and Vice-Chairman of the Standards Committee, along with Councillor Mrs Delves.

5.2 Both Councils have had identical codes since the introduction of the Localism Act 2011. Prior to the Localism Act, Councils had to adopt a prescribed national Code of Conduct, but this was amended by the Act. The Act specified mandatory aspects of the Code in relation to disclosable pecuniary interests although other aspects such as personal and prejudicial interests, together with other general provisions, were left to local choice as to precisely what should be added.

5.3 A joint workshop was held in late February 2015 and proposed amendments were made to the Code in light of discussions at the workshop. As a consequence, a revised Code is now presented to the Standards Committee for consideration with a view to this being recommended to Council for its formal approval. Fylde Borough Council has already had this code adopted by their Council meeting prior to the election. Due to the timing of Council meetings, this is the first opportunity to formally present it to this committee.

5.4 At the workshop to review the Code, the following key issues emerged:

- That the fabric of the intent of the current code should be kept, i.e. to include a part on personal and prejudicial interests and other general matters, in addition to the statutory disclosable pecuniary interest aspects and the Code should not be diluted.
- That the layout should be simplified and the language be in clearer English where possible.
- That personal interests relating to the declaration of gifts and hospitality should be removed as a declaration of interest requirement at meetings (although there would still be a requirement for members to register the receipt of gifts and hospitality). It was felt unreasonable to expect members to have remembered such instances three years later.

All these changes have been incorporated, together with other minor drafting changes. The proposed revised Code is now presented to members for their consideration.

- 5.5 The other role of the Working Group was to look at the framework surrounding the code of conduct, in particular the process for dealing with complaints. Unfortunately the Working Group was unable to complete this piece of work prior to the election and this will be revisited in the weeks to come. As members will be aware Councillor Mrs Delves retired from office at the recent local election and therefore the committee will be asked to nominate another opposition group councillor to take her place on the Working Group. The representative should be a councillor with experience of standards issues and the code of conduct and its interpretation.

Does the information submitted include any exempt information?

No

**List of Appendices:**

An updated Code of conduct for Members.

**6.0 Legal considerations:**

- 6.1 Under the Localism Act 2011, every council must adopt a Code of Conduct, which must at least include disclosable pecuniary interests and any local additions.

**7.0 Human Resources considerations:**

- 7.1 None.

**8.0 Equalities considerations:**

- 8.1 None.

**9.0 Financial considerations:**

- 9.1 There are no financial implications associated with this report.

**10.0 Risk management considerations:**

- 10.1 Having a clearer, more user-friendly code of conduct will hopefully assist with the understanding of it by elected members and the public and therefore there should be less breaches of it.

**11.0 Ethical considerations:**

11.1 The Council has a value of being accountable and this revised Code of Conduct will help embed the standards that elected and co-opted members have to adhere to.

**12.0 Internal/ External Consultation undertaken:**

12.1 Consultation has taken place with the joint working group between Fylde Borough Council, Blackpool Council and the three independent persons.

**13.0 Background papers:**

13.1 None.