

<b>Report to:</b>	<b>STANDARDS COMMITTEE</b>
<b>Relevant Officer:</b>	Mark Towers, Director of Governance and Partnerships / Monitoring Officer
<b>Date of Meeting:</b>	20 <sup>th</sup> May 2021

## LOCAL GOVERNMENT ASSOCIATION – VOLUNTARY MODEL CODE OF CONDUCT

### 1.0 Purpose of the report:

- 1.1 To receive and note the voluntary model code of conduct issued by the Local Government Association (LGA) and to undertake a review by way of a workshop with representatives from Fylde Council Audit and Standards Committee, its Monitoring Officer and the three Independent Persons on whether to
- adopt the LGA Model code in its entirety,
  - to amend the LGA Model code and update with aspects of the Council's current code, or
  - update the Council's current code as appropriate with parts of the LGA Model code.

### 2.0 Recommendation(s):

- 2.1 To refer the code to a workshop with the Chair, Vice Chair and an Opposition Member from this committee, representatives from Fylde Borough Council Audit and Standards Committee, its Monitoring Officer and the three Independent Persons on whether to:
- adopt the LGA Model code in its entirety,
  - to amend the LGA Model code and update with aspects of the Council's current code, or
  - update the Council's current code as appropriate with parts of the LGA Model code.

and report back to this committee by way of recommendation.

### 3.0 Reasons for recommendation(s):

- 3.1 To consider the published (voluntary) LGA Model code of conduct for Elected Members.
- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved

- by the Council? No
- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes
- 3.3 Other alternative options to be considered:  
No – the options are set out in 1.1.
- 4.0 Council Priority:**
- 4.1 This report covers all of the Council's priorities.
- 5.0 Background Information**
- 5.1 The Model Code was produced by the Local Government Association (LGA) following a consultation exercise which ran from the 8th of June to 17th of August 2020. The review was carried out whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on Local Government Ethical Standards from January 2019. If the Government chooses to implement any of the recommendations, this could require a change to the proposed Model Code.
- 5.2 At the last meeting of this committee, it was noted that a response on a draft model code of conduct circulated by the LGA, had been made following a joint workshop with representatives from Fylde Borough Council. The Monitoring Officer also reported that the LGA had only just circulated the model Code to local authorities prior to that meeting and that the Code would be considered in due course. It was envisaged that in reviewing the model code this would be undertaken with the three Independent persons and representatives from Fylde Borough Council. Detailed work on this has not been taken forward yet as it was considered that the third independent person should be appointed (which has now happened) and that guidance from the LGA for the Model Code was due to be published (this has not yet happened).
- 5.3 Under the Council's constitution, the Committee's functions include advising the Council on the adoption or revision of the Code of Conduct for Members and playing a key role in upholding standards of behaviour on the part of members of the Council and co-optees as set out in the current Code of Conduct.
- 5.4 The current Code of conduct is familiar to members and the committee will want to take this into account when making recommendations on changes to it and it is considered as there are joint arrangements with Fylde Borough Council regarding standards that a workshop be held with representatives from their appropriate committee to consider further.
- 5.5 Appendix 3a is the LGA Model Code of Conduct for Members, Appendix 3b is a briefing note from the professional body Lawyers in Local Government (LLG) on the proposed

model code and Appendix 3c is the Council's current code.

5.6 LLG has recently undertaken a survey of Monitoring Officers and the findings can be summarised as:

- 20% have or intend to adopt the model code in full
- 20% will adopt parts of the model code
- 55% have decided not to adopt the model code, of which:
  - 25% will not be adopting the model code nor changing their code
  - 30% are not adopting the model code in full but will make changes to their current code
- 5% are undecided

5.7 Does the information submitted include any exempt information? No

5.8 **List of Appendices:**

Appendix 3a: LGA Model Code of Conduct for Members

Appendix 3b: Briefing note from Lawyers in Local Government (LLG) on the proposed LGA model code

Appendix 3c: Blackpool Council's Current Code of Conduct for Members

**6.0 Legal considerations:**

6.1 The principal statutory provisions relating to standards of conduct are contained in the Localism Act 2011. S.27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by members and co-opted members of the authority. 7.2 S.27 and s.28 of the 2011 Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about the alleged breach of the Code that has been investigated.

**7.0 Human Resources considerations:**

7.1 There are no direct human resource implications from the recommendations in this item.

**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 None.

**11.0 Ethical considerations:**

11.1 None.

**12.0 Internal/ External Consultation undertaken:**

12.1 There has been consultation with the Monitoring Officer at Fylde Borough Council regarding the proposed way forward.

**13.0 Background papers:**

13.1 None