



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Standards Committee

Date: **Thursday 10 June 2021**

Time: **6.00 pm**

Place: **Council Chamber**

For any further information please contact:

Francesca Whyley

Head of Governance and Customer Services

0115 901 3907

Standards Committee

Membership

Chair Councillor Michael Boyle

Vice-Chair Councillor Michael Payne

Councillor Pat Bosworth
Councillor Boyd Elliott
Councillor Andrew Ellwood
Councillor Mike Hope
Councillor Simon Murray
Councillor Clive Towsey-Hinton
Rosalie Hawks
Patricia Woodfield

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MINUTES STANDARDS COMMITTEE

Thursday 11 March 2021

Councillor Michael Boyle (Chair)

Councillor Michael Payne	Councillor Martin Smith
Councillor Pat Bosworth	Councillor Clive Towsey-Hinton
Councillor Andrew Ellwood	Rosalie Hawks
Councillor Mike Hope	Patricia Woodfield
Councillor Simon Murray	

Independent Person: John Baggaley and Susan Dewey (Reserve)

Officers in Attendance: A Dubberley, C McCleary and F Whyley

32 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

None received.

33 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 27 AUGUST 2020

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

34 DECLARATION OF INTERESTS

Councillor Payne declared a non-pecuniary interest in item 4, as a Director and Deputy Chair of the Local Government Association (LGA).

35 UPDATE ON THE LOCAL GOVERNMENT ASSOCIATION MODEL CODE OF CONDUCT FOR COUNCILLORS

The Monitoring Officer introduced a report, which had been circulated in advance of the meeting, updating members on the LGA consultation on the Model Code of Conduct.

RESOLVED that:

- 1) The report be noted.
- 2) The LGA Model Code of Conduct be considered by the Monitoring Officer and Working Group with a view to recommendations being brought back before the Committee as detailed in the report.

36 CODE OF CONDUCT COMPLAINTS UPDATE

The Monitoring Officer introduced a report, which had been circulated in advance of the meeting, providing information about code of conduct complaints received between 14 August 2020 and 16 February 2021. Following debate, the Monitoring Officer confirmed that an update would be provided to the Committee at the next meeting, regarding specific queries raised, including an outstanding query from the last meeting relating to complaint reference STD001778.

RESOLVED:

That the report be noted.

37 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT

The Chair and Independent Person paid tribute to the previous Monitoring Officer for her professional and wise counsel during her time supporting the Standards Committee and they wished her well in her new post. The Chair also welcomed Francesca Whyley formally into her post as Monitoring Officer going forward.

The meeting finished at 7.15 pm

Signed by Chair:
Date:



Report to Standards Committee

Subject: Gifts and Hospitality 2020/21

Date: 10 June 2021

Author: Monitoring Officer

Purpose

To inform Standards Committee of gifts and hospitality received between 1 April 2020 and 31 March 2021 and identify any issues arising from the annual review of the Register of Gifts and Hospitality.

Recommendation

THAT the report be noted.

1 Background

- 1.1 The Council has a Gifts and Hospitality Code of Practice for Members and Officers to enable Members and Officers to decide on the circumstances and the manner in which gifts and hospitality may be accepted. The Code of Practice was reviewed during 2018 and minor amendments approved by both Standards Committee and Appointments and Conditions of Service Committee. Historically, each council department held its own register of gifts and hospitality in which details of gifts and hospitality offered to Officers were registered. Since 2012 the register for officers has been held centrally in an electronic folder on the I:Drive and during 2019 it was transferred to the online Employee Claims system. The system automatically sends an email reminder to Service Managers at the end of each quarter requesting that they ensure the register entries are up to date.
- 1.2 During 2020, quarterly reports on Gifts and Hospitality were delivered by the Monitoring Officer to SLT.

- 1.3 The register of gifts and hospitality for Members is still held in an electronic folder in the I:Drive and is updated on the Monitoring Officer's behalf by Democratic Services. Standards Committee will recall that in its report on Ethical Standards in Public Life, the Committee on Standards in Public Life recommended that local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV. This recommendation was accepted by the Standards Committee and the register was published on the website at the end of quarter 1 with no updates through quarters 2-4 (due to no gifts or hospitality being reported). It will continue to be published on a quarterly basis. Members received training on the need to register gifts and hospitality in excess of £50 as part of the induction training following the 2019 borough elections. They are being reminded on a quarterly basis to keep their Register of Interests including gifts and hospitality received up to date via the 'Councillor Contact' emails or by direct email.
- 1.4 The entries on the Register for officers shows that during 2020/21, across the Council's officers, 22 offers of gifts or hospitality were made; all were accepted. Most common gifts were boxes of chocolates, and boxes of biscuits. There were no instances of hospitality offered consisting of networking lunches and dinners at a conference/Awards ceremony.
- No offers of gifts or hospitality were recorded by Members in 2020/21.
- The Gifts and Hospitality Register for Officers appears at Appendix 1. The Gifts and Hospitality Register for Members is not appended as it contains no entries.
- 1.5 In reviewing the register for officers, there are significantly fewer entries for 2020/21 than previous years (92 gifts recorded in 2019/20). This is likely to be as a result of the Covid-19 pandemic which saw many of the Council's facilities closed through 2020/21. In addition, with the cancellation of networking events and conferences due to the pandemic, no offers of hospitality were received by officers. This does not give rise to a cause for concern and as facilities return to normal, business, and events start to return to a face to face basis, officers will be reminded of the need to ensure all gifts and hospitality offered are recorded.
- 1.6 A review of the registered entries has identified that there are still occasions when managers do not promptly authorise gifts. Those managers have been spoken to, to ensure the system is updated promptly.
- 1.7 There are no specific issues in relation to value of gifts accepted or repeat gifts from the same company which would give rise to a cause for concern.

- 1.8 In reviewing the register for Members, again there are significantly fewer entries for 2020/21 than the previous years (31 offers of hospitality offered to Members recorded in 2019/20). There are however no specific issues which would give rise to a cause for concern. Historically, members have predominantly recorded offers of hospitality from attendance at events and conferences, again, given the pandemic, such events have not been conducted during 2020/21, and as such the offering of such hospitality has not occurred.

2 Proposal

- 2.1 It is proposed that the Committee notes the report.

3 Alternative Options

- 3.1 Not to provide an update on gifts and hospitality offered to officers and members,

4 Financial Implications

- 4.1 There are no financial implications arising from this report.

5 Legal Implications

- 5.1 With regard to Officers, Section 117(2) of the Local Government Act 1972 provides that an Officer of a Local Authority shall not, under the colour of his or her office of employment, accept any fee or reward whatsoever other than his or her proper remuneration. The Bribery Act 2010 makes it an offence to seek, accept or agree to accept a financial or other advantage as an inducement or reward to perform a function improperly. In simple terms, it is a criminal offence for employees to seek or accept a financial or other advantage in return for making a decision, granting an award or performing any other public function, regardless of what decision is made.
- 5.2 The Code of Conduct requires Members to notify the Council's Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50.00 which they have accepted as a member from any person or body other than the authority within 28 days of receipt.
- 5.3 The Council has a Gifts and Hospitality Code of Practice for Members and Officers which has been approved by Standards Committee and Appointments & Conditions of Service Committee.

6 Equalities Implications

- 6.1 There are no equality implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

7.1 There are no carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

8.1 Appendix 1 - Gifts and Hospitality Register for Officers 2020/21.

9 Background Papers

9.1 None.

Statutory Officer approval

Approved by the Chief Financial Officer

Date:

Drafted by the Monitoring Officer

Department	Offer Date	Description	Amount	Acceptance
Organisational Development	22/09/20	A pen arrived in the post	1.00	Accepted
Customer Services & IT	01/07/20	test	0.00	Accepted
Customer Services & IT	08/09/20	Box of celebrations	4.00	Accepted
Customer Services & IT	15/03/21	box of chocolates	3.00	Accepted
Arnold Leisure Centre	13/08/20	4 X BARS OF CHOCOLATE	2.00	Accepted
Leisure & Culture	13/12/20	Small Cacti in a dish	4.50	Accepted
Leisure & Culture	15/12/20	Box of Fox's chocolate biscuits	4.00	Accepted
Leisure & Culture	16/12/20	Shortbread	2.50	Accepted
Leisure & Culture	16/12/20	Box of Quality Street	3.50	Accepted
Leisure & Culture	19/12/20	Box of Thorntons Chocolates	4.00	Accepted
Leisure & Culture	20/12/20	Quality Street	3.50	Accepted
Leisure & Culture	20/12/20	Family Circle Biscuits	3.50	Accepted
Leisure & Culture	08/01/21	Box of biscuits	3.50	Accepted
Leisure & Culture	12/01/21	Box of Thorntons chocolates	5.00	Accepted
SLT	26/06/20	bottle of champagne	15.00	Accepted
Executive Office	18/09/20	box of vegetables	5.00	Accepted
Arnold Leisure Centre	29/10/20	Box of McVities Family circle biscuits	2.00	Accepted
Arnold Leisure Centre	17/12/20	M\$S biscuits	2.00	Accepted
Redhill Leisure Centre	06/09/20	380GM Box of celebrations chocolate	3.00	Accepted
Redhill Leisure Centre	15/12/20	Fox's Fabulous Chocolatey Collection	5.00	Accepted
Redhill Leisure Centre	16/12/20	Quality Street chocolates	4.00	Accepted
Redhill Leisure Centre	22/12/20	Celebrations Chocolate tub	3.00	Accepted
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Report to Standards Committee

Subject: Recruitment of co-opted parish representatives

Date: 10 June 2021

Author: Deputy Monitoring Officer

Purpose

To seek approval to commence recruitment for the 2 vacant posts of co-opted parish representative.

Recommendation(s)

THAT:

- 1) Members agree to commence the recruitment process to fill the two co-opted parish council representative vacancies as detailed in this report;**
- 2) An Interview Panel of three, drawn from the membership of the Standards Committee, is established and that the Panel shall make a recommendation as to appointment to the next meeting of this Committee; and**
- 3) The interview panel shall be able to interview candidates and make recommendations to appoint to any future vacancies that arise for co-opted members or independent persons.**

1 Background

- 1.1 In July 2012, Council agreed that the Standards Committee should not be politically balanced and should comprise 2 co-opted parish representatives and 1 co-opted independent member in addition to elected members. In addition to the one existing vacancy, Patricia Woodfield has informed us that she is to step down from her position as member of Woodborough Parish Council which means that she is unable to continue as a co-opted parish representative on the Standards Committee. The Monitoring Officer

has thanked Patricia Woodfield for her services and contribution to the Standards Committee.

- 1.2 An application pack has been prepared and, subject to approvals received at today's meeting, it is proposed to send the pack to all Parish Clerks in the borough with a request that they bring it to the attention of their Parish Councillors. Following receipt of any applications, the Monitoring Officer, in consultation with the Chairman of the Standards Committee, will consider suitability of the applicants for interview.

2 Proposal

- 2.1 It is proposed that the Committee agrees to set up an interview panel to interview candidates for the 2 vacant posts of co-opted parish representatives following any shortlisting process carried out by the Monitoring Officer. The interview panel will interview any suitably qualified candidates and recommend who should be appointed to the next meeting of the Standards Committee, however, full Council will have to formally agree to co-opt.
- 2.2 It is also proposed that the interview panel should be able to interview candidates for any future vacancies that occur, for co-opted members or independent persons.

3 Alternative Options

- 3.1 The Committee could decide that a recruitment process is not needed therefore the vacancies would remain. This would mean that the Standards Committee would continue with two vacant seats.
- 3.2 A different timeline or method of recruitment could be agreed.

4 Financial Implications

- 4.1 None arising from this report.

5 Legal Implications

- 5.1 The Standards Committee has authority to deal with all matters relating to the recruitment of parish members to the Committee and make recommendations to Council as to such appointments.

6 Equalities Implications

- 6.1 None arising from this report

7 Carbon Reduction/Environmental Sustainability Implications

7.1 None arising from this report

8 Appendices

8.1 None.

9 Background Papers

9.1 None identified

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

**Drafted by the Deputy Monitoring
Officer**

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Report to Standards Committee

Subject: Review of the Code of Conduct

Date: 10 June 2021

Author: Monitoring Officer

Purpose

To update Members on the review of the Council's Code of Conduct.

Recommendation(s)

THAT:

- 1) Members note the work undertaken by the Working Group in reviewing the Council's Code of Conduct.**
- 2) Members note the report and recommendations of the Working Group at Appendix 3 to this report, namely that:**
 - a) No changes are made to the Gedling Borough Council Code of Conduct.**
 - b) the Monitoring Officer prepare a Guidance document for Members and the public, to support the Gedling Borough Council Code of Conduct, such document to be brought back to the Committee for consideration.**
- 3) Members agree to a period of consultation with stakeholders and the public in relation to this review as detailed in the report.**

1 Background

- 1.1 Members will recall that the Local Government Association Model Code of Conduct for Councillors ("the Model Code") at Appendix 1 was publicised in December 2020. The Model Code has been drafted in accordance with the requirements of the Localism Act 2011 and was presented to Members

for consideration on 11 March 2021.

- 1.2 Members agreed on 11 March 2021 to establish a Working Group who, in consultation with the Monitoring Officer, would consider the Model Code and compare it to the Council's existing Code of Conduct, with a view to bringing forward recommendations as to whether the Model Code should be adopted by the Council in full, or in part, or whether the current Code of Conduct for the Council should be amended. Best Practice recommendations from the Committee for Standards in Public Life (CSPL) propose that Council's should review their Code of Conduct for Councillors every year. The recommendations also state, that where possible the views of the public, community groups and neighbouring authorities should be sought on review. The Council's Code of Conduct was reviewed and amended in July 2019 to include recommendations from the CSPL. Covid-19 and the anticipation of the Model Code has meant that the review for 2020 has been delayed.
- 1.3 The Working Group met on 1st June 2021 to review the Council's Code of Conduct in light of the Model Code and the requirement to review. The findings and recommendations from that meeting are attached at Appendix 3 to this report. The group compared and contrasted the two Codes and considered in detail the pros and cons of each Code and whether there were any opportunities to amalgamate the Codes or whether a move entirely to the Model Code might be appropriate. In summary, the group agreed that the Gedling Code Of Conduct was the preferred Code in terms of its content, layout and clarity. The group therefore recommend that the Gedling Code of Conduct remain unchanged. The group felt that the guidance contained within the Model Code was helpful, but to include this within a Code document makes the document lengthy and may dilute the clear message of the Code. The group have recommended that a separate guidance document be considered by Committee. Such a document would not form part of the Code but would be a guidance document for Members and the public. The group have recommended that the Monitoring Officer draft a guidance document to be considered by the Committee.
- 1.4 Whilst the Working Group have made recommendation that the Gedling Code remain unchanged, in line with CPSL Best Practice, the wider views of the community on this review should, where possible be sought.

2 Proposal

- 2.1 It is proposed that Members note the work done by the Working Group and consider the recommendations of the Working Group at Appendix 3 to this report.

- 2.2 It is proposed that Members agree a wider consultation on the review of this Code and seek the views of neighbouring authorities (including parishes) and the public. It is proposed that this could be done by the Monitoring Office, in consultation with the Chairman of the Committee, preparing an online public consultation as well as contacting parish clerks and Monitoring Officers directly at neighbouring authorities. It is proposed that the report from the Working Group would form the basis of this consultation document. The consultation would seek views on whether the Gedling Code of Conduct is considered fit for purpose in light of the Model Code and would run for a minimum of 4 weeks. Responses to the consultation would be taken into account before finalising any review of the Code of Conduct.

3 Alternative Options

- 3.1 Members do not have to consult on the recommendations of the Working Group and may consider alternative recommendations in relation to the review of the Code of Conduct. Members may also choose not to consult on the review, however this would not be in accordance with CSPL best practice.
- 3.2 Members may determine not to consider the work and recommendations of the Working Group, however, the requirement to annually review the Council's own Code of Conduct was agreed by Committee following the recommendation from the CSPL report.

4 Financial Implications

- 4.1 There are no financial implications arising out of this report.

5 Legal Implications

- 5.1 The Localism Act 2011 requires authorities to have a Code of Conduct for Members, however, authorities are not required by law to adopt the LGA Model Code at this time. CSPL guidance does however provide that an annual review of the Code of Conduct should be undertaken, this review and proposed consultation is in compliance with best practice. The Localism Act provides that the adoption, replacement or revision of a Code must be undertaken by Council.

6 Equalities Implications

- 6.1 There are no equality implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/sustainability implications arising from this

report.

8 Appendices

8.1 Appendix 1 - LGA Model Code of Conduct for Councillors

Appendix 2 – Gedling Borough Council Code of Conduct

Appendix 3 – Report and Recommendations from the Working Group

9 Background Papers

9.1 None

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Drafted by the Monitoring Officer

Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering

interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable pecuniary interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it

is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in **Table 1**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none"> a) any body of which you are in general control or management and to which you are nominated or appointed by your authority b) any body <ul style="list-style-type: none"> (i) exercising functions of a public nature (ii) any body directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
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Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review 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](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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Members' Code of Conduct

PART 1

General Provisions

Introduction

1. (1) Gedling Borough Council is committed to promoting and maintaining high standards of conduct by Members and co-opted Members of the Council. The actions of those who represent the Council impact on how the Council as a whole is viewed. Misconduct can seriously damage the effectiveness and reputation of the Council and will not be tolerated. Those serving their communities must adhere to the high standards expected of them to promote public confidence in local democracy.
- (2) This Code of Conduct has been adopted by the Council under Section 27 of the Localism Act 2011 and sets out the standards that Members are expected to observe.

Interpretation

2. (1) This Code applies to you as a Member of the Council.
- (2) It is your responsibility to comply with the provisions of this Code. Failure to do so may result in a sanction being imposed by the Council. Failure to take appropriate action in respect of a disclosable Pecuniary Interest may result in a criminal conviction.
- (3) In this Code:
"meeting" means any meeting of:
 - (a) the Council;
 - (b) the executive of the Council;
 - (c) any of the Council's or its Executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"Member" includes a co-opted member or an appointed member.

Scope

3. (1) Subject to sub-paragraphs (2) and (3), you must comply with this Code whenever you:
 - (a) Conduct the business of the Council (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of the Council;and references to your official capacity are construed accordingly.

- (2) Where you act as a representative of the Council:
 - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's Code of Conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with this Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
- (3) This Code does not have effect in relation to your conduct other than where it is in your official capacity.

The Seven Principles of Public Life

4. You must observe the following general principles:

Selflessness

You should take decisions solely in terms of the public interest. You should not do so in order to gain financial or other material benefits for yourself, your family or your friends.

Integrity

You should not place yourself under any financial or other obligation to outside individuals or organisations that might influence you in the performance of your official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit.

Accountability

You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.

Openness

You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

Honesty

You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

You should promote and support these principles by leadership and example.

General Obligations

5. (1) You must:

- (a) treat others with respect, including the organisations and public you engage with and those you work alongside.
- (b) value your colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between you that is essential to good local government.

(2) You must not:

- (a) do anything which may cause the Council to breach the Equality Act 2010;
- (b) bully or harass any person.

The definition of bullying and harassment and examples of behaviour which amounts to bullying and harassment are set out in Appendix 1 to the Code of Conduct;

- (c) intimidate or attempt to intimidate any person who is or is likely to be:
 - (i) a complainant;
 - (ii) a witness;
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with the Code of Conduct; or
- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

6. You must not:

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is:
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the Council; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

7. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

8. You must not make trivial or malicious allegations that another Member has

- failed to comply with the Code of Conduct.
9. You must comply with any formal standards investigation carried out in relation to an allegation that you have failed to comply with the Code of Conduct.
10. You must:
- (a) not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
 - (b) when using or authorising the use by others of the resources of the Council:
 - (i) act in accordance with the Council's reasonable requirements; and
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes);
 - (c) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986;
 - (d) behave in accordance with all legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures.
11. (1) When reaching decisions on any matter you must listen to the interests of all parties and have regard to relevant advice provided to you by:
- (a) The Council's Chief Finance Officer; or
 - (b) The Council's Monitoring Officer;
- (where that officer is acting pursuant to his or her statutory duties) and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- (2) You must:
- (a) exercise independent judgement and not compromise your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties as a member.
 - (b) contribute to making the Council's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding you and other members to account.
 - (c) be accountable for your decisions and co-operate when scrutinised internally and externally, including by local residents.
12. You must:
- (a) champion the needs of residents – the whole community and your constituents, including those who did not vote for you – and put their interests first.
 - (b) deal with representations, or enquiries from residents, members of our

communities and visitors fairly, appropriately and impartially.

- (c) not allow other pressures, including your financial interests or others connected to you, to deter you from pursuing constituents casework, the interests of the Council's area or the good governance of the Council in a proper manner.

13. You must provide leadership by behaving in accordance with these principles when championing the interests of the community with other organisations as well as within the Council.

PART 2

Interests

Disclosable Pecuniary Interests

12.(1) You have a disclosable pecuniary interest in any business of the Council where it is of a description set out in paragraph 12(2) and either:

- (a) it is an interest of yours; or
- (b) it is an interest of your spouse or civil partner and you are aware that the other person has the interest; or
- (c) it is an interest of a person with whom you are living as husband and wife and you are aware that the other person has the interest; or
- (d) it is an interest of a person with whom you are living as if you were civil partners and you are aware that the other person has the interest.

(2) Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

Interest

Employment, office, trade, profession or vocation

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses.

This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts

Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council:

(a) under which goods or services are to be provided or works are to be executed; and

(b) which has not been fully discharged.

For this purpose "body in which you or they have a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest. "Director" includes a member of the committee of management of an industrial and provident society.

Land

Any beneficial interest in land which is within the Council's area.

For this purpose "land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.

Licences

Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.

Corporate tenancies

Any tenancy where (to your knowledge):

(a) the landlord is the Council; and

(b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest

Securities

Any beneficial interest in securities of a body where:

(a) that body (to your knowledge) has a place of business or land in the Council's area; and

(b) either:

i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

ii) If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil

partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Disclosable Pecuniary Interests in matters considered at meetings

13. (1) Subject to sub-paragraph (2) and (3), where you are:

- (a) present at a meeting of the Council; and
- (b) have a disclosable pecuniary interest in any matter to be considered, or being considered at the meeting; and
- (c) you are aware that you have such an interest, you must:
 - (i) disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council's register of interests of members and co-opted members or for which you have made a pending notification; and
 - (ii) not participate or participate further, in any discussion of the matter at the meeting; or participate in any vote, or further vote, taken on the matter at the meeting; and
 - (iii) in accordance with the Council's Standing Orders, withdraw from the room or chamber where a meeting considering the business is being held:
 - aa) in the case where sub-paragraph (3) applies, immediately after making representations, answering questions or giving evidence;
 - bb) in any other case, wherever it becomes apparent that the business is being considered at that meeting;unless you have obtained a dispensation from the Council's Standards Committee or Monitoring Officer.

(2) Where you have a disclosable pecuniary interest which by virtue of paragraph 19 is considered to be a sensitive interest, you must indicate to the meeting that you have a disclosable pecuniary interest in the matter concerned, but need not disclose the details of the interest to the meeting.

(3) Where you have a disclosable pecuniary interest in any business of the Council, you may attend a meeting (including a meeting of the overview and scrutiny committee of the Council or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

- (4) Where the interest is not entered in the Council's register of interests of members and co-opted members and is not the subject of a pending notification, you must notify the Council's Monitoring Officer of the interest in writing before the end of 28 days beginning with the date of the meeting.

Disclosable Pecuniary Interests in matters considered by a single member

14. (1) Where:

- (a) a function of the Council may be discharged by you acting alone;
 - (b) you have a disclosable pecuniary interest in any matter to be dealt with, or being dealt with, by you in the course of discharging that function; and
 - (c) you are aware that you have such an interest,
- you must not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by the member).

- (2) Where the interest is not entered in the Council's register of interests of members and co-opted members and is not the subject of a pending notification, you must notify the Council's Monitoring Officer of the interest in writing before the end of 28 days beginning with the date when you became aware that the condition in sub-paragraph 14(1)(c) is met in relation to the matter.

Criminal offences relating to Disclosable Pecuniary Interests

15. (1) You will commit an offence if, without reasonable excuse, you –

- (a) Fail to notify the Council's Monitoring Officer within 28 days of your election of any disclosable pecuniary interests which you have at the time when the notification is given.
- (b) Fail to disclose a disclosable pecuniary interest in any matter to be considered, or being considered, to the meeting where that interest is not entered in the Council's register of interests of members and co-opted members.
- (c) Fail to notify the Council's Monitoring Officer of any disclosable pecuniary interest that you have disclosed to a meeting, where that interest is not already entered in the Council's register of interests of members and co-opted members or subject to a pending notification, before the end of 28 days beginning with the date of the meeting.
- (d) Are an executive member and you fail to notify the Council's Monitoring Officer of any disclosable pecuniary interest that you have in any matter to be dealt with, or being dealt with, by you in the course of discharging that executive function, where that interest is not entered in the Council's register of interests of members and co-opted members or subject to a

pending notification, before the end of 28 days beginning with the date that you became aware of such an interest.

- (e) participate, or participate further, in any discussion of a matter in which you have a disclosable pecuniary interest, or participate in any vote, or further vote, taken on any such matter.
- (f) Are an executive member and you take any steps, or any further steps, in relation to any matter to be to be dealt with, or being dealt with, by you in the course of discharging that executive function in which you have a disclosable pecuniary interest (except for the purpose of enabling the matter to be dealt with otherwise than by you).
- (g) Provide information that is false or misleading when notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting and you:
 - i. know that the information is false or misleading, or
 - ii. are reckless as to whether the information is true and not misleading.

Interests other than Disclosable Pecuniary Interests

Non-pecuniary Interests

16. (1) You have a non-pecuniary interest in any business of the Council where either:

(a) It relates to or is likely to affect:

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
- (ii) any body:
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).

of which you are a member or in a position of general control or management;

- (iii) any employment, office, trade, profession or vocation carried on by you not for profit or gain;
- (iv) any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income;
- (v) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £50;

or

- (b) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of:
- (i) a member of your family or any person with whom you have a close association;
 - (ii) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (iii) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (iv) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision.

Disclosure of Non-pecuniary Interests

17. (1) Subject to sub-paragraph (2) to (6), where you have a non-pecuniary interest in any business of the Council and you attend a meeting of the Council at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a non-pecuniary interest in any business of the Council which relates to or is likely to affect a person described in paragraph 16(1)(a)(i) or 16(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the non-pecuniary interest.
- (4) Where you have a non-pecuniary interest but, by virtue of paragraph 19 it is considered to be a sensitive interest, you must indicate to the meeting that you have a non-pecuniary interest in the matter concerned, but need not disclose the details of the interest to the meeting.
- (5) Where you have a non-pecuniary interest in any business of the Council and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (6) In this paragraph “executive decision” is to be construed in accordance with any regulations made by the Secretary of State under Section 22 of the Local Government Act 2000.
- (7) Subject to paragraphs (8) and (9) below, if you have a non-pecuniary interest in any business of the Council you may participate, vote and remain in the

room or chamber where a meeting considering the business is being held unless your interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

- (8) If you have a non-pecuniary interest in any business of the Council you may participate, vote and remain in the room or chamber where a meeting considering the business is being held where that business relates to the functions of the Council in respect of:
- (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iii) an allowance, payment or indemnity given to members;
 - (iv) any ceremonial honour given to members; and
 - (v) setting council tax or a precept under the Local Government Finance Act 1992.
- (9) Where you have a non-pecuniary interest in any business of the Council in the circumstances set out in paragraph (7) above, you may remain in the room or chamber where a meeting considering the business is being held for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Gifts and Hospitality

17. (1) You must, within 28 days of receipt, notify the Council's Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50.00 which you have accepted as a member from any person or body other than the authority.
- (2) Any gifts or hospitality notified to the Monitoring Officer will be included in the register of interests of gifts and hospitality.
- (3) The duty to notify the Monitoring officer does not apply where the gift or hospitality comes within any description approved by the Council for this purpose.

PART 3

Register of interests of members and co-opted members

18.(1) Subject to paragraph 19, you must, within 28 days of:

- (a) this Code being adopted by the Council, or
 - (b) your election or appointment to office (where that is later),
- register in the Council's register of interests of members and co-opted members (maintained under Section 29(1) of the Localism Act 2011) details of all disclosable pecuniary interests and non-pecuniary interests you have at the time the notification is given by providing written notification to the Council's Monitoring Officer.
- (2) Where you become a member or co-opted member of the Council as a result of re-election or re-appointment, sub-paragraph (1) applies only as regards interests not entered in the Council's register of interests of members and co-opted members when the notification is given.
 - (3) You must, within 28 days of becoming aware of any new interests or change to any interests registered under paragraph (1), register details of that new interests or change by providing written notification to the Council's Monitoring Officer.
 - (4) You are obliged to register details of disclosable pecuniary interests in accordance with paragraphs 13(4) and 14(2).
 - (5) Any interests notified to the Monitoring Officer will be included in the register of interests of members and co-opted members.
 - (6) A copy of the register will be available for public inspection and will be published on the Council's website.

Sensitive Interests

- 19.(1) This paragraph applies where you have an interest (whether or not a disclosable pecuniary interest) and the nature of the interest is such that you and the Council's Monitoring Officer, consider that disclosure of the details of the interest could lead to you or a person connected with you being subject to violence or intimidation ("sensitive interest").
 - (2) If the sensitive interest is entered in the Council's register of interests of members and co-opted members, copies of the register that are made available for inspection, and any published version of the register, will not include details of the interest (but may state that you have an interest the details of which are withheld under Section 32(2) of the Localism Act 2011).
 - (3) You must, within 28 days of becoming aware of any change of circumstances which means that an interest excluded under paragraph 19(2) is no longer a sensitive interest, notify the Council's Monitoring Officer asking that the interest be included in copies of the register that are made available for inspection, and any published version of the register.

Definitions and examples of behaviour which amount to bullying or harassment

Bullying may be characterised as behaviour, or an abuse or misuse of power in a way that undermines, humiliates, unfairly criticises or injures someone.

A non-exhaustive list of behaviour which amounts to bullying includes:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying correspondence that is critical about someone to others who do not need to know
- ridiculing or demeaning someone - picking on them or setting them up to fail
- exclusion - deliberately excluding someone from meetings or written correspondence in matters for which they have a responsibility or professional interest or deliberately excluding someone from events or celebrations that it would ordinarily be expected that they might legitimately attend
- victimisation - taking action detrimental to someone as a result of them raising a complaint or issue of concern in good faith through formal and correct procedure whether or not the complaint was upheld or proven
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances-touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- publicly criticising the work or efficiency of someone where the issue has not been formally raised with that person through proper process and the right of explanation or appeal has not been made available
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities

Harassment may be characterised as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

A non-exhaustive list of behaviour which amounts to harassment includes:

- frequent unwanted contact, including texts, letters, phone calls, emails and communication via social media or any other electronic communication
- sending unwanted gifts
- driving past an individual's home or visiting them at work without legitimate purpose or following or watching an individual
- sharing humiliating information, lies or gossip about an individual
- making inappropriate comments, critical remarks or offensive jokes
- threatening behaviour
- excessive demands that are impossible to deliver
- making sexual comments or jokes or inappropriate sexual gestures
- making jokes or degrading or patronising comments or teasing an individual about their race, religion, age, gender, sexual orientation or disability. This would also amount to an offence under the Equality Act.

GEDLING BOROUGH COUNCIL CODE OF CONDUCT REVIEW
WORKING GROUP MEETING 1ST JUNE 2021

In attendance:

Councillor Boyle, Councillor Murray, Rosalie Hawkes, Francesca Whyley

Apologies from John Baggaley

Members considered a comparison between the Local Government Association Model Code of Conduct and Gedling Borough Council's Code of Conduct, the details of which are summarised in the table below.

Gedling Code	Model Code
<ul style="list-style-type: none"> • Written as an instruction to Councillors "You must, you should" 	<ul style="list-style-type: none"> • Written in the first person "I act, I treat" etc.
<ul style="list-style-type: none"> • Introduction is very clear on expectations, strong words setting out lack of tolerance for misconduct, expectation of high standards 	<ul style="list-style-type: none"> • "Purpose of the Code" – this paragraph is much softer in tone, references need for support and training prior to action being taken under the Code.
<ul style="list-style-type: none"> • Interpretation section no definition of co-opted member 	<ul style="list-style-type: none"> • Definition section provides co-opted member definition and includes Mayor.
<ul style="list-style-type: none"> • "Scope" sets out when the Code applies. Fairly brief but clear that it only applies when acting in official capacity. 	<ul style="list-style-type: none"> • "Application of the Code of Conduct" – definition of official capacity not as clear but does include reference to communications which may be helpful"
<ul style="list-style-type: none"> • "Seven Principles of Public Life" – instructs Councillors to follow 7 principles and gives explanation of each one. 	<ul style="list-style-type: none"> • "General Principles of Councillor Conduct" – the principles are a list of statements/pledges that a Councillor is upholding principles i.e. "I act with integrity and honesty"
<ul style="list-style-type: none"> • "General obligations" – Respect – Similar definitions but more general rather than specific list of who should be respected. • Guidance notes on the code aren't included within the document except into relation to bullying and harassment. 	<ul style="list-style-type: none"> • "General Conduct" – Respect – more specific in terms of who should be treated with respect and explanatory note within the code describing what respect means and how to deal with people who are not respectful to you.

<ul style="list-style-type: none"> • Bullying guidance in appendix references types of bullying. • Harassment is also separately defined in Appendix 1 to the Code • Reference to equalities is not do anything that may cause the Council to breach the Equality Act 2010 	<ul style="list-style-type: none"> • I do not bully any person – definitions of bullying given as part of this section in line with ACAS. • Specific reference to harassment - again definition provided. • Requirement to promote equalities and not to unlawfully discriminate. Wider than the Council's reference and details around protected characteristics provided. Whether obligation to promote equalities is necessary. • Intimidation in relation to code of conduct complaints and investigations is covered separately in this code.
<ul style="list-style-type: none"> • Impartiality is referenced under bullying/intimidation section in relation to officers of the Council. 	<ul style="list-style-type: none"> • Impartiality has more emphasis and clear explanation as to what that means/expectations in respect of officers.
<ul style="list-style-type: none"> • Confidential information – largely matches Model Code but 2 extra points in model code. 	<ul style="list-style-type: none"> • Confidentiality matches Council Code with the addition of a requirement to consult the MO before disclosing confidential information. Too burdensome? Also 4.2 is additional potentially useful using information gained for own advancement. • Guidance is quite slim and could be misinterpreted.
<ul style="list-style-type: none"> • Disrepute the same 	<ul style="list-style-type: none"> • Disrepute the same but guidance
<ul style="list-style-type: none"> • Use of position and resources. Codes match in relation to use of position. • Resource use, Gedling goes further specifically referencing the requirement to comply with legal obligations etc. which is not referenced in the model code. 	<ul style="list-style-type: none"> • Use of position matches Gedling but with guidance. • Resource use includes reference to facilities, second part of 7.2 rather wordy and open to interpretation. No reference to complying with policies, legal obligations etc.
<ul style="list-style-type: none"> • Sections 11-13 are not included in the model code, although there is reference to Leadership in the Application of the Code section of the Model Code. 11-13 are positive requirements. They do support the Nolan Principles further 	<ul style="list-style-type: none"> • No directly comparative sections in the model code, but they do echo the Nolan Principles partly.

<p>but are helpful rules in the Code that aren't specifically addressed in the Model Code.</p>	
<ul style="list-style-type: none"> Intimidation of those investigating code complaints is referenced in 2(c) (iii) and paras 8 and 9 of the Gedling Code reflect requirement to comply with investigation and not make "trivial or malicious allegations" don't reference training and complying with Sanctions. 	<ul style="list-style-type: none"> Rule 8 specifically relates to co-operation and compliance with the code. It makes undertaking training mandatory, requirement to co-operate with a code investigation and follow any sanctions and reference to not intimidating those involved with an investigation.
<ul style="list-style-type: none"> The requirements in relation to disclosure of interests and registering is set out in more detail after types of interests are defined. 	<ul style="list-style-type: none"> Rule 9 the requirement to register and disclose interests is included in this part of the Code. Types of interest are in the Annex to the code as is details around offences etc.
<ul style="list-style-type: none"> Gifts and hospitality are referenced at the end of the Code and the requirement to register them and £50 requirement 	<ul style="list-style-type: none"> Rule 10 – Gifts and hospitality is more detailed and discourages gifts at all, 10.1 is helpful perhaps to include.
<ul style="list-style-type: none"> Disclosable Pecuniary Interests - listed 	<ul style="list-style-type: none"> DPIs in table 1 at Appendix 2
<ul style="list-style-type: none"> Non-pecuniary interests set out, there are only 2 categories of interest DPIs and non-pecuniary, the non-pecuniary also covers non DPI matters in relation to land and unpaid employment. 	<ul style="list-style-type: none"> Non Registerable Interests referred to and Other registerable Interests - so essentially 3 categories of interest. Other registerable interests relate to business affecting a body of which you are a member or in a position of control and appointed by the Council, also bodies exercising functions of public nature etc., set out in a separate table. Non-registerable Interests defined as affecting your financial interests or wellbeing or family member included in Appendices. Slightly confused layout.
<ul style="list-style-type: none"> Nolan principles listed at the start of the Code. 	<ul style="list-style-type: none"> Appendix A sets out the Nolan Principles as they are set out in Gedling Code at the beginning definitions slightly different.
<ul style="list-style-type: none"> Sensitive Interests set out in paras 19 of the Gedling Code 	<ul style="list-style-type: none"> Mentioned in the Appendix B

Members then discussed the comparisons as set out below:

- View on whether code written in the first person is preferred.

Conclusion

Preference was not to move to a Code written in the first person. The Gedling Code, written more as a set of rules/instructions you must, you shall was clearer for Members and the public and more compelling.

- Whether Nolan principles are adequately covered in the Gedling Code.

Conclusion

The Model Code references the Nolan principles as both declarations “I act with...” then includes the principles in an appendix. Members felt this was a little repetitive, having them set out as clear principles as in the Gedling Code with explanatory sentence underneath was more concise and clearer. Any restatement of the principles dilutes their importance.

- Whether more guidance should be included within the Gedling Code.

Conclusion

The guidance in the model Code accompanies each section. The Gedling Code does have an appendix referencing bullying and harassment and this is cross referenced in the Code itself. Whilst it was felt that a guidance document may be helpful to support the Gedling Code, it shouldn't form part of the Code itself as it makes the Code lengthy and more difficult to digest. An additional guidance document published on the website and circulated to members may be useful to work up but not included in the Code itself.

- Whether the extra parts in the Model Code in relation to conduct investigations, gifts and hospitality, confidential information, acting in capacity, should be added to the Gedling Code or any other changes should be made to the Gedling Code reflecting on the table above.

Conclusion

Generally members preferred the Gedling Code. The introduction was clearer in terms of expectations, the Scope section sufficed in terms of “acting in capacity” and any reference to social media and other communications when looking at capacity could form part of guidance documents.

The requirement around attending Code training in the Model Code and the requirement to comply with outcome of Code investigations was considered too much, not least because if sanctions aren't followed after an investigation, this would trigger another investigation

by the MO and the matter should perhaps be considered with group leaders. Training is provided and members understand the need to attend.

Gifts and hospitality in the Gedling Code is considered satisfactory. Committee do review Gifts and Hospitality annually and members are aware of the rules, Model Code perhaps goes too far.

In relation to confidential information, the requirement to seek MO approval for releasing information in the Model Code is considered too much and would create an unnecessary burden. If in doubt Members would seek advice in any event.

- Whether parts in the Gedling Code (11-13) should be removed.

Conclusion

Members agreed they were helpful paragraphs and something that should remain as they reflected the Member's responsibilities to constituents and were useful guides as to conduct.

- How interests should be included in the Code (layout appendix or not)
- Whether Non-pecuniary interests in the Gedling Code are excessive.
- Whether distinction between non-registerable and other interests should be included in the Gedling Code.

Conclusions

Interests were taken together. Members felt the layout in the Model Code was confusing, referencing back to Code and appendix and tables of interests, the layout of interest in the Gedling Code followed by the disclosure requirements was a better format and was clearer.

Members preferred the DPI and Non-pecuniary split rather than the 3 categories in the Model Code. In any guidance document it may be helpful to provide clarification around non pecuniary membership of bodies e.g. RSPB? However generally the Gedling Code and layout of interests was something Members found helpful and clear.

Recommendations

Members preferred the Gedling Code of Conduct generally and felt that following the review in 2019, the Code remained fit for purpose. The working group proposed the following recommendations to Standards Committee:

- Having reviewed the Gedling Code of Conduct and compared and contrasted with the LGA Model Code, the Working Group proposes that the Gedling Code of Conduct remain unchanged.

- The Working Group did consider that a guidance document for members and the public in relation to the Code may be helpful and would recommend that the Monitoring Officer prepare such a document for consideration by the Committee at a future meeting.



Report to Standards Committee

Subject: Code of Conduct Complaints Update

Date: 10 June 2021

Author: Monitoring Officer

Purpose

To inform members of the Standards Committee of complaints received between 11 March 2021 and 10 June 2021.

Recommendation

THAT the report be noted.

1 Background

- 1.1 A summary of the number of complaints received since the implementation of the existing Standards regime (from 1 July 2012) is set out in the graph in Appendix 1. A summary of the complaints received since 2019/20 is set out in the table at Appendix 1. Since 11 March 2021, the Monitoring Officer has received five new code of conduct complaints.
- 1.2 Members of the Standards Committee will recall that at the time of the last committee meeting, 5 complaints were outstanding, one of the complaints has subsequently been withdrawn. A summary of the decision made in relation to two of the outstanding complaints from the previous meeting appears at Appendix 2. Two of the complaints remains outstanding.
- 1.3 Of the 5 new code of conduct complaints since 11 March 2021, summary decisions in relation to three of the complaints are attached at Appendix 2. One of the complaints remains outstanding, one has been withdrawn.

2 Proposal

- 2.1 It is proposed that the Committee notes the report.

3 Alternative Options

3.1 Not to report code of complaints received by the Monitoring Officer.

4 Financial Implications

4.1 There are no financial implications arising from this report.

5 Legal Implications

5.1 Code of Conduct complaints must be dealt with in accordance with the Council's Approved Arrangements for Dealing with Complaints.

6 Equalities Implications

6.1 There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

7.1 There are no carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

8.1 Appendix 1 – Summary of the Code of Conduct complaints received since 1 July 2012.

8.2 Exempt Appendix 2 – Summary of decisions on complaints determined between 11 March 2021 and 10 June 2021.

9 Background papers

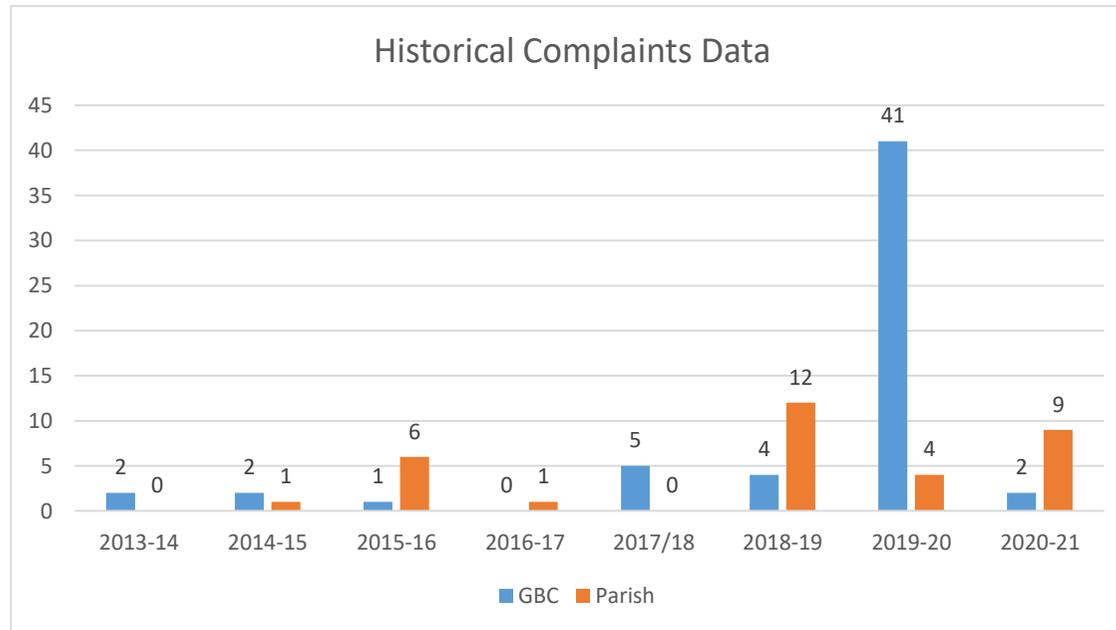
9.1 None identified.

Statutory Officer approval

Approved by the Chief Financial Officer

Date:

Drafted by the Monitoring Officer



Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
Complaints received 2019-20					
STD001354	02/05/19	Calverton Parish Council	Member of Public	Other action – recommendation to Parish Council that the Complaints Policy and Procedure be reviewed and amended to make it clear how a complaint relating to the Clerk to the Council should be dealt with, including who should investigate it and, recognising the conflict of interest, who should clerk the meeting and give	26/06/19

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
				advice to the councillors.	
STD001355	02/05/19	Calverton Parish Council	Member of Public	No further action	20/06/19
STD001402	23/04/19	Calverton Parish Council	Member of Public	Other action – recommendation to Parish Council that the Complaints Policy and Procedure be reviewed and amended to make it clear how a complaint relating to the Clerk to the Council should be dealt with, including who should investigate it and, recognising the conflict of interest, who should clerk the meeting and give advice to the councillors.	26/06/19
STD001403	23/04/19	Calverton Parish Council	Member of Public	Not pursued by complainant	N/A
STD001635	16/08/19	Calverton Parish Council	Member of Public	No further action	24/10/19
STD001737	29/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	25/10/19
STD001739	29/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001740	29/09/19	GBC	Member of Public	Complaint treated as withdrawn	N/A
STD001742	29/09/19	GBC	Member of Public	Complaint treated as withdrawn	N/A
STD001743	29/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to	18/10/19

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
				deal with.	
STD001744	29/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001746	29/09/19	GBC	Member of Public	Complaint treated as withdrawn	N/A
STD001747	29/09/19	GBC	Member of Public	Complaint treated as withdrawn	N/A
STD001748	29/09/19	GBC	Member of Public	Complaint treated as withdrawn	N/A
STD001749	29/09/19	GBC	Member of Public	Complaint treated as withdrawn	N/A
STD001750	29/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001751	29/09/19	GBC	Member of Public	Complaint treated as withdrawn	N/A
STD001752	29/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001753	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001755	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with	18/10/19
STD001756	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official	18/10/19

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
				capacity. Referred to Group Leader to deal with	
STD001758(1)	30/09/19	GBC	GBC Councillor	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001758(2)	04/10/19	GBC	GBC Councillor	No further action	29/11/19
STD001759	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001760	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	25/10/19
STD001761	30/09/19	GBC	Councillor (not GBC)	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with	18/10/19
STD001762	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001763	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
STD001766	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001767	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001768	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001769	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001770	30/09/19	GBC	Member of Public	No further action.	29/11/19
STD001771	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001772	30/09/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001773	01/10/19	GBC	Councillor (not GBC)	Complaint treated as withdrawn.	N/A

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
STD001774	01/10/19	GBC	Member of Public	No further action.	26/11/19
STD001775	01/10/19	GBC	Member of Public	Complaint treated as withdrawn.	
STD001778	02/10/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001779	01/10/19	GBC	Parish Councillor	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	12/11/19
STD001784	04/10/19	GBC	Member of Public	No further action.	26/11/19
STD001785	04/10/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001786	05/10/19	GBC	Member of Public	Reject Complaint – Not acting in official capacity. Referred to Group Leader to deal with.	18/10/19
STD001802	14/10/19	GBC	Member of Public	No further action. Referred to Group Leader to deal with.	26/11/19
STD001897	23/12/19	GBC	Member of Public	No further action.	14/02/20
Complaints received 2020-21					
STD002164	09/06/20	Calverton Parish Council	Councillor (not GBC)	Complaint treated as withdrawn	24/08/20
STD002181	22/06/20	Calverton Parish Council	Member of Public	Complaint treated as withdrawn	24/08/20
STD002182	22/06/20	Calverton Parish Council	Councillor (not	Complaint treated as withdrawn	24/08/20

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
			GBC)		
STD002187	26/06/20	Calverton Parish Council	Member of Public	No further action	21/09/20
STD002207	13/07/20	GBC	Member of Public	Reject Complaint – Not acting in official capacity	13/08/20
STD002306	21/10/20	GBC	Member of Public	Complaint treated as withdrawn	
STD002393	07/01/21	Calverton Parish Council	Councillor (not GBC)	Ongoing	
STD002463	02/02/21	Calverton Parish Council	Councillor (not GBC)	No further action	24/05/21
STD002464	02/02/21	Calverton Parish Council	Councillor (not GBC)	Complaint withdrawn	
STD002465	31/01/21	Bestwood St Albans Parish Council	Member of the Public	No further action	12/05/21
STD002499	16/02/21	Calverton Parish Council	Councillor (not GBC)	Ongoing	
STD002554	21/04/21	Calverton Parish Council	Member of the Public	Complaint treated as withdrawn	
STD002555	07/04/21	Calverton Parish Council	Member of the Public	Ongoing	

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
STD002582	06/05/21	GBC	Member of the Public	Reject complaint – Not acting in official capacity	21/05/21
STD002583	07/05/21	GBC	Member of the Public	Reject complaint – Not acting in official capacity	21/05/21
STD002584	11/05/21	GBC	Member of the Public	Reject complaint – Not acting in official capacity	21/05/21

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