

## **Report to Standards Committee**

**Subject:** Review of the Code of Conduct

**Date:** 2 September 2021

**Author:** Monitoring Officer

### **Purpose**

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

### **Recommendation(s)**

#### **THAT:**

- 1) Members note the responses to the consultation with the public and stakeholders on the Council's Code of Conduct.**
- 2) Members recommend to Council that no changes be made to the Council's Code of Conduct at Appendix 2.**
- 3) Members agree that a guidance document be prepared by the Monitoring Officer to accompany the Council's Code of Conduct.**

## **1 Background**

1.1 Members will recall that on 10 June 2021, a report was presented to this Committee on the findings of a Working Group, tasked with reviewing the Council's Code of Conduct and comparing it to the Local Government Association Model Code of Conduct for Councillors ("the Model Code"). A copy of the Working Group's findings is shown at Appendix 1. The recommendations from 10 June 2021 report were as follows:

- a) Members note the work undertaken by the Working Group in reviewing the Council's Code of Conduct.*

*b) Members note the report and recommendations of the Working Group at Appendix 3 to this report, namely that:*

*i) No changes are made to the Gedling Borough Council Code of Conduct.*

*ii) 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.*

*c) Members agree to a period of consultation with stakeholders and the public in relation to this review as detailed in the report.*

1.2 Following on from the June Committee, a consultation was launched with the public and stakeholders in relation to the Council's Code of Conduct. This is in line with best practice recommendations from the Committee for Standards in Public Life (CSPL), who suggest consultation with stakeholders and the public when reviewing a Code of Conduct. The consultation asked whether the Council's Code of Conduct was fit for purpose and asked for any suggested changes or improvements to the Code. The consultation also asked whether a guidance document to accompany the Council's Code would be helpful. The consultation was run through the Council's website and Councillor Contacts. The link to the consultation was also sent to all Parish Councils and Nottinghamshire Monitoring Officers.

1.3 The consultation received only 3 responses. All responses came from elected members at district level. Two consultees agreed the Council's Code was fit for purpose with one stating they weren't sure. No consultees suggested amendments to the Gedling Code and all agreed that a guidance document to support the Council's Code would be helpful.

1.4 Since the last Committee meeting, the Local Government Association have released additional guidance to the Model Code, which will prove useful when formulating a guidance document to accompany the Gedling Code.

1.5 The Council's Code of Conduct needs to be approved by Full Council. Whilst there are no recommended changes to the Code, it is considered appropriate to update Council on the work undertaken to review the Code, and the outcome of the review.

## **2 Proposal**

2.1 It is proposed, taking into account the recommendations of the Working Group and the consultation responses that Members recommend to Full Council that there should be no changes made to the Gedling Code of

Conduct following this review.

- 2.2 It is also proposed that Members agree a guidance document to accompany the Council Code be prepared by the Monitoring Officer. This document will be brought forward for approval at a future Committee but will not form part of the Code.

### **3 Alternative Options**

- 3.1 Members could propose amendments to the Council's Code, however the Code has been through a rigorous review process, public consultation and extensive consideration has been given throughout to the Model Code when formulating recommendations.

### **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, however it is considered appropriate to report the outcome of this review to Full Council to ensure that the decision not to amend the Code is considered by all Members.

### **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 – Report and Recommendations from the Working Group  
Appendix 2 – Gedling Borough Council Code of Conduct

### **9 Background Papers**

9.1 Local Government Association Model Code of Conduct Guidance

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct>

**Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Drafted by the Monitoring Officer**