

SLOUGH BOROUGH COUNCIL

REPORT TO: Audit & Corporate Governance Committee **DATE:** 11th October 2017

CONTACT OFFICER: Linda Walker, Interim Monitoring Officer
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WARD(S): All

PART I **FOR DECISION**

REVISED COUNCILLORS' CODE OF CONDUCT

1. **Purpose of Report**

- 1.1 As part of the ongoing review of the Ethical Framework the Interim Monitoring Officer has taken the opportunity to review the Councillors' Code of Conduct.
- 1.3 The revised Code was submitted to the Member Panel on the Constitution on 12th September 2017 and the Panel's recommendations are set out at paragraph 4.5 for the Committee's consideration prior to submission to Council for approval.

2. **Recommendation to Council**

The Panel is asked to consider the revised Councillors' Code of Conduct (Appendix 1) and recommend accordingly.

3. **Other Implications**

(a) **Financial**

None

(b) **Human Rights Act and Other Legal Implications**

The Localism Act 2011 places the Council under a statutory duty to establish an ethical framework:

- Under section 27(2) it must adopt a code of conduct dealing with the conduct that is expected of members and co-opted members when they are acting in that capacity,
- Under section 29 (1) the Monitoring Officer must establish and maintain a members' register of interests,
- Under Section 28 (6) it must have in place arrangements under which allegations of breach of the code can be investigated and decisions made upon the allegations,

- Under section 28(7) the arrangements put in place must include provision for the appointment of at least one Independent Person whose views are to be sought and taken into account by the Council before it makes its decision on allegations which have been investigated and whose views upon an allegation may be sought by the Council at any other time and may be sought by a member who is the subject of an allegation.

4. **Supporting Information**

- 4.1 The Council has a statutory duty to promote and maintain high standards of conduct for its elected and co-opted members. The Localism Act 2011 made fundamental changes to the system of regulation of standards of conduct for elected and co-opted Councillors and for Parish Councils.
- 4.2 The Council adopted a new Members' Code of Conduct in 2012. The Monitoring Officer has taken the opportunity to review the existing code of conduct in the light of experience with a particular focus on clarity, simplified guidance and practical examples of implementation.
- 4.3 A copy of the Code of Conduct with suggested amendments is attached at Appendix 1. A copy of the existing Code is attached at Appendix 2 for ease of reference.

Consideration by Member Panel on the Constitution

- 4.4 The Panel considered the revised Code of Conduct at its meeting on 12th September 2017. The interim Monitoring Officer sought the views of the Panel to assist in the development of the proposals prior to submission to this Committee and Council.
- 4.5 The Panel agreed welcomed the revised Code and requested that the Nolan Principles be moved to the front of the Code and that the Interim Monitoring Officer:
- Consider amending the Dispensations section to include information on Members' obligations as Trustees
 - Consider adding additional examples of interests (possibly as an Appendix).
- 4.6 The Interim Monitoring Officer does not consider it appropriate to include information on obligations of Councillors as Trustees in the Code of Conduct document. Guidance has already been provided to Members and further training will be provided in the next few weeks.
- 4.7 The Interim Monitoring Officer will go through the specific changes at the meeting and seek the Committee's views on the Panel's recommendations.

5. **Appendices Attached**

Appendix 1- Proposed (amended) Councillors' Code of Conduct
Appendix 2 - Existing Councillors' Code of Conduct

6. **Background Papers**

None.