

SLOUGH BOROUGH COUNCIL

REPORT TO: Standards Committee **DATE:** 17th December, 2008

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WARDS: All

PART I FOR DECISION

DCLG CONSULTATION DOCUMENT - "COMMUNITIES IN CONTROL: REAL PEOPLE, REAL POWER CODES OF CONDUCT FOR LOCAL AUTHORITY MEMBERS AND EMPLOYEES"

1. Purpose of Report

- 1.1 The purpose of this report is to bring to Members' attention the above Consultation Document which was published in October 2008 (**Appendix A**) and which invites comments on a number of proposals namely:-
- (a) Amendments to the Model Code of Conduct for Local Authority Members (Model Code").
 - (b) Changes to the Relevant Authorities (General Principles) Order 2001 (2001 Order).
 - (c) The introduction of a requirement for Local Authorities to incorporate a Model Code of Conduct for Local Government Employees ("Employees Code").
 - (d) In addition, Members will be asked to approve the proposed responses to the questions raised in the Consultation Document as set out in **Appendix B** to this report.

2. Recommendation(s)/Proposed Action

- 2.1 The Standards Committee is requested to:-
- (a) Note the contents of the Consultation Document.
 - (b) Approve the proposed responses to the Consultation Document as set out in **Appendix B** together with any amendments the Committee may have.

3. Community Strategy Priorities

- 3.1 The Local Code of Conduct for Members (which comprises the Model Code published by the Government in 2007 together with some supplementary provisions) forms the bedrock of the conduct regime and aims to promote the public's trust and confidence in Members and faith in local democracy. The proposed changes to the Model Code will provide greater clarity for Members, officers and the public at large on how the Local Code of Conduct for Members applies when Councillors are acting in their official capacity and in their private lives.
- 3.2 Whilst the Council does have its own Local Code of Conduct for Employees it is felt that a formal Code which applies to all local government employees and which mirrors, as far as possible, the Model Code is a step forward as it will provide consistency across the country.

4. Other Implications

- 4.1 Whilst this report does not have any financial or staffing implications at this point in time when the new Codes are introduced training and development will be necessary for Members and officers alike but the additional work involved is expected to be met from existing budgets.
- 4.2 The revised Local Code of Conduct for Members in the form of a new Model Code is a document that all Councillors will need to "sign up to" when it is brought into force. In addition, any final Employees' Code will form part of an officer's contract of employment.

5. Background/Supporting Information

- 5.1 The Consultation Document annexed to the report as **Appendix A** was published in October 2008 and seeks responses to the proposals which are summarised below by 24th December this year.
- 5.2 Chapter 2 of the Consultation Document seeks comments on proposals to clarify the Model Code in its application to Members' conduct when acting in a non-official capacity. It also seeks views on the operation of, and proposed revision to, the Model Code including reconfiguring the document into two distinct sections, the first dealing with Members conduct in their official capacity and a second dealing with Members conduct in their non-official capacity. In addition it seeks a response to associated amendments to the 2001 Order.
- 5.3 Chapter 3 of the Consultation Document seeks views on the proposed introduction of a Model Employees' Code which will become part of the employees' terms and condition of employment.
- 5.4 Subject to the responses received the Government hope to implement the proposals in the Consultation Document so that they come into effect in line with local government elections in 2009.
- 5.5 It is considered that the proposed changes to the Model Code are sensible and a right balance has been struck in applying the Model Code to Members' private lives only where a serious criminal offence has been proven. Furthermore, it is

considered right and proper that local authority employees are subject to a similar code of conduct which mirrors, as far as practicable, the Model Code particularly as some senior employees make decisions on behalf of the Council under the Scheme of Delegation in the Council's Constitution.

6. Conclusion

- 6.1 The proposals in the Consultation Document are generally welcomed as can be seen in the draft responses set out in **Appendix B** to this report.

7. Background Papers

None.

8. Appendices

Appendix A - DCLG Consultation Paper - "Communities in Control : Real People, Real Power Codes of Conduct for Local Authority Members and Employees"

Appendix B - Draft responses to the Consultation Document