

SLOUGH BOROUGH COUNCIL

REPORT TO: Standards Committee **DATE:** 18th June, 2007

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WARDS: All

PART I **FOR DECISION**

ADOPTION OF NEW LOCAL CODE OF CONDUCT FOR MEMBERS / STANDARDS BOARD FOR ENGLAND'S STATUTORY GUIDANCE

1. Purpose of Report

- 1.1 The purpose of this report is to advise Members of the publication by the Government of the long awaited revised Model Code of Conduct for Local Authorities and the subsequent adoption of that Model with some local provisions by the Council in May this year.
- 1.2 The Standards Board for England have also issued guidance for Members entitled Model Code of Conduct – Guide for Members (May 2007) which seeks to give guidance on the interpretation and application of the Codes' provisions.

2. Recommendation

- 2.1 Members of the Committee are asked to note that the Council have adopted the new Model Code of Conduct for Members with local provisions and the publication of the Standards Board for England's Statutory Guidance the latter of which has been circulated to all Members.
- 2.2 That the Committee resolve that further compulsory training on the application of the new Code be held for all Members (including co-opted and Independent Members) in October 2007 as set out in the Committee's Work Programme 2007/2008 which is the subject of a further report on this agenda.

3. Key Priorities

- 3.1 The trust and confidence of the public and those who work for the Council and the way it and Members conduct themselves has a direct impact on how services are delivered to the community.
- 3.2 The Model Code of Conduct and the supporting documentation which has recently been adopted by the Council will form part of the ethical framework which ensures openness and transparency in decision making.

4. Human Rights, other Legal and Workforce Implications

- 4.1 All Members (including co-opted and Independent Members) who have been elected/appointed to the Council are duty bound under local government legislation to undertake and abide by the Council's Local Code of Conduct for Members and all of the relevant statutory processes have now been completed.
- 4.2 If Members breach the Local Code of Conduct for Members then any individual can make a complaint to the Standards Board for England.

5. Background/Supporting Information

- 5.1 The new/revised Model Code of Conduct for Members was published by the Government in April this year in the Local Authorities (Model Code of Conduct) Order 2007 and the Council adopted it with some local provisions (see below) at the adjourned Annual General Meeting on Monday, 21st May, 2007.
- 5.2 All elected, co-opted and Independent Members of Local Authorities, including Parish Councils are covered by the Model Code of Conduct and they have already signed the relevant undertaking to abide by the provisions within the Code.

The local provisions which apply to Slough Borough Council only incorporate the following documents as part of its Local Code namely:-

- a) Planning Code of Conduct for Members and Officers.
- b) Local Code of Conduct governing relations between elected Members and Council employees.
- c) Whistle Blowing Policy and Procedure.

- 5.3 This means that any breach of the provisions within those documents will automatically be considered to be a breach of the Local Code. The major changes from the former 2001 Code are:-

- Abolition of the duty of Members to report all alleged breaches of the Code, however minor.
- The introduction of a new provision on bullying and intimidation.
- Amendments in the way confidential information can be handled.
- Important changes to the definition of Personal and Prejudicial Interests.
- Introduction of special categories of interest e.g. gifts and hospitality and sensitive information.

- 5.4 It is considered that in overall terms the new Model Code of Conduct is an improvement on the 2001 version although the new definitions of personal and prejudicial interests are more complicated and Members and Officers will need to pay particular attention to the detail. However the goal of seeking to permit Members to represent the views of their constituents despite having a personal interest is to be welcomed.

6. **Conclusion**

- 6.1 The new Model Code of Conduct issued in April 2007 now applies to all Local Authorities but whether its interpretation and application is easier for Members and Officers to apply remains to be seen. The statutory guidance issued by the Standards Board for England is helpful although somewhat lengthy.

7. **Background Papers – New Model Code of Conduct for Members**

The Standards Board for England's Guidance entitled "The Code of Conduct – Guide for Members (May 2007).