

COUNCIL

22 NOVEMBER 2022

REFERENCE FROM THE STANDARDS COMMITTEE

A.5 PROPOSED FORMAL ADOPTION OF THE LOCAL GOVERNMENT ASSOCIATION'S MODEL MEMBERS' CODE OF CONDUCT

(Report prepared by Ian Ford)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To enable the Council to consider the recommendation of the Standards Committee in relation to the formal adoption of the Local Government Association's Model Members' Code of Conduct as Tendring District Council's code as regards the conduct, which is expected of all elected Councillors, voting co-opted members and appointed members (Sections 27 & 28, Localism Act 2011).

EXECUTIVE SUMMARY

The Standards Committee ("the Committee"), at its meeting held on 6 April 2022 (Minute 30 refers), had considered a detailed report of the Monitoring Officer which had enabled it to review part of the elected Members' Model Code of Conduct ("the Model Code"), as authored by the Local Government Association (LGA), i.e. the rules of conduct in comparison to Tendring District Council's (TDC) Members' Code of Conduct ("the Code"), for eventual determination as to whether to recommend the Model Code to Full Council for adoption. The Committee had been aware that it had previously been proposed that implementation of the Model Code, if adopted, would not take effect until the new municipal period following the 2023 Council elections.

Having duly considered all of the information and advice contained in the Officer report and its appendices the Standards Committee had resolved that it:-

"(a) notes the contents of the Monitoring Officer's report and its Appendices;

(b) confirms its satisfaction of the comparison of the Tendring District Council's Members' Code of Conduct and the LGA Model Code of Conduct; and

(c) requests the Monitoring Officer to present in more detail the implications of the differences in Declarations and Registration of Interests, for the Committee to consider prior to agreeing its recommendations to Full Council."

Subsequently, that Committee, at its meeting held on 3 August 2022 (Minute 5 refers), had considered a comprehensive report of the Monitoring Officer which had enabled it to continue its review of the elected Members' Model Code of Conduct as authored by the LGA, in comparison to TDC's Members' Code of Conduct particularly in regards to the provisions relating to the declarations of interests.

Having duly considered all of the information and advice contained in the Officer report and its appendices the Standards Committee had unanimously resolved that it:-

"(a) notes the contents of the Monitoring Officer's report and its Appendices;

(b) confirms its satisfaction of the comparison of the Tendring District Council's Members' Code of Conduct and the LGA's Model Code of Conduct; and

(c) recommends to Full Council that the LGA Model Code be approved and adopted."

A copy of the published report (minus appendices) of the Monitoring Officer to the meeting of the Standards Committee held on 3 August 2022, is attached as Appendix 1 to this report. The LGA's Model Councillors' Code of Conduct is attached as Appendix 2 to this report.

RECOMMENDATIONS

That Council approves:-

- (a) the adoption of the Local Government Association's Model Members' Code of Conduct, as set out in Appendix 2, for the purposes of Sections 27 & 28 of the Localism Act 2011, with a commencement date of the Annual Meeting of the Council in May 2023;**
- (b) that all Town and Parish Councils in the Tendring District be invited by the Monitoring Officer to adopt the same Code for their own Councils;**
- (c) that all the duly elected Tendring District Council members at the Council's elections in May 2023 attend mandatory training sessions on the new Code of Conduct; and**
- (d) that the new Code of Conduct be incorporated into Part 6 of the Council's Constitution in due course.**

BACKGROUND PAPERS FOR THE DECISION

Published Minutes of the meeting of the Standards Committee held on 6 April 2022.

Published Report of the Monitoring Officer for the meeting of the Standards Committee held on 6 April 2022 (Report A.1).

Published Minutes of the meeting of the Standards Committee held on 3 August 2022.

Tendring District Council's current adopted Members' Code of Conduct – link found here:-

[TDC Code of Conduct.pdf \(tendringdc.gov.uk\)](https://www.tendringdc.gov.uk/TDC%20Code%20of%20Conduct.pdf)

Guidance on the LGA's Model Code – link found here:-

[LGA Guidance on Model Code.pdf \(tendringdc.gov.uk\)](https://www.tendringdc.gov.uk/LGA%20Guidance%20on%20Model%20Code.pdf)

APPENDICES

Appendix 1 = Published Report (minus Appendices) of the Monitoring Officer for the meeting of the Standards Committee held on 3 August 2022 (Report A.1)

Appendix 2 = The Local Government Association's (LGA) Model Councillors' Code of Conduct