

STANDARDS COMMITTEE

27 SEPTEMBER 2017

REPORT OF THE MONITORING OFFICER

A.3 REVIEW OF THE MEMBERS' CODE OF CONDUCT

(Report prepared by Lisa Hastings)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

For the Standards Committee to complete the review the Members' Code of Conduct and consider the proposed changes made following the suggested revisions at its meeting in June 2017 for recommendation to Council for adoption.

EXECUTIVE SUMMARY

As part of its annual work programme the Standards Committee commenced a review of the Members' Code of Conduct, with particular attention paid to the definitions of interests.

At its meeting on 29 June 2016 Members were informed that there would be some merit in undertaking a light touch review of the Code of Conduct and to consider removing the distinction between "Other and Non Pecuniary Interests" by joining them together and reviewing the definitions. The three different types of interest had caused confusion with Members and the public and therefore, could be made simpler. In addition, it had been raised whether the provisions on declarations of interests had gone far enough and questions had been asked whether the Council should be retaining a register of interests. Matters such as membership of various groups or organisations had caused concerns with elected Members and the public where these were not registered, and whilst this was not required on a statutory basis, provisions could be included within the local Code. Members discussed the advantages of a register of interests, beyond the statutory minimum which is required by the legislation and welcomed further exploration in this area.

The Monitoring Officer informed Members that nationally, a number of Councils had reviewed their Codes since adoption, some in response to feedback on definitions or areas which were missing, or due to the lack of sanctions available if the obligations were compromised. New ideas such as a voluntary acceptance of suspension and a recall scheme were emerging and information on those could be presented to the Committee for information through the review of the Code.

At its meeting on 26 September 2016, potential changes and additions to the Code were discussed to provide clarity in relation to:

- Separating the Rules of Conduct and General Obligations from the introduction and interpretation part of the Code;
- Merge Other Pecuniary Interests with Non-Pecuniary Interests; and

- Effect of Other or Non-Pecuniary Interests on participation.

It was agreed that the Monitoring Officer would produce a revised draft Code of Conduct for further discussion to take place at the next meeting so that the Committee could work towards recommending minor changes to the Members' Code of Conduct to full Council.

At its meeting on 28 June 2017, the Committee continued with its review on the Members' Code of Conduct and considered the proposed changes made following the suggested revisions at its previous meeting.

The Monitoring Officer produced a revised draft Code of Conduct showing tracked changes and went through it with the Committee stage by stage. A clean copy had also been produced for further consideration by the Committee.

The Monitoring Officer confirmed that she would action the further amendments suggested at that meeting by the Committee and would provide a further amended version of the Members' Code of Conduct at its next meeting before going to full Council.

At that meeting, Members resolved that the review of the Members' Code of Conduct be continued and that the draft revised Code of Conduct be endorsed, subject to the changes put forward by the Committee.

The Monitoring Officer has now produced a revised draft Members' Code of Conduct showing changes in Appendix A for the Committees consideration.

RECOMMENDATION

That the Standards Committee finalises its review and provides comments on the revised draft Members' Code of Conduct before recommending adoption to full Council.

APPENDICES

- Appendix A – Revised draft Members' Code of Conduct (Changes highlighted in yellow)