

REPORT FOR DECISION



DECISION OF:	Standards Committee
DATE:	1 July 2020
SUBJECT:	CONSULTATION ON DRAFT MODEL CODE OF CONDUCT
REPORT FROM:	JANET WITKOWSKI – ACTING COUNCIL SOLICITOR AND MONITORITNG OFFICER
CONTACT OFFICER:	JANET WITKOWSKI
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain.
SUMMARY:	This report sets out the proposals for consultation on a new model Code of Conduct for Elected Members and seeks comments and approval to respond.
OPTIONS & RECOMMENDED OPTION	Members are asked to; <ul style="list-style-type: none"> Note the contents of the report and attached draft Model Code of Conduct, Provide comments for incorporation into a Council response to the consultation, Agree that a response is drafted based on Members comments That the draft response be circulated to Group Leaders for agreement and submission to the LGA within the consultation period.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? <div> Yes No </div>

Statement by the S151 Officer: Financial Implications and Risk Considerations:		
Equality/Diversity implications:		
Considered by Monitoring Officer:	Yes	Comments
Wards Affected:		
Scrutiny Interest:		

TRACKING/PROCESS

DIRECTOR:

Joint Executive Team	Cabinet Member/Chair Briefed	Ward Members (if necessary)	Partners
Scrutiny Committee	Other Committee	Council	Comms

1.0 BACKGROUND

- 1.1** All Councils are required to have a local member code of conduct which sets out the requirements for holding office.
- 1.2** The current code in Bury entitled the 'Code of Conduct for Councillors and other Voting Representatives' contained within the Council's Constitution, has been in use without amendment for a number of years. It is based on the previous Model Code of Conduct and incorporates the Seven Principles of Public Life also known as the 'Nolan Principles', namely, selflessness, integrity, objectivity, accountability, openness, honesty and leadership. These are promoted by the Committee on Standards in Public Life, which is an advisory body to the government.
- 1.3** The Local Government Association (LGA) is a national cross party membership body for local authority's that works on their behalf to support, promote and improve local government. Part of the LGA's role is to undertake regular reviews of the Code to ensure it is fit for purpose. The LGA has now produced a new draft Model Code of Conduct which has been sent out for consultation to member local authorities. The consultation period is 8 June 2020 to 17 August 2020.

2.0 ISSUES

- 2.1** The Council's current code reflects most of what is in the new draft. However, the new draft does introduce the concept of 'civility' in terms of the way members speak to and communicate with others. This is a new

concept albeit the concept was arguably incorporated in the previous incarnations.

- 2.2** There are other concepts that Members may feel should be included should as the 'need to know basis' for disclosure of information to Elected Members and there is little by way of clarity on sanctions. However, there is more narrative that Members may find helpful.
- 2.3** The new draft model code together with the consultation questions re attached to this report for consideration.

3.0 CONCLUSION

- 3.1** It is proposed that a response to the consultation is sent on behalf of the Council.
- 3.2** Members are therefore asked to consider the new Draft Model Code and provide their thoughts and comments on it and responses to the consultation questions. A draft response will then be produced by the Monitoring Officer based on their comments, which will be agreed with Group Leaders for formal submissions.
- 3.3** Members are therefore asked to;
- Note the contents of the report and attached draft Model Code of Conduct,
 - Provide comments for incorporation into a Council response to the consultation,
 - Agree that a response is drafted based on Members comments,
 - That the draft response be circulated to Group Leaders for agreement and submission to the LGA within the consultation period.

List of Background Papers:-

Bury Council's Constitution

Bury Council's Code of Conduct for Councillors and other Voting Representatives

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