

Application of the Code

Under the Localism Act 2012, the Code of Conduct applies to councillors only when they are acting in their capacity as a member. The LGA believes that because councillors are elected by the public and widely recognised by the public, it makes sense for them to continue to model these behaviours when they are making public comment, are identifying as a councillor and when it would be reasonable for the public to identify them as acting or speaking as a councillor. The Committee on Standards in Public Life supported this approach in their report into Local Government Ethical Standards. Whilst the LGA is waiting for Government's response to these recommendations the option has been added in square brackets as it would need changes in legislation.

Q1. To what extent do you support the proposal that councillors demonstrate the behaviours set out in the Code when they are publicly acting as, identifying as, and/or giving the impression that they are acting as a councillor, including when representing their council on official business and when using social media?

To a great extent

To a moderate extent

To a small extent

Not at all

Don't know/prefer not to say

Q1a. If you would like to elaborate on your answer please do so here:

Q2. Is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance?

Yes	<input type="radio"/>
No	<input type="radio"/>
Don't know	<input type="radio"/>

Q3. Do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense?

Personal tense ("I will")	<input type="radio"/>
Passive tense ("Councillors should")	<input type="radio"/>
No preference	<input type="radio"/>

Q4

Specific obligations

The Code lists 12 specific obligations – these set out a minimum standard councillors are asked to adhere to.

Each obligation or group of obligations is put into a wider context to explain why that particular obligation is important.

Q4. To what extent to you support the 12 specific obligations?

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
1. Treating other councillors and members of the public with civility.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Not bullying or harassing any person.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Not preventing anyone getting information that they are entitled to by law.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Not bringing my role or council into disrepute.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Not misusing council resources.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. Registering and declaring my interests.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q5. If you would like to propose additional or alternative obligations, or would like to provide more comment on a specific obligation, please do so here:

Q6. Would you prefer to see the obligations as a long list followed by the guidance, or as it is set out in the current draft, with the guidance after each obligation?

As a list	<input type="radio"/>
Each specific obligation followed by its relevant guidance	<input type="radio"/>
No preference	<input type="radio"/>

Q7. To what extent to you think the concept of 'acting with civility' is sufficiently clear?

To a great extent	<input type="radio"/>
To a moderate extent	<input type="radio"/>
To a small extent	<input type="radio"/>
Not at all	<input type="radio"/>
Don't know/prefer not to say	<input type="radio"/>

Q7a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:

Q8. To what extent do you think the concept of ‘bringing the council into disrepute’ is sufficiently clear?

To a great extent	<input type="radio"/>
To a moderate extent	<input type="radio"/>
To a small extent	<input type="radio"/>
Not at all	<input type="radio"/>
Don't know/prefer not to say	<input type="radio"/>

Q8a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:

Q9. To what extent do you support the definition of bullying and harassment used in the code in a local government context?

To a great extent	<input type="radio"/>
To a moderate extent	<input type="radio"/>
To a small extent	<input type="radio"/>
Not at all	<input type="radio"/>
Don't know/prefer not to say	<input type="radio"/>

Q9a. If there are other definitions you would like to recommend, please provide them here.

Q10. Is there sufficient reference to the use of social media?

Yes	<input type="radio"/>
No	<input type="radio"/>
Don't know/prefer not to say	<input type="radio"/>

Q10a. Should social media be covered in a separate code or integrated into the overall code of conduct?

Separate code	<input type="radio"/>
Integrated into the code	<input type="radio"/>
Don't know/prefer not to say	<input type="radio"/>

Q10b. If you would like to make any comments or suggestions in relation to how the use of social media is covered in the code please do so here:

--

Registration and declarations of interests

The law at present requires, as a minimum, registration and declaration of ‘Disclosable Pecuniary Interests’ - that is matters which directly relate to the councillor and their partner if applicable.

The LGA is proposing that all councillors are required to declare interests where matters also relate to or affect other family members or associates. The LGA has broadened the requirement to declare interests beyond this current statutory minimum in line with a recommendation from the Committee on Standards in Public Life. These specific provisions are set out in **Appendix B** of the Code.

Q11. To what extent to you support the code going beyond the current requirement to declare interests of the councillor and their partner?

To a great extent	<input type="radio"/>
To a moderate extent	<input type="radio"/>
To a small extent	<input type="radio"/>
Not at all	<input type="radio"/>
Don't know/prefer not to say	<input type="radio"/>

Q11a. If you would like to elaborate on your answer please do so here:

Q12. Should the requirement to declare interests be in the main body of the code or in the appendix where the draft model code currently references it?

In the main body of the code	<input type="radio"/>
In the appendix	<input type="radio"/>
Other (please specify below)	<input type="radio"/>
<input type="text"/>	
Don't know/prefer not to say	<input type="radio"/>

Q12a. If you would like to make any comments or suggestions in relation to how the requirement to declare interests is covered in the code please do so here:

<input type="text"/>

Appendix B – LGA Consultation on draft Model Code of Conduct – for information only

APPENDIX B

It is also suggested that more outside interests should be registered than is the current statutory minimum. These are set out in **Table 2 of the Appendix** and are designed to demonstrate to the community transparency about other bodies with which the councillor is engaged.

Q13. To what extent do you support the inclusion of these additional categories for registration?

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
Any organisation, association, society or party of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Any organisation, association, society or party that exercises functions of a public nature of which you are a member or in a position of general control or management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Any organisation, association, society or party directed to charitable purposes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Any organisation, association, society or party of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q13a. If you would like to propose additional or alternative categories for registration, please provide them here:

Q14. To what extent to you support the proposed requirement that councillors do not accept significant gifts as set out in Obligation 11?

To a great extent	<input type="radio"/>
To a moderate extent	<input type="radio"/>
To a small extent	<input type="radio"/>
Not at all	<input type="radio"/>
Don't know/prefer not to say	<input type="radio"/>

Q14a. If you would like to elaborate on your answer please do so here:

--

Q15. The draft code proposes £25 as the threshold for registering gifts and hospitality. Is this an appropriate threshold?

Yes	<input type="radio"/>
Yes, but the amount should be reviewed annually with the code's review	<input type="radio"/>
No, it should be lower (please specify amount)	<input type="radio"/>
No, it should be higher (please specify amount)	<input type="radio"/>
Don't know/prefer not to say	<input type="radio"/>

Q16. The LGA will be producing accompanying guidance to the code. Which of the following types of guidance would you find most useful? Please rank 1-5, with 1 being the most useful.

- Regularly updated examples of case law
- Explanatory guidance on the code
- Case studies and examples of good practice
- Supplementary guidance that focuses on specific areas, e.g., social media
- Improvement support materials, such as training and e-learning packages

Q16a. If you would like to suggest any other accompanying guidance please do so here:

Q17. If you would like to make any further comments about the code please so here: