

Title: **Standards Board for England
Code of Conduct: Standards in Public Life**

Reporting Officer: **Nicola Mathiason – Head of Legal and
Democratic Services**

Purpose

To inform the Committee of the current process to review the Code of Conduct.

Background

Every authority was required to adopt a Code of Conduct that sets out rules governing the behaviour of its members. All elected, co-opted and independent members of local authorities, including parish councils, fire, police and National Parks authorities, are covered by the Code.

Each Code must include the provisions of the Model Code of Conduct approved by Parliament in November 2001. Authorities can choose to add their own local rules to the Model Code if they wish, although most have adopted the Model Code without additions.

Authorities had until 5 May 2002 to adopt a Code of Conduct. After this date the Model Code was automatically applied to those who had not adopted the Code. This Council adopted its Code on the 24 April 2002 to have effect from 1 May 2002.

In general terms the Code of Conduct covers areas of individual behaviour such as members not abusing their position or not misusing their authority's resources. In addition there are rules governing disclosure of interest and withdrawal from meetings where members have relevant interests. Members are also required to record on the public register their financial and other interests.

A Code for the Future

The Code of Conduct is changing. Following an extensive review and consultation of the Code which gathered opinions and ideas from over 1,200 members, officers and organisations, the government has announced its intention to introduce a clearer, more proportionate Code.

In a statement on 15 December 2005, the Government accepted all the Standards Board recommendations and said it would look to make changes as soon as practicable. Local Government Minister Phil Woolas MP said:

“Our aim is to ensure that a culture of good conduct persists in local government, and to put in place strategic support to enable councillors and local standards committees to manage conduct issues effectively. For this reason, we are convinced there is an essential, continuing role for the Standards Board in supporting high standards locally. At the same time, we all want to see a code of conduct which is clearer, simpler and more proportionate, but still rigorous and fair to all involved. I am grateful therefore to the Standards Board for its hard work in reviewing the code and making recommendations for amendments to it”.

Wider Improvements

The recommendations form part of a wider government discussion paper which includes responses to report by the Committee on Standards in Public Life and the parliamentary select committee on the Office of the Deputy Prime Minister. The government supports the Standards Board for England’s transition towards more strategic regulation and wants to see local authorities handling the majority of investigations. It also backed the Committee on Standards in Public Life’s recommendation that complaints should initially be assessed by the local standards committee, although this will require primary legislation not liable to happen until 2008.

Consultation

Consultation on the Code during 2005 at the request of the government, found wide support for a simpler Code, one that local government can take ownership of and adopt.

The Recommendations of the Standard Board are set out at Appendix A

There will be public consultation on the revised Code towards the end of June/July 2006 with regulations being produced in October 2006. The revised Code will come into operation in May 2007 and will be accompanied by new guidelines.

Recommendation

Note the report