

Review of the Constitution: Part 13 – Code of Conduct

Purpose of Report

1. This report asks the Standards Committee to review its recommendations to the Council on the Code of Conduct in accordance with the decision of full Council on 10 May 2016.

Background

2. At its meeting on 16 September 2015 the Standards Committee recommended some changes to the Council's Code of Conduct in Part 13 of the Constitution. This followed a series of meetings where the Committee and its Constitution Focus Group considered the effectiveness of the current Code of Conduct in fulfilling the Council's duty to promote and maintain high standards of conduct. The report and minutes of the meeting of 16 September 2015, together with the recommended changes can be found at **Appendix 1**.
3. Following a Members' briefing meeting on the Code of Conduct on 4 May 2016, where a possible alternative approach to the recommended changes was discussed, Council at its meeting on 10 May 2016 resolved:

That consideration to changes to the Members Code of Conduct, contained in appendix 2, be deferred and to ask the Standards Committee to consider a possible alternative proposal requesting full guidance from the Monitoring Officer assisting Members to meet their Code of Conduct obligations, and that the Standards Committee be asked to bring their own recommendations on this matter to the next Council meeting.

4. The next meeting of Council is to be held on 12 July 2016.

Main Considerations

5. The Standards Committee is therefore asked to consider the provision of guidance to support Members in meeting their obligations under the existing Code of Conduct as an alternative to amending the Code itself. A copy of the proposed guidance is attached at **Appendix 2** to assist the Committee's consideration.
6. The draft guidance covers the following:
 - Principles of public life;

- Duty to promote and maintain high standards of conduct and explanation of specific provisions of the Code;
- Relevance of the Council's Behaviours Framework to the Code of Conduct;
- Use of social media;
- Registration and declaration of interests;
- Bias and predetermination;
- Code of Conduct Complaints Procedure;
- Criteria for assessment and review of complaints.

7. The proposed guidance would be reviewed regularly to ensure that it remains up to date and fit for purpose. It is envisaged that any changes to the guidance would be brought to the Standards Committee for approval.
8. Subject to approval of this approach by the Standards Committee and full Council the guidance would be made available to parish, town and city councils, particularly those which have adopted this Council's Code of Conduct.

Safeguarding

9. There are no safeguarding issues arising from this report.

Equalities Impact of the Proposal

10. There are no equalities impacts arising from this report.

Risk assessment

11. There are no significant risks arising from this report.

Financial Implications

12. There are no direct financial implications arising from this report.

Legal Implications

13. The recommendations in this report are consistent with the Council's obligations under the relevant legislation,

Public Health Impact of the Proposals

14. There are no public health impacts arising from this report.

Environmental Impact of the Proposals

15. There are no environmental impacts arising from this report.

Recommendation

16. **The Standards Committee is therefore asked to consider the use of draft guidance as set out in Appendix 2 to support Members in meeting their obligations under the Code of Conduct and to recommend adoption of this approach by full Council on 12 July 2016.**

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Appendices:

Appendix 1a – Report and Minutes, Standards Committee 16 September 2015

Appendix 1b - Part 13 Tracked Changes, Code of Conduct

Appendix 2 - Proposed Guidance on the Code of Conduct

Background Papers:

Full reports (including appendices) for the meetings of Standards on [21 January 2015](#) (Review of the Effectiveness of the Code of Conduct for Members Update) and [16 September 2015](#) (Review of Part 13 of the Constitution: Code of Conduct), can be found online as linked above.
