

## Bath & North East Somerset Council

MEETING	<b>Council</b>	
MEETING DATE:	<b>22 July 2021</b>	
TITLE:	<b>Model Councillor Code of Conduct 2020</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> <b>Appendix 1 draft Code of Conduct</b>		

### **1 THE ISSUE**

- 1.1 Following discussions with the Standards Committee members, to present to Council a draft code of conduct for approval.

### **2 RECOMMENDATION**

**The Council is asked to;**

- 2.1 Approve the draft Code of Conduct attached at Appendix 1.

### **3 THE REPORT**

- 3.1 The final Report of the Committee on Standards in Public Life 'Local Government Ethical Standards - A Review by the Committee in Public Life' was published on 30 January 2019.

- 3.2 The Report covered a number of issues regarding behaviours and governance in public life, but there was a recommendation that the Local Government Association should create an updated model Code of Conduct which should be produced in consultation with representative bodies of Councillors and Officers of all tiers of Local Government and their representatives.

- 3.3 The Local Government Association consulted widely on the proposed new Code. The consultation ran between the 8 June 2020 until the 17 August 2020.

- 3.4 The final Code was presented to the Local Government Association board on 3 December 2020 and was issued to Local Authorities on the 23rd December 2020. The New Model Code can be found here:

<https://www.local.gov.uk/publications/local-government-association-model-councillor-code-conduct-2020>

The LGA have committed to reviewing the code on an annual basis and will shortly issue guidance to support the use of the code which will also be updated annually.

- 3.5 The draft Code of Conduct attached to this report has been the subject of consideration by the Standards Committee. It recommends adopting the new model code in its entirety save for very minor changes. These are:

3.5.1 The addition of an obligation that members should have regard to advice from the Monitoring Officer and the Section 151 Finance Officer. This is an obligation retained from the existing code

3.5.2 Retaining the current £25 limit on Gifts & Hospitality rather than the £50 limit proposed by the New Model Code. The Standards Committee had discussed previously and at length, the threshold for gifts and hospitality and had decided on £25 as a suitable threshold and felt that should be maintained.

3.5.3 The gifts and hospitality threshold of £25 should retain the existing obligation for a member to register a series of gifts or hospitality from the same source that add up to £25 or more as an accumulation in any municipal year.

The proposed amendments are made in schedule 1 at the end of Appendix 1.

## **4 STATUTORY CONSIDERATIONS**

4.1 The Localism Act 2011 requires the Council to promote and maintain high standards of conduct by members and co-opted members of the authority. In discharging this duty the Council must, in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity

4.2 The new model Code is non-statutory and can be adopted in whole or in part by the Council

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

5.1 There are no resource implications in adopting a new code.

## **6 RISK MANAGEMENT**

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

7.1 It is a specific requirement of the Code proposed that elected and co-opted members should comply with Equalities Law requirements and treat all members of the community equally.

## 8 CLIMATE CHANGE

8.1 There are no climate change implications in adopting a new code

## 9 OTHER OPTIONS CONSIDERED

9.1 The Council could choose to retain its existing code.

## 10 CONSULTATION

10.1 The LGA consulted widely prior to producing the Model Councillor Code of Conduct 2020.

10.2 The Standards Committee as well as the Monitoring Officer and S.151 Officer were also consulted.

<b>Contact person</b>	Michael Hewitt, Interim Monitoring Officer.
<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	