

## **Standards Committee**

### **Agenda**

#### **Members of the Standards Committee:**

Cllr N Brennan (Chairman)  
Cllr K Leggett MBE (Vice Chairman)  
Cllr B Cook  
Cllr D Roper  
Cllr C Ryman-Tubb

#### **Co-opted Town and Parish Council Members:**

Ms M Evans  
Mrs R Goodall  
Mr K Wilkins

#### **Date & Time:**

Thursday 1 December 2022  
6.00pm

#### **Place:**

Council Chamber, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich

#### **Contact:**

Leah Arthurton tel (01508) 533610  
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#### **PUBLIC ATTENDANCE:**

If a member of the public would like to attend to speak on an agenda item, please email your request to [committee.bdc@southnorfolkandbroadland.gov.uk](mailto:committee.bdc@southnorfolkandbroadland.gov.uk), no later than 5.00pm on Monday 28 November 2022.

#### **Large print version can be made available**

If you have any special requirements in order to attend this meeting, please let us know in advance.

# AGENDA

**1. To report apologies for absence;**

**2. To receive Declarations of interest from Members;**

(Please see guidance form and flow chart attached – page 3)

**3. Minutes of the last Standards Committee held on 27 September 2022;**

(attached – page 5)

**4. Code of Conduct Complaints;**

Please note that Appendix 1 to this report is NOT FOR PUBLICATION BY VIRTUE OF SCHEDULE 12A, PART 1, PARAGRAPH 2 OF THE LOCAL GOVERNMENT ACT 1972 (as amended by the Local Government (Access to Information) (variation) Order 2006 (contains information which is likely to reveal the identity of individuals)

(attached – page 11)

**5. The Model Code of Conduct;**

(Please Note: Appendix 1 of this report has been provided by an external source, we cannot guarantee that it is fully accessible)

(attached – page 14)

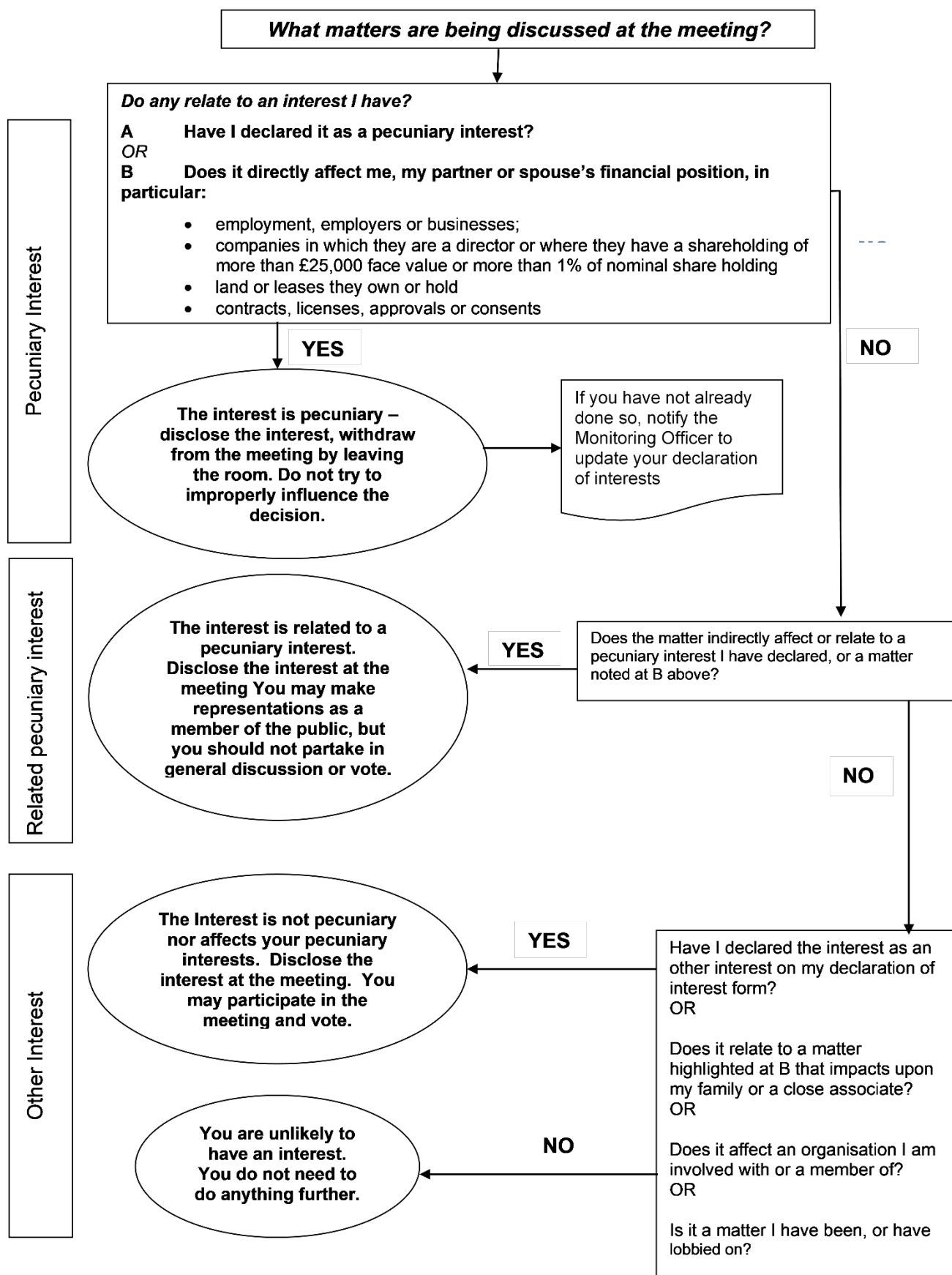
## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.  
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST  
INSTANCE**

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



**Agenda Item: 3**

## **STANDARDS COMMITTEE**

**Minutes of a meeting of the Standards Committee held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on Tuesday 27 September 2022 at 10.00am when there were present**

**Committee Members Present:** Councillors: N Brennan (Chairman), K Leggett MBE, D Roper

**Co-opted Members Present:** Ms M Evans

**Apologies for Absence:** Councillors: B Cook and C Ryman-Tubb  
Mrs R Goodall and Mr K Wilkins

**Officers in Attendance:** The Managing Director (T Holden), the Monitoring Officer (E Hodds), the Governance Manager and Deputy Monitoring Officer (L Mockford) and the Democratic Service Officer (J Hammond)

**Also in Attendance:** One member of the public

### **1 CHAIRMAN'S ANNOUNCEMENT**

The Chairman invited members, officers and the public to stand for a minute's silence to reflect on the passing of Her Majesty Queen Elizabeth II.

### **2 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Cook, Cllr Ryman-Tubb, Mrs R Goodall and Mr K Wilkins.

### **3 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8**

No declarations of interest were received.

#### **4 MINUTES OF THE LAST STANDARDS COMMITTEE HEARING HELD ON 26 JULY 2021**

The minutes of the meeting of the Standards Committee held on 26 July 2021 were confirmed as a correct record.

The Monitoring Officer confirmed to members that all actions arising from the previous meeting had been resolved.

#### **5 THE COMMITTEE ON STANDARDS IN PUBLIC LIFE AND THE MODEL CODE OF CONDUCT**

Members considered the report of the Monitoring Officer which asked members to consider the Committee on Standards in Public Life's (CSPL) fifteen best practice recommendations. The Report also sought the Standards Committee's agreement on adopting a new Councillor Code of Conduct based, in whole or with local amendments on the Local Government Association's (LGA) Model Code of Conduct.

The Monitoring Officer advised the Committee that, following the CSPL's review of the ethical framework for members, the LGA released a draft Model Member Code of Conduct, which was finalised in May 2021 following an extensive consultation process. She added that unlike Broadland District Council's current code of conduct, the LGA's Model Code had taken into account many of the CSPL's best practice recommendations and set out in more detail what was expected of members, including:

- Clarity on respect, including examples of disrespectful behaviour
- Explicit references to bullying, harassment and discrimination, with examples included
- Confidentiality and access to information
- Incorporation of advances in technology, social media and changes in Government legislation
- Training

With regard to training, the Monitoring Officer informed the Committee that she and the Deputy Monitoring Officer had provided Code of Conduct training to Town and Parish Councils in June and again last week. She added that a number of Town and Parish Councils had already adopted the LGA Model Code of Conduct in full.

Discussion turned to the registration and declaration of interests, where members of the Committee were informed that for:

- **Disclosable Pecuniary Interests (DPI)**, there were no changes from the current Code of Conduct

- **Other Registrable Interests (ORI)**, ‘any unpaid directorships’ had been included in the Model Code as well clarifications on the disclosure of interests at meetings which directly related to the financial interest or well-being of an ORI. Example of which had been included in appendix B of the Model Code.
- **Non-Registrable Interests (NRI)**, the Model Code outlined that where a matter arose in a meeting which directly related to a member’s financial interest or well-being that was not a DPI, or a financial interest or well-being of a relative or close associate, it must be disclosed by the member at the meeting.

For both ORI’s and NRI’s, the Model Code clarified that members with these interests would only be eligible to speak if members of the public were also entitled to speak at the meeting, otherwise members must not take part in any discussion or vote on the matter and must not remain in the room unless a dispensation was given.

With regard to the Gifts and Hospitality section of the Model Code, one member queried the £50 threshold for the requirement to disclose individual gifts, benefits or hospitality. It was queried whether a cumulative value should be set for instances where an individual or business was repeatedly providing gifts to a member, which individually were less than £50, but together totalled more than £50. Officers agreed that the Gifts and Hospitality section of the Code should be assessed further as part of the consultation, and consideration given to aligning the policy with that of the officers’ Gifts and Hospitality policy.

The Monitoring Officer confirmed to members that, if approved by the Committee, the Model Code of Conduct would go out to consultation with District, Town and Parish Councillors for a period of six weeks, after which responses would be analysed with any necessary changes implemented. The finalised Code would then return to the Standards Committee in December 2022 before progressing to Full Council for adoption in the new year. One member suggested that it would be beneficial for the Committee to examine the performance of the current Code before deciding whether to recommend a final updated version to Full Council. The Monitoring Officer agreed to provide the Committee with an overall picture on the performance of the current code. Which would include information on the number of conduct complaints progressed as well as the type of education or ‘myth busting’ which had to be provided to the public. She added that it would be inappropriate to discuss individual conduct cases in a public meeting.

Members of the Committee were in support of an updated and improved Code of Conduct which would be easier for members, officers and the public to understand and comply with. The importance of incorporating social media and technology into the Code was highlighted given the increased use of

electronic communication and social media since the existing Code was adopted by Broadland District Council in 2012.

One member raised a concern regarding appropriate member oversight, as the Standards Committee had not received any reports on member conduct issues, despite member conduct reportedly being raised as an issue by the Peer Review Team. The Monitoring Officer confirmed that issues were raised by the Peer Review, however their report was still in draft. She advised the Committee that once finalised, the report of the Peer Review would be presented to Cabinet and an Action Plan prepared. She further assured the Committee that any concerns/complaints regarding member conduct would be raised with the Committee.

It was then unanimously

## **RESOLVED**

To

1. Agree that the Local Government Association's (LGA) Model Code of Conduct be consulted on, in whole, and that the results of the consultation be considered by the Standards Committee before a final code of conduct was recommended to Full Council.
2. Note the best practice recommendations from the Local Ethical Standards to ensure that these are reflected in the code or working practices in whole or with local amendments.

## **6 CIVILITY IN PUBLIC LIFE**

The Monitoring Officer introduced the report which presented the LGA's report and work programme on civility in public life and recommended the adoption of some of the measures identified in the programme.

Members were advised that civility in public life and the wellbeing of elected members had been a long-standing area of work for the LGA, but the tragic death of Sir David Amess MP had brought the issue into marked focus.

Officers had reviewed the LGA's Civility in public life report and noted that the following measures could be adopted by Broadland District Council, in order to support members:

- An officer be appointed to act as a point of contact for any councillor who has received intimidatory contact or communication from an external or internal source and wishes to seek support and guidance on how to best handle this.



- Encourage each political group within the Council to appoint either the Leader of the group and/or one of their number to perform a similar role as above for their elected member.
- The Council to encourage Norfolk Constabulary and the Norfolk Police and Crime Commissioner in establishing protocols for how councillors should report serious intimidation and threats that are made to them in their role as councillor, including establishing a named officer responsible for handling serious threats to councillors and to advise on personal safety and security.
- Ensuring that council insurance arrangements cover injuries or loss suffered by elected members arising from their role as councillors in respect of any intimidation.
- Officers to consider what additional steps could be taken by the council to mitigate the risk of councillors in the event of severe intimidation and threats. For example, in some areas where councillors have been subjected to death threats, they have been supplied with personal alarms by the police and, occasionally, by their Council.
- Encourage councillors to use the model rules of engagement developed by the LGA on their personal websites and social media.
- Notifying members of individuals added to the Council's potentially violent persons register, so they can contact designated officers to check potentially violent persons prior to undertaking a home visit.
- Encourage members to complete the LGA's call for evidence survey.

The Governance Manager added that if adopted by Full Council, the member protocol would be incorporated into the new members' handbook and induction training, in order to provide members with guidance on handling abusive, intimidatory or threatening behaviour.

In response to a query on establishing a named Norfolk Constabulary officer responsible for handling serious threats to councillors, the Monitoring Officer advised that the Council had strong links with Norfolk Constabulary as part of the work undertaken by the Assistant Director of Individuals and Families (including the Help Hub). It was expected that the same Police Officer would be the point of call for threats to councillors.

One member queried what the escalation route would be for members if the designated officer was away. It was explained that a number of Local Authorities had appointed the Monitoring Officer as the point of contact for members, as the Monitoring Officer was already required to delegate to a

Deputy Monitoring officer if absent. This would guarantee a point of contact would always be available to members when needed. The Monitoring Officer further clarified that an escalation route to the Managing Director would also be available, where necessary.

It was then unanimously

## **RESOLVED**

To

1. Receive the report and note the current work of the LGA, promoting civility in public life and supporting the well-being of elected members.
2. RECOMMEND TO COUNCIL that it adopts a member protocol to include the following measures identified in the report:
  - a) Appoint an officer to act as a point of contact for any councillor who has received intimidatory contact or communication from an external or internal source. The protocol to include examples of abusive, intimidatory or threatening behaviour to assist members to identify when it is not appropriate to not accept such behaviour from members of the public.
  - b) Each political group within the Council to appoint either the Leader of the group and/or one of their number to perform a similar role as above for their elected member.
  - c) Members be encouraged to follow the LGA's councillors' guide to handling intimidation and to use the model rules of engagement developed by the LGA on their personal websites and social media. The guidance and resource should also form part of the members' induction.
  - d) Officers to ensure that members can check the information on the potentially violent persons register, prior to a home visit.
  - e) A protocol be established with the police as to how councillors should report intimidation and threats, and establish a named officer for handling serious threats to councillors.

(The meeting concluded at 10.34am)

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Chairman

## **Code of Conduct Complaints**

**Report Author(s):**

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**Portfolio:**

The Leader

**Ward(s) Affected:**

All

## **Purpose of the Report:**

To update members on the performance of the current code of conduct and the number of complaints received in 2020/22.

## **Recommendations:**

That Standards committee:

1. Receive the report.

## **Summary**

- 1.1 This report seeks to update the committee on the performance of the current code of conduct and the number of complaints received in 2020/22, as requested by committee.

## **2. Background**

- 2.1 At the meeting of 27 September, the Monitoring Officer agreed to provide the Committee with an overall picture on the performance of the current code, which would include information on the number of conduct complaints progressed as well as the type of education or 'myth busting' which had to be provided to the public.
- 2.2 Broadland District Council's existing code was adopted in 2012 when the Standards regime was first introduced. Since then, the Committee on Standards in Public Life (CSPL) has undertaken a review of the ethical framework for members and produced a report which contained 15 best practice recommendations relating code of conduct issues.
- 2.3 The existing code does not fully comply the requirements of the CSPL in that it does not clearly tell councillors what they should or should not do. Furthermore, it does not cover a number of aspects that one would expect to see in a Code such as a definition of bullying and harassment and bringing the office of councillor or the Council into disrepute. The section on declaration of interests also falls short in that it focusses mainly on registering disclosable and other interests rather than declaring them at meetings.

## **3. Current position**

- 3.1 There has only been one hearing in the last two years, arising from complaints made against a district councillor. Standards Committee found that paragraph 3.10 of the code (not treating people with respect) had been breached.
- 3.2 Historically, the number of standards complaints received are relatively low. Most received are dealt with by the Monitoring Officer who is authorised to deal with such matters. In some cases, the Monitoring Officer would consult the Independent Person before making a decision.
- 3.3 A schedule of complaints made to the Monitoring Officer during 2020/22 is attached at (exempt) appendix 1 to this report.
- 3.4 This schedule doesn't include the numerous telephone enquiries or complaints that are directed to the Monitoring Officer, which are received from or about parish councils, such as:
- . complaints about parish clerks
  - . complaints about the decision making process of parish councils
  - . complaints about publishing of papers
  - . enquiries relating to registration and declaration of interests

- . enquiries relating to conflicts of interests
  - . enquiries relating to resignations of parish councillors, co-opting procedures and quorate figures
- 3.5 In addition to the above, officers have spoken with the Monitoring Officer, in confidence, regarding conduct of some members in committee meetings, appropriateness of email communication and general face to face discussions. Where appropriate, discussions have been held individually with members and in addition coaching has been provided to officers. More recently, the Monitoring Officer has held a training session with all Chairmen and Vice-Chairmen and has covered chairing skills, procedural elements and maintaining code of conduct during meetings.

#### 4. **Proposed Actions**

- 4.1 The Committee is asked to receive the report

#### 5. **Issues and risks**

- a. **Resource Implications** – no implications.
- b. **Legal Implications** – included in the report.
- c. **Equality Implications** – the existing Code of Conduct does not include Equalities obligations.
- d. **Environmental Impact** – no implications
- e. **Crime and Disorder** – no implications
- f. **Risks** – no other risks identified.

#### 6. **Conclusions**

- 6.1 The existing code needs to be updated.

#### 7. **Recommendations**

- 7.1 That Standards committee:

Receive the report.

#### **Background papers**

The Committee on Standards in Public Life report  
Broadland's Code of Conduct  
The LGA's model Code of Conduct and Guidance

## **The Model Code of Conduct**

**Report Author(s):**

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**Portfolio:**

The Leader

**Ward(s) Affected:**

All

## **Purpose of the Report:**

To update members on the results of the consultation exercise on the Local Government Association (LGA) model code of conduct and seek Committee's agreement on adopting it as a new Councillor Code of Conduct for Broadland.

## **Recommendations:**

That Standards committee:

1. Consider the results of the consultation exercise on the Local Government Association's (LGA) Model Code of Conduct.
2. Agree to recommend to Council that the Code be adopted, in full or with local amendments.

## Summary

- 1.1 This report seeks to update the committee on the consultation exercise carried out on the LGA's model code of conduct and recommends that the code is adopted as the Broadland code of conduct.

## 2. Background

- 2.1 Section 27 of the Localism Act 2011 (the Act) places a duty on relevant authorities to promote and maintain high standards of conduct. In order to discharge its duty a council must adopt a Code dealing with the conduct that is expected of members of the authority when they are acting in that capacity. Section 28 of the Act provides that a relevant authority must secure that a Code adopted by it is, when viewed as a whole, consistent with the Nolan Principles. There is also a requirement to ensure that appropriate measures are taken to record and declare interests. Other than these requirements, it is a matter for each council to adopt a Code that is relevant to its particular circumstances and the Code must be adopted by full Council.
- 2.2 Following a review of the ethical framework for members, the Committee on Standards in Public Life (CSPL) recommended that there should be a national model Code of Conduct, but this should not be mandatory and could be adapted by individual authorities. This recommendation was passed to the LGA to progress and in 2020, the LGA released a draft Model Member Code of Conduct for consultation. There were extensive consultations on the draft which resulted in some changes and a finalised Model Code was released in May, 2021.
- 2.3 At their meeting of 27 September, 2022, the Standards committee considered the LGA's code of conduct and agreed that it should be consulted on, in full, before recommending a final code of conduct to be adopted by Full Council.

## 3. Current position

- 3.1 All district councillors and parish/town councils were consulted on the code and the consultation period ran from 5 October – 16 November. The LGA's Model Code of Member Conduct is attached at **Appendix 1** and the consultation responses are attached at **appendix 2**.
- 3.2 There were 23 responses to the survey (23.46%) – 12 from district councillors and 11 from parish/town councils. In addition, four parish/town councils replied separately that they had already adopted the code in full and two parish councils supported the code and were intending to adopt it the New Year.
- 3.3 The majority of respondents to the survey also supported adopting the code. In summary, the responses to the survey was as follows:

### Standards of Conduct

- 3.4 Almost 100% of district councillors fully agreed with the Standards of councillor conduct set out in the model code. There was only one comment from a councillor regarding one of the categories – bullying/harassment. These

comments are detailed in Appendix 2 (Q1).

- 3.5 Almost 100% of parish/town respondents fully agreed with Standards of councillor conduct, apart from two that disagreed with the category not disclosing information given to councillors in confidence. The specific comments relating to the category are detailed in in Appendix 2 (Q1).

### **Registration of Interests**

- 3.6 100% of district councillors fully supported the inclusion of the categories of 'Other Interests' for registration set out in Table 2 of Appendix B of the code.
- 3.7 73% of parish/town respondents fully supported the inclusion of all categories in the code. 18% of respondents (two) fully supported all categories but one only partially supported the inclusion of unpaid directorships. The other respondent did think it was necessary to declare membership of a political party.

### **Registering gifts and hospitality**

- 3.8 The model code proposes a threshold of £50 for registering gifts and hospitality. Respondents were asked if this was an appropriate threshold. 67% district councillors thought it was appropriate, 25% thought it should be higher and 8% thought it should be lower.
- 3.9 73% of parish/town respondents thought the £50 threshold was appropriate but 18% thought it should be lower.
- 3.10 A range of alternative amounts were suggested and these are included in appendix 2 (Q3).
- 3.11 The Standards committee considered whether an accumulation of small gifts received from the same source over a period of time should be registered. The model code guidance suggests an accumulation total of £50 received over a couple of months should be registered. 83% of district councillors agreed that a cumulative total should be included and 17% disagreed.
- 3.12 90% of parish/town respondents agreed with an accumulation of small gifts.
- 3.13 A range of alternative amounts and time periods were suggested and these are included in appendix 2 (Q4).

### **Declaring interests**

- 3.14 Other registrable interests (ORI) - 83% of respondents agreed and 17% partially agreed that councillors should declare ORIs and not be able to speak or take part in the meeting as outlined in the code. No-one disagreed. Specific comments are detailed in Appendix 2 (Q5).
- 3.15 81% of parish/town respondents agreed that councillors should declare ORIs and not be able to speak or take part in the meeting. One respondent disagreed, as



they felt councillor may have something relevant to say but they should not be allowed to vote (comments in Appendix 2 – Q5).

- 3.16 Non registrable interests (NRI) – 83% of district councillors agreed that councillors should declare NRIs and not be able to speak or take part in the meeting as outlined in the code. Two councillors (16%) partially agreed or disagreed. Their specific comments are detailed in Appendix 2 (Q6).
- 3.17 82% of parish/town respondents agreed that councillors should declare NRIs and not be able to speak or take part in the meeting. One respondent disagreed.

### **Cabinet members**

- 3.18 The model code suggests that where a councillor has an ORI or NRI on a matter to be considered by a Cabinet member in exercise of their executive function, they must notify the Monitoring Officer of the interest and not take any steps or further steps in the matter apart from arranging someone to deal with it. Respondents were asked whether this should be included in the code.
- 3.19 92% of district councillors agreed. One councillor (8%) disagreed. Detailed comments are included in Appendix 2 (Q7). 91% of parish/town respondents agreed.

## **4. Proposed Actions**

- 4.1 The Standards committee consider the responses listed at appendix 2 and decide whether to recommend that Council adopt the code in full or with local amendments.

## **5. Other Options**

- 5.1 To keep the current code. However, this is outdated and does not comply with some of the CPSL recommendations on maintain standards in public life.

## **6.1 Issues and risks**

- a. **Resource Implications** – no implications.
- b. **Legal Implications** – included in the report.
- c. **Equality Implications** – the model Code of Conduct includes Equalities obligations.
- d. **Environmental Impact** – no implications
- e. **Crime and Disorder** – no implications
- f. **Risks** – no other risks identified.

## **7. Conclusions**

- 7.1 There appears to be wide support for adopting the LGA code. The main areas for the Standards to consider are the responses for registering of gifts and hospitality and the declaration of interests at meetings.

## **8. Recommendations**

That Standards committee:

- a. Consider the results of the consultation exercise on the Local Government Association's (LGA) Model Code of Conduct.
- b. Agree to recommend to Council that the Code be adopted, in full or with local amendments.

### **Background papers**

The Committee on Standards in Public Life report

The LGA's Guidance on the model Code



## **Local Government Association**

### **Model Councillor Code of Conduct 2020**

#### **Joint statement**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

## **Introduction**

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

## **Definitions**

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

## **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

## **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

## **Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### **1. Respect**

##### **As a councillor:**

**1.1 I treat other councillors and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

#### **2. Bullying, harassment and discrimination**

##### **As a councillor:**

**2.1 I do not bully any person.**

**2.2 I do not harass any person.**

**2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

### **3. Impartiality of officers of the council**

**As a councillor:**

#### **3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information**

**As a councillor:**

#### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

#### **4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

#### **4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## **5. Disrepute**

### **As a councillor:**

#### **5.1 I do not bring my role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

## **6. Use of position**

### **As a councillor:**

#### **6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## **7. Use of local authority resources and facilities**

### **As a councillor:**

#### **7.1 I do not misuse council resources.**

#### **7.2 I will, when using the resources of the local authority or authorising their use by others:**

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport



- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## **8. Complying with the Code of Conduct**

### **As a Councillor:**

**8.1 I undertake Code of Conduct training provided by my local authority.**

**8.2 I cooperate with any Code of Conduct investigation and/or determination.**

**8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

### **Protecting your reputation and the reputation of the local authority**

## **9. Interests**

### **As a councillor:**

**9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

## **10. Gifts and hospitality**

### **As a councillor:**

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**“Disclosable Pecuniary Interest”** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it ]

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<b>Land and Property</b>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<b>Securities</b>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
  - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
  - c) any body
    - (i) exercising functions of a public nature
    - (ii) directed to charitable purposes or
    - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management



## Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

***The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.***

**LGA Model Code of Conduct - Responses received for Broadland**
**Appendix 2**

<b>Responses from BDC councillors (12 responses – 25.5% of councillors)</b>	<b>Responses from BDC parish/town councils (11 responses – 21.5% of parish/towns)</b>
<b>Q 1: Do you agree that the section on general conduct makes it clear on the specific obligations of members outlined in the code?</b>	
<p>Fully agree with all categories – 11 Fully agree with categories apart from bullying and not comprising officers where they partially agreed – 1</p> <p>One comment: Bullying/Harassment - Is it clear enough that this includes members of one's own political party? Where is the line between compromising the impartiality of Officers and imposing the majority party's own policies on the conclusions/recommendations in reports provided by Officers? And/or is it the case that some Senior Managers are more readily inclined to align with one party than another leading to them imposing a view on more Junior Managers? This is a genuine question.... Can the 'line' be expressed?</p>	<p>Fully agree with all categories – 9 Fully agree with categories apart from not disclosing information given to councillors in confidence – 2</p> <p>One comment: There should be caveats and responsibility imposed to disclose where the information would have a detrimental to the Councillor fulfilling their duty, Parish Standing Orders, Parish Risk Assessment, Insurance and an issue that could be extremely damaging to the Parish Council. This could include resigning from post.</p>
<b>Q 2: Do you support the inclusion of these categories of 'Other Interests' for registration?</b>	
<p>Fully supported all categories – 12</p>	<p>Fully supported all categories – 8 Fully supported all categories except partially supported unpaid directorships – 1 Fully supported all categories except not supported declaring membership of a political party – 1 Skipped questions - 1</p>
<b>Q 3: The mode code proposes £50 as the threshold for registering gifts and hospitality. Is this an appropriate threshold? If not, what threshold is appropriate?</b>	
<p>Yes – 8</p>	<p>Yes – 8</p>

<p>No, the amount should be higher – 3 Threshold suggested - £75, £100 and £150 No, the amount should be lower – 1: threshold: £0</p>	<p>No – the amount should be lower – 2 Threshold - £30 and £0 Skipped questions – 1</p>
<p><b>Question 4: The Standards Committee also considered whether an accumulation of small gifts received from the same source over a period of time should be registered. Do you agree that a cumulative total should be included in the code? What maximum amount would you suggest and over what period of time?</b></p>	
<p>Yes – 10 No – 2 Suggested thresholds (6 responses): £50 over 2 month, 6 months or measured over financial year £75 £100 over 3 months £300 every 6 months</p>	<p>Yes – 10 Suggested thresholds (4 responses): £0 £50 appropriate but who will be monitoring the gifts to ensure this is checked? £50 over 2 month or 12 months £250 over 12 months Skipped question – 1</p>
<p><b>Q 5: Do you agree that Councillors should declare ORIs and not be able to speak or take part in the meeting when discussing ORIs as outlined in code?</b></p>	
<p>Agree – 10 Partially agree – 2 One comment: Depends on what the subject matter is that is being discussed.</p>	<p>Agree – 9 Disagree – 1, Councillor may have something relevant to the discussion but they should not be able to vote Skipped question – 1</p>
<p><b>Q 6: Do you agree that Councillors should declare NRIs and not be able to speak or take part in the meeting when discussing NRIs as outlined in Appendix B of the code?</b></p>	
<p>Agree – 10 Partially agree 1 - Define "someone they are associated with"</p>	<p>Agree – 9 Disagree - 1 Skipped question - 1</p>

Disagree 1 - You may not support a relative or partners view with a NRI. You would be able to express your own view as part of complying with the Nolan principles.	
<b>Q7: the model code suggests that where a councillor has an Other Registrable Interest or Non-Registrable Interest on a matter to be considered or is being considered by a Cabinet member in exercise of their executive function, they must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging someone to deal with it. Do you agree that this should be included in the code?</b>	
Agree – 11 Disagree – 1 - You may not support a relative or partners view with a NRI. You would be able to express your own view as part of complying with the Nolan principles	Agree – 10 Skipped question - 1
<b>Q8: Any other comments about the Model Councillor Code of Conduct?</b>	
<p>2 responses:</p> <p>Model Codes of conduct are only as good as the person/committee who holds the power to implement. Monitoring and penalties are often perceived as ineffective.</p> <p>It seems comprehensive, has clarity, and I would be happy for Broadland District Council to adopt it. An annual review could be carried out, just in case any issues arise which might indicate that the council might want to consider adopting any re-wording of it in future, although I would imagine that would be unlikely</p>	<p>2 responses:</p> <p>I am shocked this isn't already in place to this level?!! No wonder there are the rumours there are about BDC officers. If smaller parish councils have adopted this tougher CoC, there is absolutely no argument that those with actual power and influence should have to abide by the same rules!!</p> <ol style="list-style-type: none"> <li>1. How often will the training be – annual? And will be there a cost or will this be offered free of charge?</li> <li>2. The code of conduct does talk about decision making powers of which we don't really have any we can only make recommendations... I wonder if that needs to be clarified for the parish council version.</li> <li>3. The register of interests and gifts and hospitalities – will monitoring officer put a process in place to reach out and ask for details or will we need to do that. We cover interests as an agenda item for each meeting but it may be as simple as adding G&amp;H as an agenda item and we all confirming none given or received at each meeting. For those of us that hold other roles.</li> </ol>

	<p>4. Appendix C is interesting and I see they are saying recommended practice so clarification as to whether Broadland would expect Parish Councils to adopt these... there are a couple that are interesting:</p> <ol style="list-style-type: none"> <li>1. Seek views of local public on the policy content....</li> <li>2. Having access to 2 independent persons...who would those be for parish councils?</li> <li>3. Then point 9 talks about having to put a decision notice on our website on results of any allegations/investigations... that could be interesting bearing in mind the number some PCs get from the same parishioners.</li> </ol>
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**NOT FOR PUBLICATION BY VIRTUE OF SCHEDULE 12A, PART 1, PARAGRAPH 2  
OF THE LOCAL GOVERNMENT ACT 1972 (as amended by the Local  
Government (Access to Information) (variation) Order 2006 (contains  
information which is likely to reveal the identity of individuals) )**

Pages 39 to 40 are not available to the public because the information is confidential as it includes exempt contains information which is likely to reveal the identity of individuals