

## **Annual Review of the Members' Code of Conduct**

Report of the Director of Legal and Democratic Services

### Recommendation:

That, in line with previously agreed practice, the Committee considers whether it is assured that the current Code of Conduct is fit for purpose, or whether Members are minded to suggest any amendment.

### Summary

1. provides an update on the current work being undertaken in reviewing the Members' Code of Conduct and the arrangements around this. The Report In line with previously agreed practice, this issue is added to the Committee's agendas for an annual review.
2. The Committee is being asked to review the current code only.

### Introduction and Background

3. The Local Government Association (in September 2019) agreed to produce a new Code of Conduct as part of a wider programme on civility in public life.
4. The purpose of the new LGA Code of Conduct was to assist Councillors in modelling the behaviour expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken. The LGA Code set out general principles of conduct expected of all Councillors and their specific obligations in relation to standards of conduct.
5. The Council responded to the Consultation on the new Code. Whilst many of the additions to the new Code were welcomed, for example the inclusion of social media and other electronic communications, the lack of sanctions was still a cause for concern, although it was acknowledged these require primary legislative changes. Many felt that the new Code missed an opportunity to strengthen current Standards regimes.
6. The Standards Committee considered the matter in November 2021 and then further in March 2022 and proposed additional elements aimed to strengthen the current Code by inclusion and consideration of issues such as introductory statements, clearer definitions, application of the Code, social media, strengthening harassment definitions, gifts and hospitality and compliance with the Code and sanctions as well as declarations of interests. In May 2022 the revised Code with these additions was adopted by the Council.

## Review of the Code of Conduct

7. At the Member's Day event held in November 2023, Councillors were invited to give their views about the Code of Conduct and its arrangements via a Mentimeter presentation. Members were asked their thoughts about the current code, if they understood the differences between the DCC Code and the LGA model code, the current arrangements for dealing with complaints and possible options to amend such as being more flexible and allowing subject members to attend hearings.
8. The Governance Working Group also considered this matter at its meeting on 22 January 2024 and members were concerned that the low attendance at the Members Day meant that a significant number of Councillors had not been consulted about the Code.
9. It was suggested that the presentation be emailed to all members to seek any further views before making any recommendations.
10. The consensus from all these discussions were that the Code was fit for purpose, but the arrangements would be reviewed further.
11. As previously agreed, the current Code is being brought to the Committee for its Annual Review.

## Conclusion

12. This Report has no specific equality, sustainability, legal or public health implications that have not already been assessed.

MARIA PRICE

[Electoral Divisions: All]

### **Local Government Act 1972: List of Background Papers**

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<b><u>Background Paper</u></b>	<b><u>Date</u></b>	<b><u>File Reference</u></b>
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Nil