

Constitutional Review Committee 12 November 2019

Item 8 refers

Recommendation from the Ethical Governance Meeting of 29th October 2019

STANDARDS IN PUBLIC LIFE CONSULTATION ON LOCAL GOVERNMENT ETHICAL STANDARDS

The Committee considered the report on Standards in Public Life Consultation on Local Government Ethical Standards and in particular the fifteen recommendations made within the report and the Council's proposals in response to these recommendations, which included proposed amendments to the existing Code of Conduct, as detailed in Appendix A to the report.

Each one of the recommendations was considered in turn.

RESOLVED that any proposed amendments be referred to the Constitutional Review Committee for consideration and referred to Council for approval and adoption as appropriate.

The proposed amendments are detailed below :-

Recommendation	Proposed Amendment	Comments by Committee	Outcome
<i>1. Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented by a list of examples of the sort of behaviour covered by such a definition.</i>	The current Code of Conduct already refers to prohibitions on bullying and harassment, however it is proposed that these are updated in line with the suggested wording and definition with examples of the behaviour which could be considered bullying.		Adopt the proposed amendment.
<i>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.</i>	It is proposed that: (i) the obligations within the Code include a requirement for Members to comply with a Code of Conduct investigation and the outcomes. (ii) the obligations within the Code include a provision for Members to not submit malicious or trivial complaints.	Clarification and guidelines were requested as to what would be considered a malicious or trivial allegation.	Adopt the proposed amendment subject to the inclusion of examples of malicious and trivial types of complaint (stressing that this is not an exclusive list).

<p><i>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.</i></p>			<p>The Member Code of Conduct and the complaints procedure are reviewed regularly but not an annual basis. An annual review of the Code of Conduct could be included as a standard item on the Ethical Governance Workplan, with any proposed amendments being referred to the Constitutional Review Committee and would be subject to approval by Council.</p>
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The Code of Conduct with the proposed amendments is attached.