

**ITEM NO. 3**

**REPORT TO THE ETHICAL GOVERNANCE COMMITTEE OF  
20 MARCH 2013**

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**Status:** Decision

**Title:** The Code of Conduct – A Common Approach

**Originator:** Verina Wenham – Head of Legal and Democratic Services and Monitoring Officer

**Where from:** Council

**Where to next:** Constitutional Review Committee

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1 Purpose Report

1.1 To update members on the position regarding the adoption of a common Code of Conduct across Leicestershire

2 Recommendations:

2.1 **Members consider the revised Code of Conduct attached as Appendix B and make such recommendations as members consider appropriate.**

3 Summary of Reasons for the Recommendations

3.1 As set out in the body of this report

4 Impact on Communities

4.1 None as far as this report is concerned.

5 Key Facts

5.1 Following the implementation of the Localism Act 2011 all authorities were required to adopt a new code of conduct effective from 1 July 2012. Under the new legislation authorities could adopt a local code and arrangements for dealing with complaints received about the conduct of members. The Code must require the disclosure of “disclosable pecuniary interests” which are set out in Regulations. In addition authorities could define other interests that members were required to disclose.

5.2 At its meeting on 25 June 2012 Council adopted a new Code of Conduct a copy of which is attached as Appendix A. At the meeting members were informed by the Monitoring Officer that discussions were taking place with all the Leicestershire authorities as to the possibility of a county wide Code of

Conduct. The Monitoring Officer undertook to refer the outcome of those discussions to members as appropriate.

- 5.3 Discussions have been taking place since July 2012 regarding a common Code of Code of Conduct. The majority of these have been at the Leicestershire ACSeS meeting, which are attended by the Monitoring Officers of the respective authorities. The result of those deliberations is the draft Code of Conduct attached as Appendix B.
- 5.4 The draft Code of Conduct is based upon the models currently adopted by the County Council and Melton Borough Council. The draft Code of Conduct is more detailed than the Code currently adopted by Harborough District Council. Members will note that the requirement to declare personal and prejudicial interests, which was the position prior to 1 July 2012.
- 5.5 The draft Code was considered by Leicestershire County Council at a meeting of its Governance Committee on 7 March 2013. At this stage the draft has not been considered by any other authority. However, Leicester City Council and North West Leicestershire District Council have indicated that they will not be revising their existing arrangements.
- 5.6 The existing Code of Conduct attached as Appendix A has also been adopted by the parish council's within the district. It will be a matter for each parish council whether it wishes to change its existing arrangements. The District Council deal with complaints about both district and parish councillors and therefore it is beneficial to have the same code on a district wide basis. If the parish councils were not minded to adopt any revised code any complaints would be dealt with under different codes.

#### Legal Issues

- 6.1 As set out in the body of this report

#### 7 Resource Issues

- 7.1 If a revised Code of Conduct is adopted training will be required. This will be provided "in house" and covered by the existing training budget.

#### 8 Equality Implications

- 8.1 None as far as this report is concerned

#### 9 Impact on the Organisation

- 9.1 None as far as this report is concerned

#### 10 Community Safety Implications

- 10.1 None as far as this report is concerned

11. Carbon Management Implications

11.1 None as far as this report is concerned.

12. Risk Management Implications

12.1 None as far as this report is concerned

13 Consultation

13.1 The draft Code has been considered at officer level on a county wide basis.

14 Options Considered

14.1 The Council can consider the whether it wishes to adopt a new code or keep its existing arrangements.

15 Background Papers

15.1 Localism Act 2011

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**Previous report(s): None**

**Information Issued Under Sensitive Issue Procedure: N**

**Ward Members Notified: N**

**Appendices:** *list any appendices here including title and filename in brackets (e.g. Performance Data 2010 (perfdata.doc)).*

**A. CODE OF CONDUCT OF DISTRICT COUNCIL OF HARBOROUGH**

**B. CODE OF CONDUCT FOR ELECTED AND CO-OPTED MEMBERS**