

COMMITTEE: STANDARDS

DATE: 27TH MARCH 2008

SUBJECT: ANNUAL REVIEW OF CODE OF CONDUCT FOR MEMBERS

REPORT BY: MONITORING OFFICER

CONTACT OFFICER: RICHARD STEVENS

TEL: 01582 546020

IMPLICATIONS:

LEGAL	<input checked="" type="checkbox"/>	COMMUNITY	<input type="checkbox"/>
		SAFETY	
EQUALITIES	<input type="checkbox"/>	ENVIRONMENT	<input type="checkbox"/>
FINANCIAL	<input type="checkbox"/>	OTHER	<input type="checkbox"/>
STAFFING	<input type="checkbox"/>		

WARDS AFFECTED:NONE

PURPOSE

1. The purpose of this report is to invite the Committee to review the experience of the Council's Code of Conduct for Members since 1 April 2006.

RECOMMENDATION(S)

2. That the Committee review the experience of the Code since 1 April 2006.

BACKGROUND

3. At their meeting on 4 November 2002 the Committee decided that they would review the Code on an annual basis.

REPORT

4. The Council first adopted a Code of Conduct for Members under the Local Government Act 2000 ("the previous Code"), with effect from 1 May 2002 in the form of the Model Code issued by the Secretary of State. The Model Code contained mandatory provisions which had to be included in all local authority codes of conduct. It was open to local authorities to add additional provisions as long as these did not conflict with the mandatory provisions. The Council, in line with recommendations from the Standards Board for England (the SBE), decided not to add any additional local provisions.

5. The previous Code ceased to have effect on 23 May 2007 when a new Code of Conduct for Members ("the current Code") adopted by the Council came into effect. The current Code reflects a revised Model Code issued by the Secretary of State. As with the previous Model Code. The revised Model Code contained mandatory provisions which had to be included in all Local Authority codes of conduct. Again the Council decided not to add any additional local provisions to the mandatory provisions of the revised Model Code.
6. This report covers two periods from:
 - (1) From 1 April 2006 until 22 May 2007; and
 - (2) From 23 May 2007 to 18 March 2008
7. The current Code applies (and the previous Code applied) to all elected Members and voting co-opted Members of the Council. The voting co-opted Members of the Council include the Independent Members of this Committee and the Diocesan and Parent Governor Representatives on the Children and Young People (formerly Lifelong Learning) Scrutiny Committee.
8. All Councillors elected after the adoption of the previous Code are required to sign a declaration of acceptance of office in a format which incorporates an undertaking to comply with the provisions of the Code of Conduct for Members for the time being in force. All elected members of the Council and all voting co-opted members of the Council have complied with these requirements.
9. **Period 01.04.06 – 22.05.07**

During the period from 1 April 2006 to 22 May 2007 there were no allegations to the SBE that Members or voting co-opted Members of the Council had breached the previous code which were referred for investigation.
- 10 **Period 23.05.07 – 18.03.08**

During the period from 23 May 2007 to 18 March 2008 the following allegation to the SBE that an elected member had breached the current Code was referred to on Ethical Standards Officers for investigation.

<u>Date of Receipt of Notification from SBE that Allegation to be referred for Investigation</u>	<u>SBE Ref</u>	<u>Nature of Allegation</u>	<u>Outcome</u>
15.10.07	SBE20054.07	Failure to treat others with respect. Bringing Authority into disrepute.	Investigation on-going.
11.	The above information is given to assist the Committee in coming to a view on the operation of the previous code between 1 April 2006 and 22 May 2007, and of the current Code from 23 May 2007.		
12.	I have had to advise Members on numerous occasions on matters relating to the Code, particularly in relation to disclosure and registration of interests.		
13.	I am not aware of any particular difficulties locally with the operation of the current Code.		

FINANCIAL IMPLICATIONS

12. There are no financial implications to this report and this was agreed with the Chief Accountant on 18 March 2008.

LEGAL IMPLICATIONS

13. There are no legal implications to this report and this was agreed with the Richard Stevens in Legal Services on 18 March 2008.

LIST OF BACKGROUND PAPERS **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

14. Standards Committee Minute 15 (4/11/02).

26/08