

**DRAFT MODEL CODE OF MEMBERS CODE OF CONDUCT –  
RECOMMENDATIONS FROM THE LOCAL GOVERNMENT  
ASSOCIATION – JUNE 2020**

**STANDARDS COMMITTEE**

**14 July 2020**

**CLASSIFICATION:**

**Open**

**WARD(S) AFFECTED**

**All Wards**

**Dawn Carter-McDonald  
Director of Legal and Governance (Acting)**

## **1. SUMMARY**

- 1.1 This report gives an overview of the recently published work of the Local Government Association (LGA) proposing revisions /modifications in respect of local authority 'Members Code of Conduct'. This review has been carried in tandem with the recent recommendations of the Government Committee in respect of standards in public life.

## **2. RECOMMENDATIONS**

- 2.1 That the Standards Committee considers and notes the report of the Local Government Association (LGA) in respect of recommendations contained at attached appendix 1 with regard to its proposed member model code of conduct;
- 2.2 That Standards Committee agree to review its existing Member of Code of Conduct (attached as appendix 2) with a view to considering modifying its existing code where required ;
- 2.3 That Standards Committee establishes a Member/officer task and finish group to convene on an ad-hoc basis through to the autumn/winter of 2020 to assess and draw comparisons between the Council's current adopted code and the proposed LGA model code of conduct and report these findings to either a special meeting of the Standards Committee in the late autumn of 2020, or at its scheduled Standards Committee in February 2021 together with recommendations for revisions to the existing Code of Conduct, and approval of revisions and recommendation to Full Council for adoption thereto; and
- 2.4 That the proposed membership of the task and finish group as agreed in 2.3 above be comprise of two Councillor members of Standards Committee, two co-opted members of Standards Committee, the Director of Legal & Governance, a senior lawyer, and the Clerk to Standards Committee in a governance support capacity.

## **3. RELATED DECISIONS**

- 3.1 Consideration of the Government's Committee on ethical standards in public life – Standards Committee – 16 September 2020.

## **4. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES**

- 4.1 This report sets out recommendations from the LGA for Local Authorities to consider in respect of adopting a model member code

of conduct. In that context there are no immediate financial implications arising from this report.

## **5. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE**

5.1 The Council has a legal duty under the Localism Act 2011, to promote and maintain high standards of conduct of Members and co-opted Members in public office.

5.2 The Council therefore established a Standards Committee to help promote and uphold high standards of conduct amongst Members and co-opted Members.

## **6. BACKGROUND TO THE REPORT**

6.1 The Local Government Association (LGA) has been working to provide Local Authorities with a proposed 'Model Member Code of Conduct' as part of its work on supporting the sector to continue to aspire to high standards of leadership and performance.

6.2 As stated in the LGA report the role of councillor in all tiers of local government is a vital part of the country's system of democracy. In voting for a local councillor, the public is imbuing that person and position with their trust. As such, it is important that councillors will be held accountable and all adopt the behaviours and responsibilities associated with the role.

6.3 The conduct of an individual councillor affects the reputation of all councillors. The LGA has highlighted that the role of councillor should be one that people aspire to and want to participate with, and want to continue to attract individuals from a range of backgrounds and circumstances who understand the responsibility they take on and are motivated to make a positive difference to their local communities.

6.4 As the Standards Committee is aware all councils are required to have a local Member Code of Conduct, which the Council through this Committee undertakes a review from time to time. Given the recommendations of the Government's review of standards in public life, which the Committee received and welcomed in September 2019, it is timely that the proposed Model Member Code of Conduct has been developed, in consultation with the sector offers as a template for councils to adopt in whole and/or with local amendments. The LGA will undertake an annual review of the Code to ensure it continues to be fit-for-purpose, particularly with respect to advances in technology, social media and any relevant changes in legislation. The Council will be able to seek the LGA's support in terms of their offering training

and mediation to councils and councillors on the application of the Code.

- 6.5 Members when elected to a Local Authority, will each represent local residents, and work to develop better services and deliver local change. It is a fact that the public have high expectations of its elected Councillors and entrust them to represent everyone within the Borough, taking decisions fairly, openly, transparently and with civility. Also Councillors should be treated with civility by members of the public, other councillors and council employees. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations. The model Code, therefore, has been designed to protect Councillors democratic roles, encourage good conduct and safeguard the public's trust in local government.
- 6.6 The purpose of receiving the proposed model code of conduct is for the Standards Committee to note the proposed model and to carry out an in depth and robust review of the Council's existing code, to draw comparisons between the existing and proposed model code, and recommend to the Standards Committee changes to the Code to bring it in line with the proposed Model Code.
- 6.7 It is therefore proposed to convene a Member/officer task and finish group to meet on an ad-hoc basis over the mid -summer /autumn of 2020 to review as outlined above . It would then be intended to report its findings and recommendations to a special Standards Committee in either late Autumn /early winter 2020, or to its scheduled meeting in February 2021 (this proposal being fluid given the current situation with the pandemic crisis). The recommendations of the task and finish group, once considered and agreed by Standards Committee would then be reported to Full Council for adoption, and the existing Member Code of Conduct to then be amended accordingly.
- 6.8 With regard to the proposed membership of the task and finish group as detailed above it is suggested that Group comprise of two Councillor members of Standards Committee, two co-opted members of Standards Committee, the Director of Legal & Governance, a senior lawyer, and the Clerk to Standards Committee in a governance support capacity.

**Dawn Carter-McDonald**  
**Director of Legal & Governance (Acting)**

## **APPENDICES**

Appendix 1 – LGA report on the proposed Model of Code of Conduct

Appendix 2 – LB Hackney current member code of conduct

<b>Report Author</b>	Clifford Hart, Senior Governance Services Officer 020 8356 3597 Clifford.hart@hackney.gov.uk
<b>Comments of the Group Director, Finance and Corporate Resources</b>	Ian Williams, Group Director Finance and Resources 020 8356 3003 <a href="mailto:ian.williams@hackney.gov.uk">ian.williams@hackney.gov.uk</a>
<b>Comments of the Director, Legal and Governance</b>	Dawn Carter-McDonald Director of Legal and Governance (Acting) 020 8356 6234 Dawn.Carter-McDonald@hackney.gov.uk

