

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

Proposed Amendments to the Council's Code of Conduct and Standards Arrangements

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To propose a number of relatively minor amendments to the Council's Code of Conduct and Standards Arrangements, in response to recently published guidance by the Local Government Association (LGA)
- 1.2 To submit any amendments to the Code of Conduct to full Council for consideration.

2. BACKGROUND INFORMATION

- 2.1 The Committee on Standards in Public Life published its report 'Local Government Ethical Standards' in January 2019. As part of its conclusions the Committee recommended that "The LGA should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government."
- 2.2 The LGA began work on drafting a Model Councillor Code of Conduct in 2019, consulting on this in mid-2020. The Standards Committee submitted its views as part of this work, and all town and parish councils within North Lincolnshire were encouraged to also consider and respond to the consultation.
- 2.3 The LGA first published its Model Councillor Code of Conduct (LGA Code) in December 2020, and since then three further versions have been published. The stated aim of the LGA was to provide a Code that "is a template for local authorities to adopt in whole and/or with amendments to take into account local circumstances."
- 2.4 Supporting guidance to the LGA Code was published by the LGA on 8 July 2021 with the aim of promoting understanding and consistency of

approach towards the LGA Code, but also in terms of standards issues generally.

- 2.5 On 21 September 2021 the LGA published guidance entitled Member Model Code of Conduct Complaints Handling covering a range of issues including: initial assessment of complaints; alternative complaint resolution; investigation good practice; and holding a hearing. The Council's equivalent policy that covers such matters locally are known as its Standards Arrangements. Both LGA guidance documents have been consolidated into one document and are to be found at Appendix 1.
- 2.6 Initial consideration by the Standards Committee at its meeting on 15 September 2021 (minute 380 refers) agreed that the LGA Code and associated guidance are largely aligned with current arrangements in North Lincolnshire and wholesale changes to the Council's Code of Conduct and Standards Arrangements were not considered necessary. Despite this, the Committee agreed that some minor amendments and improvements could be made to the Code of Conduct and Standards Arrangements. The Committee resolved to request that the Monitoring Officer review the Code of Conduct and Standards Arrangements in light of the LGA guidance and emerging sector practice and suggest potential changes. The proposed amendments to the Code of Conduct are set out in bold at Appendix 2 and the proposed amendment to the Standards Arrangements are set out in bold at Appendix 3.
- 2.7 Any amendments to the Council's Code of Conduct following consideration by the Committee would require the approval of full Council. Any amendments to the Standards Arrangements can be approved by the Committee.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1: Not to approve amendments to the Council's Code of Conduct and Standards Arrangements as detailed in this report at Appendices 2 and 3.
- 3.2 Option 2: To approve the amendments to the Council's Code of Conduct and Standards Arrangements as detailed in this report at Appendices 2 and 3.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1: Although the Council's Code of Conduct and Standards Arrangements would remain legislatively compliant they would not reflect emerging latest best practice from the sector and following recent LGA guidance.
- 4.2 Option 2: Most of the provisions contained within the LGA Code and guidance closely align to the provisions of the Council's current Code of

Conduct and Standards Arrangements, but the relatively minor amendments that are proposed will ensure that both documents incorporate the latest best practice and developments and LGA guidance. In the main, these amendments seek to recognise that members may be bound by the Code of Conduct when communicating via social media; strengthen existing provisions concerning gifts and hospitality; seek to promote the local resolution of complaints; and provide greater discretion on how complaints are assessed.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 There are no significant financial implications or resource implications arising from this report.
- 5.2 Any amendments to the Council's Code of Conduct would require the approval of full Council, whilst the Committee has the authority to approve amendments to the Council's Standards Arrangements.
- 5.3 If full Council does decide to approve changes to the Council's Code of Conduct it would then be open for each town and parish council to determine whether it adopts the revised Code of Conduct, continues with the existing Code of Conduct or adopts an alternative Code of Conduct. The Committee would hope in the interests of consistency and uniformity that town and parish councils will continue to adopt the Council's Code of Conduct as has been the position since the Code was introduced in 2012 following the Localism Act 2011.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 The Council's Annual Governance Statement recognises the importance of having in place a robust ethical standards framework to help promote high standards of ethical conduct by members. The Council's Code of Conduct and Standards Arrangements are crucial documents within this framework.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1 An Integrated Impact Assessment is not required for this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 8.1 The LGA consulted widely on its Code and revised its final draft in light of representation received from the local government sector which included detailed representations by this Committee.
- 8.2 No conflicts of interest have been identified or declared.

9. RECOMMENDATION

- 9.1 That the Committee approves Option 2 of this report and recommends to full Council the amendments to the Council's Code of Conduct as detailed in Appendix 2 and approves the amendments to the Council's Standards Arrangements as detailed in Appendix 3.

MONITORING OFFICER

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Background Papers used in the preparation of this report:

Committee on Standards in Public Life – Local Government Ethical Standards 2019
Local Government Association – Councillor Code of Conduct

LGA Code of Conduct 2020 version 3

LGA Guidance on Model Councillor Code of Conduct, 8 July 2021.

LGA Guidance on Member Model Code of Conduct Complaints Handling, 21 September 2021