

Local Government Association Model Code of Conduct



Report to: Audit and Standards Committee

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Recommended that the Committee recommends to Full Council that:

- A** The Local Government Association (LGA) Model Code of Conduct (attached as Appendix A to the report) be adopted.
- B** The provisions come into operation, together with training for members, with effect from the new municipal year following all out elections.

Background

1. In January 2019, the Committee on Standards in Public Life published a report which recommended that the Local Government Association (LGA) in consultation with representative bodies of councillors and officers of all tiers of local government, should produce a new Model Code of Conduct for Councillors.
2. This Model Councillor Code of Conduct (the Model Code) was approved by the LGA on 3 December 2020 and then a final version was approved in May 2021 and made available to all Local Authorities shortly thereafter.
3. The aim of the Model Code is to provide consistency across different tiers of local authority. In particular, it aims to assist councillors who are elected to more than one council. Conversations have taken place between the Monitoring Officers at councils across Essex, and there is an eagerness for all councils in the county to adopt the Model Code. Most Council's in Essex have now adopted the new code.

Issues/Proposals

4. The Council's current Code (attached as Appendix B to the report) and the Model Code do not differ significantly in terms of their requirements. None of the underlying legislation has been altered. However, the Model Code attempts to be clearer, with the requirements written in the first person. The Model Code also provides explanatory text. This should complement the training councillors receive, but should also assist members of the public in understanding what conduct is to be expected of councillors.
5. The Model Code has been written in the first person, to make it more personal to individual Councillors and covers the following areas:
 - General Conduct
 - Respect
 - Bullying, harassment and discrimination
 - Impartiality of officers of the council
 - Confidentiality and access to information
 - Disrepute
 - Use of position
 - Use of local authority resources and facilities
 - Complying with the Code of Conduct
 - Interests
 - Gifts and Hospitality
7. The LGA plan to undertake reviews of the Model Code to ensure it continues to be fit for-purpose, incorporating advances in technology, social media and changes in legislation. Therefore, the council will be required to review its Code, if adopted, from time to time to ensure consistency.
8. All current members of the Council have received training on the current code, and there being no changes to the underlying legislation, it is intended that training on the new code be rolled out to members after the upcoming May 2024 all out elections should the Committee be happy to refer the matter to the council to adopt it.

Implications

Equalities and Diversity

The revisions (already in our code) to the seven principles of public life enshrine the requirements placed on members to act in all matter without discrimination of bias. New section 2 of the model code requires members to promote equalities.

Climate Change

None.

Finance

None specific.

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Governance and Corporate Services

The Localism Act 2011 requires the Authority to have a code of conduct which is consistent with The Nolan Principles determined by the Committee on Standards in Public Life. These principles are set out within the Code. Both The Code and The Model Code are consistent with The Nolan Principles but any breach of the principles is not by itself a breach of either code. Members the council shall have regard to the Seven Principles of Public Life as it is these principles which underpin the Rules of Conduct.

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Appendices

Appendix A – LGA Model Code

Appendix B – Current Harlow Council Code of Conduct

Background Papers

None.

Glossary of terms/abbreviations used

LGA – Local Government Association