

STANDARDS COMMITTEE – 28TH JUNE 2005

REVIEW OF THE CODE OF CONDUCT

Report of the: Monitoring Officer

Status: For Information

This report supports the Key Aim of improving standards of conduct in local government.

Portfolio Holder Cllr. Loney

Head of Service Head of Legal and Committee Services – Mrs. Christine Nuttall

Recommendation: Members are requested to note this report.

Background

- 1 All Councillors, co-opted Councillors and Independent Members of the Standards Committee are covered by the code of conduct. Each code of conduct must include the provisions of the Model Code of Conduct, although local provisions can be added so long as they are consistent with the Model Code.
- 2 The code of conduct covers areas of individual behaviour such as Councillors not abusing their position or not misusing their authority's resources. There are also rules governing registration and disclosure of interests. Whenever they are conducting council business or representing the Council, Councillors are bound by the code.
- 3 Two provisions of the code of conduct apply regardless of whether or not Councillors are conducting Council business. They may breach the code if at any time they act in a way that brings their authority or office into disrepute, or use their office to improperly secure for themselves, or any other person, an advantage or disadvantage.

Introduction

- 4 Under the code of conduct Councillors have a positive obligation to:
 - promote equality by not discriminating unlawfully against any person
 - treat others with respect
 - not seek to improperly influence decisions to the advantage or disadvantage of themselves and anyone else
 - listen to advice from their monitoring officer or chief finance officer in relation to the legality of decisions

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- report a breach of the code of conduct to The Standards Board if they reasonably believe another Councillor has broken the authority's code of conduct
- only use the resources of the authority in accordance with its requirements
- make sure they don't misuse the authority's resources, in particular, for political purposes, unless it is to carry out their responsibilities

Councillors have an obligation not to:

- compromise the impartiality of anyone who works for, or on behalf of, the authority
- disclose confidential information without valid consent
- prevent anyone getting information they are entitled to
- bring their office or authority into disrepute at any time
- use their position improperly to the advantage or disadvantage of themselves or anyone else.

A Code for the future

5 On the 25th February 2005 the District Council's Monitoring Officer wrote to Members of the Standards Committee inviting them to participate in the consultation process.

Conclusion

6 Member's views are canvassed in respect of that consultation process.

Sources of Information:

The Standards Board for England "A Code for the future"

The Standards Board for England formal consultation paper

Contact Officer(s):

Christine Nuttall – ext. 7245

**Dr. Pav Ramewal
Corporate Services Director**

Risk Assessment Statement

Contributions to the debate will help shape the future of the Code of Conduct and enhance its effectiveness