

STANDARDS COMMITTEE – 3RD NOVEMBER 2005

THE STANDARDS BOARD FOR ENGLAND'S CONSULTATION ON THE REVIEW OF THE CODE OF CONDUCT

Report of the: Monitoring Officer

Status: For consideration

Executive Summary:

The Report entitled "The Standards Board for England's consultation on the review of the Code of Conduct" (the Report) sets out succinctly the changes that are proposed to be made to the Code of Conduct.

This report supports the Key Aim of advising Members of the proposed changes to the Code of Conduct thus supporting the Ethical Framework

Portfolio Holder Cllr. Loney

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

Recommendation: Members are requested to note this report.

Background

1 At the Third Annual Assembly of Standards Committees in 2004 Rt Hon Nick Raynsford MP invited the Standards Board for England (the Board) to carry out a review of the Code of Conduct. The Board launched its consultation in February 2005. The Report has been produced by the Board and is annexed to this report as an Appendix.

Introduction

2 The Report sums up the Board's conclusions on how the Code should be amended based on its own experience and the consultation responses.

Substance of Report

3 The general conclusions were that the Code should be clearer, simpler and more positive. How it is enforced, nationally and locally, is as important as its content. The ten general principles set out in the Relevant Authorities (General Principles) Order 2001 should be included as a standard to be attained.

Personal and Prejudicial Interests

- 4 There should be greater support for the Councillor's role as an advocate for their community. There should be a reduction in the number of personal interests, which need to be declared. In addition there should be greater local discretion to grant dispensations.

Register of Interests and Register of Gifts and Hospitality

- 5 The types of interests, which need registering, should remain unchanged.

Disrespect

- 6 There should be specific provision on bullying.

Disclosure of Confidential Information

- 7 Members should be able to disclose information in the public interest. In addition the Government needs to consider the impact of the Freedom of Information Act on confidentiality.

Disrepute

- 8 Certain behaviour outside of official duties should continue to be regulated but it should be limited to unlawful activities.

Misuse of resources

- 9 Local protocols should be enforced locally where appropriate. Serious misuse of resources, particularly for political benefit, should be regulated nationally.

Duty to Report Breaches

- 10 The duty to report breaches should be abolished. There should be protection against intimidation where people do complain. All involved in the process, including members themselves, need to take greater steps nationally and locally to discourage vexatious complaints.

Financial Implications

- 11 Once changes take place to the Code of Conduct induction training may be necessary. This should be capable of being included within existing budgets.

Legal Implications

- 12 The changes to the Code of Conduct are welcomed and should provide clarification and liberalisation whilst maintaining the underlying principles of the Code.

Item No. 5

Sources of Information: The Standards Board for England's consultation on the review of the Code of Conduct – the Standards Board for England

Contact Officer(s): Christine Nuttall – ext. 7245

Corporate Resources Director
Pav Ramewal

RISK ASSESSMENT STATEMENT

Changes to the code of conduct should produce simplification, clarification and liberalisation thus enhancing the ethical framework.

