

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO ACCOUNTS & AUDIT COMMITTEE

meeting date: WEDNESDAY 14 APRIL 2021
title: REVIEW OF CODE OF CONDUCT
submitted by: CHIEF EXECUTIVE
principal author: HEAD OF LEGAL AND DEMOCRATIC SERVICES

1 PURPOSE

1.1 To consider the adoption of a revised Code of Conduct.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – }
 - Corporate Priorities – }
 - Other Considerations – }
- The Council has a duty to promote and maintain high standards of conduct by its Members. Review of the arrangements the Council operates supports that duty.

2 BACKGROUND

2.1 On 25 November 2020 and 10 February 2021, Committee received reports setting out the background to the review and recommendations of the Committee on Standards in Public Life ("CoSPL") and that following those recommendations the Local Government Association ("LGA") has developed a model Code of Conduct, in consultation with representative bodies of councillors and officers of all tiers of local government. The model code can be adopted in whole or with local amendments.

2.2 Officers had also previously been informed that the LGA would issue further guidance on the Code of Conduct by the end of March 2021. This has not, however, been issued.

3 ISSUES

3.1 It is a requirement of the Localism Act 2011 ("Act") that all Councils have a Code of Conduct. The Council last adopted or revised its Code of Conduct in 2012. The LGA's model deals specifically with a number of the recommendation of the CoSPL and these were detailed to committee in a report dated 25 November 2021.

3.2 It is proposed that the LGA model code be adopted but with a number of amendments which make it specific to the Council and in particular that the Council operates under a Committee system and not executive arrangements. As such all references to political assistants, cabinet members and executive arrangements have been removed. A copy of the proposed Code of Conduct is enclosed as Appendix 1. The amendments made to the LGA Model Code are shown in track changes.

3.3 Section 28(13) of the Act provides that "A relevant authority's function of adopting, revising or replacing a code of conduct may be discharged only by the authority." Committee is therefore asked to endorse and recommend the adoption of the Code of Conduct at Appendix 1 to Council.

- 3.5 If the adoption of the Code of Conduct is approved by the Council, then the Council must comply with Section 28 (12) of the Act which provides that “A relevant authority must publicise its adoption, revision or replacement of a code of conduct in such manner as it considers is likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area.” It is proposed that this should be done through the issue of a press release.
- 3.6 In the event that Council approves the adoption of the Code of Conduct, it is proposed that training be provided to existing and new Councillors in the new municipal year. If possible, this will be provided jointly with the LGA.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – Resources will be required in the advertisement of the adoption of the replacement Code of Conduct.
 - Technical, Environmental and Legal – N/A
 - Political – N/A
 - Reputation – The Council’s reputation will be enhanced by it having arrangements which incorporate the recommendations of the CoSPL.
 - Equality & Diversity – N/A

5 RECOMMENDED THAT COMMITTEE

- 5.1 Endorse and recommend the adoption of the Code of Conduct enclosed at Appendix 1 to Council.
- 5.2 Subject to adoption of the Code of Conduct by Council, authorise the Head of Legal and Democratic Services to publicise the adoption of the replacement Code of Conduct.

MAIR HILL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Mair Hill extension 4418

REF: MJH/Accounts&Audit/140421

BACKGROUND DOCUMENTS:

- Report to Accounts and Audit Committee 25 November 2020
- Committee on Standards on Public Life - Local Government Ethical Standards, A Review by the Committee on Standards in Public Life, January 2019.
- Report to Accounts and Audit Committee dated 10 February 2021