



ST HELENS
BOROUGH COUNCIL

Standards Committee

19 October 2020

Report Title:	Update on LGA draft model Code of Conduct for Members
Cabinet Portfolio	Finance & Governance
Cabinet Member	Councillor Martin Bond
Exempt Report	No
Reason for Exemption	N/A
Key Decision	No
Public Notice issued	N/A
Wards Affected	None
Report of	Jan Bakewell Director of Legal & HR / Monitoring Officer janbakewell@sthelens.gov.uk 01744 673209
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<p>Borough priorities</p> <p>Please mark X for any priority supported by this report</p> <p>NB Use Section 4 - Background Information to explain how each selected priority is supported</p>	Ensure children and young people have a positive start in life	
	Promote good health, independence and care across our communities	
	Create safe and strong communities for our residents	
	Support a strong, diverse and well-connected local economy	
	Create a green, thriving and vibrant place to be proud of	
	Be a modern, efficient and effective Council	X

1. Summary

- 1.1 To provide Standards Committee with an update on the Local Government Association's ("LGA") draft model code of conduct for members.

2. Recommendations for Decision

The Committee is recommended to:

- i. note the update on the LGA draft model code of conduct for members; and
- ii. authorise the Monitoring Officer to continue with in principle discussions with the Liverpool City Region local authorities and joint authorities to create a model code of conduct for consideration for the Liverpool City Region.

3. Purpose of this Report

- 3.1 To update members on the recent consultation for the LGA draft model code of conduct for members and next steps.

4. Background /Reasons for the recommendations

- 4.1 In January 2019, the Committee on Standards in Public Life ("CSPL") published its report on Local Government Ethical Standards, which made a number of recommendations to central government in relation to primary legislation and to local authorities in relation to best practice.
- 4.2 One of the CSPL recommendations was for the LGA to create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government. The purpose of having a code of conduct for members is to:
- promote high standards of conduct and trust
 - provide clarity about where boundaries are crossed for members
 - set out what the public can expect from their representatives.

- 4.3 The LGA has reviewed the model code of conduct in response to the recommendations, but also in response to rising local government concern about the increasing incidence of public, member-to-member and officer/member intimidation and abuse and overall behavioural standards and expectations in public debate, decision making and engagement. The LGA aims to develop a code that benchmarks a standard for all public office and for those engaged in public discourse and debate. It will set out the duties and expectations of persons in public office.
- 4.4 Members will be aware the LGA consulted on a draft model code of conduct for Members over the summer period. A copy of the draft code is attached at Appendix 1. The LGA ran a series of webinars for members and officers on the draft model Code as part of the broader civility in politics work. The LGA has also sought for a wide range of stakeholder bodies including NALC, SOLACE, Lawyers in Local Government, CIPFA, the Association of Democratic Services Officers, the Society of Local Councils Clerks, Monitoring Officers Network and MHCLG to also endorse the revised model code of conduct.
- 4.5 The public consultation on the draft model code ended on 17 August 2020. The feedback from the consultation will help the LGA develop a final draft, which will be reviewed by the LGA's Executive Advisory Board before being presented to the LGA General Assembly.
- 4.6 A further report will be brought back to Standards Committee for consideration once the LGA model code of conduct is published, which is expected to be between January and March 2021. The member model code of conduct is suggested national good practice, and councils can adopt this revised code, or adopt their own local code.
- 4.7 Currently, each of the local authorities and joint authorities across the Liverpool City Region have different local code of conducts which can cause inconsistency when members are appointed to those bodies.
- 4.8 At the Standards Committee meeting on 5 January 2015, a verbal report was received from the Monitoring Officer on a proposal for a Model Code of Conduct for Elected Members across the Liverpool City Region. The minutes from that meeting indicate the Monitoring Officer sought members' views on whether St. Helens Council should enter into discussions to create a model Code of Conduct with the Liverpool City Region authorities and Merseyside Fire and Civil Defence. It was resolved that:
- the Monitoring Officer be authorised to enter into in principle discussions with the Liverpool City Region authorities and Merseyside Fire and Rescue Authority to create a model Code of Conduct for the City Region.
- 4.9 The publication of the LGA model code will enable these in principle discussions to continue with colleagues across the region with a view to a draft Code being produced for further consideration.

5. Community Impact Assessment

5.1 N/A

6 Consideration of Alternatives

6.1 N/A.

7 Conclusions

- 7.1 The Committee will need to consider the final version of the LGA model code when it is published in due course and make any recommendations to Council.

8. Implications

8.1 Legal Implications

- 8.1.1 The Localism Act 2011 requires each Council to adopt a local code of conduct for members, which is consistent with the Nolan principles of standards in public life and must set out the requirements on members to register and disclose interests.
- 8.1.2 The Council recently reviewed its current Code of Conduct for Members and changes were adopted by Council at its meeting in July 2020.
- 8.1.3 The Council has delegated to the Standards Committee the statutory function to promote and maintain high standards of conduct by members and co-opted members.

8.2 Community Impact Assessment (CIA) Implications

What are the implications for the following areas identified from the CIA?

8.2.1 Social Value

8.2.1.1 N/A

8.2.2 Sustainability and Environment

8.2.2.1 N/A

8.2.3 Health and Wellbeing

8.2.3.1 N/A

8.2.4 Equality and Human Rights

8.2.4.1 N/A

8.3 Customers and Resident

- 8.3.1 The Code of Conduct is published on the Council's website and aims to provide a clear process for all customers and residents.

8.4 Asset and Property

8.4.1 N/A

8.5 Staffing and Human Resource

8.5.1 N/A

8.6 Risks

8.6.1 N/A

8.7 Finance

8.7.1 N/A

8.8 Policy Framework Implications

8.8.1 N/A

9. Background papers

CSPL Review of Ethical Standards in Local Government Report: January 2019:

<https://www.gov.uk/government/publications/local-government-ethical-standards-report>

10. Appendices

Appendix 1: LGA draft model Member Code of Conduct