

ARUN DISTRICT COUNCIL

REPORT TO THE STANDARDS COMMITTEE ON 16 DECEMBER 2021

SUBJECT: Review of the 2021 Member Code of Conduct

REPORT AUTHOR: Sameera Khan - Monitoring Officer
DATE: November 2021
EXTN: 37610
AREA: Corporate Support – Law & Governance

EXECUTIVE SUMMARY:

The Council adopted a new Members Code of Conduct in March 2021. This report seeks the view of the Standards Committee as to whether a review of the Code should be undertaken.

RECOMMENDATIONS:

The Committee is asked to consider:

- 1) Whether the 2021 Code of Conduct is effective and appropriate and needs no review at this time; or
- 2) Whether to undertake a review of the Code of Conduct

1. BACKGROUND:

- 1.1 Standards Committee – at their meeting on 20 February 2020 – resolved that the Monitoring Officer produce a revised draft of the Members Code of Conduct (Minute 463 refers). This was a timely request as the Local Government Association (LGA) were also about to consult on a new Model Code of Conduct.
- 1.2 Committee Members then worked with the then Interim Monitoring Officer and an external advisory company to develop a new draft Code for Arun, based on the LGA Model Code, and which was relevant, protected Members' democratic role, encouraged good conduct, and safeguarded the public's trust in local government.
- 1.3 At their meeting on 18 February 2021, Standards Committee agreed to recommend to Full Council that the draft 2021 Members Code of Conduct be adopted (Minute 484 refers).

- 1.4 Full Council – at their meeting on 24 March 2021 (reconvened from the meeting on 17 March 2021) – resolved that the draft Code be adopted (with agreed adaptations to Appendix B as recommended by Standards Committee) (Minute 520 refers)
- 1.5 The then Interim Monitoring Officer agreed to provide training for all District Councillors on the new Code. However, due to competing priorities, this was delayed but will now be delivered by an external trainer on 7 December 2021. The session will be recorded so that we can use for more wider training at a future date.
- 1.6 It is believed that the Members' 2021 Code of Conduct provides clear expectations on Members as to their conduct and should help to manage public expectations.
- 1.7 The situation relating to the global pandemic, and the move to holding Council/Committee meetings virtually during the period of the pandemic and being webcast to the public, created some challenges in terms of Member behaviour.
- 1.8 There was an unprecedented increase in Code of Conduct complaints, the majority of which were not taken forward as it was felt that the incident should have been addressed by the Chair of the meeting at the time the incident occurred. However, concern was such that the Political Group Leaders and the Acting/Interim Monitoring Officer in post at the time, issued pleas to Councillors to be mindful of their behaviour at public meetings.
- 1.9 With a new Group Head of Law & Governance (Monitoring Officer) now in place, and with the 2021 Code of Conduct being in existence for almost one year, it is thought that Standards Committee should consider whether a review of the Code should take place. Best practice from the Committee on Standards in Public Life also recommends an annual review of the Code (Best Practice 3) "...to seek, where possible, the views of the public, community organisations and neighbouring authorities."
- 1.10 The review of ethical standards by the Committee for Standards in Public Life, undertaken in 2020, recommends (Best Practice 3) that an annual review is undertaken.
- 1.11 Committee are therefore being asked to consider whether they feel a review is appropriate at this time.

2. PROPOSALS

Standards Committee is asked to consider:

- 1) Whether the 2021 Code of Conduct is effective and appropriate and needs no review at this time; or
- 2) Whether to undertake a review of the Code of Conduct

3. OPTIONS:

- 1) To carry out a review of the 2021 Code of Conduct to ensure that the content is relevant and appropriate
- 2) To defer a review for a further period of time

3) To not carry out a review		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓
6. IMPLICATIONS:		
Any review of the Code will obviously result in demands on Officer and Member time, and consideration also needs to be given to adhering to official guidelines in terms of the content.		

7. REASON FOR THE DECISION:

A Member Code of Conduct is required by Section 27 of the Localism Act 2011. Local Government Act 1999 requires the council to continuously improve in efficiency, economy and effectiveness.

8. BACKGROUND PAPERS:

[Standards Committee Minutes 20 February 2020](#)
[Standards Committee Minutes 18 February 2021](#)
[Full Council Minutes 24 March 2021](#)
Members Code of Conduct 2021 – Appendix A