

**Minutes of Code of Conduct Working Group**

**Meeting date Thursday, 21 April 2022**

**Members present:** Councillors Carol Wooldridge and Jacqui Mort; and David Haley – Independent Person.

**Officers:** Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer) and Clare Gornall (Democratic and Member Services Officer)

**10 Welcome and Introduction**

The Chair welcomed everyone to the meeting.

**11 Apologies**

Councillor Ange Turner and Barry Parsonage submitted their apologies to the meeting.

**12 Declarations of interest**

There were none.

**13 Minutes of the last meeting**

RESOLVED:- That the minutes of the last meeting held on 4 March 2022 be agreed.

**14 Government Response to the Report of the Committee on Standards in Public Life**

Dave Whelan, Deputy Monitoring Officer presented a report to the Working Group giving members details of the long-awaited Government response to the Committee on Standards in Public Life review of local government ethical standards.

The Government provided a response to each of the recommendations made by the Committee. The Working Group considered each those responses in turn. The key issues and comments made by the Working Group were as follows:-

Recommendation 1 – it remains a local decision to adopt a code of conduct, but the LGA model code is not mandatory – this was noted.

Recommendation 2 – “The government will engage with interested parties on the best means to ensure that candidates and councillors are not required publicly to disclose their home address.”

There were differing views expressed on this proposal. One view was that councillors increasingly feel vulnerable especially women on their own, and in any case councillors are increasingly contacted by phone or email.

Another view expressed was that the electorate prefer to know if their candidate or councillor lives locally, as this may affect voting intentions.

It was suggested that information such as “resident in [name of electoral ward]”, with a postcode, on the ballot paper / website may provide a solution.

Recommendation 3 – with regard to social media – the South Ribble Code already includes reference to social media which can be amended if required.

Recommendation 7 – it was noted that the Government has no immediate plans to repeal Section 31 and change the rules relating to Disclosable Pecuniary Interests.

Recommendation 8 – the Government rejected the recommendation that Independent persons have fixed term of two years. The Working Group agreed with the Government’s view; it is difficult to recruit Independent persons and much knowledge and experience would be lost.

Recommendations 10,12, 13, 14, and 16 – it was noted that the Government rejected the introduction of a number of sanctions. Members felt that the current standards regime was at a disadvantage without more robust sanctions.

The Group disagreed with some of the recommendations such as the right of appeal to the Parliamentary Ombudsman (when there was no connection to local government) and the introduction of voting rights for independent persons, which compromised the role of being purely advisory.

Recommendation 17 – “The occasion where councils would seek to bar councillors from council premises are thought to be extremely rare. We will consider this further.”

It is debatable whether it would be practicable to bar councillors from council premises, given the need to attend council meetings and have access to member resources such as IT equipment. Effectively, they would need to be suspended as a Council member. Then there would also be an impact on other group members, ward members and committees, giving rise to potential risk of such action being politically motivated.

Recommendation 18 – It was noted that the Government rejected the notion that that the criminal offences in the Localism Act relating to Disclosable Pecuniary Interests should be abolished.

The Working Group noted that in practice there had been no prosecutions under this legislation.

RESOLVED:- That the report be noted.

## **15 LGA Model Code of Conduct**

The Working Group gave consideration to the LGA Model Code of Conduct alongside the current South Ribble Code.

Members took the view that there were some aspects of the South Ribble Code which were useful and not included in the LGA Model Code. They emphasized that the Members Code of Conduct should use clear, simple language and be written in first person. It was agreed that the Working Group would take the LGA Model Code as a starting point and amend the document accordingly.

The Working Group discussed each paragraph of the Model Code individually and compared it to the equivalent part of the South Ribble Code. A number of comments, amendments and additions were made in relation to the following paragraphs:-

- 1 - General principles of councillor conduct;
- 2 - Bullying, harassment and intimidation as a councillor;
- 3 - Confidentiality;
- 4 - Disrepute.
- 7 - Use of local authority resources and facilities
- 8 – Complying with the Code of Conduct
- 9 – Interests (consider making this a separate section of the Code as refers to Table 1 and Appendix B)
- 10 – Gifts and Hospitality

Appendix B – Registering Interests and Table 1 – Disclosable Pecuniary Interests.

Detailed notes were added to the live document in the meeting, to enable to the Deputy Monitoring **Officer** to consider the issues raised and update the document for the next meeting of the Working Group.

RESOLVED:-That the Deputy Monitoring **Officer** to consider the issues raised and update the document for the next meeting of the Working Group.

Chair

Date