

Minutes of	Code of Conduct Working Group
Meeting date	Friday, 4 March 2022
Members present:	Councillors Carol Wooldridge (in the Chair); Jacqui Mort and Angela Turner Independent persons:- Mr David Haley and Mr Barry Parsonage
Officers:	Clare Gornall (Democratic and Member Services Officer)

5 Welcome and Introduction

The Chair welcomed all in attendance to this meeting of the Code of Conduct Working Group.

She informed members of the Group that unfortunately, the Deputy Monitoring Officer, Dave Whelan, had been unavoidably delayed and was unable to attend. The Group agreed to proceed with the meeting to express their views on the LGA Model Code of Conduct with a view to continuing discussions at the next meeting.

6 Apologies

None, other than Dave Whelan, Deputy Monitoring Officer as explained above.

7 Declarations of interest

None.

8 Minutes of last meeting

RESOLVED:- That the minutes of the meeting held on 16 December 2022 be agreed.

9 Report to Code of Conduct Working Group

The Group considered a report of the Director of Governance and Monitoring Officer, which requested views on the new LGA template Code of Conduct circulated at the last meeting.

Having further considered the document, Members expressed a number of concerns about some areas of the LGA Model Code. It was felt that the Model Code was significantly more complex in parts than the Council's existing Code, and that some areas included in the current Code which were useful were not included in the Model Code.

The Working Group made the following comments:-

- Considering the new Model template is meant to simplify the Code, the LGA Model Code is 16 pages, compared to the 11 pages on the Current Code
- In page 18 and 19 of the Model Code regarding interests, there are more categories i.e. "Other registerable" and "Non Registerable" interests. There are now 9 explanatory paragraphs relating to interests in comparison to 4 in the SR Code
- With regard to declarations of interests, clarification as to interpretation of "affects" versus "relates to".
- The document the Council adopts needs to be in clear, accessible language – "plain English".
- Include a sentence in the Code stressing that members seek legal advice from the Monitoring Officer and if in doubt, declare.

Reference was made to the recent hearing concerning a Planning Committee and to the issue of members of Penwortham Town Council declaring a personal interest. It could be argued that those members may have had to leave the room if the proposed Model Code of Conduct had been in effect at that time, as it much more strongly worded than the existing Code.

In another example, reference was made to Gifts and Hospitality and phrases such as "real or substantive" and "significant" which are all very subjective, as are some of the principles e.g. "that resources are not used for political purposes" which is open to interpretation.

Reference was made to Paragraph 4, i.v.3 "have consulted the Monitoring Officer prior to its release" is an example of how the Model code differs from the current Code. It was also noted that in cases where a report is issued late it is not always possible to consult the Monitoring Officer.

It was agreed that the new Code would require a review of the language and further member training on declaration of interests.

Other proposed changes / comments on the Model Code included

- The Code should be written in first person
- The Code should be simplified, and written in "plain English" (perhaps utilise a communications officer to assist).
- The Code should make explicit that a councillor has right of access to an Independent Person, embedded in the document (not just mentioned in the Standards Procedure).
- The clause on social media (page 11) was welcomed
- Is the figure for declaration of gifts and hospitality set at the right level (£50?)

RESOLVED:- That at the next meeting, the Working Group will review the Model Code making a detailed comparison with the current South Ribble Code, marking out with tracked changes where the differences arise.

Chair

Date