

**BROMSGROVE DISTRICT COUNCIL**

**STANDARDS COMMITTEE**

**12TH JUNE 2008**

**REVIEW OF THE CODE OF CONDUCT**

Responsible Portfolio Holder	Councillor Roger Smith
Responsible Head of Service	Claire Felton, Monitoring Officer

**1. SUMMARY**

1.1 Members are requested to review the operation of the Code of Conduct since its adoption by the Council on 17th July 2007 and to decide if any further action is required in respect of both the Council and the parish councils within the district.

**2. RECOMMENDATION**

2.1 Members are requested to:

2.1.1 consider the effectiveness of the operation of the Code of Conduct in practice and whether any action is required;

2.1.2 consider further training requirements and make recommendations to Council as appropriate; and

2.1.3 consider whether to make any recommendations to Council in relation to whether any amendments to the Code are required.

**3. BACKGROUND**

3.1 The new Code of Conduct was adopted by the Council with effect from 17th July 2007.

3.2 Training on the new Code was provided by external trainers in June 2007 and July 2008; parish councillors and clerks were invited to the July session. An internal training workshop was provided for members in January 2008.

3.3 All parish councils within the district have adopted a new Code of Conduct.

3.4 Officers' observations, particularly from attendance at regulatory committee meetings, are that members have some difficulty with aspects of the new Code, in particular in relation to declaring interests at meetings. As a result, officers propose to hold a series of workshops with members to focus on this aspect. It is the opinion of officers that workshops are a more productive forum for training on the Code than formal training sessions.

- 3.5 Discussions with parish councils suggest that parish councillors are having similar difficulties and so it is proposed that the Monitoring Officer and Deputy Monitoring Officer attend parish councils to provide practical guidance on these issues and a number of these have already been set up.
- 3.6 Members' views and guidance is sought on developing a training programme for both parish and district councillors on the Code of Conduct.
- 3.7 Members are also asked to consider whether, in light of a recent final determination hearing, an alteration to the Code of Conduct might be appropriate by inserting a new paragraph 13 (and renumbering subsequent paragraphs) as follows:

**“Accuracy of Declarations of Interest**

13. You must ensure that interests disclosed at meetings are factually accurate.”

- 3.8 If members consider this would be appropriate, a recommendation might be made to the next meeting of the full Council on 16th July 2008.

**4. FINANCIAL IMPLICATIONS**

None

**5. LEGAL IMPLICATIONS**

- 5.1 Sections 49 – 56 of the Local Government Act 2000 as amended introduced the requirement for an authority to have a Code of Conduct and for members to formally agree to abide by it.

**6. COUNCIL OBJECTIVES**

- 6.1 This report does not directly link with any of the Council's objectives.

**7. RISK MANAGEMENT**

- 7.1 The main risks associated with the details included in this report are:

- Failure to comply with the Code of Conduct may expose Council decisions to the risk of challenge and loss of reputation,
- Failure to follow the Code of Conduct may expose individual members to complaints and investigations

- 7.2 This risk is being managed as follows:

- Risk Register: Legal, Equalities and Democratic Services
- Key Objective Ref No: 3

- Key Objective: Effective ethical governance

## 8. CUSTOMER IMPLICATIONS

- 8.1 Adherence to the Code of Conduct is fundamental in ensuring the trust and confidence of the public in the Council.

## 9. EQUALITIES AND DIVERSITY IMPLICATIONS

- 9.1 None.

## 10. VALUE FOR MONEY IMPLICATIONS

- 10.1 None.

## 11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

## 12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director - Partnerships and Projects	No
Executive Director - Services	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No

Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

**13. WARDS AFFECTED**

All wards.

**14. APPENDICES**

None.

**15. BACKGROUND PAPERS**

None.

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