

## WYRE FOREST DISTRICT COUNCIL

### ETHICS AND STANDARDS COMMITTEE

6<sup>TH</sup> MARCH 2006

### FEEDBACK ON THE CODE OF CONDUCT CONSULTATION FOR THE STANDARDS BOARD OF ENGLAND

<b>OPEN</b>	
<b>RESPONSIBLE OFFICER</b>	Monitoring Officer
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<b>APPENDICES</b>	None

#### **1. PURPOSE OF REPORT**

- 1.1. **To receive feedback on the Code of Conduct Consultation for the Standards Board of England.**

#### **2. RECOMMENDATION**

- 2.1. **The report be noted.**

#### **3. BACKGROUND**

- 3.1. At the 2004 Annual Assembly of Standards Committees, the then Minister, the Right Honourable Nick Raynsford MP, invited the Standards Board for England to carry out a review of the Code of Conduct in the light of its three years' experience working with the Code.
- 3.2. The Minister said that, whilst the fundamental principles which underpinned the code should be maintained, the Board should see whether there were areas where the Code could be made clearer or more effective.
- 3.3. The Ethics and Standards Committee considered the Consultation Paper : A Code for the Future at its meeting on 29<sup>th</sup> March 2005 (minute number CM.887 refers) and Members' responses were duly forwarded by the Monitoring Officer to the Standards Board.
- 3.4. The Standards Board has now made recommendations to Ministers and a full report on the recommendations can be found on the Standards Board website at [www.standardsboard.co.uk](http://www.standardsboard.co.uk).
- 3.5. In a statement on 15<sup>th</sup> December 2005, the government accepted all the recommendations and said it would look to make the changes as soon as practicable.

**3.6. A summary of the conclusions reached is set out below:**

<b>Subject</b>	<b>Recommendation</b>
<b>General Conclusions</b>	<ul style="list-style-type: none"> <li>• The Code should be clearer, simpler and more positive</li> <li>• How it is enforced, nationally and locally, is as important as its content</li> <li>• The ten general principles set out in the Relevant Authority (General Principles) Order 2001 should be included as a standard to be attained.</li> </ul>
<b>Personal and Prejudicial Interests</b>	<ul style="list-style-type: none"> <li>• There should be greater support for the councillor's role as an advocate for their community.</li> <li>• There should be a reduction in the number of personal interests which need to be declared.</li> <li>• There should be greater local discretion to grant dispensations.</li> </ul>
<b>Register of interests and register of gifts and hospitality</b>	<ul style="list-style-type: none"> <li>• The types of interests which need registering should remain unchanged.</li> </ul>
<b>Disrespect</b>	<ul style="list-style-type: none"> <li>• There should be a specific provision on bullying.</li> </ul>
<b>Disclosure of confidential information</b>	<ul style="list-style-type: none"> <li>• Members should be able to disclose information in the public interest.</li> <li>• The Government needs to consider the impact of the Freedom of Information Act on confidentiality.</li> </ul>
<b>Disrepute</b>	<ul style="list-style-type: none"> <li>• Certain behaviour outside of official duties should continue to be regulated but it should be limited to unlawful activities.</li> </ul>
<b>Misuse of resources</b>	<ul style="list-style-type: none"> <li>• Protocols should be enforced locally where appropriate.</li> <li>• Serious misuse of resources, particularly for political benefit, should be regulated nationally.</li> </ul>
<b>Duty to report breaches</b>	<ul style="list-style-type: none"> <li>• The duty to report breaches should be abolished.</li> <li>• There should be protection against intimidation where people do complain.</li> <li>• All involved in the process, including members themselves, need to take greater steps nationally and locally to discourage vexatious complaints.</li> </ul>

**4. CONCLUSION**

The Government seems keen to ensure that a culture of good conduct persists in local government. It wishes to put in place strategic support to enable Councillors and local standards committees to manage conduct issues effectively. It is convinced of the need for the continuing role for the

Standards Board in supporting high standards locally. It identified the need for a Code of Conduct that is clearer, simpler and more proportionate.

### **Background Papers**

The Standards Board for England's Consultation on the Review of the Code of Conduct

The Standards Board Code of Conduct - Reviewing the Code

Analysis of the Code of Conduct Consultation for the Standards Board for England (Final Report) University of Teeside, Professor Alan Lawton and Dr Michael Macaulay