

CODE OF CONDUCT REVIEW

1. **Should the ten general principles be incorporated as a preamble to the Code of Conduct?**
2. **Are there any other principles, which should be included in the Code of Conduct?**
3. **Is it appropriate to have a broad test for disrespect or should we seek to have a more defined statement?**

Defining disrespect is very difficult.

4. **Should the Code of Conduct include a specific provision on bullying? If so, is the ACAS definition of bullying quoted in the full consultation paper appropriate for this?**

The definition of bullying is rather bland.

5. **Should the Code of Conduct contain an explicit public interest defence for members who believe they have acted in the public interest by disclosing confidential information?**
6. **Do you think the Code of Conduct should cover only information which is in law “exempt” or “confidential”, to make it clear that it would not be a breach to disclose any information that an authority had withheld unlawfully?**
7. **Should the provision relating to disrepute be limited to activities undertaken in a member’s official capacity or should it continue to apply to certain activities in a member’s private life?**
8. **If the latter, should it continue to be a broad provision or would you restrict it solely to criminal convictions and situations where criminal conduct has been acknowledged?**
9. **We believe that the Code should prohibit breaches of the publicity code, breaches of any local protocols, and misuse of resources for inappropriate political purposes. Do you agree?**

10. If so, how could we define 'inappropriate political purposes'?

11. Is the Code of Conduct right not to distinguish between physical and electronic resources?

12. Should the provision of the Code of Conduct that requires members to report breaches of the Code by fellow members be retained in full, removed altogether, or somehow narrowed?

Not a problem in this authority but maybe it should be narrowed.

13. If you believe the provision should be narrowed, how would you define it? For example, should it apply only to misconduct in a member's public capacity, or only to significant breaches of the Code?

Any change to the Code should be to narrow the provision a little and define it more clearly otherwise it will be ridiculous.

14. Should there be further provision about making false, malicious or politically motivated allegations?

There is a danger we could be policing something that may have been said in the spur of the moment and spending a lot of time and public money to do this. You should avoid anything going to the Standards Board unless it is desperate.

The Standards Board should have a yellow card system for those Members who make malicious allegations.

There should be a warning to Members about the use of malicious allegations. There should also be further guidance from the Standards Board about this.

15. Does the Code of Conduct need to provide effective protection for complainants against intimidation, or do existing sections of the Code of Conduct and other current legislation already cover this area adequately?

- 16. Do you think the term 'friend' requires further definition in the Code of Conduct?**

- 17. Should the personal interest test be narrowed so that members do not have to declare interests shared by a substantial number of other inhabitants in an authority's area?**

- 18. Should a new category of 'public service interests' be created, relating to service on other public bodies and which is subject to different rules of conduct?**

- 19. If so, do you think public service interests which are not prejudicial and which appear in the public register of interests should have to be declared at meetings?**

- 20. Do you think paragraph 10(2)(a-c), which provides limited exemption from the prejudicial interest rules for some members in certain circumstances, should be removed from the Code of Conduct?**

- 21. Do you think less stringent rules should apply to prejudicial interests which arise through public service and membership of charities and lobby groups?**

- 22. Should members with a prejudicial interest in a matter under discussion be allowed to address the meeting before withdrawing?**

- 23. Do you think members with prejudicial public service interests should be allowed to contribute to the debate before withdrawing from the vote?**

- 24. Should members employed in areas of sensitive employment, such as the security services, need to declare their occupation in the public register of interests?**

25. Should members be required to register membership of private clubs and organisations? If so, should it be limited to organisations within or near an authority's area?

There should be no changes Members declare everything anyway.

26. Should the Code of Conduct require that the register of gifts and hospitality be made publicly available?

Yes but the £25 limit is arbitrary and should not be a minimum threshold. Members should register anything that conflicts with their Council work.

27. Should members also need to declare offers of gifts and hospitality that are declined?

No. There is not support for registering gifts that are declined.

28. Should members need to declare a series of gifts from the same source, even if these gifts do not individually meet the threshold for declaration? How could we define this?

Difficult for us to widen but our Members do tend to be as open as possible about declaring gifts.

29. Is £25 an appropriate threshold for the declaration of gifts and hospitality?

The £25 limit is arbitrary and should not be a minimum threshold.