

WYRE FOREST DISTRICT COUNCIL

ETHICS AND STANDARDS COMMITTEE

30TH NOVEMBER 2006

Update On The Review Of The Code Of Conduct

OPEN	
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APPENDICES	None

1. PURPOSE OF REPORT

- 1.1. To update Members of the Ethics and Standards Committee regarding the review of the Code of Conduct.

2. RECOMMENDATION

- 2.1. **The update on the Code of Conduct Review be noted.**

3. BACKGROUND

- 3.1. The Hon Nick Raynsford, MP, was invited by 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. A consultation was launched in February 2005 and formally closed on the 17th June 2005.
- 3.2. At a meeting of the Ethics and Standards Committee held on 29th March 2005 the consultation paper from the Standards Board for England was considered and members were asked to consider ways in which the Code could be improved.
- 3.3. Following consideration of the consultation paper, the Committee made a number of recommendations, and these were sent to the Standards Board for England.
- 3.4. The timescale for the introduction of the Revised Code is dictated by the Department for Communities and Local Government (DCLG). However information received from the Standards Board indicates that within the next few weeks the Code will be issued for consultation by the DCLG.
- 3.5. It is anticipated that the consultation period will last until the end of December 2006.
- 3.6. Parliamentary approval of the revised Code is anticipated in late January/early February 2007.
- 3.7. The Revised Code of Conduct is anticipated to come into effect in May 2007 and it is expected that training for existing and new Members on the new Code will take place at that time.

3.8. The Standards Board will encourage authorities to adopt the revised Code as soon as is practical e.g. at their Annual Meetings in May 2007.

4. KEY CHANGES TO THE CODE OF CONDUCT

4.1. The analysis of the responses to the consultation was carried out on the Standard Board's behalf by researchers from the University of Teeside.

4.2. The general conclusions reached were:-

1. The Code should be clearer, simpler and more positive.
2. How the Code is enforced, nationally and locally, is as important as its content.
3. The ten general principles set out in the Relevant Authorities (General Principles) Order 2001 should be included as a standard to be attained.

4.3. The following are the anticipated main changes to the Code:-

(a) Personal and Prejudicial Interests

- There should be greater support for the Councillor's role as an advocate for their community.
- There should be a reduction in the number of personal interests which need to be declared.
- There should be greater local discretion to grant dispensations.

(b) Register of Interests and Register of Gifts

- The types of interest which need registering should remain unchanged.

(c) Disrespect

- There should be a specific provision on bullying

(d) Disclosure of Confidential Information

- Members should be able to disclose confidential information in the public interest.
- The Government needs to consider the impact of the Freedom of Information Act on confidentiality.

(e) **Disrepute**

- Certain behaviour outside of official duties should continue to be regulated by the Code but it should be limited to unlawful activities.

(f) **Misuse of Resources**

- Local protocols should be enforced locally where appropriate.
- Serious misuse of resources, particularly for political benefit should be regulated nationally.

(g) **Duty to Report Breaches**

- The duty to report breaches should be abolished.
- There should be protection against intimidation where people do complain.
- All involved in the process, including members themselves, need to take greater steps nationally and locally to discourage vexatious complaints.

5. **FINANCIAL IMPLICATIONS**

- 5.1. It is intended that training be carried out in-house with no additional cost to the authority.

6. **LEGAL AND POLICY IMPLICATIONS**

- 6.1. The Council will be required to formally adopt the revised Code of Conduct following the commencement date of the legislation.

7. **RISK MANAGEMENT**

- 7.1 Full training of Members is recommended to ensure compliance

8. **CONCLUSION**

- 8.1. The revision of the Code of Conduct will facilitate the interpretation of the Code by Members.

9. **Consultees**

Chairman and Vice Chairman of the Ethics and Standards Committee.

10. **Background Papers**

Report on Standards Board Consultation Paper, Ethics and Standards Committee 29th March 2005

Minutes of the Ethics and Standards Committee 29th March 2005

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

Analysis of the Code of Conduct Consultation for the Standards Board for England