

REPORT OF THE LEADER OF THE COUNCIL**CONDUCT ISSUES****Purpose of the Report**

1. To update Council on Government guidance in respect of registering and declaring interests.
2. To seek approval in principle to amendments to the procedure for dealing with complaints in relation to the Code of Conduct

Information and Advice

3. Council adopted the current Code of Conduct for Councillors and Co-opted Members (the Code) in May 2012. In September 2013 the Department of Communities and Local Government (DCLG) revised its guidance on openness and transparency of councillors' personal interests to state that membership of a trade union is a personal, non-pecuniary interest that should be declared in meetings as a private interest as appropriate, but also recorded in Councillors' and Co-opted Members' register of interests. Sponsorship by a trade union is already a registerable interest.
4. In light of this guidance, Councillors and Co-opted Members may wish to consider circumstances where it would be appropriate to declare any membership of a trade union as a private interest. Advice can be sought from the Monitoring Officer or Democratic Services. It is not proposed to update the declarations of interest form as the formal legal requirements have not changed, but any Councillor or Co-Opted Member who wishes to register their membership of a trade union may do so.
5. When the current Code of Conduct was adopted Council also approved a procedure for dealing with complaints. The procedure currently provides for any complaints that are investigated to be referred to Policy Committee for formal action but it is now acknowledged that there would be practical difficulties with this approach. A review of the arrangements for dealing with complaints adopted by other local authorities has been undertaken.
6. Following that review it is proposed that a Conduct/Standards Committee be established to meet as required to consider complaints. The Committee would be

politically balanced and the Council's appointed Independent Persons would have an open invitation to attend all such meetings.

7. If members are supportive of this proposal it is proposed that a further report be brought to the next Council meeting setting out the Terms of Reference of such a Conduct/Standards Committee together with a revised complaints process

Other Options Considered

8. To keep the procedure unchanged in respect of Policy Committee dealing with complaints.

Reason/s for Recommendation/s

9. To ensure the Council's Code of Conduct for Councillors and Co-Opted Members is fit for purpose, and to ensure complaints are dealt with fairly and efficiently.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) To note the DCLG guidance regarding openness and transparency on personal interests.
- 2) To agree to the establishment of a Conduct/Standards Committee and to bring a further report to the February Council meeting setting out the terms of reference and detailed working arrangements for the Committee.

Councillor Alan Rhodes
Leader of the Council

For any enquiries about this report please contact:

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Constitutional Comments ([SB 8/1/2014

11. Council has the Authority to agree the recommendations.

Financial Comments

12. There are no financial implications arising from this report

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Department for Communities and Local Government – Openness and transparency on personal interests (published)

Electoral Division(s) and Member(s) Affected

- All

