

14 March 2018**Agenda Item: 4****REPORT OF THE MONITORING OFFICER****THE CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS****Purpose of the Report**

1. To seek Committee's approval of a revised Code of Conduct for Councillors and Co-opted Members and accompanying protocols, and a revised procedure for dealing with conduct allegations, subject to adoption by Full Council.

Information

2. On 8 November 2017 this Committee resolved that the existing Code of Conduct should be revised and further developed to include a range of specific protocols. A cross-party working group was established to develop the Code and protocols.
3. The working group met twice and has approved a suite of documents for further consideration by Governance and Ethics Committee. These are attached as Appendices to this report. Where revisions to existing documents are proposed these are shown as tracked changes for ease of reference.

4. The suite of documents is as follows: -

Appendix 1	Code of Conduct for Councillors and Co-opted Members (revised)
Appendix 2	Councillor and Co-opted Member Interests Protocol (new)
Appendix 3	Councillor and Co-opted Member Protocol for use of Resources (new)
Appendix 4	Councillor and Co-opted Member Protocol in relation to Gifts and Hospitality (new)
Appendix 5	Social Media Protocol for Councillors and Co-opted Members (new)
Appendix 6	Procedure for dealing with Conduct Allegations (revised)

5. In addition, the working group recommends that some changes are made to the procedure rules for Full Council and committee meetings, in relation to disorderly conduct in meetings. The proposed changes are shown as tracked changes in **Appendix 7**.
6. The working group also proposed to make a minor amendment to the Travel and Accommodation Policy to clarify that where a fee or allowance is paid by an outside body to cover expenses, Councillors should not claim travel expenses from the County Council.
7. The working group concluded that hearings under the Procedure for dealing with Conduct Allegations would be more effectively considered by a sub-committee; Committee is therefore

asked to support the establishment of an ad-hoc sub-committee with a cross-party membership of 3. Information regarding any breaches of the Code of Conduct will be published.

8. Committee is also asked to incorporate reporting on matters included in the new Protocols (once adopted by Full Council) into its work programme going forward.
9. Two issues the Committee is asked to consider specifically are the value to be applied in relation to gifts received (Gifts and Hospitality Protocol **Appendix 4**) and the number of letters that can be sent by Councillors without approval by Governance and Ethics Committee (Use of Resources Protocol **Appendix 3**).
10. If approved, the policies, protocols and procedures listed in the Code of Conduct will be published together on the Council's intranet for ease of reference, and hard copies will be supplied to political group Business Managers.
11. Finally, Committee should note that the Committee on Standards in Public Life launched a call for evidence on 30 January 2018 in order to examine the structures, processes and practices in local government in England in relation to conduct matters. The deadline for responses is 18 May 2018 and a draft response will be presented to Committee ahead of that deadline. If there are any changes in legislation as a result of this review then the Code of Conduct and associated complaints procedure may need to be reviewed again.

Other Options Considered

12. Committee may decide that the proposed new protocols are not all required.

Reason/s for Recommendation/s

13. To ensure the Council's Code of Conduct for Councillors and Co-opted Members, and associated complaints procedure operate effectively to contribute to high ethical standards within the County Council.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment 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) That the documents and amendments described in paragraphs 4, 5 and 6 of the report be recommended to Full Council for approval.
- 2) That the Governance and Ethics Sub-Committee supports the establishment of a sub-committee in accordance with paragraph 7 of the report.

- 3) That, subject to approval by Full Council, the Committee's work programme be updated accordingly.

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Constitutional Comments [SMG 06/03/18]

15. The Governance & Ethics Committee has responsibility for the implementation of and revision to all codes of conduct and practice of the County Council and is the appropriate body to consider the contents of this report.

Financial Comments [RWK 05/03/18]

16. There are no specific financial implications arising directly from the 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.

- None

Electoral Division(s) and Member(s) Affected

- All