



**CORPORATE GOVERNANCE COMMITTEE – 22<sup>ND</sup> SEPTEMBER  
2017**

**REPORT OF DIRECTOR OF LAW AND GOVERNANCE**

**ANNUAL REPORT ON THE OPERATION OF THE MEMBERS' CODE  
OF CONDUCT 2016/17**

**Purpose of Report**

1. This report fulfils the requirement for the Monitoring Officer to report to the Committee on an annual basis on the operation of the Members' Code of Conduct in accordance with a decision of the Committee on 24<sup>th</sup> September 2012.

**Background**

2. In the light of the changes introduced in the Localism Act 2011 a new Members' Code of Conduct was adopted at the County Council meeting on 4<sup>th</sup> July 2012 following prior consideration at the Constitution Committee on 22<sup>nd</sup> June and the Corporate Governance Committee on 29<sup>th</sup> June that year.
3. The effect of the changes was to give this Committee responsibility for dealing with matters relating to the Code of Conduct for Members.
4. The Committee received the report on 26<sup>th</sup> November 2012 to address concerns which had been received as to the steps which could be taken in the event that a Member who had been the subject of complaints processes refused to comply with the outcome of those procedures. Concerns were expressed at the lack of sanctions in the regime for dealing with the conduct of Members in the light of changes to the legislation and the Committee asked that in the event of non-compliance, the Monitoring officer report the cases to this Committee. To date this situation has not arisen.

**Procedures Review and Update**

5. During 2016/17, the terms of office of the Independent Persons appointed by the Council came to an end and steps were taken to appoint a new Panel of Independent Persons following an advertisement and interviews by members of this Committee and the Employment Committee. Five Independent Persons were recommended for appointment and appointed by the Council on 28<sup>th</sup> September 2016.

6. Arrangements were made for a training workshop for the newly appointed Independent Persons and this was provided by Hoey Ainscough Associates, a leading consultancy on standards and governance. As part of this process the Council's detailed arrangements for dealing with allegations against Members was reviewed and various minor suggestions were made to improve the clarity of the guidance notes. These changes have been referred to the Chairman of the Corporate Governance Committee and the two Group Spokespersons for consideration.
7. Since 2016 when this issue was last reported, there have been four complaints made under the Code, the outcomes of which were as follows:

Withdrawn following correspondence with the complainant.	1
Redirected to lower-tier authority	1
Informal resolution.	2

8. There are no trends in relation to the subject matter or in relation to the members who are subject to complaint.

### **Resource Implications**

None.

### **Equality and Human Rights Implications**

None.

### **Circulation under the Local Issues Alert Procedure**

None.

### **Background Papers**

None.

### **Officer to contact**

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