



CORPORATE GOVERNANCE COMMITTEE – 24 JULY 2020
REPORT OF THE DIRECTOR OF LAW AND GOVERNANCE
LOCAL GOVERNMENT ASSOCIATION (LGA) MODEL CODE OF CONDUCT CONSULTATION

Purpose of Report

1. The purpose of this report is to inform the Committee of the Local Government Association (LGA) Consultation on a new model Code of Conduct for elected members and to present a draft response for its consideration.

Background

2. The Independent Committee on Standards in Public Life (CSPL) is an advisory body to the government on ethical standards across the whole of public life in England.
3. In 2018, the CSPL undertook a detailed review of the effectiveness of the arrangements for standards in local government which had been introduced by the Localism Act 2011, and on 30 January 2019 it published a report setting out its findings and making a number of recommendations.
4. The Corporate Governance Committee at its meeting on 10 May 2019 considered the recommendations along with a number of best practice recommendations included in the CSPL's report. The Committee noted that much of what had been proposed was already captured by the County Council's current Members' Code of Conduct or required legislative changes and therefore did not consider amending the Council's Code at that time. The Committee were advised that a full review would be undertaken once the government's response to the CSPL's recommendations were known.

LGA Draft Model Code

5. In accordance with the Localism Act 2011 all councils are required to have a local Member Code of Conduct. Although there is no national Code, bodies such as the LGA have previously produced model Codes for adoption by councils.
6. One of the recommendations of the CSPL was that the LGA should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.

7. The review acknowledged that the Localism Act had allowed local authorities to draft their own differing codes across the country. This had led to some inconsistencies and confusion, particularly for those who are members of more than one authority in the same area (e.g. parish, district and county). It was acknowledged in the review that this could lead to the same member having to abide by different codes depending on which authority they were acting for.
8. The recommendation of the CSPL was therefore that the LGA produce a code that would act as a template for all local authorities to adopt as a whole, with or without the addition of local amendments. It was further proposed that the LGA conduct annual reviews of the code to ensure it continues to be fit for purpose, particularly with regard to advances in technology, social media and relevant changes in legislation.
9. The LGA has now completed the drafting of a new model code and this was launched for consultation on 8th June. A copy of the model code is attached as Appendix A to this report. The consultation will be open for 10 weeks until 17 August 2020.
10. The LGA intends to develop a final draft of the model code based upon any feedback received. The draft will then be presented to the LGA General Assembly in Autumn 2020. The LGA also intends to create additional guidance, working examples and explanatory text.
11. The LGA has stated it will accept responses in narrative form from Councils. However, to facilitate the consultation it has also produced an online questionnaire which is attached as Appendix B.
12. The views of the Corporate Governance Committee on the new draft model Code is sought. The Council's Monitoring Officer has made some initial comments in response to the consultation for Members to consider. These are set out in Appendix B.
13. Subject the views of the Committee, it is proposed that the Monitoring Officer prepare a final response for submission following consultation with the Chairman, as appropriate.
14. Details of the model code and the consultation have been circulated to Group Leaders and Group Whips to enable them to respond independently as they consider appropriate.

Recommendations

15. The Committee is asked to:
 - (a) consider and provide feedback on the proposed response of the County Council to the LGA consultation on the new model Code of Conduct;
 - (b) agree that the Monitoring Officer produce a final response for submission to the LGA, following consultation of the Chairman of this Committee as

appropriate.

Equality and Human Rights Implications

None.

Background papers

Guide to the Leicestershire County Council Members' Code of Conduct

Report to the Corporate Governance Committee on 10 May 2019 – Ethical Standards in local government -

[Report of the Committee on Standards in Public Life on Local Government Ethical Standards – 30 January 2019](#)

Circulation under the Local Issues Alert Procedure

None.

Officer to contact

Lauren Haslam, Director of Law and Governance and
Monitoring Officer

Tel: 0116 3056240

Email: lauren.haslam@leics.gov.uk

Appendices

Appendix A – LGA Draft Model Code of Conduct

Appendix B – LGA Consultation Questionnaire and Draft Responses

This page is intentionally left blank