

**CORPORATE GOVERNANCE COMMITTEE –2 SEPTEMBER 2013****REPORT OF THE COUNTY SOLICITOR****CODE OF CONDUCT FOR CO-OPTED MEMBERS OF THE
HEALTH AND WELLBEING BOARD****Purpose of Report**

1. The purpose of this report is to present for approval the proposed Code of Conduct for co-opted members of the Health and Wellbeing Board which is to be introduced to ensure the effective governance of the Board.

Background

2. The Localism Act places the County Council under a duty to promote and maintain high standards of conduct by members and co-opted members of the Authority. In discharging this duty the Authority must adopt a Code dealing with the Conduct which is expected of members and co-opted members of the Authority, when acting in that capacity. The Corporate Governance Committee is responsible for advising the County Council on the form of its Members' Code of Conduct, the latest version of which was approved by the County Council at its meeting on 20 March 2013.
3. The Health and Wellbeing Board was established by the Health and Social Care Act 2012. This Act defines both the functions and membership of the Board and confirms that it is a Committee of the County Council. In addition, the Localism Act 2011 defines all voting members of County Council Committees who are not elected members as co-opted members and states that such co-opted members must abide by the Council's Code of Conduct.

Code of Conduct for Co-Opted Members of the Health and Wellbeing Board

4. Officers of the County Council have been considering the application of the County Council's Members' Code to co-opted members of the Health and Wellbeing Board and have concluded that there are areas where it cannot sensibly be applied and others where some modification or explanation is required. Accordingly, a proposed Code of Conduct to apply specifically to co-opted members of the Health and Wellbeing Board has been prepared, based on the County Council's Members'

Code of Conduct, but with the necessary changes. A copy of the proposed Code of Conduct is attached as Appendix A to this report.

5. The proposed Code deals particularly with the potential confusion which arises from the rules about Disclosable Pecuniary Interests, a matter which is dealt with in some detail in Paragraph 4.2 of the proposed Code.
6. In addition to the proposed Code, a set of operating principles for the Health and Wellbeing Board have been produced and these are attached as Appendix B to this report. These clarify the meaning of the relevant legislation and confirm the requirement for all members of the Board to complete a register of interests, which must be made publicly available, and to declare particular types of interests at meetings.
7. At its meeting on 13 June 2013 the Health and Wellbeing Board approved the proposed Code of Conduct for its co-opted members for submission to the Corporate Governance Committee and full Council for approval. The Board also approved the operating principles.

Next Steps

8. If approved by the Committee the draft Code of Conduct for co-opted members of the Health and Wellbeing Board will be submitted to the September meeting of the full Council for approval.

Recommendation

9. That the County Council be recommended to approve the proposed Code of Conduct for co-opted members of the Health and Wellbeing Board.

Resource Implications

None.

Equal Opportunities Implications

None.

Circulation under the Local Issues Alert Procedure

None.

Officer to Contact

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Background Papers

Member's Code of Conduct – Part 5A of Leicestershire County Council's Constitution

Report to the Health and Wellbeing Board 13 June 2013 – ‘

Appendices

Appendix A – Proposed Code of Conduct for Co-opted Members of the Health and Wellbeing Board

Appendix B – Proposed Operating Principles for the Health and Wellbeing Board

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