

Item 6

REPORT TO STANDARDS COMMITTEE

7TH APRIL 2005

REPORT OF SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

STANDARDS BOARD FOR ENGLAND : A CODE FOR THE FUTURE : REVIEW/CONSULTATION

1. SUMMARY

- 1.1 The Standards Board for England is reviewing the Code of Conduct and is embarking upon a consultation exercise.
- 1.2 The Code has been in force for nearly three years and it is considered appropriate to examine its effectiveness and address any issues that have given rise to debate within the local government community.
- 1.3 The purpose of this report is to invite comment from Management Team, Cabinet, Standards Committee and Council and to make submissions to the Board corporately regarding any comments which the Council may wish to make.
- 1.4 The closing date for submissions is the 17th June 2005.
- 1.5 It is proposed that the Council's Solicitor and Monitoring Officer shall carry out the review exercise and submit a corporate response on behalf of the Council. Members and Officers may, of course, submit their personal responses themselves direct.

2. RECOMMENDATIONS

- 2.1 That Standards Committee considers the report and offer recommendations to the Council, in the light of the Statutory Officers' views.

3. DETAIL

- 3.1 The Standards Board have issued a Consultation Paper, including a list of questions regarding the effectiveness of the Code of Conduct. A detailed paper can be downloaded at [www.standardsboard.co.uk / code review](http://www.standardsboard.co.uk/code_review). In essence, however, the key questions are set out in the accompanying document entitled "A Code for the Future".
- 3.2 In particular, the Board have invited comment upon a number of key areas:-
 - Disrespect and freedom of speech
 - Confidential information
 - Disrepute and private conduct
 - Misuse of resources

- The duty to report breaches
- Personal interests
- Prejudicial interests
- Registration of interests
- Gifts and hospitality

- 3.3 The review has been requested by Government in September 2004. The Right Honourable Nick Raynsford, MP, Minister of State for Local and Regional Government, stressed that the Government does not wish to dilute the underlying principles of the Code of Conduct but rather to seek to see what lessons may be learned from experiences of working with it.
- 3.4 The Standards Board will be consulting everyone who has an interest in the Code of Conduct and welcomes responses from all in the local government community, not just members, but also officers and other groups in the local government family.
- 3.5 Based on responses, the Board will make a number of recommendations to the Office of the Deputy Prime Minister and share these with local government representatives. It will also publish a summary of responses on the Standards Board website.
- 3.6 It is a matter for the Minister of State for Local and Regional Government to consider the Government's response and make any changes to the Code of Conduct as they see fit. It is expected that any changes to the Code will be agreed by the end of 2005.
- 3.7 The Council's Monitoring Officer will make an oral report of the views of the Statutory Officers following their meeting on 29th March 2005.

4. FINANCIAL IMPLICATIONS

- 4.1 None specifically noted.

5. CONSULTATION

- 5.1 See detail of report.

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Background Papers

Standards Committee – 10th April 2002:

ST.1/01 - Report of Solicitor and Monitoring Officer : recommendation of adoption of Model Codes of Conduct (Borough/Parish)

Council Meeting – 19th April 2002:

Report of Solicitor and Monitoring Officer : Adoption of Model Code (Borough Council)