

**TELFORD & WREKIN COUNCIL**

**STANDARDS COMMITTEE – 28 APRIL 2021**

**UPDATE ON MODEL CODE OF CONDUCT**

**REPORT OF ANTHEA LOWE – ASSOCIATE DIRECTOR: POLICY & GOVERNANCE**

**LEAD CABINET MEMBER – CLLR RAE EVANS – CABINET MEMBER FOR COUNCIL FINANCE AND GOVERNANCE**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

- 1.1 This report is intended to provide an update to Members of the Committee on the Model Code of Conduct following comments received at the last meeting of the Committee.

**2. RECOMMENDATIONS**

**It is recommended that Standards Committee recommend to full Council that the draft Code of Conduct as attached at Appendix A subject to amendments referred to in paragraphs 4.4 – 4.8 of this report be adopted.**

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	As the framework for governing Member conduct, the Code of Conduct underpins all of the Council's priorities.
	Will the proposals impact on specific groups of people?	
	No	
<b>TARGET COMPLETION/DELIVERY DATE</b>	Anticipated date of adoption is the date of the first full Council meeting of the municipal year (date to be confirmed at the Annual Council meeting).	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	No	There are no direct financial implications for the Council arising

		from the recommendations in this report. TAS 26.4.21
<b>LEGAL ISSUES</b>	Yes	The Council is legally required to adopt a Code of Conduct for Members (including co-opted Members) of the authority . The code sets out conduct which is expected of members of the Council. The contents of this report will progress the adoption process and assist the Council in ensuring that such Code is up to date and easy to understand for both Members and members of the public. (IR 26.04.21)
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	No	
<b>IMPACT ON SPECIFIC WARDS</b>	No	Borough-wide

## **PART B) – ADDITIONAL INFORMATION**

### **4. INFORMATION**

4.1 At the meeting of Standards Committee that took place on 24 March 2021, Members considered the draft Model Code of Conduct prepared and published by the Local Government Association. A copy is attached at **Appendix A**.

4.2 Whilst Members understood the need for a model Code and largely agreed with the contents of the code as published, there were three areas where Members felt further work was required:-

- The financial limit in respect of gifts and hospitality;
- The wording relating to the operation of the Code in respect of private matters; and
- The wording of the Code in relation to interests

4.3 Officers were asked to consider these matters and propose alternative wording. More detail is provided below:-

#### **Financial limit in respect of gifts and hospitality**

4.4 The Council's current Code of Conduct imposes a requirement for Members to declare any gifts or hospitality which have an estimated value of £25 or above (or a cumulative value of £25 or above from the same person/organisation). The new model Code of Conduct increases this financial limit to £50. Based upon comments from Members at the last meeting of the Committee, it is proposed that

section 10 of the Code should be amended to DELETE “£25” and REPLACE WITH “£50” throughout.

Wording in relation to the operation of the Code in respect of private matters

4.5 Whilst Members accepted that there may be times when the activity or behaviour of a Member in their capacity as a private individual may engage the Councillor Code of Conduct, some members of the Committee were concerned that wording of the LGA Code was such that it extended too far into personal matters. To address this, the following amendments are proposed:-

<p>Page 3 – Application of the Code of Conduct</p>	<p>After the last paragraph under this section ADD “This Code will <b>not</b> apply in relation to your private life <b>unless</b> you make reference, somehow, to your position as a Councillor. For example, if you use social media and have a private social media account but reference your work as Councillor, show pictures of you acting in your role as Councillor or otherwise make it clear that you are a Councillor, then this Code will apply to your social media activity.</p>
<p>Page 7 – Section 5.1</p>	<p>After the first paragraph ADD “You should be aware that your behaviour in your personal capacity may result in action being taken under this Code of Conduct if you identify as being a Councillor whilst behaving in a manner which is in breach of the Code of Conduct or if you give members of the public the impression that you are a councillor despite acting in your personal capacity. One exception to this is where you are found guilty of certain criminal offences which would preclude you from being a councillor or would bring the role of councillor into disrepute regardless of whether you had identified yourself as a Councillor.</p>

Wording of the Code in relation to interests

4.6 At the last Committee meeting, Members were concerned that the reference to Pecuniary interests, other registrable interests and other non-registrable interests could potentially result in confusion for Members.

4.7 It is proposed that, throughout the Code, reference to “other registrable interests” and “other non-registrable interests” is REPLACED with reference to “non-pecuniary interests”.

4.8 Appendix B, it is proposed that Table B is updated to include those interests which, currently, are referred to as “other non-registrable interests” – this will result in there being a slightly more robust approach taken to some interests than is currently proposed by the model Code but this replicates the Council’s current approach.

**5. PREVIOUS MINUTES**

Minutes of the meeting of 24 March 2021 (to be approved at this meeting).

**6. BACKGROUND PAPERS**

None.

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