

Meeting: Council

Date: 25 February 2021

Wards Affected: All

Report Title: Review of the Members Code of Conduct

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1. Purpose of Report

- 1.1 This report sets out the recommendations of the Standards Committee for approval of the Members Code of Conduct which has been amended, following the release of a new model code of conduct by the Local Government Association, during 2020.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1 The proposals in this report will assist us in delivering this ambition, ensure we have a Council that is fit for the future; and maintain public confidence in the role of Councillor and Local Government.
- 2.2 The reason for the decision, is to ensure the Members Code of Conduct reflects best practice.
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3. Recommendation(s) / Proposed Decision

- (i) that the revised Members Code of Conduct, as set out in Appendix 1 to the submitted report be approved.

Appendices

Appendix 1: Members Code of Conduct

Background Documents

Local Government Association Model Code of Conduct:

[Local Government Association Model Councillor Code of Conduct 2020 | Local Government Association](#)

Supporting Information

1. Introduction

- 1.1 The Localism Act 2011 introduced the requirement that authorities promote and maintain high standards of conduct by members. Part of this requirement is that the Council has a code of conduct dealing with what is expected of members and co-opted members of the authority when they are acting in that capacity as well setting out provision for the registration of members pecuniary and other interests.
- 1.2 Torbay Council adopted its current Members Code of Conduct in 2012 and whilst locally the Members Code of Conduct has been 'kept under review', the recent publication of the Local Government Association model Code of Conduct is the first national review since the Localism Act 2011 introduced the requirement for local authorities to promote and maintain high standards of conduct by members.
- 1.3 The Members Code of Conduct has therefore been reviewed to ensure that it reflects what is considered to be best practice.
- 1.4 The Standards Committee, chaired by Councillor Mandy Darling, met on 10 February 2021 to review the updated Members Code of Conduct and it recommends its approval as set out at appendix 1.

2. Options under consideration

- 2.1 Whilst the Council is not obliged to update the Members Code of Conduct, failing to review and update the Members Code of Conduct in light of what is considered best practice, could result in the Members Code of Conduct becoming 'outdated' by not taking into account how modern society has changed e.g. the increased use of social media.

3. Financial Opportunities and Implications

- 3.1 There are no financial or resource implications as a result of this decision.

4. Legal Implications

- 4.1 None.

5. Engagement and Consultation

- 5.1 The Local Government Association undertook consultation on a draft Model Code of Conduct, the Standards Committee on 31 July 2020 responded to the consultation on behalf of the Council.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

- 7.1 Not applicable.

8. **Associated Risks**

- 8.1 If Council did not wish to update the Members Code of Conduct, there is a risk that the Members Code of Conduct would not reflect best practice and potentially undermine the public's confidence in the role of Councillor and Local Government.