



Public Agenda Item: **Yes**

Title: **Review of New Code of Conduct and Protocol**

Wards Affected: **None**

To: **Standards Committee** On: **30 January 2013**

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1. Key points and Summary

1.1 At the full council meeting of 12 July 2012 the Council adopted its new code of conduct in accordance with the requirements of the Localism Act 2011. A protocol for the how complaints would be investigated was subsequently developed by the Monitoring Officer and adopted following receipt of comments from the members of the Standards Committee. The decision included a requirement for the code and protocol to be reviewed 6 months after its introduction and the Standards Committee is being asked for any comments it may have as part of this review.

2. Actions

2.1 Copies of the code of conduct and protocol are available on the Council's website and hard copies can be made available to members on request. Members are requested to provide their thoughts and comments on the code and protocol as adopted and suggest any improvement and/or amendments they consider would be beneficial to the operation of the Council's standards regime bearing in mind the Council's duty to maintain high standards of conduct by members.

3. Background

3.1 The Localism Act 2011 ('the Act') provided for the abolition the Standards Board regime, which consisted of the Standards Board for England, existing standards committees of local authorities, the jurisdiction of the First Tier Tribunal in relation to local government standards in England and the old code of conduct for councillors. The abolition of the Standards Board for England took place on 1 April 2012 and the revocation of the old code of conduct took place on 1 July 2012. None of the functions of the Standards Board for England were preserved.

3.2 The Act requires that a local authority must adopt a code of conduct that is consistent with the following principles: selflessness; integrity; objectivity; accountability; openness; honesty; and leadership. The Act also requires that the adopted code includes such provision as the authority considers appropriate in respect of the registration in its register, and disclosure, of pecuniary interests, and interests other than pecuniary interests by members.

3.3 As well as the adoption of a code of conduct the Council is required to have in place arrangements for the investigation of allegations and arrangements for how decisions will be made following those investigations. Part of these arrangements must include provision for the appointment of one or more independent persons whose views are to be sought, and taken into account, before a decision is made on an allegation that has been investigated.

3.4 The code of conduct adopted by the Council on 12 July 2012 was based upon a code of conduct drafted by Devon County Council. The majority of council's within Devon chose to adopt codes based on this model in order to ensure consistency across Devon.

Appendices

Members Code of Conduct

Local Protocol for the Assessment and Determination of Allegations of Breaches of the Members Code of Conduct

Anthony Butler
Monitoring Officer