



NORTH DEVON COUNCIL

REPORT TO: GOVERNANCE COMMITTEE

DATE: 8th June 2021

TOPIC: MODEL CODE OF CONDUCT

REPORT BY: MONITORING OFFICER

1 INTRODUCTION

1.1 This report seeks to introduce to the Committee the new Model Councillor Code of Conduct which has recently been developed by the Local Government Association.

2 RECOMMENDATIONS

2.1 That Members consider the Model Code of Conduct and recommend to Council that the existing Code of Conduct be replaced with the Model Code of Conduct, with any appropriate local amendments.

3 REASONS FOR RECOMMENDATIONS

3.1 That the Council's Code of Councillor Conduct reflects the most up-to-date, and nationally recognised, principles relating to the expected behaviours and responsibilities of councillors.

4 REPORT

4.1 The Local Government Association (LGA) has produced a new Model Code of Conduct for Councillors, which was published at the end of 2020. The Code of Conduct was developed in association with key partners and after consultation with the sector, as part of the LGA's work to support all tiers of local government to continue to aspire to high standards of leadership and performance.

The Model Code is a template for councils to adopt in whole, and/or with local amendments.

The Model Code is not a radical departure from this Council's existing Code of Conduct, and indeed there are many similarities in form and content. Members can compare the two documents, which are set out in Appendix A (the new Model Code) and in Appendix B (the existing Code).

Two noticeable differences are that the Model Code sets out Councillors' principal obligations in the first person, and that more extensive explanations of concepts such as bullying, harassment and discrimination are provided.

The Model Code of Conduct does not make reference to “prejudicial interests” as is set out in the existing Code at Paragraph 12 in Part 2. The Model Code, however, does make reference to “Non-registrable interests” and the circumstances when such interests should be disclosed, thereby in effect covering the same ground. Members may take the view, therefore, that the reference to “prejudicial interests” need no longer be retained in a newly-adopted Code.

5 RESOURCE IMPLICATIONS

5.1 There are no significant resource implications arising from this report.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3, Annexe 1(d)	Delegated
Part 2, Annexe 4, 4.5.14	

7 STATEMENT OF CONFIDENTIALITY

7.1 This report does contain not confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

8 BACKGROUND PAPERS

8.1 The following background papers were used in the preparation of this report:

- The Council’s existing Code of Councillor Conduct (Part 5, Constitution)
- The LGA’s Model Code of Conduct document

The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

Author: Trevor Blatchford (Monitoring Officer) Date: 21st May 2021