

6. A Revised Members' Code of Conduct for Mid Sussex District Council

REPORT OF: Solicitor to the Council
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Wards Affected: All
Key Decision: N/A
Report to: Standards Committee
Date of meeting 8 October 2014

Purpose of Report

1. To ask the Committee to recommend a revised Members' Code of Conduct to Council based on the Members' Code of Conduct adopted by West Sussex County Council.

Summary

2. At your meeting on 17th June 2014 Members confirmed a desire to keep a comprehensive Code of Conduct but asked for a reformatting of the document to make it more easily understood. The meeting was referred to the Members' Code of Conduct adopted by West Sussex County Council and this is annex at Appendix A for consideration.

Recommendations

3. **The Committee Members are recommended to:**
 - (i) **Recommend to Council the adoption of the Members' Code of Conduct at Appendix A for Mid Sussex District Council but to include a requirement to declare all relevant interest at a meeting where they relate to a matter being discussed and paragraph 4(3) be amended accordingly; and**
 - (ii) **Subject to Council agreeing to the adoption of the revised Code of Conduct to circulate the revised code to town and parish clerks to ask them to ask their Members to consider the revised code of conduct in place of their existing Members' Code of Conduct.**
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Background

4. At the Standards Committee meeting on 17th June 2014 Members confirmed their desire to keep a comprehensive Members' Code of Conduct but expressed a wish to improve the format of the present Members' Code of Conduct.
5. The meeting was asked to look at the adopted Members' Code of Conduct at West Sussex County Council which is produced at Appendix A.
6. This Code of Conduct has a similar content to the present Mid Sussex Code of Conduct but the order of the provisions is considered to be an improvement.
7. The only suggested change is to provide for interests to be declared by Members at meetings where there is a relevant item of business even if that interest is already declared on the declaration of interest form published on the Council web site. This means a change to paragraph 4(3) to delete the words "Unless registered or notified in accordance with paragraph 10"

Policy Context

8. The Localism Act 2011 requires Councils to adopt a Members' Code of Conduct that accords with the Nolan principles and deals with the requirements to register disclosable pecuniary interests and act in accordance with those interests.

Other Options Considered

9. To retain the present Members' Code of Conduct. The format of the Code of Conduct at Appendix A is felt to be significantly better to justify a change.
10. Alternatively to adopt a less detailed Code of Conduct. Our comprehensive Code of Conduct has served the Council well over the past few years and is familiar to elected Members.

Financial Implications

11. The revised Code of Conduct can be published online at very little cost.

Risk Management Implications

12. If the Members' Code of Conduct is clearer it should reduce the risk of inadvertent non-compliance. The investigation of complaints is expensive.

Equality and Customer Service Implications

13. The Code of Conduct will apply equally to all elected Members.

Other Material Implications

14. It is a legal requirement for the Council to adopt a Members' Code of Conduct. It is good practice to review the working of the Code of Conduct after 2 years of operation.

Background Papers

- The report and minutes from the Standards Committee on 17th June 2014