

REPORT TO STANDARDS COMMITTEE

REPORT OF: Head of Regulatory Services & Monitoring Officer
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Wards Affected: All
Key Decision No
Report to: Standards Committee
Tuesday 4th August 2020

Purpose of Report

1. To report to the Standards Committee the draft amended Model Code of Conduct prepared by the Local Government Association in response to a request from the Government to consider a Model Code of Conduct in accordance with the suggestions from the Committee on Standards in Public Life as reported in January 2019.
2. The Committee is asked to consider the draft Model Code of Conduct and discuss any observations they wish to make so that these can be reported back before the close of the consultation period on 17th August 2020.
3. A revised Code is expected to be published in November 2020 alongside changes in the current legislation to allow for Members in breach of the Code of Conduct to be suspended on limited terms.

Recommendations

- 4. The Standards Committee are asked to consider the Model Code of Conduct and agree to submit any observations or recommendations to improve the proposed Code.**
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Introduction

5. The proposed Model Code of Conduct is annexed to this Report as an Appendix. It is intended that all Councils at any layer of Local Government in a County should adopt the same Code so that all Mid Sussex Councils and West Sussex County Council will have the same Code. This should make it easier to understand for both Members, members of the public and those charged with looking at any potential breach.
6. The proposed Code will be familiar to Members given that much of it is a re-ordered version of the existing Mid Sussex Code of Conduct.
7. Significant differences are the level at which gifts have to be registered. The proposal is to stick with the original £25 whereas the current Mid Sussex Code of Conduct is £50.

8. The Code is drawn up on the basis that the legislation will be changed to allow a degree of suspension of Members should they be in breach of the Code of Conduct. It also suggests that the Code will apply in more circumstances than the present Code does with a presumption in favour of the Code applying particularly when a Member is using social media. The requirements for registration are more limited being restricted to disclosable pecuniary interests and those arising when a Member is in a position of general control or management of an outside body. The registration requirements are therefore limited really to pecuniary interests and do not require Members to register what might be a personal interest. I suspect Members at Mid Sussex will wish to continue declaring such personal interests since it makes the position clear for members of the public.

Financial Implications

9. The system of dealing with Code of Conduct complaints is not radically changed save there is an additional emphasis on mediation. As now the costs of investigating Town and Parish complaints will fall on the District Council.

Risk Management Implications

10. It remains important that training is given to Members at all levels so that Code of Conduct complaints can be avoided. This is particularly important in the world of social media.

Equality Implications

11. The revised Code does not specifically reference Equality Law, but Members are expected to comply with the Law and the provisions relating to civility and bullying and harassment would cover any behaviour that was close to a breach of equality legislation.