

Title: LGA Model Councillor Code of Conduct-Ancillary Documents
Lead Officer: Graham Leach Democratic Services Manager & Deputy
Monitoring Officer (01926 456114)
Portfolio Holder: Councillor Andrew Day
Wards of the District directly affected: None

Summary

To seek approval of documents necessary for administering the Local Government Association (LGA) Councillor Code of Conduct in compliance with the Localism Act 2011.

Recommendations

- (1) That the Standards Committee approve documents set out in Appendices 1 to 7 to the report, as listed below, be approved;
Appendix 1 - Declaration of Interests Form
Appendix 2 - Gifts and Hospitality Form
Appendix 3 - Complaint Form
Appendix 4 - Complaints Procedure
Appendix 5 - Hearing Procedure
Appendix 6 - Independent Person Role and Protocol
Appendix 7 - Police Protocol
- (2) The Standards Committee endorses the approach of co-opting two Parish/Town Council representatives to the new Audit & Standards Committee and recommends to the new Committee the approach for appointment of the representatives as set out at Appendix 8; and
- (3) That the Standards Committee recommends to Council that the Monitoring Officer be authorised to make any future changes to the Appendices as may be necessary, in consultation with the Chairman of the Audit & Standards Committee, and that the Constitution be amended accordingly.

1 Background/Information

- 1.1 At its meeting on 23 February, Council adopted the latest version of the LGA Model Code of Conduct for Councillors, to come into operation on 1 May 2022. It also agreed to promote the Code for adoption by all town and parish councils in the District.
- 1.2 Since then, three training sessions have been successfully delivered to members of Stratford-on-Avon District Council (SDC), Warwick District Council (WDC) and Chairmen and Clerks of town and parish councils within the two districts, which attracted over 150 attendees.
- 1.3 Meanwhile, at its meeting on 16 February, the Standards Committee approved administrative forms for declaring interests, gifts and hospitality and making complaints. Those documents are now set out in Appendices 1-3 for approval.
- 1.4 The report for the meeting on 16 February explained that further procedural documents would be reviewed with the aim of combining them into a single set

of standard documents for both Councils. Those documents are now set out in Appendices 4-7 for approval.

- 1.5 At the 16 February meeting, the Committee was informed that the further documents would be reviewed by a small working party consisting of an Independent Person from Stratford and Warwick and the Chairs of the relevant Committees. The documents forming Appendices 1 to 7 were subject to review and minor amendments made as a result. These were based on procedures in place at both Stratford and Warwick, where there were generally minimal differences in approach, with the more significant changes being for Stratford with the greater emphasis on earlier resolution of a complaint.
- 1.6 Appendix 8 was not considered by the Working Group as this was not produced until after it met. During discussions over recent months, Councillors have been keen to enhance working relationships with Parish & Town Councils. Officers considered a small step towards this would be to provide them with the opportunity to be represented on the Audit & Standards Committee. This would enable direct input for Parish & Town Councils on matters relating to the Code of Conduct for Councillors but also enables them a voice on other matters within the remit of the Committee. However, as they will be co-opted to the Committee they will not be permitted, by law, to vote on any item. The procedure outlined is the approach used by Warwick previously.
- 1.7 To save having to bring these administrative documents back to the Committee on future occasions, Members are requested to authorise the Monitoring Officer to make any future changes to the documents within the appendices as may be necessary, in consultation with the Audit & Standards Committee Chairman.

2 Alternative Options available

- 2.1 The Committee could make amendments to the documents if they were so minded but they are built upon work over a number of years.

3 Consultation and Members' comments

- 3.1 Appendices 1 to 7 have been approved by the Working Group set up to review them as set out at Paragraph 1.5.

4 Implications of the proposal

4.1 Legal/Human Rights Implications

- 4.1.1 The Localism Act 2011 provides the legal basis for the regulation of standards of conduct by councillors and co-opted members of local authorities in England. The documents set out in the appendices are considered to comply with these legal requirements.

4.2 Financial

- 4.2.1 There are no direct implications.

4.3 Council Plan

- 4.3.1 There are no direct implications.

4.4 Environmental/Climate Change Implications

- 4.4.1 There are no direct implications.

4.5 Analysis of the effects on Equality

- 4.5.1 There are no direct implications.

4.6 Data Protection

4.6.1 The Localism Act 2011 and related Regulations requires publication of certain personal information provided by councillors as part of the wider public interest for openness and transparency. However, by exception the Act also expects such information to be kept confidential in limited circumstances.

4.7 **Health and Wellbeing**

4.7.1 There are no direct implications.

5 Risk Assessment

5.1 The main risk is the not adoption of the documents to support that came into force on 1 May 2022. If these are not adopted the Council would need to fall back on its current documents that do not fully reflect the new Code..

Background papers: NONE

Supporting documents: LGA Code of Conduct and supporting guidance, which is accessible via the [LGA website](#).

Report Information Sheet

Please complete and submit to Democratic Services with draft report

Committee/Date	5 May 2022	
Title of report	LGA Model Councillor Code of Conduct-Ancillary Documents	
Consultations undertaken		
Consultee *required	Date	Details of consultation /comments received
Ward Member(s)	N	
Portfolio Holder WDC	Y	Leader
Financial Services *	N	
Legal Services *	Y	Phil Grafton
Other Services	N	
Chief Executive(s)	N	
Head of Service(s)	Y	Phil Grafton
Section 151 Officer	N	
Monitoring Officer	Y	Phil Grafton
CMT (WDC)	N	
Leadership Co-ordination Group (WDC)	N	
Other organisations	N/A	
Final decision by this Committee or rec to another Ctte/Council?		No, one recommendation to Council on the scheme of delegation.
Contrary to Policy/Budget framework		No
Does this report contain exempt info/Confidential? If so, which paragraph(s)?		No
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?		No
Accessibility Checked?		Yes