



Chelmsford City Council

20 July 2022

Model Code of Conduct

Report by:
Governance Committee

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Purpose

To consider the adoption of a new code of conduct for city councillors through the adoption of a code based entirely upon the Local Government Association (LGA) model code of conduct. To consider recommending that all parish tier authorities in Chelmsford also adopt the Model code of conduct.

Recommendations

1. That Full Council adopts the latest version of the LGA Model code of conduct (which includes Appendices A & B).
 2. That all parish tier authorities in Chelmsford be recommended also to adopt the Model Code of Conduct, unless they have already done so.
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1. Background to Model Code of Conduct

- 1.1. In 2019 the Committee on Standards in Public Life issued a detailed report in relation to ethical standards in local government. This report made several recommendations, including a key recommendation that the LGA should produce a model code with a view to Councils adopting a consistent code nationally, as was the case prior to the Localism Act. The report noted the many benefits of a consistent code applying to the different tiers of local government, particularly in areas like Chelmsford, where there are multi-hatted members. There were also recommendations as to the content of codes of conduct in any event.
- 1.2. During June 2021 Governance Committee considered a report in relation to the adoption of the LGA Model Code of Conduct. As recommended, it was decided to await the publication of the guidance accompanying the model code and some changes were made to the existing Code of Conduct to meet the other recommendations by the Committee on Standards in Public Life in relation to the content of codes of conduct.
- 1.3. The Guidance to the Model Code was subsequently published last summer. Essex Monitoring Officers met and there was broad agreement to recommend to their authority the adoption of the model code in 2022 with some authorities aiming for their annual meetings. Essex County Council has recently decided to adopt the LGA model code with effect from 1/6/22. It is understood that other district tier authorities in Essex are also considering this.
- 1.4. In relation to the parish tier of authorities in Chelmsford there are also now different versions of the code of conduct and one parish has already adopted the Model Code.
- 1.5. Given the number of parish tier authorities and multi-hatted members in the Chelmsford City Council area, that Essex County Council has already decided to adopt the Model Code of Conduct, Governance Committee are asked to recommend to Full Council that the City Council adopts the LGA model code (with Appendices A and B) with effect from 1st August 2022.
- 1.6. The Constitution Working Group met on 24 May 2022 and recommended the adoption of the Model Code of Conduct. The Governance Committee on 15 June 2022 also supported the Model Code and recommends that the Council adopt it.

2. LGA Model Code of Conduct

- 2.1. If the City Council decides to adopt the model code it would mean changes to the existing code so it aligns with the national model code. The model code covers three broad areas – behaviour, interests and gifts/hospitality.

- 2.2. In terms of behaviour the code is broadly similar to the existing code and members will recall that some updates were made last year to the code based upon the model code (e.g., in relation to bullying, harassment, discrimination and gifts/hospitality). There is however within the model a new provision relating to compliance with the code of conduct which includes requirements to attend training, co-operate with investigations and/or determinations and compliance with sanctions.
- 2.3. In terms of interests this is the area where most changes will be apparent, although as Disclosable Pecuniary Interests are based upon a statutory instrument those interests would remain unchanged. The other types of interests would be “other registrable interests” and “non-registrable interests”.
- 2.4. In relation to gifts and hospitality the Council broadly adopted the model when updating the code last year although some minor changes including the requirement to notify the Monitoring Officer if any gift or hospitality is declined would be added. The Monitoring Officer already encourages members to do so in any event.

3. Next steps

- 3.1. Should the Council decide to adopt the national Model Code it will be necessary for members to be trained as to the content of the new code. Arrangements will be made for a member briefing to take place and for notifications as to the completion of a new register of interests form.
- 3.2. The Monitoring Officer will also arrange liaison meetings with parish clerks to explain the potential adoption of the Model Code as well as other ethical governance issues as necessary.

List of Appendices

Appendix 1 – LGA model Code of Conduct (with Appendices A & B)

Appendix 2 – The LGA guidance on the code: Follow this link [Guidance](#)

Background papers:

Nil

Corporate Implications

Legal/Constitutional: These are set out in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: None

Relevant Policies and Strategies:

None