

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Standards Committee

Date: 10/02/2022

Subject: Local Government Association Model Code of Conduct

Report author: Adesuwa Omoregie, Assistant Director, Legal Services

Responsible Director: Rhian Davies, Director of Resources - Monitoring Officer

SUMMARY

The purpose of this report is to share the new Local Government Association Model Code of Conduct for Members with members and request that the Standards Committee approve that the Code of Conduct be recommended to Full Council for adoption.

RECOMMENDATIONS

That the Standards Committee:

1. Consider the proposed new Member Code of Conduct (at Appendix 1) and provide any comments.
 2. Approve that the new Member Code of Conduct (at Appendix 1) be recommended to Full Council for adoption.
 3. Delegate authority to the Monitoring Officer, following consultation with the Chair of the Standards Committee, to make any final minor changes to the Member Code of Conduct prior to submission to Full Council.
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Wards Affected: All")

Our Values	Summary of how this report aligns to the H&F Values
Doing things with local residents, not to them	The adoption of the new Member Code of Conduct will promote confidence in local democracy given it is the Local Government Association's recommended code.

Financial Impact

There are no direct financial implications as a result of this report.

Andre Mark, Finance business partner, 27 January 2022.

Legal Implications

Section 27 of the Localism Act 2011 (the Act) requires each local authority to adopt a code of conduct which deals with the conduct that is expected of members and co-opted members, when they are acting in that capacity.

Section 28 of the Act requires the Member Code of Conduct (Code) to be consistent with the Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Code appended at Appendix 1, prepared by the Local Government Association (LGA), is consistent with the Nolan Principles and is suggested national good practice.

The Standards Committee is responsible for standards functions as set out in the constitution and for advising Full Council on the adoption or revision of the Code. Changes to the Code are however decisions reserved to Full Council.

If adopted by Full Council, the Code will replace the Council's current Code and will be published on the Council's website.

Angela Hogan, Chief Solicitor (Contracts and Procurement) 27 January 2022

Background Papers Used in Preparing This Report - None

Background

1. In 2019, the Committee on Standards in Public Life produced a report on "Local Government Ethical Standards". The report made a series of recommendations to ensure that the governance of local authorities was robust and took account of recent learning across the sector. The production of an updated model code of conduct by the Local Government Association (LGA) was one of the recommendations in the report.
2. The report stated that a model code of conduct would create consistency across England and reflect the common expectations of the public regardless of geography or tier of local government.
3. In response to the report, the Local Government Association (LGA) produced a model code of conduct, attached at Appendix 1.

Purpose of the Code of Conduct

4. The purpose of the code of conduct is to assist members in modelling the behaviour that is expected of them and to set out the type of conduct that could lead to action being taken against them. It sets out general principles of conduct expected of all councillors and specific obligations in relation to

standards of conduct. The code is intended to protect councillors' democratic role, encourage good conduct, and safeguard the public's trust and confidence in the role of a councillor.

Consultation on the draft Code

5. In July 2020, members of the Standards Committee and the three Independent persons were consulted on the first draft of code produced by the LGA. The consultation responses are included at Appendix 3.
6. The LGA provided an updated draft of the model code in December 2020 which took into account consultation responses from councillors, officers and other interested parties. The updated version clarified when the Code applied and disclosure of interests.
7. Members of the Standards Committee and Independent Persons were consulted on the updated version in January 2021 and the consultation responses are included at Appendix 3.
8. The LGA provided a further updated version of the Code in September 2021 following the production of guidance. The guidance is included at Appendix 2. Further consultation then took place with the Independent Persons on the updated Code. The consultation responses are included at Appendix 3.

Proposals and Analysis of Options

9. Whilst there is a statutory requirement for every authority to adopt a code of conduct, the LGA's model Code is a template and authorities can choose to adopt it either in whole, with amendments to take into account local circumstances, or continue with the current Code.

Options

Option 1 – Do Nothing and continue with the Council's existing code of conduct

10. The model code of conduct has been updated. It is recommended good practice to adopt the new Code. The Standards Committee should periodically review the Code and consider whether changes should be made. **This is not the recommended option.**

Option 2 – Recommend to Full Council to adopt the draft Code appended at Appendix 1 or with amendments

11. The updated code has undergone various rounds of consultation. It is appropriate for the Standards Committee to consider and make changes to the code of conduct in accordance with national guidance. **This is the recommended option.**

Reasons for Decision

12. There is a statutory requirement for each Council to adopt a code of conduct. Although the Council currently has a Code, the LGA has prepared an updated model code. One of the roles of the Standards Committee is to consider changes to the code of conduct. A recommendation from the Standards Committee is therefore needed before a decision can be made by Council on the adoption of the code.

LIST OF APPENDICES

1. Code of Conduct
2. LGA Guidance for the Code
3. Summary of Consultation responses