

**ETHICAL GOVERNANCE & PERSONNEL COMMITTEE –  
17 JULY 2015**



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**CODE OF CONDUCT  
REPORT OF THE MONITORING OFFICER**

**WARDS AFFECTED: ALL WARDS**

---

1. PURPOSE OF REPORT

- 1.1 To make an amendment to wording in the code of conduct for purposes of clarification with regard to declaring personal interests.

2. RECOMMENDATION

- 2.1 The Committee endorses deletion of paragraph 2.16(b)(ii) of the Code of Conduct.
- 2.2 The Committee endorses an amendment to paragraph 2.17 of the Code of Conduct to remove reference to paragraph 2.6.1.

3. BACKGROUND TO THE REPORT

- 3.1 In accordance with the Localism Act 2011 a new Code of Conduct was adopted by Council in 2012 which, in accordance with the legislation, made reference to pecuniary interests and removed the requirement to register 'personal interests'.
- 3.2 Following requests of members and on the recommendation of the Ethical Governance & Personnel Committee, in July 2013 Council amended the Code of Conduct to include provision to declare personal interests at meetings as members felt that this provided for more openness and transparency.
- 3.3 An anomaly has recently been identified whereby the Code of Conduct is worded in a way that it requires personal interests to not only be declared at meetings, but also disclosed on a member's Register of Interests form, yet the Register of Interest forms do not have provision for such an entry.
- 3.4 It is the Monitoring Officer's view that registering personal interests was not the intention when Council made the amendment to the Code of Conduct in 2013, and that the inclusion of personal interests was purely for declaration at a meeting where discussion on that matter was likely. It would also be onerous for a member to disclose every foreseeable personal interest.

4. FINANCIAL IMPLICATIONS (IB)

- 4.1 None.

5. LEGAL IMPLICATIONS (JK)

- 5.1 As the recommended amendment would constitute a change to the Constitution (the Code of Conduct being contained within the Constitution), this would require approval of a two-thirds majority at Council.

6. CORPORATE PLAN IMPLICATIONS

- 6.1 This report covers all corporate aims as it is a governance matter.

7. CONSULTATION

7.1 Ethical Governance & Personnel Committee.

8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 No corporate risks on the risk register are identified in relation to this matter.

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 The recommendations within this report do not impact any communities or groups.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

---

Background papers: None

Contact Officer: Julie Kenny, Monitoring Officer, ext 5985  
Executive Member: Cllr Amanda Wright.