



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Ethical Governance & Personnel Committee 2 February 2022
Council 22 February 2022

Wards affected: All wards

Code of Conduct review

Report of the Monitoring Officer

1. Purpose of report

1.1 To consider adoption of a new code of conduct.

2. Recommendation

2.1 The model code of conduct as amended for local use be adopted to take effect from 1 April 2022 as outlined in option 3 at paragraph 4.3.

3. Background to the report

3.1 In response to the recommendations of the Committee on Standards in Public Life (CSPL) in 2019, the Local Government Association (LGA) undertook a review of the model member code of conduct, producing its first version in January 2021 after consultation with stakeholders.

3.2 Whilst the model code is suggested as good practice, councils do not have to adopt this version of the code. They may retain their current code or amend the model code as long as it complies with the requirements of the Localism Act 2011 which set the framework for the standards regime.

3.3 The Monitoring Officers across the Leicestershire districts and the county council have worked together to review the LGA model code and have recommended some changes to the format of the document and added in explanatory text in relation to declaring interests to support members in this complex area.

- 3.4 It was recommended by the CSPL that a code of conduct was required that could be applied throughout all tiers of local government in an area. The LGA sought to achieve this in their model code and the Monitoring Officers have worked in consultation with Leicestershire & Rutland Association of Local Councils with this aim in mind.

4. Options

- 4.1 Option 1 – retain current code of conduct

HBBC's current code of conduct was based on previous collaborative work across Leicestershire. It lacks detail on some matters that the CSPL report recommended, such as bullying and social media.

- 4.2 Option 2 – adopt the LGA model code of conduct

The new model code of conduct covers the majority of matters raised by the CSPL that are within the scope of the Localism Act 2011 and can be included without an amendment to primary or secondary legislation.

- 4.3 Option 3 – adopt the locally amended code of conduct

This version is based on the LGA's model code but is tailored towards Leicestershire authorities and the way they work with parish councils. It contains formatting and style improvements and provides additional guidance on matters such members' interests.

- 4.4 Our recommendation is that option 3 – the locally amended code should be adopted.

5. Exemptions in accordance with the Access to Information procedure rules

- 5.1 To be taken in open session.

6. Financial implications (IB)

- 6.1 None

7. Legal implications (MR)

- 7.1 Set out in the report.

8. Corporate Plan implications

- 8.1 This report supports all values, aims and objectives by ensuring high standards of conduct from those representing the authority.

9. Consultation

9.1 District Monitoring Officers, Leicestershire County Council and the Leicestershire & Rutland Association of Local Councils on behalf of town & parish councils have been consulted in preparation of the code of conduct. Group leaders and the Member Development Group have been consulted in preparation of the report.

10. Risk implications

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

10.2 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.

10.3 The following significant risks associated with this report / decision were identified from this assessment:

Management of significant (Net Red) risks		
Risk description	Mitigating actions	Owner
Failure to set expected standards of conduct	Ensure a robust code of conduct is in place	Monitoring Officer

11. Knowing your community – equality and rural implications

11.1 This report supports all communities, groups and areas within the borough by setting standards for all councillors.

12. Climate implications

12.1 This report does not have an impact on climate change.

13. Corporate implications

13.1 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: CSPL report, January 2019
LGA model code of conduct, January 2021

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