

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **STANDARDS COMMITTEE**

DATE: **MONDAY, 10 JUNE 2013**

REPORT BY: **MONITORING OFFICER**

SUBJECT: **REVIEW OF CODE OF CONDUCT FOR MEMBERS**

1.00 PURPOSE OF REPORT

1.01 To review the Code of Conduct for Members and to make amendments to it that will facilitate local resolution of complaints.

2.00 BACKGROUND

2.01 At its meeting on 8 April, 2013 the Committee agreed to instigate a rolling programme of reviews to the codes and protocols in the Constitution. This is the first such review.

3.00 CONSIDERATIONS

3.01 The Council must adopt a Code of Conduct based on the national model. It can add to the Code provided this does not diminish its rigour. In reviewing the Code Members should consider whether it is up to date and whether it is fulfilling its intended purpose.

3.02 The Code was first adopted by Council in January 2002. It was amended in May 2008 when the national model changed. It has not been amended since. When it was adopted the Council had a choice in respect of one paragraph, namely paragraph 18 which sets the threshold of £10 above which gifts can be accepted but must be registered. Since that time inflation has been low and the sum still seems to be appropriate.

3.03 Depending upon the outcome of the items on local resolution of complaints (which may require consequent changes to the Code) the Code still seems to be up to date.

3.04 If the local resolution procedure is adopted changes may be needed to facilitate the process. Welsh Government has proposed removing the obligation on Members to report breaches of the Code to the Public Services Ombudsman for Wales (this will require legislation). In addition, officers would support adding to paragraph 6(2) an obligation to comply with requests from the Monitoring Officer and/or Standards Committee in relation to the local resolution of complaints.

3.05 Offices see that Members are aware of the need to act ethically and the requirements of the Code. To that end it appears to have been broadly accepted and to cover the essence of ethical behaviour required.

4.00 RECOMMENDATIONS

4.01 That the Committee notes the review and confirms that the Code of Conduct for Members is up to date and fit for purpose.

4.02 (If the local procedure is adopted) That the Committee recommends to Council that paragraph 6(2) is amended to include an obligation to co-operate with requests from the Monitoring Officer and/or Standards Committee whilst locally resolving complaints.

5.00 FINANCIAL IMPLICATIONS

5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 None as a result of this report.

12.00 APPENDICES

12.01 None

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS

As referred to in the report.

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