

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CONSTITUTION COMMITTEE**

DATE: **WEDNESDAY, 15 OCTOBER 2014**

REPORT BY: **CHIEF OFFICER, GOVERNANCE**

SUBJECT: **REVIEW OF THE MEMBERS' CODE OF CONDUCT**

1.00 **PURPOSE OF REPORT**

1.01 To review the Members' Code of Conduct.

2.00 **BACKGROUND**

2.01 At its meeting on the 8 April 2008 the County Council adopted the Members' Code of Conduct giving effect to the Local Authorities (Model Code of Conduct) (Wales) Order 2008. That Order prescribes information that must be contained in any Council's Members' Code of Conduct. Flintshire's Code did not add any additional provisions to those prescribed by the Order.

2.02 When Flintshire adopted its Local Resolution Procedure and Flintshire Standards of Conduct at the Council meeting on the 25 June 2013 paragraph 6 (2) of the Code was amended to incorporate reference to compliance with these.

2.03 The Members' Code of Conduct forms part of the Council's Constitution and the committee is in the last year of its 3 year programme to review all parts of the Constitution. The guiding principles of the review are to ensure that the Constitution is up-to-date and that the wording is clear and unambiguous.

2.04 At its meeting on the 6 October 2014 the Standards Committee considered a report on the review of the Members' Code of Conduct and agreed the changes indicated as tracked changes in Appendix A.

3.00 **CONSIDERATIONS**

3.01 Whilst there is no power to remove from the Code the prescribed provisions there is in theory the power to add additional provisions. In view of the potential sanctions for breach of the Code there should be a proven need for any additional requirements being imposed. There are other ways of improving standards such as protocols or other guidance documents that should be considered prior to making additions to the Members' Code.

3.02 Appendix A shows the following proposed changes to update or clarify the existing wording:-

- Wherever there is a reference to community council to add the words “town or” so as to clarify that the code applies to members to town councils.
- Where in paragraph 2 (2) it refers to the general principles for these to be attached to the code.
- In clause 3 (a) to delete the reference to Police Authority to update the code.
- In paragraph 8 (a) (ii) to change the reference from Chief Finance Officer to Section 151 officer to avoid ambiguity over the reference to the post being referred to.

4.00 RECOMMENDATIONS

4.01 For the committee to approve the reviewed Members’ Code of Conduct shown in Appendix A.

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 Appendix A – The Members’ Code of Conduct

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

None

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