

TITLE OF REPORT: Gateshead Code of Conduct for Councillors

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Services and Governance

Purpose of the Report

1. This report sets out an updated Code of Conduct for the Council and updates members following a member led working group on amendments to the draft previously considered by the committee to better reflect the aspiration that members adhere to the highest standards of conduct. The report makes proposals in respect of the full Council adopting the updated code.
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Background

1. As members will recall, the Localism Act 2011 places a duty on the Council to promote and maintain high standards of conduct by Councillors and co-opted Members. It requires the Council to adopt a Code of Conduct in relation to the conduct of its elected members.
2. The committee have considered the model code on a number of occasions over the last year, both through its development by the Local Government Association (LGA) as a consultee and more recently consideration of adopting the model code in Gateshead

The Gateshead Approach

3. Through the work of this committee, it has become clear that the aspiration of members of Gateshead Council is not just to adopt a code that meet basic legal compliance but instead to aspire to the highest possible standards of conduct. Consequently, members have explored the options of not only adopting the code but enhancing it and promoting those high standards of conduct.
4. Following a review of the code at the last meeting of the committee, a member led working group was established to review in detail the approach to the code and make further recommendations for consideration by the committee. The work of the working group has resulted in important new drafting to support and underpin the rules. A preamble and introduction to the code is now included as part of the draft. This is very much there to set the scene and articulate that councillors in Gateshead aspire to meet the highest possible standards of ethical behaviour and conduct. The preamble now includes a statement that members not only comply with the letter of the code but also the spirit of the code.
5. The updated code is set out at Appendix 1.

Promoting Compliance with the Code

6. The code and the set of rules contained within it are not the only part of ensuring that the highest possible standards are maintained. The committee itself has an important role in this and as part of the review of the code going forward the committee will at least annually have the opportunity to review and make recommendations as to changes that may be required.

Assessment of Complaint Procedures

7. The council has a published complaints procedure and assessment process for complaints brought under the code. Similarly, to the code, the procedure for complaints has not changed significantly since then 2012. As members have indicated they wish to bring the code itself up-to-date and in line with best practice it would seem a sensible step to take to also review the assessment process for the complaints themselves. Included at the appendixes are the current assessment processes (Appendix 2).
8. The use of a working group to go through on a line by line basis the code (which is not particularly practicable within a full committee meeting) with a view to then making recommendations back to the committee worked well. It is suggested that members consider that a similar approach to reviewing the assessment process would also be a sensible way of working through the detail in order to come up with some clear recommendations to members of this committee.

Training and Development

9. Another essential element of ensuring high standards is making available to elected members and officers training in respect of the code. Following the local elections and subject to full council agreeing to adopt the new code in May (should that be the recommendation of this committee) then officers will prepare a training package for the code which will provide members with not only an overview of the rules but also practical examples of how the code should work in practice. The training should be designed in such a way to facilitate a discussion of the code and its application. Members views are sought on whether a recommendation should be made that the training be part of the mandatory training for members.

Recommendation

10. Audit and Standards Committee are recommended to
 - a. make a recommendation to the full Council to adopt the model code with the Gateshead specific amendments including the preamble and introductory paragraphs
 - b. consider the existing arrangements for assessment of complaints received under the code and agree to a member led working group to reviewing these arrangements and making recommendations to the committee.
 - c. note that officers will prepare a training package to support the awareness of the code for both new code and existing members.
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