

Agenda Item:5

Report to: Standards Committee

Date: 11 October 2005

Report from: Borough Solicitor

Title of report: **UPDATE ON THE REVIEW OF THE CODE OF CONDUCT FOR MEMBERS**

Purpose of report: To advise of the Standards Board recommendations to the Office of the Deputy Prime Minister regarding amendment of the Code.

Recommendations: To note the report.

1.0 Introduction

1.1 Members will recall considering the Standards Board's consultation paper on the proposed review of the Code of Conduct for Members.

2.0 The Standards Board for England's recommendations to Government

2.1 The full text of the recommendations to Ministers is attached at Appendix A and the results of the consultation process, as analysed by Teesside University, can be viewed on the Board's website at www.standardsboard.co.uk. The Board's recommendations can be summarised as follows:-

- **General**

- a) the Code should be clearer, simpler and more positive.
- b) How it is enforced, nationally and locally, is an important as its content.
- c) The ten general principles set out in the Relevant Authorities (General Principles) Order 2001 should be included as a standard to be attained.

- **Personal and prejudicial interests**

- a) There should be greater support for the councillor's role as an advocate for their community.
- b) There should be a reduction in the number of personal interests which need to be declared.
- c) There should be greater local discretion to grant dispensations.

- **Register of interests and register of gifts and hospitality**

The types of interests which need registering should remain unchanged.

- **Disrespect**

There should be specific provision on bullying.

- **Disclosure of confidential information**

- a) Members should be able to disclose information in the public interest.
- b) The Government needs to consider the impact of the Freedom of Information Act on confidentiality.

- **Disrepute**

Certain behaviour outside of official duties should continue to be regulated but it should be limited to unlawful activities.

- **Misuse of resources**

- a) Local protocols should be enforced locally where appropriate.
- b) Serious misuse of resources, particularly for political benefit, should be regulated nationally.

- **Duty to report breaches**

- a) The duty to report breaches should be abolished.
- b) There should be protection against intimidation where people do complain.
- c) All involved in the process, including members themselves, need to take greater steps nationally and locally to discourage vexatious complaints.

Equalities & Community Cohesiveness	
Crime and Fear of Crime (Section 17)	
Risk Management	
Environmental issues	
Economic / Financial implications	
Human Rights Act	
Organisational Consequences	x

Report written by: Jayne Butters – Borough Solicitor and Monitoring Officer
jbutters@hastings.gov.uk Tel: 01424 781733

BACKGROUND DOCUMENTS:-

The Standards Board for England’s consultation on the review of the Code of Conduct