

DRAFT (circulated at Council meeting 28/2/07)

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**Mrs G L Rowe
585004**

GLR/JL

William Tandoh
Local Democracy Directorate
Department for Communities and Local Government
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London
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Dear Mr Tandoh

**CONSULTATION ON AMENDMENTS TO THE MODEL CODE OF CONDUCT FOR LOCAL
AUTHORITY MEMBERS**

Thank you for giving us the opportunity of commenting on the proposed amendments to the Model Code of Conduct.

The Standards Committee and the Council considered the consultation document in detail at meetings on 27 and 28 February respectively.

The Council would make the following points:

- the removal of the whistleblowing provisions are to be welcomed
- whilst having a category of "Public Service interests" is helpful, it may seem strange to a member of the public for one member to disclose a personal interest, because they speak, but another not to, because they do not speak, when both take part in the decision by voting
- the possibility of pre-determination and bias has still to be factored in to a decision whether or not to participate, irrespective of whether the Code permits participation, and a recognition of this in the Code might be helpful
- a definition of 'sensitive information' needs to be included

- Members have a concern re the restrictive approach to behaviour outside official duties being limited to criminal convictions in that current Police Policy encourages cautioning and conditional cautioning
- Members have become familiar with the way in which the present Code currently works and the new Code is complex and will create problems of interpretation, Guidance from the Standards Board will be welcome
- In relation to a member attending a meeting to make representations etc and withdrawing and not now being regarded as having a prejudicial interest it might be helpful if the Standards Committee were to authorise the same
- It would also be helpful if the Standards Committee were able to grant dispensations in appropriate cases for the avoidance of doubt. The Dispensation Regulations in any event need re-drafting so that they are workable in practice
- It would be less clumsy and reduce the number of words if the Code were put in the second person 'you' 'your' rather than "he or she" "him or her".

Yours sincerely

Gillian L Rowe
Council Secretary and Solicitor

Copy to John Cailles – Chairman of the Standards Committee