



COUNCIL: 23 February 2022

Report of: Legal and Democratic Services Manager & Monitoring Officer

Contact for further information: Mrs Kay Lovelady (Extn 5075)
(E-mail: Kay.lovelady@westlancs.gov.uk)

SUBJECT: REVIEW OF THE MEMBERS' CODE OF CONDUCT

Wards affected: Borough wide.

1.0 PURPOSE OF THE REPORT

1.1 To seek approval of the revised Members', Parish' and Town Councils Code of Conduct following which the Code will be adopted.

2.0 RECOMMENDATIONS TO COUNCIL

- 3.1 That subject to any further agreed amendments arising out of the meeting, that the amended draft Code of Conduct be agreed and adopted forthwith, and the Constitution be updated accordingly.
- 3.2 That the Legal & Democratic Services Manager be given authority to liaise with the borough's Parish & Town Councils with a view to them adopting the revised Code.

4.0 BACKGROUND

4.1 On 30 January 2019, the Committee on Standards in Public Life published its national report on local government ethical standards:

<https://www.gov.uk/government/publications/local-government-ethical-standards-report>

- 4.2 One of the main recommendations of the Committee was that the Local Government Association (LGA) should create an updated, non-mandatory, model code of conduct, which local authorities could then consider either adopting in full or adapting according to their local circumstances.
- 4.3 The model code was published by the LGA in December 2020 and updated in May 2021.
- 4.4 The Council's current Members' Code of Conduct, which has also been adopted by all parishes within West Lancashire, is attached at Appendix 1. It is hoped that the Parish and Town Council's will adopt the revised version of the Code at Appendix 2 with supplementary guidance at Appendix 3. The current code was adopted by West Lancashire Borough Council on 1 July 2012.

5.0 TIMETABLE FOR CONSIDERATION OF THE REVISED MEMBERS' CODE OF CONDUCT

- 5.1 Potential changes to the Code of Conduct were initially considered at Standards Committee on the 16th March 21 when it was decided to proceed with a revised Code of Conduct formed from a combination of both the current Code of Conduct and the new LGA model Code. The LGA subsequently published a guidance document which again was considered and adapted to reflect the revised Code. Although the Guidance document will not form part of the constitution it can be used to provide greater insight into the requirements of the Code.
- 5.3 The revised Code of Conduct and guidance document were then presented to Standards Committee on the 21st September 2021 and full Council on the 13th October 2021. There then followed a Consultation Period between 10th December 2021 until 14th January 2022. The Consultation included direct emails to all Borough Councillors, Parish & Town Councillors and members of staff. In addition, the consultation was highlighted on the Council's website and the Comms Team posted several posts on social media in order to bring it to the attention of the general public.
- 5.5 Attached at Appendix 4 is a list of the consultation responses which have included emailed responses along with voicemail messages and a Teams meeting. Relevant amendments have been made to the draft Code and are attached for your consideration.
- 5.6 Most of the comments that have been received are in respect of the numbering and layout of the Code. These have been addressed but for ease of reading do not generally appear as tracked changes.
- 5.7 One suggestion was received from a Parish Councillor that we should make the Code more inclusive for Parish and Town Councillors. In addition, it was suggested a definition of the Monitoring Officer's duties should be included as some Parish Councillor's may not understand the role of the Monitoring Officer.
- 5.8 Members are asked to consider the revised code of conduct and subject to any proposed further amendments at the meeting approve the revised Code of

Conduct for adoption forthwith and agree to the Constitution be amended accordingly.

6.0 SUSTAINABILITY IMPLICATIONS

6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 There are no significant financial or resource implications arising from this report.

8.0 RISK ASSESSMENT

8.1 This item does not require a formal risk assessment and no changes have been made to risk registers as a result of this report.

9.0 HEALTH AND WELLBEING IMPLICATIONS

9.1 Ensuring high standards of member conduct supports health (in particular mental health) and wellbeing within West Lancashire. This report provides an updated Code of Conduct revised in consideration of the best practice recommendations of the Committee on Standards in Public Life following its national review of Local Government Ethical Standards to help to ensure high standards are maintained as well as a public consultation.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and/or stakeholder. Therefore, no Equality Impact Assessment is required.

Appendix 1 – West Lancashire Borough Council's current Code of Conduct

Appendix 2 - West Lancashire Borough Council, Parish and Town Council's revised Members Code of Conduct.

Appendix 3 – West Lancashire Borough Council, Parish and Town Council's revised Members Code of Conduct – Guidance Document.

Appendix 4 – Table of consultation responses.