

NON-EXEMPT

HAVANT BOROUGH COUNCIL

Governance, Audit and Finance Board

7 October 2020

Draft LGA Model Code of Conduct
David Brown, Head of Legal Services

FOR DECISION

Cabinet Lead: Cllr Bowerman

Key Decision: No

1.0 Purpose of the paper

- 1.1 To update the Board on the Local Government Association (LGA) Draft Model Code of Conduct that went out to consultation from 8 June 2020 to 15 August 2020.
- 1.2 To consider the model code against the draft in Appendix 2 which has been produced in response to the Standards Board working group.

2.0 Recommendations

- 2.1 The Board notes the report and the LGA Draft Model Code.
- 2.2 The Board recommend the Constitution Group and full Council to adopt the process and draft Code of Conduct as set out in Appendix 1.

3.0 Executive summary

- 3.1 The Board for Standards in Public Life published a report setting out best practices in 2019. <https://www.gov.uk/government/news/local-government-ethical-standards-Board-publishes-report>
Appendix 2
- 3.2 The LGA provided and updated model code for consultation in June 2020. The draft was based upon a behaviours approach rather than a full narrative setting out restrictions on conduct.
- 3.2 It is understood that the feedback from the consultation will help the LGA develop a final draft, which will be reviewed by the LGA's Executive Advisory Board before being presented to the next LGA General Assembly, which we hope will be held in the Autumn of 2020.
- 3.3 The Council is currently undertaking a review of its constitution and requires an updated Code of Conduct and process to meet the best practices

recommendations of the January 2019 report. The draft provided at Appendix 1 meets the majority of the best practice recommendations from the Standards in Public Life Board. It does not follow a behaviour approach at the present time.

3.4 The Board will be free when the LGA model code is available to fully consider the best approach to be adopted by this council. At that point the Board may decide to take a different approach which may include a behaviour code supported by an explanatory protocol or may choose to keep a version of the draft suggested.

3.5 The Monitoring Officer, having carefully consider the drat LGA code and the potential longer term timescales for finalisation has drafted a revised code which will provide for adoption in time for the revised constitution. The draft Code of Conduct broadly reflects all the good practice elements arising from the standards review. It is hoped the draft constitution will be considered by Council in November 2020 for approval. The final text may change and be adapted as the new constitution is used and the Board will be able to revisit the code when the LGA version is finally available.

3.6 It is recognised that the Board may wish to amend and update the statement of values, but the draft is proffered for inclusion in the revised constitution and may be approved at full council.

4.0 Additional budgetary implications

4.1 None

5.0 Background and corporate strategy and directorate business plan(s)

5.1 This aligns with the constitutional review.

6.0 Options and reasons for recommending relevant option

6.1 n/a

7.0 Resource implications

7.1 n/a.

8.0 Legal implications

n/a

9.0 Significant risks

The draft is proposed to mitigate risks identified in the report from the Board for standards in Public Life.

10.0 Consultation

This Board and if recommended it will require incorporating on the briefing for all members on the constitution update

11.0 Communication

n/a

Additional Papers

[Appendix 1 Draft revised Process & Code of Conduct for approval to full council](#)

[Appendix 2 Report on Ethical Standards in Local Government January 2019](#)

<https://www.gov.uk/government/news/local-government-ethical-standards-Board-publishes-report>

Agreed and Signed off by:

Monitoring Officer: 28 September 2020

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