

THE LOCALISM ACT 2011 – DRAFT CODE OF CONDUCT

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1. Summary

Members will recall that at its meeting held on 23 February 2012, it was agreed as follows:

- 1.1 That the Monitoring Officer present to Council for adoption a draft Code of Conduct.
- 1.2 The Monitoring Officer include in the Code of conduct a requirement that a member must withdraw from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which he/she has a Disclosable Pecuniary Interest (“DPI”), except where he is permitted to remain as a result of the grant of a dispensation.

2. Recommendations

That the draft Code of Conduct appended to the report be approved and adopted with effect from the commencement date of the revised standards regime subject to the inclusion by the Monitoring Officer of provisions for the withdrawal of members from the meeting room when an item of business is discussed in respect of which he/she has a Disclosable Pecuniary Interest.

REPORT

3. Risk Assessment and Opportunities Appraisal

(NB This will include the following: Risk Management, Human Rights, Equalities, Community, Environmental consequences and other Consultation)

The Council is required by the Localism Act 2011 to adopt a code of conduct in order to demonstrate the promotion of good ethical governance. Failure to approve a suitable code will be a breach of the legislation and a failure to demonstrate the effective promotion of ethical governance.

It provides an opportunity to retain confidence in the ethical governance of the authority and demonstrates a commitment to public accountability for the actions of the members.

4. Financial Implications

No direct implications. The bill originally removed the requirement for a code of conduct to be in place and the removal of the requirement to consider allegations of misconduct. This presented a potential resource saving in terms of staff time. Amendments to the bill resulted in the continued devotion of staff resources to administer the code and complaints in respect of Shropshire Council and the Parishes. There is no opportunity to charge the Town/Parish Councils for staff time and the responsibilities of the Monitoring officer in terms of registers of interest appear to be more onerous.

5. Background

5.1 The Localism Act 2011

The Localism Act 2011 makes fundamental changes to the system of regulation of standards of conduct for elected and co-opted Councillors. The date for implementation of these changes is expected to be 1st July 2012, but the date is yet to be confirmed.

This report seeks the adoption of a revised code of conduct for members.

5.2 The Code of Conduct

The draft code of conduct which is proposed for adoption is attached at appendix A. It is proposed that the requirement for members to leave the room when discussions take place in which they have a DPI will be included by the Monitoring Officer when regulations in respect of the detail of DPI's have been made.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

None

Cabinet Member (Portfolio Holder)
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Keith Barrow

Local Member

All

Appendices

Draft Code of Conduct
