

Bolsover District Council

Standards

11th March 2019

Revised Members Code of Conduct

Report of the Head of Corporate Governance and Monitoring Officer

This report is public

Purpose of the Report

- To consider a revised Member Code of Conduct

1 Report Details

- 1.1 The Localism Act 2011 (“the Act”) places a statutory duty upon Councils to promote and maintain high standards of conduct amongst its own Elected Members and any co-opted Members. Strong ethical governance is critical to the corporate governance of the authority and also supports the Council’s decision making processes across the organisation.
- 1.2 The Member Code of Conduct was adopted by the Council in 2012 following the introduction of the Localism Act but hasn’t been formally reviewed since. The monitoring officer has therefore carried out a review and arising from that review this report recommends some changes to the Council’s Member Code of Conduct.
- 1.3 The proposed changes are shown by way of track changes in the revised Member Code of Conduct attached to the report as Appendix A.
- 1.4 In summary the key changes are
- (a) General Conduct - additions to the general conduct expected of members to ensure that this addresses issues around equality, safeguarding and conduct when speaking public or to the media, as a councillor. This section also addresses the requirement to adhere to the Councils Social Media Guidance for Councillors.
 - (b) Training - a section has been added to set out the requirement to attend mandatory training and has within the Code as an appendix is a list of training and frequency of attendance.
 - (c) Predetermination or bias - an explanation as to what constitutes predetermination or bias and what a member is required to do if they have concerns.

- (d) Member Interests - with a greater and clearer explanation as to what constitutes a Disclosable Pecuniary Interest (DPI), with a note contained in an appendix to aid members. This also refers to the register of interests, what to do if you have a sensitive interest, the rules concerning non participation when there is a DPI, and how to request a dispensation.

2 Conclusions and Reasons for Recommendation

- 2.1 The revised Code of Conduct provides greater clarity to members, officers and the public on the standards to which members are required to adhere to and complies with legal requirements.

3 Consultation and Equality Impact

- 3.1 None.

4 Alternative Options and Reasons for Rejection

- 4.1 The Code of Conduct has not been updated since the amendments in 2012 to reflect the changes to the standards regime under the Localism Act 2011. The Code needs to be brought up to date, and provide additional clarity for members on the issue of Disclosable Pecuniary Interest.
- 4.2 To not update the code, is not considered appropriate given that this was last reviewed in 2012.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 None

5.2 Legal Implications including Data Protection

- 5.2.1 As in the report.

5.3 Human Resources Implications

- 5.3.1 None

6 Recommendations

- 6.1 That the revised Member Code of Conduct as set out at Appendix A be considered and recommended to Council for adoption, replacing the existing Code of Conduct.

7 Decision Information

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| <p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p> | No |
| <p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p> | No |
| <p>Has the relevant Portfolio Holder been informed</p> | Yes |
| <p>District Wards Affected</p> | All |
| <p>Links to Corporate Plan priorities or Policy Framework</p> | N/A |

8 Document Information

| Appendix No | Title |
|---|--------------------------------|
| A | Revised Member Code of Conduct |
| <p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p> | |
| None | |
| Report Author | Contact Number |
| V Dawson | 2231 |