

Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
a	<p>Part 8 Codes and Protocols</p> <p>8.2 Code of Conduct for Elected Members and Co-opted Members</p> <p>Including Appendix 1 – Code of Conduct for Elected Members together with Annexes 1 to 4.</p>	<p>As per pages 198 – 210 of the Constitution.</p>	<p>Page 198 “2. Principles of Public Life”</p> <p>To replace paragraphs 1 to 7 that purport to reflect the Nolan Principles with the 7 principles of public life (the Nolan Principles). The new wording will be: -</p> <p>1. Selflessness</p> <p>Holders of public office should act solely in terms of the public interest.</p> <p>2. Integrity</p> <p>Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.</p>

			<p>3. Objectivity</p> <p>Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.</p> <p>4. Accountability</p> <p>Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.</p> <p>5. Openness</p> <p>Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.</p> <p>6. Honesty</p> <p>Holders of public office should be truthful.</p> <p>7. Leadership</p> <p>Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.</p>
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			Attached with this proforma are the proposed new pages of 8.2 including the Code of Conduct, Appendix 1 and Annexes 1-4.
		<p>Reason for proposed change: In 2020 the Local Government Association published a revised Model Councillor Code of Conduct together with Guidance on the Code to both Members and Monitoring Officers. This resulted in the Monitoring Officer working with a Member Working Group reviewing the Code of Conduct and the Local Arrangements that the Authority is required to have in place for dealing with Code of Conduct complaints in accordance with the Localism Act 2011.</p> <p>Attached is the amended Code of Conduct for Members and Co-opted Members together with amended Local Arrangements that Council will be asked to approve at the Annual Meeting of Council.</p>	
	<p>Implications of proposed change:</p> <ul style="list-style-type: none"> • Finance and other resource implications: There are no financial implications as a result of amending the Code of Conduct and Local Arrangements. • Legal implications: The Authority is required by virtue of section 28 of the Localism Act 2011 to have “arrangements” in place under which allegations that an elected or co-opted Member of the Authority has failed to comply with the Authority’s Code of Conduct. • Consultation/Engagement undertaken (internal and external): A Member Working Group was established to work through the Code of Conduct and Local Arrangements and to consider and agree on the proposed changes to the Code and Local Arrangements. 		

	<ul style="list-style-type: none"> • Human Rights implications: The Local Arrangements enable a Member to put a case and to be heard as part of the investigation process and to put a case at any hearing. • Equalities and Diversity implications: The Local Arrangements recognise the need to make adjustments under the Equality Act 2010- so if for example a person with a disability cannot put their complaint in writing, the Authority will recognise that and make reasonable adjustments. • Risk Management implications: If the Authority does not have Local Arrangements in place in accordance with the Localism Act 2011 it will be operating outside the requirements of the Localism Act 2011. • Crime and Disorder implications: Members are required to disclose their pecuniary interests to the MO within 28 days of being elected or re-elected and must disclose such interests at the start of any meeting and absent themselves from the meeting. • Environment and Sustainability implications: N/A
	<p>Proposed by: Service Area: Planning Contact Tel. No:</p>
	<p>Head of Service sign-off: (please insert a cross in the box) <input data-bbox="797 1098 916 1153" type="checkbox"/></p>