



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	AUDIT COMMITTEE – 26 JANUARY 2023
Subject	GLOUCESTERSHIRE-WIDE CODE OF CONDUCT FOR ELECTED MEMBERS
Wards affected	ALL
Accountable member(s)	Cllr Joe Harris - Leader of the Council Email: joe.harris@cotswold.gov.uk
Accountable officer(s)	Angela Claridge, Director of Governance & Development Tel: 01282 623219 Email: angela.claridge@cotswold.gov.uk
Summary/Purpose	This report sets out the proposed Member Code of Conduct.
Annexes	Annex A: Proposed Code of Conduct for Elected Members Annex B: Existing Code of Conduct for Elected Members
Recommendation/s	That the Audit Committee recommends the Draft Gloucestershire wide Code of Members' Conduct (as annexed to this report) for onward approval by Full Council.
Corporate priorities	Ensure that all services delivered by the Council are delivered to the highest standard
Key Decision	No
Exempt	No
Consultees/ Consultation	Constitution Working Group

I. REPORT

I.1 The Elected Member Code of Conduct is a key element of the Council's corporate governance framework. The purpose of the Code is to ensure that Councillors understand their individual role in maintaining high standards of conduct, to ensure that such standards are maintained at all times, and to allow action to be taken when breaches of the Code occur. In order to do this, the Code of Conduct needs to set out clearly the behaviour and standards that are expected of members of the Council.

I.2 The group of Monitoring Officers for the seven principal Gloucestershire Councils have been working together to draft a Gloucestershire wide Member Code of Conduct taking into account the Local Government Association model, which Cotswold adopted in 2021, and their collective experiences of operating the present variety of Codes in the individual Councils.

I.3 The main benefits of having a common code of conduct are that:

- It will enable training resources to be shared across and between councils;
- For those who are members of more than one council, it will mean that a single set of standards apply;
- It will provide greater clarity and consistency for members of the public about what behaviour they should expect from their representatives;
- Where complaints are brought against a member at both county and district level (as sometimes is the case), the same considerations will apply, reducing duplication and allowing a single investigation of the complaint to be undertaken.

I.4 However, the Council could decide not to adopt the revised Code.

I.5 Whilst the group acknowledge that town and parish councils are under no obligation to adopt a unified Gloucestershire Code, it is hoped that will do so. Although, a degree of adaptation of the Code may be required by other Gloucestershire Districts and Town and Parish councils. For example, those sections of the code that refer to executive responsibilities will not be relevant to those councils who do not operate executive arrangements. However, other than that, it is intended that the provisions and standards set out in the code should apply equally to all town and parish Councils. It will, of course, be up to each Town and Parish to decide whether to adopt it.

I.6 The group have been supported in its development by Gloucestershire Association of Parish and Town Councils (GAPTC). GAPTC is extremely supportive of town and parish councils adopting the unified Code as they believe it will enable them to provide better advice, support and training. The Monitoring Officer will be discussing the revised Code and promoting its adoption with parish councils in the first quarter of 2023.

I.7 While the style and layout of the Code is different to the Local Government Association (LGA) model code, the content is fully consistent with it. This ensures that

the Authority can still benefit from guidance and training the LGA offers on Code of Conduct issues.

1.8 Following comments from this committee, the unified, or as amended Code, will be recommended to Full Council.

1.9 The arrangements for assessing allegations under the Code of Conduct, which were agreed at Council on 17 March 2021, remain unchanged currently but will be added to a subsequent Audit Committee agenda for review.

2. FINANCIAL IMPLICATIONS

2.1 There are no direct financial implications arising from the recommendations.

3. LEGAL IMPLICATIONS

3.1 The principal statutory provisions relating to standards of conduct for Members are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Authority must promote and maintain high standards of conduct by Members and Co-opted members of the authority. Section 27 and 28 of the Localism Act require the Authority to adopt a Code of Conduct.

4. BACKGROUND PAPERS

Council's Constitution (available on the Cotswold.gov.uk website).

Minutes of the Constitution Working Group 01.12.2022.

Adoption of the LGA Model Code of Conduct – Full Council 20.01.2021