

**A CODE FOR THE FUTURE – CONSULTATION PAPER ON THE REVIEW
OF THE CODE OF CONDUCT FOR MEMBERS – INITIAL RESPONSE
(Report by the Director of Central Services and Monitoring Officer)**

1. INTRODUCTION

- 1.1 At the Special Meeting in June, the Committee approved a response on behalf of the District Council to the consultation paper – “A Code for the Future” published by the Standards Board for England.
- 1.2 Over 1,000 individuals, authorities and other organisations responded to the Board’s consultation on the review of the Code which formally closed on 17th June 2005. Responses analysed so far indicate a general agreement with the principles behind many areas of the Code of Conduct but respondents have highlighted a number of provisions that could be added, amended or deleted altogether. The majority of respondents believed that the ten general principles of public life should be added as preamble to the Code and would also welcome a specific provision on bullying.
- 1.3 Although analysis still is ongoing, the following areas have emerged as leading issues.

2. Private Lives and Private Conduct

- 2.1 The contentious question of whether aspects of a members private life should continue to be subject to the Code of Conduct attracted a varied response. Those in favour of the status quo argued that public figures have a position of trust and responsibility that should be met with high standards of behaviour at all times. Those in favour of relaxing the provisions covering a members private behaviour contend that private life should not be brought into the political arena. A number of respondents have observed that private conduct should not be regulated unless it has an impact on a Members ability to perform their official duties.

3. WHISLEBLOWING

- 3.1 The majority of respondents were in favour of retaining the “Whistleblowing” clause requiring Members to report suspected breaches of the code of conduct by fellow Members. But a significant minority believed that the provision should be removed as it simply prompts petty, malicious complaints and that the Board should rely on the integrity of Members to report serious abuses should they become aware of them. A number of respondents commented on how the requirement to report fellow Members to the Board can cause ill feeling especially in smaller communities.

4. CONFIDENTIALITY

- 4.1 The issue of releasing confidential information has provoked a wide range of views. The majority of respondents agreed with the Board’s view that disclosing information which is not legally classified as confidential should not be a breach of the Code of Conduct. There

has also been broad support for considering the public interest aspect of any disclosure.

5. PERSONAL AND PREJUDICIAL INTERESTS

- 5.1 Unsurprisingly, the issue of declaring interests has prompted a lot of comment. The majority of respondents believe that the personal interest test should be narrowed so that Members need not declare interests shared by a substantial number of other inhabitants in an authority's area. A majority of respondents also think that less stringent rules should apply to prejudicial interests which arise through public service and membership of charities and lobby groups.

6. CONCLUSION

- 6.1 It is the intention of the Board to make recommendations on the Code of Conduct to the Government in the Autumn. It is likely therefore that the recommendations will be available to report to the next meeting of the Committee in December.

BACKGROUND PAPERS

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