

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Proposed Amendments to Code of Conduct
Meeting/Date: Standards Committee – 6th March 2014
Executive Portfolio: Strategic Economic Development & Legal
Report by: Head of Legal & Democratic Services and Monitoring Officer
Wards affected: All

Executive Summary:

To consider possible amendments to the Council's Code of Conduct to reflect recent DCLG Guidance on registering and declaring trade union interests.

Recommendations:

That

- (i) Standards Committee approve the proposed changes to the Code of Conduct and recommend its adoption by Council; and**
- (ii) the revised code take effect on the date of the Annual General Meeting on 4 June 2014.**

This page is intentionally left blank

1. WHAT IS THIS REPORT ABOUT?

- 1.1 To consider proposed amendments to the Council's Code of Conduct to reflect recent DCLG Guidance on registering and declaring trade union interests.

2. BACKGROUND

- 2.1 Under Sections 28 and 29 of the Localism Act 2011, the Council must adopt a Code of Conduct that is consistent with the 7 Nolan Principles and that includes provision for the registration and disclosure of pecuniary interests and interests other than pecuniary interests.
- 2.2 The Council adopted a Code of Conduct on 4th July 2012, which required the registration of those interests specifically defined by the Government in legislation, namely Disclosable Pecuniary Interests. Other interests defined under the Council's Code simply had to be declared at a meeting if they were affected by a matter under discussion.
- 2.3 DCLG has recently published revised guidance entitled "Openness and transparency on personal interests" indicating that interests to be registered and declared should also include membership of a trade union.
- 2.4 At its last meeting the Standards Committee resolved that the Head of Legal and Democratic Services prepare a revised Code of Conduct to reflect the changes discussed and this is attached as Annex 1. As the new Code is less than 2 years old, changes have been kept to a minimum. Additions are shown underlined and deletions have the text struck through.

3. ANALYSIS

- 3.1 If Trades Union interests are to be registered and declared, then it would seem appropriate to include similar bodies whose purpose is to influence public opinion, such as membership of a political party. This was a requirement under the previous national Code of Conduct and is also reflected in the model Code published by NALC.
- 3.2 Appendix B has been added to cover registration of these interests and a new clause 4 added specifically dealing with initial registration and any subsequent changes or new interests.
- 3.3 The opportunity has also been taken to simplify the definition of non statutory interests.

4. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 4.1 If Members consider that changes should be made to the Code and the content of their Register of Interests, it would seem sensible for this to be introduced from the start of the new municipal year in May 2014. This will avoid additional work of having to produce new Declaration of Interest Forms and all Members having to complete and submit them. It will also provide an opportunity to give advice to and provide training both to members and to Town and Parish Councils who wish to make similar changes to their Codes.

5. LEGAL IMPLICATIONS

The Council has the power under Section 28 of the Localism Act to revise its Code of Conduct.

6. RECOMMENDATIONS

6.1 That

- (i) Standards Committee approve the proposed changes to the Code of Conduct as set out in Appendix 1 and recommend its adoption by Council; and
- (ii) the revised code take effect on the date of the Annual General Meeting on 4th June 2014.

7. LIST OF APPENDICES INCLUDED

Annex 1- Revised Code of conduct

BACKGROUND PAPERS

Localism Act 2011

CONTACT OFFICER

Colin Meadowcroft- Head of Legal & Democratic Services
Tel No. 01480 388021