



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

GOVERNANCE, ETHICS AND STANDARDS COMMITTEE

THURSDAY, 26 OCTOBER 2023

Report of the Director - Legal and Democratic Services

Review of the Councillors' Code of Conduct and arrangements for dealing with complaints made under the Code of Conduct.

1. Purpose

- 1.1 To seek approval to set up a working group to review the Councillors' Code of Conduct and arrangements for dealing with complaints made under the Code of Conduct.

2. Information and Analysis

- 2.1 Following the findings of the report of the Committee on Standards in Public Life on Local Government Ethical Standards which were reported to the Governance, Ethics and Standards Committee together with the new model Code of Conduct published by the LGA in January 2021, the Governance, Ethics and Standards Committee set up two working groups in July 2021 to consider and revise the standards regime at Derbyshire County Council.
- 2.2 The review resulted in the Council adopting a new Code of Conduct on 1st April 2022 and revised arrangements for dealing with complaints made against member under the Code of Conduct were approved by the Governance, Ethics and Standards Committee on 18th January 2022. A copy of the Code of Conduct which can be found at Appendix 10 of the Constitution and the Arrangements for Dealing with Complaints are attached at Appendices 2 and 3 respectively.

- 2.3 As the new Code and arrangements for dealing with complaints have now been in place for more than 12 months, it is appropriate to review them and consider any revisions required to enhance the regime and ensure that the best practice identified by the Committee for Standards on Public Life is being put into practice.
- 2.4 In order to undertake this review, it is proposed that a working group be established. It is also requested that the Committee identifies the composition of the working group with a view to meetings being arranged to commence the review as soon as possible.
- 2.4 The outcome of the review conducted by the working group will be reported to a future Governance, Ethics and Standards Committee for consideration and approval.

3. Consultation

- 3.1 Not applicable.

4. Alternative Options Considered

- 4.1 Not to review the new regime. However, this is not recommended as it does not give an assurance that the regime is fit for purpose or provide the opportunity to amend the procedure in light of any lesson learned over the last year.

5. Implications

- 5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

6. Background Papers

- 6.1 None identified.

7. Appendices

- 7.1 Appendix 1 – Implications
- 7.2 Appendix 2 – Derbyshire County Council’s Code of Conduct for Councillors
- 7.3 Appendix 3 – Derbyshire County Council’s Arrangements for dealing with complaints that members have breached the Code of Conduct.

8. Recommendation(s)

That Committee:

- a) agrees to set up a working group to review the current Code of Conduct for Councillors and the arrangements for dealing with complaints made against Elected Member for breaching the Code of Conduct; and
- b) agrees the composition of the working group.

9. Reasons for Recommendation(s)

- 9.1 To ensure that the Code of Conduct and arrangements for dealing with complaints brought under the Code of Conduct is working in practice and remains fit for purpose.

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Implications

Financial

1.1 None.

Legal

2.1 The Localism Act 2011 sets out the statutory framework for ethical standards and the Council must be satisfied that current arrangements comply with those statutory requirements.

2.2 The report of the Committee on Standards in Public Life set out guidance for best practice in respect of the standards regime in local authorities and it would be appropriate for the Council to ensure that these are taken into account within its current regime.

Human Resources

3.1 None directly arising out of this report.

Information Technology

4.1 None directly arising out of this report

Equalities Impact

5.1 None directly arising out of this report.

Corporate objectives and priorities for change

6.1 None directly arising out of this report.

Other (for example, Health and Safety, Environmental, Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None directly arising out of this report.