

## 16 MEMBERS' CODE OF CONDUCT

The Mayor had agreed pursuant to s.100B(4) of the Local Government Act 1972 that the report referred to in this minute should be considered as a late item. The Governance Committee meeting at which it was considered had taken place after the publication of the final agenda for this meeting but a decision on the matter was required before 1 July.

The Governance Committee reported that, in accordance with the Localism Act 2011, the Council was obliged to adopt a new Members' Code of Conduct, to be effective from 1 July 2012. The Committee now recommended the adoption of a new Code, based on model codes suggested by the Department of Communities & Local Government and by the Local Government Association, together with a procedure for dealing with allegations of breaches of the Code.

The Code and Procedure are set out as **Appendices 2A and 2B** to these minutes respectively.

### **Amendment by the Independent Residents' Group**

Both the Members Code of Conduct and the Procedure for dealing with allegations need to be withdrawn and re-written, because:

- The Members Code of Conduct reads like an Employee Code of conduct. For example: the sentence 'Members will be expected to comply with the Council's policies on Equality in Employment, Equality in Service Provision and Harassment and Bullying at Work' should not be in a Members Code of Conduct. This is because Members are elected Representatives of the People, not employees of the Council and should not be expected to comply with the Council's policies.
- The Procedure for dealing with allegations should include an appeals procedure.

Following debate, the amendment by Independent Residents' Group was **LOST** by 38 votes to 4 (see division 2). The Governance Committee's recommendations were then **AGREED** as the substantive motion by 40 votes to 4 (see division 2) and it was **RESOLVED:**

**That the Council adopt the draft Code of Conduct set out in Appendix 2A and the procedure for dealing with complaints set out in Appendix 2B, noting that the Monitoring Officer will amend the section of the Code that deals with interests if necessary to comply with any subsequent secondary legislation**