

CONDUCT COMMITTEE

28 January 2014

UPDATE REPORT

Report of the Monitoring Officer

STRATEGIC AIM:	All
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1. PURPOSE OF THE REPORT

- 1.1 To provide the Committee with an update on the Conduct related matters that have occurred since its last meeting.

2. RECOMMENDATIONS

- 2.1 That the Committee endorses the proposed recruitment exercise for the appointment of at least one additional Independent Person,
- 2.2 That the Committee notes the progress made in implementing the requirements of the new code.
- 2.3 That the amended Nolan Principles set out in Appendix A are incorporated into the Council's code of Conduct.

3. CODE OF CONDUCT

- 3.1 The revised Code of Conduct was approved by Council on 11 June 2012. At the Council meeting in September 2012 a number of changes were suggested to the Code but this was delegated to the Constitution Review Working Group (CRWG) for final decision.
- 3.2 In August 2013, having considered these amendments, the CRWG decided to retain the Code as approved by Council. This decision was made on the basis that the approved Code is consistent with legislation and that it was in appropriate to add back elements that were no longer a legislative requirement.
- 3.3 The CRWG felt that there was potential for confusion with the Code in that although there is no longer a requirement to declare a personal interest, the common law rules about predetermination (actual or apparent) still applies. Members have to decide whether it is appropriate for them to take part in a debate and vote, even if they have no disclosable pecuniary interest to declare.
- 3.4 To address this, it was agreed that training would be provided to County and Parish Councillors and that a series of briefing notes would

be prepared to offer further clarification. Both of these items are currently being developed.

- 3.5 In adopting a code of conduct, the Authority must ensure that the code, when viewed as a whole, is consistent with the seven Nolan Principles. The Committee on Standards in Public Life has amended the definition of these principles to some degree. The amended principles are shown at **Appendix A** to this report and it is recommended that these amendments are incorporated into the RCC Code of Conduct.
- 3.6 The Council is required to publish the registers of interest of County and Parish Councillors. All of the registers received for County Councillors have now been published on the Council's website. The work to publish the registers for Parishes is ongoing.
- 3.7 The new regime has been in place for almost 18 months therefore it is the intention of the Monitoring Officer to review the Council's arrangements and bring a report to the next Committee meeting in April 2014.

4. COMMITTEE MEMBERSHIP

- 4.1 The Committee is still without Parish representatives. At the previous meeting of this Committee it was agreed that the Monitoring Officer writes to the Parish and Town Councils requesting nominations. A further letter was sent on 16 January 2014. A verbal update on any responses received will be provided at the meeting.

5. INDEPENDENT PERSON

- 5.1 In July 2013, Council appointed Mr Ian Shatford as Independent Person to support the work of this Committee until 30 June 2015. Council also confirmed its intention to appoint at least one additional Independent Person (the original Council decision was to make 3 appointments).
- 5.2 On this basis, it is proposed that a recruitment campaign is undertaken, including a press release, liaison with the local press, and an advert placed in the Leicester Mercury and Peterborough Evening Telegraph, as with the previous campaign to ensure wide circulation and publicity.
- 5.3 The proposed timeline is as follows:
 - Begin recruitment campaign 3 February 2014
 - Closing date for applications 7 March 2014
 - Interviews to be held late March 2014. The panel to be the Conduct Committee plus a parish representative, as per the previous process.
 - Committee recommendation to Full Council April 2014

5.4 The Committee is asked to endorse the proposed recruitment process.

6. COMPLAINTS RECEIVED UNDER THE CODE OF CONDUCT

6.1 There have been four complaints received under the new code, which have been assessed by the Monitoring Officer in consultation with the Independent Person, Mr Shatford. In three cases the code was not engaged, and in one the complaint was not upheld therefore none of these complaints required any further action.

7. RISK MANAGEMENT

RISK	IMPACT	COMMENTS
Time	Low	No issues arising
Viability	Low	No issues arising
Finance	Low	The cost of the recruitment exercise can be contained within existing budgets.
Profile	Low	This report sets out how we are complying with statutory guidance and there is little public interest.
Equality and Diversity	Low	An initial equality impact assessment has been completed and there are no matters arising that require consideration relating to the proposals in this report.

Background Papers
Background File Ref:

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