
Standards Committee: New Councillor Code of Conduct

Background

- 1 The Localism Act 2011 requires all councils to have a code of conduct which must include the Act's pecuniary interest provisions.
- 2 In 2020 the Local Government Association (LGA) published a Model Code of Conduct for councils to consider adopting. This Council decided at that time to continue with its existing Code which was seen as having worked effectively since its adoption and was not different in substance to the proposed Model Code.
- 3 The Standards Committee noted more recently that most other councils in West Sussex have adopted the Model Code or have adapted it and the Committee asked for a draft to be prepared that is based on the Model Code but including any bespoke elements in the current West Sussex version.
- 4 The Council's current Code of Conduct has been reviewed. The main difference is the inclusion in the Model Code of commentary on the Code's provisions.
- 5 A new version has been prepared and endorsed by the Standards Committee, which is now recommended to the County Council for approval.

Proposal

- 6 The version based on the LGA Model Code is attached at Appendix 1. This is recommended for approval with Appendices A and B. The changes to references for sections of the current Code of Conduct to be retained are shown at the end of Appendix 1.
- 7 Some text in the Model Code has been removed where it is clearly of no relevance to the County Council or where it is aimed at the LGA itself. While interests are set out in detail, parts of the current West Sussex Code are recommended for inclusion, including the current wording for personal and prejudicial interests, advice on predetermination and on the effects of prejudicial interests in scrutiny committees. They are shown in Appendix B to the draft Code. Table 3 of Appendix B lists common exclusions to interests, which also features in the current West Sussex Code. This is also recommended for inclusion.
- 8 The Standards Committee asked for some minor reformatting to be carried out and highlighted some minor textual adjustments for clarification. These changes have been made to the final version in Appendix 1.

Finance

- 9 There are no financial implications arising in relation to this report.

Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
That the County Council uses a different Code to that of other councils, leading to uncertainty for councillors and the public.	The new Code of Conduct will bring the County Council into line with district and borough councils, reducing the scope for uncertainty.

Policy alignment and compliance

10 The Code of Conduct forms one element of the Council's range of systems to reduce crime, to ensure compliance with the public sector equality duty and with the expectations of the rights of individuals within the Human Rights Act.

Recommended

- (1) That the draft Code of Conduct at Appendix 1 be approved; and
- (2) That all councillors be asked to sign up to the new Code by the end of January 2023.

Pete Bradbury

Chairman of the Standards Committee

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Background papers:

None