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Report for:	Standards Committee	Item Number:	
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Title:	Amendments to the Members' Code of Conduct
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Report Authorised by:	Bernie Ryan, Assistant Director of Governance and Monitoring Officer.
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Lead Officer:	Bernie Ryan, Assistant Director of Governance and Monitoring Officer.
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Ward(s) affected: N/A	Report for Key/Non Key Decisions: N/A
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1. Describe the issue under consideration

This report recommends some amendments to the Members' Code of Conduct.

2. Cabinet Member introduction

N/A

3. Recommendations

- (a) That Members consider the proposed amendments to the Members Code of Conduct and recommend their adoption by full Council.

4. Alternative options considered

- 4.1 No significant amendments to the Code are required, however some minor changes are required to improve clarity and include additional definitions.

5. Background information

- 5.1 S27 of the Localism Act 2011 imposes a duty on councils to promote and maintain high standards of conduct by members and co-opted members of



the authority. In discharging this duty councils are required to adopt a code dealing with the conduct which is expected of members and co-opted members of the authority when they are acting in that capacity.

- 5.2 Section 28 of the Localism Act 2011 requires that codes of conduct adopted by councils are consistent, when viewed as a whole, with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Codes must also include appropriate provisions in relation to the registration and disclosure of pecuniary interests and interests other than pecuniary interests.
- 5.3 Section 29 of the Localism Act 2012 requires the Monitoring officer to establish and maintain a register of interests of members and co-opted members of the authority. The register must be available for inspection at a place in the authority's area and on the council's website.
- 5.4 Section 30 of the Localism Act 2011 requires a member or co-opted member of the council, before the end of 28 days from the day when the person becomes a member or co-opted member, to notify the Monitoring Officer of any disclosable pecuniary interests which they have at the time the notice is given. Disclosable pecuniary interests are specified by the Secretary of State in Regulations and are included in the Code at Appendix A. Section 31 of the Localism Act 2011 includes provisions relating to actions members must take at meetings where they have a disclosable pecuniary interest and these are included in the Code at paragraph 9 of the Code.
- 5.5 Section 34 of the Localism Act makes it a criminal offence if a member or co-opted member fails, without reasonable excuse, to comply with requirements under section 30 or 31 to register or declare disclosable pecuniary interests. It is also a criminal offence to take part in council business at meetings, or act alone on behalf of the council, when prevented from doing so by a conflict caused by disclosable pecuniary interests.
- 5.6 Councils can amend their code as they see fit provided they comply with these requirements.
- 5.7 Haringey Council Members Code of Conduct was adopted by full Council on 16th July 2012. The Code has now been reviewed in light of its use over the past two years and some minor amendments and clarifications are now proposed.
- 5.8 The proposed changes are:
- (a) Explanatory Note (page 1) – addition of 'co-opted members' to make clear that the register contains their interests as well as elected members.



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- (b) Application of the code para 2.6 – amended to make clear that members are acting in their capacity as a member when they claim to or give the impression they are acting as a representative of the authority.
- (c) Application of the code para 2.9 – a definition of ‘relevant authority’ is added for clarity.
- (d) Personal interests para 5.3 – definition of family member added for clarity.

5.9 Changes to the Code of Conduct must be approved by full Council. Standards Committee is requested to consider and then make recommendations for changes to full Council.

6. Comments of the Chief Finance Officer and financial implications

6.1 There are no financial implications arising from this report

7. Comments of the Assistant Director of Corporate Governance and legal implications

7.1 These are included within the body of the report.

8. Equalities and Community Cohesion Comments

N/A

9. Head of Procurement Comments

N/A

10. Policy Implications

N/A

11. Reasons for Decision

11.1 The Standards Committee supports the Council in discharging its duty to promote and maintain high standards of conduct by members and co-opted members. It is good practice to periodically review and amend (if needed), the Code of Conduct.

12. Use of Appendices

Appendix A – Members’ Code of Conduct

13. Local Government (Access to Information) Act 1985

Background papers used in the preparation of this report – current version of the Members Code of Conduct