

STANDARDS COMMITTEE – 12 DECEMBER 2018

Title of paper:	Amendments to the Councillor and Co-opted Member Codes of Conduct	
Director(s)/ Corporate Director(s):	Malcolm Townroe – Director of Legal and Governance and Monitoring Officer	Wards affected: All
Report author(s) and contact details:	Nancy Barnard, Governance Manager Nancy.barnard@nottinghamcity.gov.uk 0115 876 4312	
Other colleagues who have provided input:	None	
Date of consultation with Portfolio Holder	16/11/2018	
Relevant Council Plan Key Theme:		
Strategic Regeneration and Development		<input checked="" type="checkbox"/>
Schools		<input type="checkbox"/>
Planning and Housing		<input type="checkbox"/>
Community Services		<input type="checkbox"/>
Energy, Sustainability and Customer		<input type="checkbox"/>
Jobs, Growth and Transport		<input type="checkbox"/>
Adults, Health and Community Sector		<input type="checkbox"/>
Children, Early Intervention and Early Years		<input type="checkbox"/>
Leisure and Culture		<input type="checkbox"/>
Resources and Neighbourhood Regeneration		<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):		
The Standards Committee is responsible for advising Council on revisions to the Code of Conduct. Changes are proposed to the Councillor and Co-opted Member Codes of Conduct in order to ensure the requirements relating to declarations of interest are clear and that Councillors' and Co-opted Members' responsibilities in relation to equalities are reflected.		
Recommendation(s):		
1	To consider the proposed amendments to the Councillor and Co-opted Members Codes of Conduct outlined in paragraphs 2.1 – 2.3.	
2	If agreed, to refer the proposed amendments to the next appropriate meeting of Council for approval and incorporation into the Council's Constitution.	

1 REASONS FOR RECOMMENDATIONS

- 1.1 The Standards Committee plays a key role in keeping the Councillor and Co-opted Member Codes of Conduct under review, ensuring they are fit for purpose and making recommendations to Council regarding any changes deemed necessary. In advance of the City Council elections in May and the potential election of new Councillors, the Codes have been reviewed to ensure that they continue to ensure Councillors and Co-opted Members are working to high ethical standards.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 Two possible amendments were identified by the review for recommendation to the Standards Committee.

2.2 Equality and Diversity

Nottingham's Codes of Conduct currently make no explicit reference to Councillors' and Co-opted Members' responsibilities in relation to Equality and Diversity. The majority of other Core Cities make reference to this in their Codes of Conduct. In order to clarify this matter and underline the importance of Equality and Diversity to Councillor and Co-opted Members' roles the following addition is proposed to the Codes of Conduct:

Additional Paragraph 3.3, you must:

"promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability."

2.3 Declaration of Other Interests

Currently, the Codes of Conduct only explicitly require declarations of Other Interests when attending a meeting of the Council and not in relation to Councillors exercising individual decision making powers. While the application to individual decision making is implicit, and a requirement of the Localism Act 2011, the Codes would benefit from clarification on this point. Therefore the following amendment is proposed:

Additional Paragraph 5.2:

"Where you are able to discharge a function of the Council acting alone and you are aware that you have an Other Interest in a matter being dealt with, or to be dealt with, by you in the course of discharging that function, you must not take any steps, or further steps, in relation to the matter (except for the purpose of enabling someone other than you to deal with the matter)."

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 The proposed amendments are not required by law but clarify the standards expected of new and returning Councillors. The Codes of Conduct could be left unamended but this would leave the documents less clear than they might be.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

4.1 There are no financial implications to this report as it involves amendment of the Codes of Conduct.

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

5.1 The proposed amendments are in line with the requirements of the Localism Act 2011. The report has no further significant legal implications.

7 EQUALITY IMPACT ASSESSMENT

7.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the report proposes the inclusion of equality and diversity considerations in the Codes of Conduct.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

8.1 None

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

9.1 Nottingham City Council's Councillor and Co-opted Member Codes of Conduct contained within the Constitution and available at

<https://www.nottinghamcity.gov.uk/about-the-council/nottingham-city-councils-constitution/>

9.2 The Localism Act 2011