



Audit & Governance Committee
29 January 2021

Report of the Member Code of Conduct Working Group

Purpose of the report:

To consider the recommendations of the Member Code of Conduct Working Group on a revised Councillor Code of Conduct and amendments to the Arrangements for Dealing with Allegations of Breaches of the Councillor Code of Conduct.

Recommendations:

1. That the Committee approves:
 - (1) The revised Councillor Code of Conduct. (Appendix A)
 - (2) The amendments to the Arrangements for Dealing with Allegations of Breaches of the Councillor Code of Conduct. (Appendix B)
2. That the revised Councillor Code of Conduct comes into force at the next Council AGM following a Council election.

Introduction:

1. At its meeting on 22 May 2020, the Audit and Governance Committee considered the Ethical Standards Annual Report and agreed to establish a working group to review possible changes to the Member Code of Conduct in light of recommendations in:
 - a. The Surrey County Council Internal Audit Report of Register of Interests/Gifts and Hospitality.
 - b. The Committee on Standards and Ethics 'Local Government Ethical Standards' report (2019).
 - c. The Local Government Association model Councillor Code of Conduct (published in June 2020).
2. The following members were appointed to the working group:

David Harmer
Peter Szanto
Keith Witham

Edward Hawkins (replaced by Victoria Young w.e.f. 25/09/2020)
Stephen Cooksey
Stephen Spence

3. The working group was assisted in its deliberations by the Monitoring Officer, Member Services Manager and Regulatory Business Manager.
4. At the working group's first meeting on 9 July 2020, it was decided that a revised Surrey County Council (the Council) Member Code of Conduct should be based on the final model Councillor Code of Conduct published by the Local Government Association (LGA).
5. A revised Member Code of Conduct, based on the draft LGA model Councillor Code of Conduct, was sent to all political groups on the Council for comment, which was considered by the working group at its meeting on 7 October 2020.

Feedback was received from Audit and Governance Committee members; group leaders; select and local committee chairmen and two Cabinet members. The feedback was broadly supportive of the proposals in the draft LGA Councillor Code of Conduct.

6. The working group submitted its first report on the appointment of two Independent Persons and revised Arrangements for Dealing with Allegations of Breaches of the Member Code of Conduct to the Audit and Governance Committee on 27 November 2020.

The working group also advised that it would consider the final LGA Councillor Code of Conduct after it had been published.

The recommendations in the report were approved by Full Council on 8 December 2020.

7. The LGA published a final model Councillor Code of Conduct on 3 December 2020, and minor amendments were made to make it bespoke for Surrey County Council. This was considered by the working group at its meeting on 8 January 2021.
8. The amendments to the Arrangements for Dealing with Allegations of Breaches of the Councillor Code of Conduct are of a minor nature and further clarify issues around the investigation procedure.

Conclusions:

Financial implications

None.

Equalities and Diversity Implications

None. An Equality Impact Assessment was therefore not needed.

Risk Management Implications

Non-financial Risk:

The Council is statutorily obliged to have a Code of Conduct for its elected Members. The code must be relevant, up to date and reviewed on a regular basis to ensure that it is in line with current guidance and legislation. If this is not done, the Council could face reputational issues.

Next steps:

The Chairman of the Audit and Governance Committee to present the recommendations to Full Council on 9 February 2021 for approval.

David Harmer:

Chairman of the Member Code of Conduct Working Group

Officer contact:

Paul Evans: Monitoring Officer

paul.evans@surreycc.gov.uk

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