

Council Meeting – 16 March 2021

REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE

Mr David Harmer (Chairman)
Mr Keith Witham (Vice Chairman)
Dr Peter Szanto
Mrs Victoria Young
Mr Stephen Cooksey
Mr Stephen Spence

REPORT OF THE MEMBER CODE OF CONDUCT TASK GROUP

1. At its meeting on 9 February 2021 the Council considered a report of the Audit and Governance Committee recommending the adoption of a new Code of Conduct for Councillors following the publication of the Local Governance Association's (LGA) new model code in December 2020.
2. The Council agreed:
 - To adopt a revised Councillor Code of Conduct to be effective from the Council's AGM on 25 May 2021.
 - The Arrangements for Dealing with Allegations of Breaches of the Councillor Code of Conduct.
 - And confirmed in addition to compliance with the Councillor Code of Conduct, Members are expected to comply with the following codes: (a) Member/Officer Protocol (b) Planning Code of Best Practice.
3. At the Council meeting of 9 February, Council was informed that the LGA had made some small amendments to the wording of the model LGA code issued on 23 December. The Chairman of the Audit and Governance Committee said these would be considered by the Audit and Governance Committee Task Group which would report any recommended amendments to the next available Council meeting.
4. The Task Group met on the 26 February 2021 and the following amendments are recommended (set out as track changes in Appendix A).
5. "Application of the Code of Conduct" – the new version condensed four bullet points into two by rephrasing the key detail.
6. "I register and disclose my interest" – the new version included amended wording and reference to the Localism Act 2011.
7. The key changes considered by the Task Group were the wording in relation to the treatment of interests and obligations on councillors to register them.

The general wording amendments were agreed to be an improvement and adoption is recommended.

8. Further, the new draft sought to clarify the requirement to declare “Other registrable interests” by Members. Within the code previously considered by the Council, Table 2 read ‘any Body of which a councillor is a member or in general control or management and to which they are appointed or nominated by the council’. The new draft LGA code has altered this and is not as clear as it could be in defining when councillors declare any roles in external organisations, as between “membership” or position of “control or management”, After considering options the Task Group agreed to recommend the principles contained in the model LGA code set out as follows:

“You have a registrable personal interest in

- a. any body within Surrey of which you are in a position of general control or management and to which you are nominated or appointed by Surrey County Council.
- b. any body within Surrey of which you are in a position of general control or management which exercises functions of a public nature and / or is directed to charitable purposes
- c. Any body whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you hold a membership.”

Recommendations:

That Council **approves:**

The revised Councillor Code of Conduct (Appendix A).

Mr David Harmer
Chairman of the Audit and Governance Committee
5 March 2021