

# Southend-on-Sea City Council

Report of the Executive Director (Legal & Democratic Services) and Monitoring Officer  
To

Standards Committee

On  
23 March 2022

Report prepared by: John Williams

Agenda  
Item No.

---

## The new LGA Model Councillor Code of Conduct

### Part 1 Public agenda item.

---

#### 1. Purpose of Report

To present to the Standards Committee a new Model Councillor Code of Conduct produced by the Local Government Association (LGA), with a view to making a recommendation to Council to adopt the same.

#### 2. Recommendation

That the Council is recommended to adopt the Model Councillor Code of Conduct (May 2021 version) produced by the Local Government Association (LGA) as attached at **Appendix 1**, to replace the existing Members' Code of Conduct in Part 5a of the Constitution.

#### 3. Background

- 3.1 The Council adopted a Members' Code of Conduct in 2012 following changes to the Standards regime. It is located in Part 5a of the Council's Constitution. The current Members' Code of Conduct was developed in conjunction with other Essex Authorities to try and ensure a consistent approach.
- 3.2 There have only been a few amendments to the Members' Code of Conduct since its introduction in 2012, notably in October 2019 to incorporate minor changes recommended by the Committee on Standards in Public Life.

3.3 In January 2019, the Committee on Standards in Public Life published a report which recommended that the Local Government Association (LGA) in consultation with representative bodies of councillors and officers of all tiers of local government, should produce a new Model Code of Conduct for Councillors.

3.4 This Model Councillor Code of Conduct (“the Model Code”) was approved by the LGA on 3 December 2020 and then a final version was approved in May 2021 and made available to all Local Authorities shortly thereafter.

3.5 The fundamental aim of the Model Code is to create and maintain public confidence in the role of Councillor and Local Government. It also aims to protect the public, Councillors, Local Authority Officers, and the reputation of Local Government.

The Model Code sets out:

- The general principles of conduct expected of all Councillors and specific obligations in relation to standards of conduct.
- The type of conduct that could lead to action being taken against them.

3.6 The Model Code covers the following areas:

- Respect.
- Bullying, harassment and discrimination.
- Impartiality of officers of the Council.
- Confidentiality and access to information.
- Disrepute.
- Use of position.
- Use of Local Authority resources and facilities.
- Complying with the Code of Conduct.
- Protecting your reputation and the reputation of the Local.
- Interests.
- Gifts and hospitality.

3.7 Some key features of the Model Code:

- It has been written in the first person, to make it more personal to individual Councillors.
- It contains provisions on the use of social media, including confidentiality.
- In relation to declaration of interests there are three categories:
  - (i) Disclosable Pecuniary Interests,
  - (ii) Other Registrable Interests; and
  - (iii) Non- Registrable Interests.This strengthens those areas of declaration that have been seen to be too weak.  
The Model Code is explicit about declaration of interests that not only affect spouses, civil partners or co-habitees, but also relatives or close associates.
- There is a duty to comply with any sanction imposed.

3.8 The LGA has also produced:

- Supporting Guidance (with examples) **Appendix 2**; and
- A Training Resource Pack issued on 7 March 2022.

3.9 The LGA plan to undertake an annual review of the Model Code to ensure it continues to be fit for-purpose, incorporating advances in technology, social media and changes in legislation.

3.10 Monitoring Officers within Essex are generally satisfied with the final version of the Model Code issued in May 2021.

Having a common Code offers significant advantage in that all Councillors will be being subject to the same requirements and standards. In the case of dual-hatted Councillors this is even more important, and Leigh-on-Sea Town Council has been sent a copy of this report so that they consider adopting the Model Code.

The supporting Guidance will assist all Councillors and Monitoring Officers to interpret the Code consistently.

A number of Councils across Essex are now in the process of adopting the Model Code and many Councils across England have already done so.

3.11 If the Council decides to adopt the Model Code, then training will be arranged for all Councillors using the LGA's Training Resource Pack referred to in 3.8 above.

#### **4. Corporate Implications**

4.1 Contribution to Southend 2050.

The 2050 Ambition underpins the collective vision for the future of the City including the development and demonstration of the Council's new Values and Behaviours, including acting with integrity, which are at the heart of the way the Council works together.

4.2 Financial Implications  
None

4.3 Legal Implications.

The Council is under a duty to promote and maintain high standards of conduct by Members and co-opted Members of the Council pursuant to section 27(1) of the Localism Act 2011.

All Councils are required to have a local Councillor Code of Conduct.

- 4.4 People Implications.  
As set out above.
- 4.5 Property Implications  
None
- 4.6 Consultation  
The LGA have consulted on the Model Code.
- 4.7 Equalities and Diversity Implications.  
The Model Code and supporting Guidance emphasises the importance of Councillor responsibility to ensure those with protected characteristics are protected from discrimination
- 4.8 Risk Assessment  
No issues arising
- 4.9 Value for Money  
No issues arising.
- 4.10 Community Safety Implications  
None
- 4.11 Environmental Impact  
None

## 5. Background Papers

- The existing Members' Code of Conduct in Part 5a of the Constitution.
- The LGA's Training Resource Pack on the Model Code

## 6. Appendices

**Appendix 1** - LGA Model Councillor Code of Conduct (May 2021 version)

**Appendix 2** - LGA Supporting Guidance.