

**REFERRAL FROM STANDARDS COMMITTEE: 3 MARCH 2021 - LOCAL GOVERNMENT ASSOCIATION ('LGA') MODEL CODE OF CONDUCT**

**RECOMMENDED TO COUNCIL:**

- (1) That the LGA Model Code of Conduct be adopted with the following amendments:
  - (i) Appendix B to include the replacement Table 1, which includes the NHDC definition of DPs and links to guidance/ statutory instrument;
  - (ii) Replacement of the Appendix C good practice recommendations with Appendix C grounds for a Dispensation;
  - (iii) Definition of 'room' to include a footnote explanation that this includes 'virtual meeting' room and typographical changes to use the words: 'Registrable' and 'behaviours';
- (2) That the Code take effect from the day after the election poll in 2021 (7 May) or such day if the election is postponed, as the case may be;
- (3) That training on the new code be compulsory for all District Councillors during the 2021- 2022 municipal year.

**REASON FOR DECISIONS:** To ensure good governance within the Council, which is reflective of a national governance model.

***NB THE VERSION OF THE CODE APPENDED (I) TO THIS REFERRAL IS THE ONE RECOMMENDED BY STANDARDS COMMITTEE (guidance now in blue).  
Previous version can be found on the following page:***

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=154&MId=2381&Ver=4>

The Service Director – Legal and Community/Monitoring Officer presented the report entitled Local Government Association Model Code of Conduct together with the following appendices:

- Appendix 1 – LGA model code 19 January 2021;
- Appendix 2 – suggested replacement Appendix B Table 1, which includes the NHDC definition of DPs and links to guidance/ statutory instrument (and some typographical changes);
- Appendix 3 – suggested replacement Appendix C, which includes the NHDC Appendix C on Dispensations.

She advised that:

- This was not a perfect Code, but on balance as a package with LGA guidance and support it should be considered, but it was for this Committee to consider whether to recommend adoption to Council;
- The Model Code had received a mixed reaction across the Country, which was for a variety of reasons: from style of code/ what it covered/ elections about to take place to the fact that there were no effective sanctions – so why bother;
- Locally, however, there had been in-principle support for local councils to adopt (24 of the 27 in the District had indicated they were interested in taking this forward)
- If the Model Code was not adopted, the current NHDC Code and guidance would require review with associated resources;

The following Members asked questions and took part in the debate:

- Councillor Richard Thake;
- Councillor Ruth Brown;
- Councillor David Levett;
- Independent Person Nicholas Moss;
- Councillor Clare Billing;
- Councillor Claire Strong;
- Councillor Judi Billing;
- Parish Councillor Martin Griffin;
- Councillor Martin Stears-Handscorn;
- Reserve Independent Person John Richardson;
- Reserve Independent Person Peter Chapman.

In response to questions the Service Director Legal and Community/Monitoring Officer advised:

- That if the Model Code were adopted and it was reviewed by the LGA, a report would be brought to this Committee to consider (and whether to recommend adopting the revised version);
- Any amendments to the current version would need to be considered and adopted by Council;
- If the best practice list was included, Member could not be held accountable for anything in this list and it did not particularly add to that Code;
- It was suggested that Appendix B of the Code - Table 1 be replaced with Appendix B and Appendix C of the Code – List of Best Practices be replaced with Appendix C;
- If training is deemed as mandatory then options and methods of training would be considered – although a pragmatic and proactive approach would be undertaken by officers.

Members considered that the best practice list and new Appendix C should be included with the Model Code.

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*NB: The report considered by the Standards Committee at the meeting held on 3 March 2021 can be viewed at Minute 14 here:*

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=154&MId=2381&Ver=4>