
Ethics Committee
Cabinet Member for Policing and Equalities
Council

10 March 2015
26 March 2015
Date to be confirmed

Name of Cabinet Member:

Cabinet Member for Policing and Equalities – Councillor P Townshend

Director Approving Submission of the report:

Executive Director of Resources

Ward(s) affected:

Not applicable

Title: Proposed Amendment to Code of Conduct for Elected and Co-opted Members

Is this a key decision?

No

Executive Summary:

At its meeting on 29 August 2014, the Ethics Committee considered a report on the Code of Conduct during the course of which it decided that it should recommend to Council that the Code of Conduct should be amended to draw members' attention to the requirement not to disclose confidential information. This report provides the Committee with suggested wording for an amendment and asks the Committee to consider the wording and make recommendation to full Council.

Recommendations:

1. The Ethics Committee is recommended to:
 - (1) consider the proposed additional wording for the Code of Conduct for Elected and Co-opted Members; and
 - (2) recommend to the Cabinet Member for Policing and Equalities that he recommends to full Council that it approves the additional wording to the Code and that Part 4A of the Council's Constitution is amended accordingly.

2. Cabinet Member (Policing and Equalities) is recommended to:

(1) Recommend to Council that it approves the additional wording to the Code of Conduct and that Part 4A of the Council's constitution is amended accordingly.

3. Council is recommended to approve the additional wording to the Code and that Part 4A of the Council's Constitution is amended accordingly.

List of Appendices included:

Code of Conduct for Elected and Co-opted Members with proposed amendment

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Proposed Amendment to Code of Conduct for Elected and Co-opted Members

1. Context (or background)

- 1.1 At its last meeting on 29th August 2014 the Committee considered a report on the Code of Conduct. The Committee resolved, among other things, to consider amending the Code to make it clearer to members their responsibilities with regard to not disclosing confidential matters. Officers were asked to draft an amendment to the Code and bring it back to this meeting for the Committee to consider.

2. Options considered and recommended proposal

- 2.1 The Code of Conduct has been re-drafted to include some additional wording in paragraph 3(g) emphasising that members may not disclose information provided to them in confidence to third parties unless they have prior approval. This last proviso has been added in because there may, exceptionally, be occasions when it is appropriate to disclose confidential information. These might include, for example, where a member is required by law to disclose information or where he or she needs to disclose it in order to obtain professional advice.
- 2.2 A copy of the Code of Conduct is attached as an appendix to this report with the additional text underlined.
- 2.3 If the Committee is minded to approve the additional text, with or without amendment, it will need to recommend the change to the Cabinet Member, Policing and Equalities who in turn will make his recommendations to full Council.

3. Results of consultation undertaken

None

4. Timetable for implementing this decision

- 4.1 The change would take effect immediately after the council meeting at which it is approved.

5. Comments from Executive Director, Resources

- 5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

- 5.2 Legal implications

There are no specific legal implications arising from this report. However, amending the Code of Conduct will help to demonstrate that the Council keeps the code under review.

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

Clarifying members' obligations with regard to confidential information will help to reduce the risk of information being wrongly disclosed.

6.3 What is the impact on the organisation?

If implemented, the amendment to the Code of Conduct will help to promote high standards amongst elected members in accordance with the Localism Act.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

Name and job title: Solicitor, Place and Regulatory Team, Legal and Democratic Services

Directorate: Resources

Tel and email contact: 024 7683 3976 carol.bradford@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Gurdip Paddan	Governance Services Officer	Resources	10.12.14	10.12.14
Helen Lynch	Place and Regulatory Team Manager	Resources	08.10.14	14.11.14
Names of approvers for submission: (officers and members)				
Finance: Carolyn Prince	Finance	Resources	28.11.14	08.12.14
Legal: Christine Forde	Assistant Director Legal and Democratic Services	Resources	25.11.14	25.11.14
Director: Chris West	Executive Director Resources	Resources	10.12.14	
Councillor Townshend	Cabinet Member for Policing and Equalities		28.11.14	

This report is published on the council's website:

www.coventry.gov.uk/councilmeetings

PART 4A: CODE OF CONDUCT FOR ELECTED AND CO-OPTED MEMBERS
COVENTRY CITY COUNCIL

I being a duly elected Councillor/Co-opted Member for Coventry City Council hereby declare that I will undertake my duties as follows:

1. I will represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.
2. **As a holder of public office** and as required by law I will behave in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in the Council:
 - a. **Selflessness:** I will act solely in terms of the public interest. I will not act in such a way as to gain financial or other material benefits for myself, my family, or my friends.
 - b. **Integrity:** I will not place myself under any financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.
 - c. **Objectivity:** I will make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.
 - d. **Accountability:** I am accountable for my decisions and actions to the public and must submit myself to whatever scrutiny is appropriate to my office.
 - e. **Openness:** I will be as open as possible about all the decisions and actions I take. I will give reasons for my decisions and restrict information only when the wider public interest or the law clearly demands.
 - f. **Honesty:** I will declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interests.
 - g. **Leadership:** I will promote and support these principles by leadership and example.
3. As a Member of Coventry City Council I will act in accordance with the principles in paragraph 2 and, in particular, I will
 - (a) Champion the needs of residents - the whole community and all my constituents, including those who did not vote for me - and put the public interest first.

- (b) Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- (c) Not allow other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the City of Coventry or the good governance of the Council in a proper manner.
- (d) Exercise independent judgement and not compromise my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a Member/Co-opted Member of this Authority.
- (e) Listen to the interests of all parties, including relevant advice from statutory and other professional officers, take all relevant information into consideration, remain objective and make decisions on merit.
- (f) Be accountable for my decisions and cooperate when scrutinised internally and externally, including by local residents.
- (g) Contribute to making the City Council's decision-making processes as open and transparent as possible to ensure residents understand the reasoning behind those decisions and are informed when holding me and other Members to account but restricting access to information when the wider public interest or the law requires it.
- (h) Behave in accordance with all my legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures, including on the use of the Council's resources.
- (i) Value my colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- (j) Always treat people with respect, including the organisations and public I engage with and those I work alongside.
- (k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Council.
- (l) Not disclose information given to me in confidence by anyone or information acquired by me, which I believe, or ought reasonably to be aware, is of a confidential nature, without express authority and/or unless the law requires it.

4. **Gifts and Hospitality**

- 4.1 I will, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which I have accepted as a member from any person or body other than the authority.

- 4.2 I acknowledge that the Monitoring Officer will place my notification on a public register of gifts and hospitality.
- 4.3 I am aware that this duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Council for this purpose.

5. **Register of Interests**

5.1 I will:

- (a) register and, where appropriate, disclose those disclosable pecuniary interests that I am obliged to declare under the Localism Act and associated regulations; and
- (b) register details of my membership of any organisation or body whose rules or requirements of membership could be regarded as suggesting a degree of loyalty to that organisation or body. I acknowledge that this could arise by reason of an organisation having an obligation of secrecy about its rules, its membership or conduct and/or a commitment of allegiance or support to that organisation or body. I understand that such organisations or bodies may or may not be charitable concerns and they may also have a local, regional, national or international aspect; and
- (c) register details of my membership of any trade union within the meaning of Section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.

5.2 I will do this by completing, signing and submitting the prescribed form to the Monitoring Officer at Coventry City Council. I will keep the register updated and acknowledge that its contents will be published on the Council's website and will be open to the public to inspect.

6. **Disclosable Pecuniary Interests Entered on the Register**

6.1 I understand that if I am present at a meeting of the Council and

(a) I am aware that I have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting: and

(b) the interest is entered in the Council's register

I may not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which I have such an interest; and I will leave the room where the meeting is held while any discussion or voting takes place.

7. **Disclosable Pecuniary Interests NOT Entered on the Register**

7.1 I understand that if I am present at a meeting of the Council and

(a) I am aware that I have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; **and**

(b) the interest is not entered in the Council's register,

I must disclose the interest to the meeting. Furthermore, I may not participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote taken on the matter at the meeting and I will leave the room where the meeting is held while any discussion or voting takes place.

7.2 I also understand that if an interest referred to in 7.1 above is not entered on the Council's register and is not the subject of a pending registration, I must notify the Council's Monitoring Officer of the interest within 28 days of the date of the disclosure.

7.3 If I am a member who has the power to discharge a council function acting alone, I understand that if I am aware that I have a disclosable pecuniary interest in any matter to be dealt with or being dealt with by me in the course of discharging that function:

(a) I may not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by me); **and**

(b) If the interest is not entered on the Council's register and is not the subject of a pending registration, I must notify the Council's Monitoring Officer of the interest within 28 days of becoming aware of the interest.

8. **Other Relevant Interests**

8.1 I understand that I have an Other Relevant Interest (which is not a disclosable pecuniary interest) in any matter to be considered or being considered at the meeting) where:

(a) a decision in relation to that matter might reasonably be regarded as affecting the well-being or financial standing of me or a member of my family or a person with whom I have a close association, or an organisation or body under paragraph 5.1(b) or 5.1(c) above, to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which I have been elected or otherwise of the authority's administrative area; **and**

(b) the interest is one that a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest.

8.2 I acknowledge that if I have an Other Relevant Interest as described in 8.1. above,—

(a) I will make a verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent; **and**

(b) I will not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which I have an Other Relevant Interest at any meeting at which I am present and I will leave the room where the meeting is held while any discussion or voting takes place.

Signed:.....

Full name:

Date: