

Cheltenham Borough Council

Council – 12 December 2022

Member Code of Conduct

Accountable member:

Cllr Rowena Hay, Leader of the Council

Accountable officer:

Claire Hughes, Corporate Director and Monitoring Officer

Ward(s) affected:

n/a

Key/Significant Decision:

No

Executive summary:

This report sets out the proposed Member Code of Conduct.

Recommendation:

- 1. To adopt the Member Code of Conduct with effect from 1 January 2023**
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1. Implications

1.1. Financial implications

There are no direct financial implications arising from the recommendations.

Signed off by: Gemma Bell, Director of Finance and Assets, gemma.bell@cheltenham.gov.uk

1.2. Legal implications

The principal statutory provisions relating to standards of conduct for Members are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Authority must promote and maintain high standards of conduct by Members and Co-opted members of the authority. Section 27 and 28 of the Localism Act require the Authority to adopt a Code of Conduct.

Signed off by: One Legal - legalservices@onelegal.org.uk Tel (01684) 272012

1.3. HR implications

There are no direct HR implications arising from this report.

Signed off by: Julie McCarthy, HR Manager, julie.mccarthy@publicagroup.uk

1.4. Environmental and climate change implications

There are no direct environmental or climate change implications arising from this report.

Signed off by: Laura Tapping, Climate Change Programme Officer,
laura.tapping@cheltenham.gov.uk

1.5. Property/asset implications

There are no direct property or assets implications arising from the recommendations.

Signed off by: Gemma Bell, Director of Finance and Assets, gemma.bell@cheltenham.gov.uk

1.6. Corporate policy framework implications

The recommendations, if approved, will support the good governance of the council which in turn will enable the council to be better able to deliver its corporate plan

Signed off by: Richard Gibson, Head of Communities, Wellbeing and Partnerships
richard.gibson@cheltenham.gov.uk

2. Promoting equality and reducing discrimination

There are no direct equality impacts arising from this report

3. Performance management – monitoring and review

n/a

4. Background

4.1. The group of Monitoring Officers for the Gloucestershire Councils have been involved in discussing and drafting a proposed Member Code of Conduct taking into account the LGA model and their experiences of operating the present Codes in the individual Councils. The Code is now at a stage where Councils have been actively consulting upon it and are moving towards adoption.

4.2. The group believe that there are a number of benefits of having a unified code, including the fact that those members who sit on more than one Council will have one consistent set of

rules.

4.3. Whilst the group acknowledge that parish councils are under no obligation to adopt the common Gloucestershire Code, they were supported in its development by Gloucestershire Association of Parish and Town Councils (GAPTC). GAPTC is extremely supportive of parish councils adopting the unified Code as they believe it will enable them to provide better advice, support and training. The Monitoring Officer will be discussing the revised Code and promoting its adoption with parish councils in January.

4.4. While the style and layout of the Code is different to the Local Government Association (LGA) model code, the content is fully consistent with it. This ensures that the Authority can still benefit from the training that the LGA offers on Code of Conduct issues

4.5. The Code was considered by the Standards Committee on 4 August and the Constitution Working Group on 14 October both of whom agreed to recommend it to Council

5. Reasons for recommendations

5.1. To ensure that the Code of Conduct remains up to date and aligns with best practice.

6. Alternative options considered

6.1. None but Council could decide not to adopt the revised Code.

7. Consultation and feedback

7.1. Standards Committee, Constitution Working Group and Group Leaders

8. Key risks

8.1. None

Report author:

Claire Hughes, Corporate Director and Monitoring Officer, claire.hughes@cheltenham.gov.uk

Appendices

1. Revised Code of Conduct
2. Tracked change version of the Code identifying differences between the existing Code and proposed Code

Background information:

[Cheltenham Borough Council Code of Members' Conduct](#)