

**Minutes of the Members' Code of Conduct Committee  
21 May 2013**

**Present:**

**Councillors:**

C.A. Bannister

J.A. Dale

A.E. Friday

A.J. Mitchell

**Independent Members:**

Mr Murray Litvak (Chairman)

Miss Sue Faulkner (Vice Chairman)

**Apologies:** Councillors R.D. Dunn, A.C. Harman and M.J. Madams

**125/13 Minutes**

The minutes of the meeting held on 27 February 2013 were approved as a correct record.

**126/13 Disclosures of Interest**

No disclosures were made.

**127/13 Hearing Procedures**

The Monitoring Officer reminded the Committee that at its last meeting it had discussed the arrangements for dealing with allegations of misconduct under section 28 of the Localism Act 2011. The Committee had given discretion to himself and the Chairman to propose alternative wording for the clause at paragraph 53e regarding the powers of the Hearings Panel, in relation to publishing the outcome of the complaint.

The Committee discussed the sanctions available to the Hearings Panel and agreed the suggested wording at paragraphs 53e and f subject to substitution of the word "full" for "comprehensive" at 53f and inclusion of an additional paragraph to state, "and the panel may set the time frame on the actions that are required to be taken." The Committee also agreed to move the order of the sentences within paragraph 48, so that the last sentence became the first.

**RESOLVED** that the proposed amendments to the arrangements for dealing with allegations of misconduct be agreed subject to:

- (1) substitution of the word "full" for "comprehensive" at paragraph 53f
- (2) inclusion of an additional paragraph at 53 to state, "and the panel may set the time frame on the actions that are required to be taken."
- (3) amendment of the order of the sentences within paragraph 48, so that the last sentence becomes the first.

**128/13 Staff Code of Conduct**

The Monitoring Officer gave verbal feedback to the Committee following consultation on the draft Staff Code of Conduct with Management Team, Heads of Service and Unison.

The Committee was disappointed not to have received a response from Unison, but as Unison had been given an opportunity to comment the Committee was minded to proceed. Members considered and discussed the feedback from Heads of Service and Management Team and agreed the draft Staff Code of Conduct as set out at Appendix 2 to the Monitoring Officer's report, subject to the following:

1. to drop the requirement for staff to declare their membership of secret societies in order to bring the staff code into line with the member code.
2. to give more detailed consideration to the involvement of staff and councillors in social media and whether further guidance and advice on its use is required for staff and councillors.
3. amendment of the terminology at paragraph 10.3 to refer to 'payment for personal use of facilities' in relation to the honesty box scheme.

**RESOLVED** to recommend to Council that the draft Staff Code of Conduct as set out at Appendix 2 to the report of the Monitoring Officer to the meeting held on 27 February 2013, be agreed subject to the following:

- (1) the removal of paragraph 11.4 requiring staff to declare membership of secret societies and
- (2) amendment of the terminology at paragraph 10.3 to refer to 'payment for personal use of facilities' in relation to the honesty box scheme

**129/13 Gifts and Hospitality**

The Committee discussed the report of the Monitoring Officer suggesting provisions to be added to the new Members' Code of Conduct covering gaps identified by members at previous meetings in relation to: gifts and hospitality; membership of outside bodies and organisations; and dealing with conflicts of interest other than those which are prescribed as "Disclosable Pecuniary Interests".

**RESOLVED** to recommend Council that:

- (1) The Policy of Gifts, Hospitality and Sponsorship, as set out at Appendix 1 to the Monitoring Officer's report, be approved;
- (2) The revised Code of Conduct for members, as set out at Appendix 2 to the report of the Monitoring Officer, be approved;
- (3) The Conflicts of Interest Policy, as set out at Appendix 3 to the report of the Monitoring Officer, be approved and

- (4) Amendments to Standing Order 10. relating to Declarations of Interest at meetings, as set out at Appendix 4 to the report of the Monitoring Officer, be agreed.

**130/13 Work Programme**

The Committee received a copy of its work programme for the Municipal Year 2013–2014.

The Committee had discussed the use of social media in relation to its impact on member and staff conduct earlier on the agenda. It agreed to look at the Council's Social Media Policy at its July meeting in relation to the potential pitfalls in the use of social media and whether further guidance and advice on its use was required for staff and councillors.

The Committee was mindful that the training on the hearings process was an important topic and with a desire to keep the workload for the July meeting manageable, agreed to postpone the training to a separate date in September to be agreed.

**RESOLVED** that the work programme as submitted be amended to include:

- (1) consideration of the Council's Social Media Policy at the meeting on 2 July 2013 and
- (2) postponement of the training for Committee members on the hearings process to a date to be confirmed in September 2013.

**131/13 Urgent Business**

There was none.