

**Minutes of the Members' Code of Conduct Committee  
19 June 2014**

**Present:**

Murray Litvak (Chairman)  
Sue Faulkner (Vice-Chairman)

Councillors:

C.A. Bannister  
R.D. Dunn

I.T.E. Harvey  
A.J. Mitchell

**Apologies:** Councillors F. Ayers, P.A. Broom and A.E. Friday

**150/14 Minutes**

The minutes of the meeting held on 4 February 2014 were agreed as a correct record.

**151/14 Disclosures of Interest**

There were none.

**152/14 Independent Person Protocol**

The Committee Manager reminded members that Council approved appointment of three Independent Persons in accordance with the requirements of the Localism Act 2011, in July 2012. This was done as a panel arrangement with three other Surrey local authorities.

A Protocol had been drafted to assist the Independent Persons to understand their roles and responsibilities and the role of the local authority when investigating a complaint under the Code of Conduct. This was circulated to officers in the three authorities that constituted the panel arrangement and to the Independent Persons and their comments incorporated.

The Committee felt it would be helpful for the Independent Persons to be aware at the start of an investigation of the Council's expectations with regards to the timescales for their responses and agreed for a suitable paragraph to be included in the Protocol.

**Resolved** to approve the draft Independent Person Protocol as attached to the report of the Monitoring Officer, subject to the inclusion of timescales for responses being provided at the start of an investigation.

**153/14 Staff Code of Conduct – update**

The deputy Monitoring Officer advised members that the new Staff Code of Conduct was issued in October 2013 with a Declaration of Interests form for 2013. The majority of staff had returned completed declaration forms but others had raised issues about the relevance of disclosing some personal

information. The Staff Code of Conduct requires disclosure of anything which conflicts with the work of the authority but the declaration form itself asked for a much wider disclosure.

She also highlighted the difficulties that faced Human Resources department with the annual administration of issuing the declaration forms and chasing up responses. There was currently no action taken against staff who persisted in not returning their declarations.

The Committee agreed that the declaration form in its current format was not worded appropriately to address the relevant conflict of interest and needed to be re-drafted to make it consistent with the requirements of the Staff Code of Conduct.

The Committee also felt it would assist members of staff with completion of the declaration form if a Guidance Note was produced to accompany it. It asked to consider the re-drafted form and Guidance Note at its next meeting.

The Committee agreed that declaration forms should be completed as part of the appraisal process from 2015 onwards to address the resource issue and improve return rates. It suggested that once the re-drafted form was approved that this be circulated to those staff members who had not yet completed one.

**Resolved** that:

- (1) the report of the Head of Human Resources on the Staff Code of Conduct be noted;
- (2) the staff declaration of interest form be re-drafted so that the questions are appropriate to the conflict of interest each is addressing and consistent with the Staff Code of Conduct;
- (3) a Guidance Note be written to accompany the staff declaration of interest form to assist with its completion;
- (4) the re-drafted staff declaration of interest form and the new Guidance Note be considered at the next meeting of the Committee;
- (5) the completion of staff declaration of interest forms be part of the appraisal process from 2015 onwards and
- (6) following approval of the revised staff declaration of interest form by this Committee, that it be circulated to staff members who have not yet completed a declaration for 2013.

#### **154/14 Member Training and Registers of Interest - update**

The Committee Manager advised members that four training sessions had been provided for councillors on the revised Code of Conduct, since its adoption by Council on 25 July 2013. The last session had been provided on 24 March 2014 at the request of this Committee as a final session for those who had not attended so far. There remained eight members who had not received training.

The Chairman of the Committee had written to the relevant group leaders asking them how they proposed to ensure that all their group members were fully apprised of the new requirements for disclosure of interests at meetings. Only one group leader had responded prior to the meeting and asked for the member concerned to have a one-to-one training session with the Monitoring Officer.

All declarations of non-pecuniary interests had now been completed and returned.

The Committee was particularly concerned to note that two of the members who had not undertaken the training were members of this Committee and one was a member of the Cabinet. It agreed to ask the Chairman to discuss the situation with the Conservative Group Leader, Councillor Watts.

The Committee also asked that the Monitoring Officer be approached to see if he was willing to undertake a further training session for the remaining untrained members.

**Resolved** that:

- (1) the report of the Monitoring Officer be noted;
- (2) the Chairman of the Members' Code of Conduct Committee speak to Councillor Watts about members of this Committee who have not received training and
- (3) the Monitoring Officer be approached to see if he is willing to offer a further training session.

#### **155/14      Work Programme**

The Committee noted the work programme for the Municipal year 2014 - 2015.

**RESOLVED** to note the work programme as submitted, subject to including consideration of the Staff Code of Conduct declaration of interest form and new Guidance Note, at the October 2014 meeting.

#### **156/14      Urgent Business**

No other business was reported.