

**Minutes of the Members' Code of Conduct Committee  
26 September 2012**

**Present:**

**Councillors:**

Mrs C. Bannister

S.E.W. Budd

Mrs M. Bushnell

Mrs J.A. Dale

R.D. Dunn

A.E. Friday

A.J. Mitchell

**Independent Members:**

Mr Murray Litvak (Chairman)

Mrs Sue Faulkner (Vice Chairman)

**In attendance:** Independent Person – Tony Allenby

**269/12 Minutes**

The minutes of the meeting held on 26 July 2012 were approved as a correct record.

**270/12 Disclosures of Interest**

No disclosures were made.

**271/12 Independent Persons**

The Monitoring Officer introduced Tony Allenby one of the newly appointed Independent Persons to the Committee.

General discussion took place on the role of Independent Persons and the collaborative arrangements with Guildford Borough Council, Mole Valley District Council and Waverley Borough Council. The Committee discussed the need to have a protocol in place as to how the Independent Persons would be used between the four Councils and how they would be allocated to cases.

The Chairman, Mr Murray Litvak, reported that he had applied to be an Independent Person at Runnymede Borough Council.

**RESOLVED** to note the current position.

### **272/12 Summary of Current Complaints Cases Committee**

The minutes from the Assessment Hearing held on 13 September 2012 were circulated at the meeting. The Monitoring Officer reported that one other case was progressing with investigation.

The Committee discussed with the Monitoring Officer the current procedures for first stage hearings, which enable the Panel to decide whether or not the meeting should be in public or private. It was felt that the procedures should be revised to enable the Panel (if it agrees that the meeting should be open to the press and public) to have the discretion to move into private session when making the decision.

**RESOLVED** that:

1. The minutes of the Assessment Panel Hearing held on 13 September 2012 be received; and
2. The Monitoring Officer to revise procedures for first stage hearings as indicated at the meeting and to submit to the next meeting of the Committee.

### **273/12 Employees Code of Conduct**

The Committee discussed with the Monitoring Officer and the Head of Human Resources the current Employees Code of Conduct and identified ways that it could be improved. The Committee particularly discussed the current code in relation to:

- Other policy and procedure related documents such as the Council's policy on disciplinary matters
- Style and content of the document
- Overlapping with the Member Code of Conduct
- Removal of out of date information and replaced with current legislation such as reference to the Bribery Act
- The Nolan Committee Seven principles of public life
- Registering of gifts and hospitality to be on the same lines as for councillors

The Committee felt that at the appropriate time the views of Management Team and staff representatives on any proposed changes to the code should be obtained prior to the review being completed.

The Committee indicated that the first stage of the review would be for the Employees Code of Conduct to be updated and simplified.

**RESOLVED** that to progress the review of the Employees Code of Conduct the Monitoring Officer and the Head of Human Resources amend the document as indicated at the meeting, following which the draft amended code be submitted back to the Committee for further consideration.

**274/12      Gifts and Hospitality Provisions**

The Committee discussed the report of the Monitoring Officer on the additions that could be added to the new Members' Code of Conduct including:

- Gifts and hospitality
- Membership of outside bodies and organisations
- Dealing with conflicts of interests other than those which are prescribed as 'Disclosable Pecuniary Interests' in the regulations.

The Committee considered what expectations they have for councillors to stay in a meeting room and take part in a debate once a conflict of interest has been declared. The options considered were:

- (a) Declare the conflict and take part in the meeting and the voting
- (b) Declare the conflict and take part in the meeting but not the voting
- (c) Declare the conflict and then take no part in the meeting and the voting but remain in the room throughout the debate; or
- (d) Declare the conflict and then take no part in the meeting and the voting and leave the room for the duration of the debate.

The Committee indicated their support as follows:

- (a) Where a member has a pecuniary interest the member should declare the interest and take no part in the meeting and voting on the matter and leave the room for the duration of the debate; and
- (b) Where a member has a personal interest the councillor should declare the conflict but take part in the meeting and the voting.

The Monitoring Officer advised that in the event these changes are approved then Standing Orders for Council meetings may need to be changed to accommodate these arrangements.

**RESOLVED** that the proposed amendments to the Members Code of Conduct as indicated at the meeting be made and be referred back to the Committee for further consideration.

**275/12      Urgent Business**

There was no urgent business.