

Agenda item 5

For decision – Approval of Chapter 7 Staff and Cllrs’ Protocol and Chapter 9 Councillor’s Code of Conduct

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In April 2023 Cllrs adopted the Staff and Cllr’s Protocol based on the National Association of Local Councils (NALC) model guidance. It is chapter 7 of the Council’s constitution. I have reviewed the policy and no new changes are proposed. This is at Appendix 5.1 and can be viewed on the website here at <https://www.frometowncouncil.gov.uk/wp-content/uploads/2023/04/Chapter-7-Staff-and-Cllr-Protocol-2023.pdf>.

Similarly, in April 2023 Cllrs adopted the Cllrs Code of Conduct and again based on NALC’s model guidance. It is chapter 9 of the Council’s constitution. I have reviewed the policy and no new changes are proposed. This is at Appendix 5.2 and can be viewed on the website here <https://www.frometowncouncil.gov.uk/wp-content/uploads/2023/06/Chapter-9-Cllrs-Code-of-Conduct-2023-24.pdf>.

Both policies are reviewed annually.

The Code of Conduct contains the rules that Cllrs agree to abide by and are based on the Seven Principles of Public Life. The Local Government Association (LGA) also issues guidance on the model code here <https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct>.

This is useful in that it includes interpretations of the meanings of the seven codes of public life. It also provides examples of what would probably be deemed interests that need to be declared and full descriptions of how and when to declare different type of interests.

In summary, there are disclosable pecuniary interests (these relate to financial interests that a Cllr may have); other registerable interests; and non-registerable interests. The crucial point about other registerable interests is that Cllrs must declare if they have a non-financial interest in an area but one that impacts on their well-being and that “a reasonably well informed member of the public” would consider the Cllr not able to be able make decisions impartially. In these instances, the Cllr must not vote on the decision. An example might be that a Cllr invests a lot of time into a charity, they are maybe a trustee or director and it’s reasonable to think that the Cllr would not decide impartially on whether to give a grant to that charity. In this case, the Cllr should declare an other registrable interest and not vote on that decision.

What interests to declare and not declare is an imprecise science. It is up to the Cllr to decide. But in instances where failure to declare disclosable pecuniary interests, the offence is a criminal one.

The general advice is *always* to err on the side of caution: be transparent and declare interests. If there are concerns about declaring an interest in public please talk to the Town Clerk in good time before the meeting. He may need to take advice from the Monitoring Officer about exceptions.

(Amended 11/04/2024)

The policy will be reviewed again in April 2025.

Recommendation

Adopt chapters 7 and 9 of the Council's constitution.