

**Responses from Members to the following circulated message:**

*The LGA is in the processing of developing a new Model Member Code of Conduct, which in turn is feeding into a review of the Council's own Member Code of Conduct. Due to disruptions caused by Covid-19, the LGA's processes have been pushed back and the revised Model Member Code of Conduct will not be published until later this year. Part of their process involves a consultation phase, which has also been delayed and extended. To this purpose, Members are asked to consider the draft consultation documents and submit comments to me, whereupon the Monitoring Officer will compile a report based on the responses. This will be then be presented to the Constitution and Ethics Committee for discussion at its subsequent meeting [30th June], with the intention to submit it to the LGA as a contribution to the consultation.*

**Cllr Hoy**

I like the definition on "bringing office into disrepute" and "bullying ", as I have seen both these terms misused and abused in other councils and so it is good that there is now clarity as to what this actually means to allow it to not be abused.

I do have a concern with the part about "civility" and "politeness" though, as I feel that this can be very subjective and what one thinks is impolite, another may not.

**Cllr Cuffley**

I would agree with Cllr Hoy on the "Civility" and "Politeness". Good, honest and open debate is healthy, but what are these lines?

I would be interested in a clearer clarification on "Non-Pecuniary Interest". If you are the editor of a local village magazine, as an example.

My other concern, in these modern times, is the issue of members not being DBS checked before they become a member, also that all members should have safeguarding training.

On the bullying aspect, there is no mention of Gender Neutral.  
Like I said, we are in modern times now and need to address what is happening in this world today.

There is also the issue of abuse, as I know that there has been abuse in other authorities. Remember abuse comes in many forms and can be very subtle.

**Cllr Count**

I don't understand why harassment is only defined in reference to protected characteristics.

The Equality Act 2010 defines harassment as "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual". The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

Is harassment not possible towards a non-protected individual or characteristic? Do the Police or law courts have a definition outside of, or in addition to, the equality act?

Under resolution procedure, I believe some indication of what is meant by “serious nature” would be useful:

7. Where of a serious nature, a bar on chairing advisory or special committees for up to two months
8. Where of a serious nature, a bar on attending committees for up to two months

### **Cllr Tierney**

I do not believe the LGA have the authority, knowledge or right to introduce any sort of “Members Code of Conduct”.

I’m amazed that we’ve even given them the time of day on this particular issue. Completely beyond their remit, in my opinion.

- (1) I do not accept the LGAs authority to produce any sort of Code of Conduct.
- (2) I do not believe the LGA is well placed to produce any sort of Code of Conduct.
- (3) I do not agree to sign, acknowledge or be bound by an LGA Code of Conduct.

I do not believe we should accept LGA models on much of anything, but particularly not Codes of Conduct.

### **Cllr King**

It would be helpful to understand how this is an improvement on our current provision.

### **Liberal Democrat Group**

1. We believe that there is no reason in principle why the LGA should not produce a model code to assist local authorities, and that in principle it is helpful to have one, though it is also entirely right and proper that individual local authorities such as CCC may wish to amend it for their own practical use.
2. However, we have serious concerns about the draft currently in circulation. It is far too lengthy, with excessive detail, an introduction to the introduction (!), and it is not even clear which parts of the first page or two are even meant to be in the code. It is far too anxious to provide detailed reasoning for its contents, which means it is hard to find the nub of the code amidst all the explanation. Much of this material could usefully be removed into a separate booklet or even a training session, but is distracting in the model code itself.
3. Some of the document is badly written. It veers in the first two pages between the first and second person singular, and there is a section on the second page written in the first person singular which sounds like some sort of pledge, and it is not clear whether this is the intention. That said, there is some wording around some of the seven principles which is an improvement on the wording in the current CCC code.

4. The LGA model includes a section on resolution processes which is not in the council's existing code and which (or some local variant of which) would in our view be helpful. We also note that the LGA's section on gifts and hospitality is stronger than the council's existing code: it warns against accepting gifts at all from people wanting things from the council, and the de minimis is £25 not £100 as in ours.