

**HERTFORDSHIRE COUNTY COUNCIL****STANDARDS COMMITTEE****FRIDAY 28 JUNE 2002 AT 10.30 A.M.****UPDATE ON THE NEW CODE OF CONDUCT**Report of the County Secretary

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**1. Summary**

To update the Committee on the local Code of Conduct and to propose that the Committee monitor its operation on a regular basis.

**2. Update**

- 2.1 The County Council adopted the local Code of Conduct at its meeting on 14 February 2002. No changes were made to the draft Code as proposed by the Committee.

Members had until 14 April to sign an undertaking to comply with the Code. All members have now signed the relevant undertaking.

Members had until 14 March to submit a declaration of interests for inclusion in the Register of Interests. All members have now submitted forms.

In accordance with the Committee's recommendation, the Council agreed that details of entries on the Register should be made available on the Council's website, provided that the member concerned had given consent. This has since been done.

County Councillor J Metcalf has expressed concern about an apparent lack of consistency between members' entries. The Committee need to decide whether they wish to look into this, and, if so, how they would go about determining and dealing with such inconsistencies.

- 2.2 Regulations have now been made which allow a members to apply to the Committee for a dispensation from the declaration of interests provision of the Code. The circumstances in which a dispensation is to be given are limited to cases where, if the dispensation is not granted:

- 50% or more of the members entitled to participate in the business would be debarred; or
- the political proportionality rules could not be complied with (e.g. if all members of one political group were debarred from participation in a Committee meeting).

- 2.3 The Standards Board held a conference for Standards Committee Members and Monitoring Officers on 20 May. This was attended by County Councillor John Metcalf, by Independent Member Philip Aylett, and by Jonathan Brown, Assistant County Secretary.
- 2.4 A number of members have asked for advice on the implications of the Code, particularly in relation to declarations of interest, but in general the Code does not appear to present any more (or less) difficulties of interpretation for members than its predecessor.
- 2.5 A training event for members on the new Code has been arranged for 17 July (see the next item on this agenda).
- 2.6 Following the adoption of the Code, the Standards Board for England has jurisdiction to consider any allegation that a member has breached the Code. To date the Board has not notified any complaints in relation to County Councillors. The Government is consulting on proposals to allow Standards Committees to deal with less serious complaints locally (see item 6 on this agenda).

### **3. Monitoring the Code**

- 3.1 One of the functions of the Committee is to monitor the operation of the Code. It is suggested that this could be achieved by an annual report (the first in February 2003) giving information about
- complaints notified by the Standards Board
  - advice given by the Monitoring Officer on the interpretation of the Code and in particular on declaration of interests
  - any other issues of general importance arising from the operation of the Code

during the preceding year.

### **4. Financial Implications**

None.