

Policy & Finance Committee

Date: 14 November 2022

Title: Civility, Respect and Code of Conduct

Purpose of the Report:

To provide committee with information regarding the national Civility and Respect Project as well as an update regarding the Council's Code of Conduct.

Contact Officer:

Sarah Sandiford, Deputy Town Clerk

Corporate Objective/s	n/a	
Implications:		
Financial	No	
Human Resources	No	
Operational/Service delivery	No	
Procedural/Legal	Yes	Localism Act 2011 requires all councils to adopt a Code of Conduct
Risk/Health and Safety	No	
Environmental Aims	No	

1 RECOMMENDATION/S

Should the Committee be minded, the proposals are:

- 1.1 To note the information regarding the national Civility and Respect Project and to consider recommending to Council adoption of the pledge (see paragraph 2.6).
- 1.2 To note the information regarding the Code of Conduct and to consider recommending to Council adoption of a revised Code which reflects the Local Government Association and local authority model (see Appendix A).

2 CIVILITY AND RESPECT PROJECT

- 2.1 Following concerns regarding the impact of bullying, harassment and intimidation on the effectiveness of parish councils, the National Association of Local Councils (NALC) along with the Society of Local Council Clerks (SLCC) and One Voice Wales (OVW) set up the Civility and Respect Project in Autumn 2021. The overarching aim of the Project is to put civility and respect at the heart of public life.
- 2.2 A Civility and Respect working group has identified six project workstreams encompassing training, governance, intervention, legislation, collaboration and enabling. The working group has also produced a range of resources which are available to local councils including template policies, newsletters and podcasts.
- 2.3 In summer 2022 a comprehensive training programme was launched, with webinars covering topics such as personal resilience and self protection, code of conduct, challenging people, understanding psychopathic and narcissistic behaviour.
- 2.4 As part of the training programme, both officers and councillors have been able to access “Respectful social media” training covering elements such as tone of voice, language and how to deal with negative attacks or negative engagement. Feedback from those attending training has been very positive.
- 2.5 NALC is actively encouraging local councils to take the civility and respect pledge to demonstrate commitment to improving behaviour by driving forward positive changes which support civil and respectful conduct.
- 2.6 The Civility and Respect pledge sets out that:

By signing the Pledge, your council is agreeing that the council will treat councillors, clerks, employees, members of the public, and representatives of partner organisations and volunteers with civility and respect in their roles and that it:

- *Has put in place a training programme for councillors and staff*
- *Has signed up to the Code of Conduct for councillors*
- *Has good governance arrangements in place including staff contracts and a dignity at work policy*
- *Will seek professional help at the early stages should civility and respect issues arise*
- *Will commit to calling out bullying and harassment if and when it happens*
- *Will continue to learn from best practices in the sector and aspire to be a role model/champion council through for example the **Local Council Award Scheme***

- *Supports the continued lobbying for change in legislation to support the Civility and Respect Pledge including sanctions for elected members where appropriate*

- 2.7 A video regarding taking the pledge can be viewed at this link:
<https://www.youtube.com/watch?v=4ebcRIUQAGc>
- 2.8 To date hundreds of local councils have signed the pledge and these are mapped on the NALC website.
- 2.9 The recently adopted Learning and Development Policies for staff and councillors help demonstrate the Council's compliance with the pledge requirements, as does its Prevention of Bullying and Harassment procedure (equivalent to a Dignity at Work policy).
- 2.10 The Committee is asked to consider recommending to Council adoption of the Civility and Respect pledge.

3 CODE OF CONDUCT

- 3.1 The Localism Act 2011 abolished the previous Standards Board and created an environment in which standards must be dealt with at a local level. All councils were required to have a code of conduct which must be consistent with the Nolan Principles of public life and local authorities were required to have arrangements in place for dealing with local Code of Conduct complaints.
- 3.2 The Council last reviewed and adopted its Code of Conduct in April 2019. The current Code is **attached** at **Appendix A**.
- 3.3 In 2019, the national Committee on Standards in Public Life conducted a review and published a report containing 25 best practice recommendations affecting all tiers of local government. The Government is yet to respond to the recommendations, some of which require legislative changes.
- 3.4 The Local Government Association commissioned Hoey Ainscough to write a new model code of conduct and supporting guidance. This was published in 2021 and provides for local variations to be made. The new model has now been widely adopted in the council sector.
- 3.5 The Civility and Respect Project has endorsed the LGA model Code of Conduct and guidance notes, which have been designed to protect the democratic role, encourage good conduct and safeguard the public's trust and confidence in the role of local councillor. NALC has also endorsed the model code and withdrawn its own template code of conduct.
- 3.6 The model Code of Conduct sets out minimum standards but is designed to encourage councillors to model the high standards expected, to be mutually

respectful despite personal or political differences and to protect councillors, the public, council officers and the reputation of local government.

- 3.7 The model Code of Conduct was adopted by Central Bedfordshire Council in November 2021. Although the local authority has responsibility for overseeing the arrangements that are adopted by town and parish councils and for investigating complaints made against town and parish councillors, no formal guidance in respect of the revised Code has as yet been received from CBC.
- 3.8 Notwithstanding the above, given the local council elections in May 2023 and the recommendation from the Committee on Standards in Public Life that parish councils adopt the same Code as their local authority – thereby avoiding confusion for dual/triple hatted councillors and simplifying the investigation of complaints by the Monitoring Officer – it is suggested that the Town Council now considers adopting the model code.
- 3.9 The **attached** model Code at **Appendix B** reflects a couple of minor local provisions adopted by the principal authority (e.g. gift limit of £25 not £50) and has also had a couple of paragraphs removed which relate to the exercise of Cabinet/Executive functions, which are not applicable at parish level.
- 3.10 For ease of reference, numbering of the attached document reflects that of the Central Bedfordshire Code, with the exception of the two removed paragraphs referenced above.
- 3.11 The Central Bedfordshire Code of Conduct does not include Appendix C of the Model, which references the 15 best practice recommendations made by the Committee on Standards in Public Life. **The Committee is asked to consider whether to include or exclude this appendix.**
- 3.12 The additional recommendations made by the Committee on Standards in Public Life mainly referenced sanctions which could be applied by principal authorities for breaching of standards. Recommendation 19 advised that parish clerks should hold an appropriate qualification such as those provided by the Society of Local Council Clerks. Currently three senior officers hold the Certification in Local Council Administration.
- 3.13 The Committee is asked to note that should it be minded to recommend adoption of the revised Code to Council, next steps will include review of the existing Dispensations procedure and process, as well as review of the current agenda wording used in respect of declaration of interests. It is anticipated that any recommendations would be presented to committee at its next scheduled meeting in January 2023.

End.

Appendices

A – current Town Council Code of Conduct

B – LGA model Code of Conduct with minor local provisions as adopted by CBC