

Council

11 December 2014

Agenda Item 54

Brighton & Hove City Council

Subject: Review of Code of Conduct for Members**Date of Meeting: 11 December 2014****Report of: Monitoring Officer****Contact Officer: Name: Lisa Johnson Tel: 29-1228**E-mail: lisa.johnson@brighton-hove.gov.uk**Wards Affected: All****FOR GENERAL RELEASE*****Action Required of Council:***

To receive the item referred from the Audit & Standards Committee for decision:

Recommendation:

- (1) That Council approve the draft revised Code of Conduct for Members referred by Audit & Standards Committee for implementation with immediate effect.
- (2) That Council grant delegated authority to the Monitoring Officer to take appropriate measures to implement the revised Code and to assist existing and new Members with understanding and applying its content

BRIGHTON & HOVE CITY COUNCIL**AUDIT & STANDARDS COMMITTEE****4.00pm 18 NOVEMBER 2014****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES****Present:**

Councillors: Hamilton (Chair) A Norman (Opposition Spokesperson), Lepper, Littman (Group Spokesperson), Phillips, Simson, Smith and Summers

Co-opted Member: Dr D Horne

PART ONE

45 Review of Code of Conduct for Members

- 45.1 The Committee considered the report of the Monitoring Officer, which was presented by a Senior Lawyer. The report set out the recommendations of a cross-party working group tasked with reviewing the Code of Conduct for Members.
- 45.2 The lawyer referred the Committee to paragraphs 3.2 and 3.2a in Appendix 1 to the report and asked them to recommend which should one should be included in the revised Code of Conduct for Members. Paragraph 3.2 read '*Where a matter arises at a meeting which relates to or affects an interest in Appendix B or a financial interest of the Member, a friend, relative or close associate (and it is not a Disclosable Pecuniary Interest), Members must declare the interest*'. Paragraph 3.2a read '*Where a matter arises at a meeting which relates to or affects an interest in Appendix B or a financial interest of the Member, their spouse or civil partner, a person whom they are living as husband or wife, or a person with whom they are living as if they are civil partners (and it is not a Disclosable Pecuniary Interest), Members must declare the interest.*'. The Committee agreed that paragraph 3.2a was preferable.
- 45.3 Councillor Simson referred to paragraph 1.6 in Appendix 1 and asked if there could be a hyperlink to all relevant documents, as she thought that that would be particularly useful for new Councillors.
- 45.4 Councillor Simson referred to paragraph 1.7 in Appendix 1, which read that '*Members must not disclose information which is confidential or where disclosure is prohibited by law*', and suggested that there were occasions when it was in the public interest to disclose information. The Monitoring Officer said that all confidential information should be treated as such, if not a Member could disclose any confidential information on the basis that it 'was in the public interest'.
- 45.5 Councillor A Norman said she was part of the cross-party working group who reviewed the Code of Conduct, and believed that there was a need to review and modify the current one, and the draft Code being considered today was a sensible one which she hoped would be agreed.
- 45.6 RESOLVED TO RECOMMEND:** That the Committee considered the draft revised Code of Conduct for Members (as amended) and agreed to refer it to Council for approval.