

LGA Consultation on Draft Model Member Code of Conduct

SWT Response (as discussed at the Audit, Governance and Standards Committee last night)

Your name: *Amy Tregellas*

Are you... *Answering on behalf of a whole Council – Somerset West and Taunton Council*

Please indicate your Council type – *District/Borough*

Application of the Code

Q1. To what extent do you support the proposal that councillors demonstrate the behaviours set out in the Code when they are publicly acting as, identifying as, and/or giving the impression that they are acting as a councillor, including when representing their council on official business and when using social media?

Answer – to a great extent

Q1a. If you would like to elaborate on your answer please do so here:

We felt that this code was easy to understand, well written and succinct and to the point

Q2. Is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance?

Answer – Yes

Q3. Do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense?

Answer – Personal Tense (“I will”)

Specific Obligations

Q4. To what extent do you support the 12 specific obligations (listed on pages 64 and 65 of your agenda pack)?

Answer – To a great extent for all 12 specific obligations

Q5. If you would like to propose additional or alternative obligations, or would like to provide more comment on a specific obligation, please do so here.

Answer – nothing to add

Q6. Would you prefer to see the obligations as a long list followed by the guidance, or as it is set out in the current draft, with the guidance after each obligation?

Answer – Each specific obligation followed by its relevant guidance

Q7. To what extent do you think the concept of ‘acting with civility’ is sufficiently clear?

Answer – to a great extent

Q7a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here

Answer – nothing to add

Q8. To what extent do you think the concept of ‘bringing the Council into disrepute’ is sufficiently clear?

Answer – To a great extent

Q8a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here

Answer – nothing to add

Q9. To what extent do you support the definition of bullying and harassment used in the code in a local government context?

Answer – To a great extent

Q9a. If there are other definitions you would like to recommend, please provide them here

Answer – nothing to add

Q10. Is there sufficient reference to the use of social media?

Answer – Yes

Q10a. Should social media be covered in a separate code or integrated into the overall code of conduct?

Answer – Integrated into the code

Q10b. If you would like to make any comments or suggestions in relation to how the use of social media is covered in the code please do so here

Answer – nothing to add

Registration and declarations of interest

Q11. To what extent do you support the code going beyond the current requirement to declare interests of the councillor and their partner?

Answer – Not at all

Q11a. If you would like to elaborate on your answer please do so here

Answer – SWT wrote its Code of Conduct in such a way that, as well as making reference to DPLs we also include prejudicial interests so we are already picking up wider interests

Q12. Should the requirement to declare interests be in the main body of the code or in the appendix where the draft model code currently references it?

Answer – In the main body of the code

Q12a. If you would like to make any comments or suggestions in relation to how the requirement to declare interests is covered in the code please do so

Answer – Nothing to add

Q13. To what extent do you support the inclusion of these additional categories for registration?

Answer – To a great extent for all 4 categories

Q13a. If you would like to propose additional or alternative categories for registration, please provide them here

Answer – nothing to add

Q14. To what extent do you support the proposed requirement that councillors do not accept significant gifts as set out in obligation 11?

Answer – To a moderate extent

Q14a. If you would like to elaborate on your answer please do so here

Answer – nothing to add

Q15. The draft code proposes £25 as the threshold for registering gifts and hospitality. Is this an appropriate threshold?

Answer – No, it should be slightly higher suggestions ranged between £30 and £40

Note: will add in at the end that we also feel the amount should be reviewed annually

Q16. The LGA will be producing accompanying guidance to the code. Which of the following types of guidance would you find most useful? Please rank 1-5, with 1 being the most useful

- Regular updated examples of case law
- Explanatory guidance on the code

- Case studies and examples of good practice
- Supplementary guidance that focuses on specific areas, e.g. social media
- Improvement support materials, such as training and e-learning packages

Members – as agreed at last night's meeting please review this list and send me your rankings 1-5

Q16a. If you would like to suggest any other accompanying guidance please do so [here](#)

Members – please send me any additional comments that you wish to make in respect of this question

Q17. If you would like to make any further comments about the code please do so:

Answer –

- *We feel that the amount for gifts and hospitality should be increased to £30-£40 as it has been £25 for years and doesn't reflect inflation. We also feel that it should be reviewed on an annual basis*
- *We would also like to make the point that, whilst the law is very specific about Disclosable Pecuniary Interests we have also included Personal and Prejudicial Interests in our current code to cover wider family and friends.*