

**HIGH PEAK BOROUGH COUNCIL**

**Report to Council**

**24 February 2014**

<b>TITLE:</b>	<b>Recommendations from the Standards Committee – 13 November 2013</b>
<b>CONTACT OFFICER:</b>	<b>Mark Trillo, Executive Director (People) &amp; Monitoring Officer</b>
<b>WARDS INVOLVED:</b>	<b>As detailed in the attached report</b>

To approve the following recommendation of the Standards Committee:

**1. Councillor Sloman to move the following recommendation:**

**a) LOCAL ETHICAL FRAMEWORK**

**RECOMMENDED:**

That the Council approves the Local Ethical Framework.

**HIGH PEAK BOROUGH COUNCIL**

**Copy of Report to the Standards Committee**

**13 November 2013**

<b>TITLE:</b>	<b>Local Ethical Framework</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Tim Norton – Executive Councillor for Corporate Services</b>
<b>CONTACT OFFICER:</b>	<b>Linden Vernon – Member Services Manager</b>
<b>WARDS INVOLVED:</b>	<b>Non-Specific</b>

**Appendix Attached: Appendix A – Proposed Local Ethical Framework**

**1. Reason for the Report**

- 1.1 To propose a suggested Local Ethical Framework that draws together various Council policies that ensures high standards of ethical behaviour and good governance throughout the Authority.

**2. Recommendation**

- 2.1 That the Committee considers the proposed Local Ethical Framework for recommendation to Council, following discussion with Group Leaders.

**3. Executive Summary**

- 3.1 The Localism Act 2011 made fundamental changes to the system of regulation of standards of conduct for elected and co-opted members. Section 27 (1) of the Act requires the Council to promote and maintain high standards of conduct for its elected and co-opted members. The Act repealed the previous legislation relevant to the national Code of Conduct and introduced a new Standards Framework including a new local Code of Conduct as approved by this Committee on 26 June 2012 and ratified by the Council on 26 July 2012.
- 3.2 The policies which High Peak Borough Council has adopted, to ensure high standards of ethical behaviour and good governance throughout the Authority do, of course, extend beyond the Members' Code of Conduct

itself. Many separate documents contain the detail of Council policy to ensure that these aspirations are met. It is suggested, therefore, in recognition of this fact that it would be helpful for Members, Officers and the public for all these various documents to be drawn together within one document to clarify their place and role within the overall Ethical Framework.

- 3.3 Attached at **Appendix A** is the suggested Local Ethical Framework which, as it indicates, describes the set of rules and procedures which the Council has adopted to ensure excellent standards of ethical behaviour and good governance. Subject to approval by the Standards Committee, and adoption by the Council, it is recommended that this document sit in front of the Constitution, to provide a route map for all Members, Officers and the public to identify and consider the policies and procedures which the Council has in place under its Ethical Framework. Following adoption, it is proposed that the Ethical Framework be identified, with hyperlinks, upon the Council's website, to provide ease of access for those wishing to view both this document and those referred to within it.
- 3.4 In addition to the Local Ethical Framework document itself, it is proposed that a statement is attached to this, endorsed by all Group Leaders within the Council. Importantly, this statement confirms the commitment of each Group Leader to uphold both the letter and spirit of the documents forming part of the Ethical Framework and to seek to ensure compliance with those requirements by all Members within those political groups. Further, and in particular, this statement confirms that Group Leaders will seek to ensure that no Member within their Group behaves in a way which may give rise to the possibility of a complaint, while reiterating the need to use their powers of discipline within their Group to resolve issues of poor behaviour amongst Members, if necessary, inviting the assistance of the Chief Executive and Monitoring Officer in such matters. It is recommended that, should the Committee wish to propose adoption of the Local Ethical Framework with the inclusion of this statement, that discussion as to its content first take place with Group Leaders.

#### **4. Options and Analysis**

- 4.1 The Committee may wish to consider the various policies to form the proposed Local Ethical Framework.

#### **5. Implications**

- 5.1 Community Safety - (Crime and Disorder Act 1998)  
Not Applicable
- 5.2 Workforce  
Not Applicable
- 5.3 Equality and Diversity/Equality Impact Assessment

It is proposed that the Council's Equality and Diversity Scheme be included in the Ethical Framework.

- 5.4 Financial Considerations  
Not Applicable
- 5.5 Legal  
The publication refers to the impact of the Localism Act 2011 with regards to the Standards framework.
- 5.6 Sustainability  
Not applicable.
- 5.7 Internal and External Consultation  
Not Applicable
- 5.8 Risk Assessment  
Not Applicable

Mark Trillo

**Executive Director (People) and Monitoring Officer**

**Web Links and  
Background Papers**

Various policies of the  
Council

**Location**

Municipal Buildings,  
Glossop

**Contact details**

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## **Local Ethical Framework for High Peak Borough Council**

The Council's Ethical Framework describes the set of rules and procedures within which the Council operates in order to ensure the highest possible standards of ethical behaviour and good governance. The Ethical Framework has been developed adopting the statutory provisions now contained within the Localism Act 2011 and also reflects guidance from the Department for Communities and Local Government. It sets out the standards of behaviour that the Council expects of its councillors and staff in all areas of their conduct and also clarifies roles and responsibilities for the interaction between councillors and staff.

The overall Ethical Framework for the Council contains several important constituent parts, as outlined below. The Council is committed to reviewing the Framework to ensure that it is entirely "fit for purpose" and reflects all relevant best practice guidance. Responsibility for the development, implementation, monitoring and promotion of the Ethical Framework rests with the Council's Standards Committee under the guidance of the Monitoring Officer.

The principal constituent parts of the Ethical Framework are as follows:

### **The Constitution**

The Constitution sets out the way in which the Council operates, including details as to the way in which decisions are made by the Authority and the rules and procedures to be followed to ensure that all decisions are taken in an appropriate, open and transparent manner and, in particular, in accordance with the provisions of the Freedom of Information Act 2000. The Council has adopted within its Constitution all relevant statutory provisions and, in addition, has agreed such further procedures as are necessary to ensure the efficient running of the Council. The Council has an established Constitution Sub-Committee to continually review and update the Constitution to ensure that all the requirements referred to within this section are complied with.

### **The Code of Conduct for Members**

The Code adopted by the Council sets out the standards of conduct that councillors are required to adhere to whenever they are conducting the business of the Council, whenever they are carrying out business of the Office to which they have been elected or appointed and when they are acting as a representative of the Council. The Council has adopted a code which complies with the relevant statutory guidance made under the Localism Act 2011.

### **Local Code of Corporate Governance**

Corporate Governance is the system by which local authorities direct and control their functions related to their communities. It is underpinned by the fundamental

principles of openness, integrity and accountability. The Local Code of Corporate Governance covers five dimensions of the Council's business:-

- ◆ Community focus
- ◆ Service delivery arrangements
- ◆ Structures and processes
- ◆ Risk management and internal control
- ◆ Standards of Conduct.

A Corporate Governance Action Plan will be produced to cover all areas within the Local Code and will be reported to and monitored by the Audit and Regulatory Committee.

### **Register of Interests**

The Council's Code of Conduct requires all Councillors to register their Disclosable Pecuniary Interests and other interests in the Council's Register of Interests. A copy of the full register is available in the Council's offices at Municipal Buildings, Glossop and via its website [www.highpeak.gov.uk/register-of-interests](http://www.highpeak.gov.uk/register-of-interests).

### **Equalities and Diversity Scheme**

The Council has adopted policies to ensure compliance with its statutory responsibilities under all legislation relating to the support of equalities and diversity.

### **Other Supporting Codes and Protocols**

The Council has produced further codes and protocols contained within Part 5 of the Constitution. These are as follows:-

- ◆ A Guide for Members and Officers Appointed to Partnerships and Other Outside Bodies
- ◆ Bullying and Harassment
- ◆ Protocol on Land Use Planning Matters and Development Control Committee
- ◆ Monitoring Officer Protocol
- ◆ Whistleblowing
- ◆ Rights and Responsibilities HPBC Member/Officer Protocols and Conventions
- ◆ ICT Related Policies
- ◆ Social Media Policy
- ◆ Employee Code of Conduct

### **Statement of High Peak Borough Council's Group Leaders**

This Ethical Framework has been developed by the whole Council and has the support of all political groups.

We are committed to working together to ensure compliance by all members within our groups with both the letter and spirit of the documents forming part of this Ethical Framework.

In particular, we will seek to ensure that no member within our groups behaves in such a way as to give rise to the possibility of a complaint to the Council. In the event of our being made aware of behaviour which may be considered unacceptable we will seek to resolve such matters within our groups, inviting the assistance of the Chief Executive and the Monitoring Officer as necessary.

We undertake to promote excellent standards of behaviour amongst all members of our groups, to ensure openness, transparency and accountability to those who elect us.

Signed by:

Leader of the Conservative Group

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Leader of the Independent Group

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Leader of the Independents Group

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Leader of the Labour Group

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Leader of the Liberal Democrat Group

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## Non-Aligned Councillors