



REPORT OF: MONITORING OFFICER

TO: STANDARDS COMMITTEE

ON: 22 OCTOBER 2015

SUBJECT: Outside Bodies & Dual Hatted Members

1. PURPOSE OF THE REPORT

To consider issues arising from the number of partnerships, groups and other organisations on which members may have been nominated, or members who are also elected members of parish councils, which could mean such members having a 'dual hatted' role and to consider how such members could be supported and assisted particularly in relation to the Member Code of Conduct including the rule against predetermination.

2. RECOMMENDATIONS

The Standards Committee is asked:

To receive the report and consider how members with dual-hatted roles could be supported/advised further in relation to the Member Code of Conduct including the rule against predetermination,

3. BACKGROUND

The current Code of Conduct and arrangements for dealing with complaints were discussed at previous meetings of this Committee and approved by Full Council earlier this year and are set out in the Constitution of the Council.

At the last meeting of the Standards Committee, Members suggested that the Committee as part of its work programme this year consider in relation to the current Members Code of Conduct and related guidance contained therein, providing more information for elected members with 'dual hatted' roles.

4. RATIONALE

The Council has a duty to under section 27(1) of the Localism Act 2011 promote and maintain high standards of conduct by members and co-opted members. Many elected members have dual-hatted roles in a number of forms and it is suggested that members can ensure they follow the Code of Conduct by ensuring they at all times represent the best interests of the Borough and uphold the obligations contained therein. The general principles as set out in more detail in the Members Code of Conduct, being: selflessness, Honesty & Integrity, Objectivity, Accountability, Openness, Personal Judgement, Respect for Others, Duty to uphold the law, Stewardship and finally Leadership.

Sometimes however issues arise where the Blackburn with Darwen Member is also a member of a parish council or have been nominated in some capacity to an outside body. .

The Council's current Code of Conduct set out in '**Appendix A**' (Constitution pages 195-204) sets out the expectation in Part 3 of the Disclosure of other interests, including membership details of any body exercising functions of a public nature. The Code goes on to describe and advise on how the member should conduct themselves given this disclosure in the event of an issue of interest arising, i.e. relating to participation or otherwise in debates.

The current Code guidance reflects the requirements of the Localism Act 2011 and the related expectations on the probity and honesty of elected members as described in the principles referenced above.

Under the Localism Act 2011, Local Authorities must adopt a Code of Conduct and may also provide any supplementary guidance to ensure that high standards of conduct are maintained in all aspects of their role as members of the Council.

The Committee could therefore suggest how the Council may provide some additional guidance to members as regards the 'dual hatted' scenario's that may arise from time to time.

Members may be aware some guidance in relation to dual hatted roles is currently provided as part of the mandatory training for the Planning & Highways Committee. This annual training is briefly covers 'dual –hatted scenarios and the rule against predetermination, for example where applications from an external body/organisation is being considered by the Committee which includes member(s) who have been nominated to that body/organisation.

It is also important for members to note that Members are themselves responsible for compliance with the Members Code of Conduct with any reported breach being dealt with under complaints procedure. Criminal sanctions apply for failure to register and declare Disclosable Pecuniary Interests.

5. POLICY IMPLICATIONS

Constitutions set out the governance framework for local authorities, which provide the foundations for any local authority that aspires to be effective, progressive and successful.

It is appropriate to review and update, where appropriate, various elements of Constitutions and provide additional guidance which will support members in their role and ensure they act in accordance with the Code of Conduct contained within the Constitution.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

The Council has a duty to under section 27(1) of the Localism Act 2011 promote and maintain high standards of conduct by members and co-opted members. Under section 28 of the Localism Act 2011 the adopted Code of Conduct must contain the general principles referred to in this report. All members and co-opted members are required to comply with the adopted Code of Conduct as set out in the Constitution. Provision of additional advice and guidance to members in fulfilling their duties and obligations in accordance with the Code will assist the Council in complying with its duty to promote and maintain high standards of conduct, especially in the context where members have dual-hatted roles.

8. RESOURCE IMPLICATIONS

None

9. EQUALITY IMPLICATIONS

It is deemed that equality implications will not arise from this report but will be reviewed following any decisions and recommendations from the Committee and if necessary an equality impact assessment will be undertaken.

10. CONSULTATIONS

Chief Officer/Member

Contact Officer: David Fairclough
Date: 14 October 2015
Background Papers: Council Constitution