

Birmingham City Council Standards Committee

16 February 2023



Subject: Update on Training Plan – Code of Conduct

Report Author: Robert Connelly Assistant Director – Governance

1. Purpose of report:

- 1.1 To provide the Committee with an update on a training plan for elected members on the Code of Conduct and Declaration of Interests.

2. Recommendations:

- 2.1 To note the report

3. The relevant legislation and protocols:

- 3.1 The Localism Act 2011 (“the Act”) introduced fundamental changes to the regulation of standards of conduct for elected and co-opted members.
- 3.2 The Act requires that, a relevant authority must, amongst other things, promote and maintain high standards of conduct by its members and co-opted members.
- 3.3 As such every relevant authority must have in place a code of conduct that is consistent with the Nolan principles. In May 2021, Birmingham City Council adopted the Local Governments Associations model code of conduct with some slight amendments to reflect Birmingham’s local circumstances.
- 3.4 The Code aims to protect the public, Councillors, Local Authority officers as well as the reputation of Local Government. As such it sets out general principles of behaviours expected of all Councillors.
- 3.5 Under the Act and the relevant Authorities (Disclosable Pecuniary Interests Regulations) 2012, Members must declare any Disclosable Pecuniary Interest and must not speak or vote where they have such an interest unless that have obtained a dispensation.

4. Background

- 4.1 As part of the ongoing Member development it has been identified that members would benefit from further training on the Code of Conduct and in particular the registering of interests and what needs to be declared and where it has been identified that a disclosable pecuniary interest exists what action the Member must take.
- 4.2 Linked to this is the motion/resolution of Council at its November 2022 meeting where the Standards Committee was asked to update the Council's Code of Conduct to ensure that elected Members declare the use of all other properties, other than their primary residence, if the use has potential safeguarding implications (see item 6 of the Standards Committee agenda on 26th January 2023. [Microsoft Word - Agenda CC 06012015.doc \(cmis.uk.com\)](#)).
- 4.3 Since the Standards Committee meeting on 26th January, Hoey Ainscough Associates Ltd have been instructed by the Monitoring Officer to:
- Assist with the updating of the Code of Conduct to reflect the Council motion/resolution as set out in paragraph 4.2
 - Deliver training to elected Members (and relevant officers) on the Code of Conduct (as amended) with particular emphasis on declarations of interest.
- 4.4 Hoey Ainscough Associates Ltd are renowned for their expertise on Member conduct and it is proposed that the training will also cover the use of social media, disclosure of confidential information and member-officer relations.
- 4.5 Hoey Ainscough Associates Ltd have worked with over 400 authorities in one form or another through provision of training, investigative support and wider governance advice and are the national experts on standards arrangements and advised the Committee on Standards in Public Life during their recent review of the statutory framework.
- 4.6 They were also commissioned by the Local Government Association to draw up the new model Code of Conduct and supporting guidance published in 2021, which as mentioned in paragraph 3.3 was adopted by Birmingham in May 2021.
- 4.7 It is proposed that the training will be rolled out later this year (and likely to be from August 2023) on a group basis. Prior to that it is proposed that there will be an initial session (likely to be in the week commencing 1st May) for members of the Standards Committee (and relevant officers) as this will then enable the sessions to be tailored for the needs of each political group.
- 4.8 It is anticipated that prior to the first session in May, that the current Code of Conduct will have been updated to reflect the Council resolution and the training will therefore cover those changes and set out the additional obligations on elected members to disclose their relevant interests.

5. Financial Implications

- 5.1 The only financial implications arising from this report are the costs of engaging Hoey Ainscough Associates Ltd but those costs can be met from existing budgets

6. Legal Implications

- 6.1 Pursuant to the Localism Act a relevant authority must, amongst other things promote and maintain high standards of conduct by its members and co-opted members.
- 6.2 Authorities (Disclosable Pecuniary Interests Regulations) 2012 requires elected members to declare any disclosable pecuniary interests.

7. Human Resources

- 7.1 There are none arising from this report.