

STANDARDS COMMITTEE

Amendment of the Descriptions of the Seven General Principles of Conduct 25th April 2013

Report of the Monitoring Officer

PURPOSE OF REPORT

To advise members of changes made by the Committee on Standards in Public Life to the descriptions of the seven general principles of conduct, and to enable the Committee to consider recommending Council to amend the preamble to the Code of Conduct accordingly.

This report is public

RECOMMENDATIONS

(1) That Council be recommended to amend the Preamble to the Members' Code of Conduct in Part 7 Section 2 of the Constitution, to incorporate the amendments of the descriptions of the seven general principles of conduct, made by the Committee on Standards in Public Life in its 14th report published in January 2013.

1.0 Introduction

- 1.1 The Localism Act 2011 requires that a Council's code of conduct must be consistent with seven principles: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. These principles were established by the Committee on Standards in Public Life under the chairmanship of Lord Nolan in 1995. That Committee formulated descriptions for the seven principles, and these were incorporated in the Preamble to the Council's Code of Conduct for Members, as set out in Appendix 1 to this report.
- 1.2 The Committee on Standards in Public Life, in its fourteenth report published in January 2013, reviewed the seven principles, and took the view that changing the principles now would be both pointless and unnecessary. However, the Committee felt that leaving the principles unchanged did not mean that the words used to describe them could not be changed.
- 1.3 The Committee felt that since the seven principles were first formulated, understanding of the meaning of certain words has developed. The Committee considered comments made during the course of their review, and previously, which suggested that there were a number of areas where the descriptions of the seven principles could usefully be brought up to date.
- 1.4 For example, the description of the present formulation of honesty refers to

holders of public office having a duty to declare any conflicts of interest. The Committee felt that avoidance of conflicts of interest fits more obviously into our current understanding of integrity. Most people today would expect honesty to have a much broader meaning, focusing on truthfulness. The Committee felt that this has particular resonance at the present time since a number of issues of current concern have involved allegations of inappropriate behaviour being covered up.

- 1.5 Discussion around the importance of public office-holders making decisions on merit tends to refer more frequently to impartiality than to objectivity. The Committee thought it would be helpful to include impartiality in the description of the meaning of objectivity.
- 1.6 Equality of opportunity has become even more of a central tenet of thinking about ethics and values in the period since the principles were first established. The Committee thought it would be helpful to make clearer that objectivity requires giving full regard to the importance of equality of opportunity and fair treatment, irrespective of individual characteristics such as disability, race, gender or sexual orientation.
- 1.7 Public office-holders sometimes need to show courage in speaking up about difficult issues, speaking “truth to power” and making or sticking by difficult decisions. The Committee saw this as a key element of ethical leadership and amended the description of leadership accordingly.
- 1.8 The revised descriptions of the seven principles which the Committee will use in all future publications are set out in Appendix 2 to this report.

2.0 Proposal Details

- 2.1 For the sake of consistency, it would seem appropriate for the descriptions of the seven principles which will in future be used nationally by the Committee on Standards in Public Life, to be incorporated in the preamble to the Council’s Code of Conduct. This will ensure that it reflects the up to date interpretation of the seven principles which overarch the Code of Conduct.
- 2.2 The Code of Conduct may only be amended by Council, and it the Committee is asked therefore to recommend Council to amend the Preamble to the Code to incorporate the new descriptions of the seven principles.

3.0 Details of Consultation

- 3.1 There has been no consultation. The amendments were introduced by the Committee on Standards in Public Life on the basis of its own review and consultations.

4.0 Conclusion

- 4.1 The Committee is asked to make the appropriate recommendation to Council.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None directly arising from this report.

LEGAL IMPLICATIONS

The proposed amendment is not a legal requirement, but is recommended in the interests of

consistency with national interpretation of the seven principles.

FINANCIAL IMPLICATIONS

None directly arising from this report.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The report has been prepared by the Monitoring Officer in her role as adviser to the Standards Committee.

BACKGROUND PAPERS

None

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