

**Review of Councillors' Code of Conduct
Consultation with Parish Councils**

Parish Council	Comment	Officer comment supported by the task group
West Horsley 24 March	The Parish Council were supportive of the proposed amendments to the Code of Conduct and of the Task Group's recommendations.	
Ripley 25 March	RPC agrees with all the recommendations and adaptations to the Code of Conduct.	
Worplesdon 8 April	<p>(1) For convenience, it would be helpful if the document contained page numbers.</p> <p>(2) Page 1 – Para 2 – First sentence –Insert the word “Nolan” before principles i.e. “the following Nolan principles” as this ties in with Government advice https://www.gov.uk/government/publications/the-7-principles-of-public-life regarding the ethical standards to which Councillors should adhere.</p> <p>(3) Our Councillors are taught that it is illegal for any one Councillor to act alone (unless prior approval is granted by the Corporate Body, and then the Councillor is expected to copy the Clerk – as the Proper Officer – into all correspondence). In addition, we don't have any Lead Members – so paragraph 22 is going to be confusing, as it stands, if the Parish Councils have to adopt exactly the same Code of Conduct as the Borough Council.</p>	<p>(1) The final version of the Code will be paginated</p> <p>(2) The wording in the draft Code reflects the wording of S.28 Localism Act 2011, which does not specify “Nolan” principles.</p> <p>(3) Currently, parish councils are <i>encouraged</i> to adopt a code of conduct that reflects the layout and content of GBC's code. In doing this, we would not expect parish councils to include in their code references to arrangements that do not directly apply to them (e.g. Lead Members). The CSPL is recommending a change in the law to require parish councils to adopt the code of conduct of their principal authority, “but with the necessary amendments” (i.e. an ability to modify the principal authority's code, whilst maintaining the key generic obligations)</p>
Effingham 9 April	Effingham Parish Council (EPC) recognises the work of the Task Group and thanks them for producing the new version of the Code. EPC uses the GBC Code of Conduct as its Code of Conduct and Standards policy for councillors. All complaints against councillors,	(1) Do parish councils indemnify parish councillors engaged in the discharge of parish council functions? If they do, the point in para 1(6) is that any indemnity insurance is not likely to cover action by a parish councillor which

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	<p>which come via the Clerk or Chairman, are referred to the GBC Monitoring Officer.</p> <p>EPC's comments on the revised Code of Conduct document are:</p> <p>(1) As the Code of Conduct is used by EPC there are some areas where the distinction between GBC councillor and parish councillor may need to be clearer. Para 1 (6) – does the indemnity automatically apply to parish councillors? Para 9 (i) is very GBC orientated, perhaps it could also, in the case of parish councils, refer to parish councillor/clerk relations, and documents relevant to parish councils such as 'Being a Good Employer' published by NALC. Part 2 paras 19, 21, 23, and Acceptance of Gifts:24 (5), and 26, 27, 28, and Dispensations: 29, 30, should these say, rather than just Monitoring Officer, "the Parish Clerk in the case of Parish Councils".</p> <p>(2) Para 2 (2) (b) on bullying and harassment whilst very important now has half a page devoted to it which tends, visually, to reduce the significance of the other important obligations: respect, equality, intimidation and compromising impartiality. The reason is that the new items in blue are unnecessarily long, the points in red summarise the position succinctly and do not over-power the other obligations referred to above. We would therefore recommend the points in blue be deleted</p>	<p>amounts to misconduct, and which affects a third party. If parishes do not provide indemnity, this need not be included in their respective codes.</p> <p>References to Protocol on Councillor/Officer Relations, the Guidance on the Use of Social Media and Mobile Devices, and the Probity In Planning – Councillors' Handbook, which don't apply to parish councils, could be substituted with references to relevant documents that <i>do</i> apply to a particular parish council (e.g. parish councillor/clerk relations).</p> <p>In Part 2: Paras 19, 21, 23, 24 and 26-30, we would expect parish councils to amend their code to suit local circumstances.</p> <p>In practice parish councillors complete their registers of interest forms and pass them to the parish clerk, who uploads them to the parish website and sends the original form to GBC Monitoring Officer (Para 19).</p> <p>We would expect parish councillors to consult initially with the clerk about whether a non-pecuniary interest would prevent them from participating in a debate. The clerk may consult with the MO if necessary (Para 21).</p> <p>Para 23 relates to Para 22 which would not be relevant to parish councils.</p> <p>In Para 24(5), again, we would expect parish councillors to notify initially the clerk of the acceptance of any gift or hospitality, which would require a change to their</p>

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		<p>register of interests. The parish clerk would upload the change to the parish website and notify the MO.</p> <p>We agree that parish councils could substitute “parish clerk” in place of “Monitoring Officer” in paras 26-28.</p> <p>Parish clerks have no lawful authority to grant dispensations (paras 29 and 30). This responsibility rests with the MO.</p> <p>(2) The wording in Para 2 (2) (b) on bullying and harassment as currently proposed is appropriate.</p>
East Horsley 15 April	No comments	
Shere 14 May	No comments	
Send 21 May	Send PC supports GBC’s review of Best Practice Recommendations and changes to the Code of Conduct to include stronger prohibitions on bullying and harassment.	
Ockham 27 May	No comments	