

<b>This report may be of interest to: All Members</b>
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**LOCAL GOVERNMENT ACT 2000 - GENERAL PRINCIPLES OF CONDUCT**

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**1. Purpose**

- 1.1 To inform the Committee of the Government's Consultation Paper on the General Principles of Conduct to be introduced as a result of the Local Government Act 2000.

**2. Summary**

- 2.1 Section 49 of the Local Government Act 2000 enables the Secretary of State for the Environment, Transport and the Regions to issue General Principles of Conduct for Members. Before doing so, the Secretary of State must consult widely, and a Consultation Document was issued on 28 July for comments by 31 October.
- 2.2 The General Principles were first outlined in the Government's White Paper 'In Touch with the People' and were incorporated into the Council's Local Code of Conduct which was agreed by the Committee on 22 February 1999 (Minute S716/99).
- 2.3 Those contained in the Consultation Document use a refinement of the White Paper proposals to concentrate on the values rather than the action.

**3. Recommendations**

- 3.1 That the Consultation Document on the proposed General Principles of Conduct for Members be welcomed.
- 3.2 That any other views from Members be considered for submission to the Secretary of State.

## 4. **Background**

- 4.1 The Government's White Paper 'In Touch with the People' published in 1998, proposed a new Code of Conduct for Members which would incorporate General Principles on which each Council could base its Local Codes.
- 4.2 The Local Government Act 2000 received Royal Assent on 28 July 2000, and the Department of the Environment immediately published a Consultation Document seeking comments on a set of General Principles.
- 4.3 The Consultation period ends on 31 October 2000, but the Local Government Association has invited its member authorities to forward any comments to its Association by 16 October 2000.
- 4.4 In compiling its own Local Code of Conduct approved by the Standards Committee on 22 February 2000 (Minute ST16/99 refers), its outline General Principles contained in the White Paper were incorporated.
- 4.5 The Draft Principles are attached as an **Annex** to this report.

## 5. **Issues and Choices**

- 5.1 The Draft Principles contained in the White Paper have already been incorporated into the Council's Local Code of Conduct. The General Principles in the Consultation Document, however, have reaffirmed those in the White Paper to concentrate on the values that should be the hallmark of public service in local government, rather than the specific actions which might be expected of local authority members. Those actions are more appropriate for a local code of conduct.
- 5.2 However, since agreeing the Local Code of Conduct, the Standards Committee has had some experience of its application, and it may be that Members may wish to add some comments to the Council's response on the Consultation Document arising from their experience.

## 6. **Implications**

### 6.1 Crime Prevention

None.

### 6.2 Cultural Planning

None.

### 6.3 Environmental

None.

### 6.4 Equalities

The General Principles are based largely on the principles of equality.

6.5 Financial

The General Principle highlights Councillors' responsibility for ensuring the prudent use of resources.

6.6 Legal

Once approved, the General Principles will be contained in a Statutory Instrument and will apply to Members of a range of local authorities including unitary Councils. The General Principles also highlight Councillors' responsibility to uphold the law.

6.7 Staff and Accommodation

None, although a statutory code of conduct for local government staff is also promoted under the Act.

7. **Conclusions**

7.1 The draft General Principles of Conduct for Members have been issued for consultation.

Background Papers: Local Code of Conduct for Members published  
Consultation Document issued by DETR - 28 July 2000-09-  
Circular 599/00 from LGA dated 24 August 2000