

MEMBERS' CODE OF CONDUCT – PROTOCOL FOR MEMBERS' ATTENDANCE AT BOARD MEETINGS OF COUNCIL-OWNED COMPANIES

Briefing Note

The Thamesway Group Protocols provide for Members, who are not directors of Thamesway Companies, to (i) receive Board papers and (ii) attend Board meetings if they have signed a Non-Disclosure Agreement (“NDA”).

Consideration is being given to simplifying this process (so that it is not necessary for Members to sign NDAs). This could be achieved by the Council adopting a “Standards Protocol”. The Protocol would require Members to respect the confidentiality of confidential information relating to all Council-owned companies. Under paragraph 2.6 of the Members' Code of Conduct, a breach of the Protocol would also constitute a breach of the Code of Conduct. Another possibility would be to expand the Declaration of Acceptance of Office form, signed by Members when they are elected, so that it covers confidential information of Council-owned companies.

The Monitoring Officer intends to consult all Members on these proposals, with a view to reporting to Council at its first business meeting in the new Municipal Year (1 June 2020). Particular attention will be given to comments received from Members of the Committee. Any changes agreed by Council would take effect from 2 June 2020.

It is worth noting that the Executive will, at its meeting on 26 March 2020, consider proposals for (i) increasing the number of independent directors appointed to the Thamesway Boards and (ii) formalising their periods of service. Council will consider any recommendations from the Executive on 2 April 2020.

Recommendations

The Committee is requested to:

RESOLVE That the proposals for dealing with Members' access to confidential information of Council owned companies be noted.

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: Thamesway Group Protocols.

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