

WETHERSFIELD PARISH COUNCIL

MEMBERS CODE OF CONDUCT

Revised: December 2018

Introduction

Pursuant to section 27 of the Localism Act 2011, Wethersfield Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council.

The purpose of this Code of Conduct is to assist Members (including co-opted Members) in the discharge of their obligations to the Council, their local communities and the public at large by:

- (a) setting out the standards of conduct that are expected of Members and co-opted Members of the Council when they are acting in that capacity, and in so doing
- (b) providing the openness and accountability necessary to reinforce public confidence in the way in which Members perform those activities.

This Code of Conduct is based on the seven Nolan principles applicable to people in public life i.e. selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

Scope of the Code

The Code applies to Members (including co-opted members) in all aspects of their activities as a Member, including when acting on Council business, Ward business or when otherwise purporting to act as a Member. It does not seek to regulate what Members do in their purely private and personal lives.

The obligations set out in this Code are also complementary to, and include, those obligations by virtue of the procedural and other rules of the Council which apply to Members and those falling within the scope of related the Council's Standing Orders and Complaints procedure.

Definitions

For the purposes of this Code, a 'co-opted member' is a person who may be a member of the Council and includes persons who are not councillors but who may have been co-opted to any committee or sub-committee of the Council for the benefit of their expertise.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees or sub-committees.

Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she should consider their actions with reference to the Nolan principles, whilst also complying with the following obligations.

- He/she shall behave in such a way that a reasonable person would regard as respectful.
- He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
- He/she shall not seek to improperly confer an advantage or disadvantage on any person.
- He/she shall use the resources of the Council in accordance with its requirements.

- He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

Registration of interests

Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register all interests which fall within the categories set out in Appendices A and B.

- Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register any interests in Appendices A and B.
- A member shall register any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
- A member need only declare on the public register of interests the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

Declaration of interests

Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she has only to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.

Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting.

A member only must declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter before withdrawing. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.

Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate, the member shall disclose the nature of the interest and withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

Dispensations

On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has

an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Appendix A

Interests described in the table below, including any employment, office, trade, profession or vocation carried on for profit, gain or sponsorship

- Any payment or provision of any other financial benefit (other than from the Council) made to the member for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
- Contracts - Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director (or a body that such person has a beneficial interest in the securities of) and the Council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
- Land - Any beneficial interest in land which is within the area of the Council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
- Licences - Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
- Corporate tenancies- Any tenancy where (to the member's knowledge)— (a) the landlord is the Council; and (b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner, or a director of, or has a beneficial interest in the securities of.
- Securities - Any beneficial interest in securities of a body where:
 - (a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and
 - (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were

spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Appendix B

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- (ii) any body— (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which the member of the Council is a member or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.