WHALTON PARISH COUNCIL STATEMENTS OF GUIDANCE AND POLICY

Adopted

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Whalton Parish Council Code of Conduct v1.2

1 Introduction

2 Definitions

3 Member obligations

4 Registration of interests

5 Declaration of interests at meetings

6 Dispensations

7 Promotion and maintenance of standards

Appendix A: Disclosable Pecuniary Interests

Appendix B

1 Introduction

Pursuant to section 27 of the Localism Act 2011, Whalton 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, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

2 Definitions

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees or working groups. For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

3 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 has the following obligations.

A He/she shall behave in a manner which a reasonable person would regard as respectful.

B He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.

C He/she shall not behave in a manner which a reasonable person would regard as likely to bring the Council, or his/her office as a member of the Council, into disrepute.

D He/she shall not seek improperly to confer an advantage or disadvantage on any person.

E He/she shall use the resources of the Council in accordance with its requirements.

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

4 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 with the Council 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 with the Council any interests in *Appendices A and B*.

A member shall register with the Council any change to interests or new interests in *Appendices A and B* within 28 days of becoming aware of it.

A member need only register the existence but not the details of any interest which the Council 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. This includes details of home address which has been redacted by County Hall on declaration.

5 Declaration of interests at meetings

Where a matter arises at a meeting which relates to an interest in *Appendix A* the member shall:

- declare what his/her interest is
- not participate in a discussion **or vote on the matter**
- Exit the room while the matter is discussed and voted upon Subject to paragraph 11.

Where a matter arises at a meeting which relates to an interest in *Appendix A* which is a sensitive interest, 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 not vote on the matter. Where a matter arises at a meeting which relates to an interest in Appendix B which is a sensitive interest, the member shall disclose he/she has an interest but not the nature of it.
- shall not vote on the matter. If a Council function can be discharged by the member acting alone, and he/she is aware that they have an interest in Appendices A or B, he/she

shall not deal with that matter except to enable the matter to be dealt with by someone else.

6 Dispensations On a written request made to the Council's clerk, 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
- 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

Promotion and maintenance of standards a member shall:

- familiarise him/herself with the Council's Code of Conduct and any other policies or standing orders of the Council which relate to members' conduct
- support the Council in the promotion of high standards, and in ensuring access by the public to the Council's records regarding the registration and declarations of members' interests.
- ensure that the Council seeks guidance as appropriate, before it makes any material alterations to its Code of Conduct or to any other policies or standing orders of the Council which relate to members' conduct.

Appendix A:

Disclosable Pecuniary Interests defined by regulations made under section 30(3) of the Localism Act 2011 and described below.

They include interests which are held by: the member; his/her spouse or civil partner; a person with whom he/she is living as husband and wife; or a person with whom he/she is living as if they are civil partners, and the member is aware that the other person has the interest.

Subject Description:

Employment, office, trade, profession or vocation (Unpaid directorship)

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 7 above 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 between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in

which such a person is a partner in a firm, a director of an incorporated body or holds the beneficial interest in securities*) 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.

Licences

Any licence (alone or jointly with others) to occupy land in the area of the relevant authority 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 in which the member, or his/her spouse or civil partner/ the person with whom the member is living as if they were spouses/civil partners has a beneficial interest. 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—

- the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or

- 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'Securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Appendix B

An interest which relates to or is likely to affect:

- Anybody 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;

- Anybody— (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;

- Any person from whom the member has received within the previous three years gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.