

Northumberland ALC model code of conduct for local councils

Introduction

Pursuant to section 27 of the Localism Act 2011 East Chevington 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 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.

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

Definitions

For the purposes of this Code, a ‘co-opted member’ is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committees.

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.

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.

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.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. 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, in disrepute.
4. He/she shall not seek improperly to confer an advantage or disadvantage on any person.
5. He/she shall use the resources of the Council in accordance with its requirements.
6. He/she shall not disclose information which is confidential or where disclosure is prohibited by Law.

Registration of Interests

7. Within 28 days of this Code being adopted by the Council, **or** the members election **or** the co-opted members appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
8. 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 Monitoring Officer any interests in Appendices A and B.
9. A member shall register with the Monitoring Officer any change of interests **or** new interests in Appendices A and B within 28 days of becoming aware of it.
10. A member need only register 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 to a member **or** person connected with the member to be subject to violence or intimidation.

Declaration of Interests at meetings

11. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall:
 - (i) declare what his/her interest is;
 - (ii) not participate in a discussion or vote on the matter;
 - (iii) leave the room while the matter is discussed and voted upon.
12. 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.
13. Where a matter arises at a meeting which relates to an interest in Appendix B the member:
 - (i) shall declare what his/her interest is;
 - (ii) may speak on the matter only if members of the public are also allowed to speak at the meeting.
 - (iii) shall not vote on the matter.
14. Subject to paragraph 13, 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.
15. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A) the member:
 - (i) shall disclose the nature of the interest
 - (ii) may speak on the matter only if members of the public are also allowed to speak at the meeting.
 - (iii) shall not vote on the matter.

If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

16. If a Council function can be discharged by the member acting alone, and he/she is aware that they have an interest in Appendix A or B he/she shall not deal with that the matter except to enable the matter to be dealt with by someone else.

Dispensations

17. On the written request made to the Council's clerk, the council may grant a member dispensation to participate in a discussion and vote on the matter at a meeting even if he/she has an interest in Appendix A & B if the Council believes that;
- (i) the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business
 - (ii) it is in the interests of the inhabitants in the Council's area to allow the member to take part or
 - (iii) it is otherwise appropriate to grant dispensation.

Promotion and maintenance of standards

18. A member shall:
- (i) familiarise him/herself with the Councils Code of Conduct and any other policies or standing orders of the Council which relate to members conduct.
 - (ii) support the Council in the promotion of high standards, and ensuring access by the public to the Councils records regarding the registration and declarations of members interest.
 - (iii) ensure that the Council seeks guidance as appropriate, from the Councils Monitoring Officer, 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: Dis-closable Pecuniary Interests

Interests defined by regulations made under section 30(3) of the localism act 2011 and described in the table below. They include interests which are held by: the member; his/her spouse or civil partner; a person with whom he/she is living with 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 | 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 the paragraph 6 above for expenses incurred by him/her duties as a member, or towards his/her election expense. |
| | This includes and payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 |
| Contracts | Any contact between the member or between his/her spouse, civil or the person whom the member is living as if they were spouse/civil partners (or a body in which such person is a partner in a firm, a director of a incorporated body or holds 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 had 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- |
| | (i) The total normal value of securities* exceeds £25,000 or one hundredth if the total issued share capital of the 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 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:

- (i) Anybody which the member in a position of general control or management and to which he/she is appointed or nominated by the council;
- (ii) Anybody-
 - (A) Exercising functions of a public nature;
 - (B) Directed charitable purpose; or
 - (C) One of whose principal purposes includes the influence of public opinion or policy (including any political party trade union) of which the member of the council is a member or in a position of general control or management;

- (iii) 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.