

ETHICS AND ENGAGEMENT COMMITTEE

Monday, 11 January 2021

6.00 pm

Virtual Meeting via Zoom

Membership: Councillors Adrianna McNulty (Chair), Liz Bushell, Geoff Ellis (Vice-Chair), Laura McWilliams, Ric Metcalfe, Lucinda Preston, Christopher Reid, Thomas Dyer and Loraine Woolley

Substitute member(s): Councillors Gary Hewson and Ralph Toofany

Independent Person(s): Roger Vine

Officers attending: Democratic Services

Virtual Meeting

To join this virtual meeting please use the following link:

<https://zoom.us/j/98230627157?pwd=VnhPL0dndk1ZVHFBOEI5RzN2QlNYQT09>

It may be necessary to enter the following passcode and meeting ID:

Passcode: **823182**

Meeting ID: **982 3062 7157**

Alternatively, you can join the meeting via telephone by calling **0330 088 5830**

A G E N D A

SECTION A	Page(s)
1. Confirmation of Minutes - 13 January 2020	3 - 8
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Local Government Association Model Code of Member Conduct	9 - 40

This page is intentionally blank.

- Present:** Councillor Adrianna McNulty (*in the Chair*)
- Councillors:** Liz Bushell, Geoff Ellis, Laura McWilliams, Ric Metcalfe, Lucinda Preston, Christopher Reid and Loraine Woolley
- Independent Person(s):** None.
- Apologies for Absence:** Councillor Hilton Spratt

40. Confirmation of Minutes - 30 September 2019

RESOLVED that the minutes of the meeting held on 30 September 2019 be confirmed, subject to the inclusion of Councillor Liz Bushell's name in the list of those members in attendance.

41. Declarations of Interest

No declarations of interest were received.

42. Social Media Policy

Steve Welsby, Communications Manager:

- (a) Presented a report which provided the Ethics and Engagement Committee with an opportunity to consider a new Social Media Policy which incorporated aspects such as the Council accounts available for use, employee wellbeing, the best use of social media, personal accounts and use of social media by elected members.
- (b) Explained that social media had grown at a rapid pace and had changed the way people and organisations communicated, enabling people to interact with each other by sharing information, opinions, knowledge and interests.
- (c) Explained that corporate websites were often no longer the first point of call when people wished to ask questions, so it was necessary to go beyond the use of traditional forms of communicating online to meet the needs of residents and stakeholders.
- (d) Explained that messaging could be done instantly and could be far-reaching, which would bring many benefits but also a number of risks.
- (e) Explained that the new Social Media Policy laid out how the City of Lincoln Council would use social media, outline responsibility for channels, state the authority's procedures and help staff and elected members manage risk.
- (f) Reported that sections 12 and 13 of the document should be re-numbered as sub-headings (a) and (b) respectively, with the subsequent headings throughout the document being re-numbered accordingly.

- (g) Reported that a new member of the Communications Team with significant experience in social media would be commencing their role in February 2020.
- (h) Invited members' questions and comments.

Councillor Thomas Dyer, as an experienced user of Facebook and Twitter, expressed some concerns regarding the draft document. Rather than a policy document he felt as though it was an advisory or guidance document as it was not clear or prescriptive enough about how social media should and should not be used. He added that this was particularly concerning from the perspective of staff as there was a section within the document regarding the possibility of incorrect or excessive use leading to disciplinary action. It was very important, therefore, that the policy outlined clear rules and procedures rather than terminology which could be construed as advice or guidance.

Councillor Dyer highlighted that the document included information on communications governance, information relating to staff and information relating to members. He therefore suggested that the document be split into these three sections to make it clearer, or even create standalone documents for each respective section.

Councillor Dyer asked who had written the document and whether it had been created from a Local Government Association template.

Mr Welsby confirmed that the document had not been produced using a Local Government Association template but had been written by him based upon examples from other local authorities recognised as delivering good practice.

Councillor Dyer was supportive of the re-numbering of paragraphs 12 and 13 to become sub-headings as this made sense in the context of that section of the policy document.

Under the section 'best use of social media', Councillor Dyer was concerned about verbal consent being adequate enough to enable photographs and videos to be posted on social media, with written consent ensuring that there was an audit trail. He felt that with verbal consent it could be one person's word against another's that consent was actually given to the posting of the photograph or video.

Mr Welsby explained that written consent was more complicated with larger groups of people, so the consent required would be dependent upon the circumstances at the time. Photographs of children, for example, even in large groups would require the written consent of all parents prior to a photograph or video being posted.

A section under the heading 'personal accounts' included top tips for personal accounts when used by members of staff or elected members. One of the tips referred to being positive if commenting on a Council issue. As a member of the Council's opposition, Councillor Dyer explained that there would naturally be times when he would post negative comments about the authority.

Mr Welsby agreed that this section should be solely for members of staff and not elected members.

Councillor Dyer reflected on the headings 'personal use of social media at work' and 'excessive use of social media at work'. He was of the opinion that these two sections contradicted themselves, as one section had a zero tolerance on the use of personal social media during working hours, not including breaks, whereas the other section stated that employees should not spend an excessive amount of time while at work using social media.

Mr Welsby agreed to seek clarity from the Council's Human Resources Team with a view to making these two sections consistent with each other.

Referring to the section entitled 'Councillor use of social media', Councillor Dyer felt that this should be more explicit as to what members should and should not do, rather than using terms such as 'it is advisable' or 'Councillors may'.

Councillor Dyer understood that a member's personal social media account and their Council social media account should be kept separate in order that it was clear when they were acting in an official capacity as an elected member.

Councillor Dyer sought clarity as to politically restricted posts and whether there were limitations as to what individuals in these positions could post on their social media accounts.

It was noted that certain positions, such as the Council's Corporate Management Team and Monitoring Officer, were classified as politically restricted posts, with another category of sensitive posts sitting beneath them in the Council's structure. There were limitations as to what people in these positions could post on social media, from a political perspective, and any instances of this occurring should be reported to the Council's Monitoring Officer.

Councillor Dyer asked how this was policed, claiming that he had been informed of this occurring during the recent Parliamentary General Election.

It was reported that any known instances should be reported to the Monitoring Officer who, in consultation with the Human Resources Team, would take necessary action.

Councillor Dyer asked, in respect of the promotion of personal financial interests, whether political fundraising would count in this category.

Councillor Ric Metcalfe, Leader of the Council, said that members should not use their standing for their own private gain in whatever form that private gain took.

Mr Welsby agreed to add further clarity around this aspect of the policy.

In view of the points he had raised, Councillor Dyer felt that the policy should be revisited and offered to work with the Communications Manager on a revised version.

Councillor Lucinda Preston, regarding the advisory context of the wording in the policy, explained that it was very difficult given that legal and ethical frameworks had not caught up with technological frameworks in society. She added that most people used a degree of common sense and caution and would be able to apply the advice as set out.

Under the section entitled 'to block or not to block', Councillor Reid highlighted that there appeared to be a different approach to dealing with racist content if the user contacted the authority on Twitter as opposed to Facebook. He questioned why the two accounts were not consistent in dealing with people using such behaviour.

Mr Welsby understood that you could hide this content on Facebook but you could not do the same on Twitter. Councillor Reid reported that you could now hide content on Twitter in the same way. Mr Welsby agreed to amend this aspect of the policy.

Under the 'best use of social media' heading, Councillor Reid questioned the advice provided in the document where it stated 'the council will have a personality and be human ...' He was concerned people would misinterpret this and fall foul of having too much of a personality.

Mr Welsby explained that this was about being engaging as opposed to being too formal or dry in delivering content.

Under the same heading it stated that the council would not 'post content which would embarrass the council, councillors or members of staff' and questioned whether this may sometimes be necessary. He gave an example whereby the Council may need to apologise for a mistake it had made, which itself could lead to embarrassment.

Mr Welsby said people should be able to use their own initiative and common sense to establish whether or not the content they were posting could be perceived as embarrassing the council, councillors or members of staff.

This section of the policy also stated that the council would not 'try to cover up mistakes or post false or misleading information'. Councillor Reid was of the view that this should be turned into a more positive aspect of the policy, perhaps appearing from another perspective in the 'the council will' part of this section.

Under the 'councillor use of social media' reference was made that no indemnity from the council would be available with regard to the content posted by members. Councillor Reid questioned the use of this wording.

It was noted that this wording had been added in consultation with the Council's City Solicitor.

Councillor Metcalfe was pleased that there had been considerable discussion on this matter from members and felt that a lot of the comments made could be incorporated into a final revision of the policy. The policy had to be clearer about the things people were required to do. The suggestion to split the document in three separate parts should provide greater clarity regarding communications governance, use of social media by staff and use of social media by members.

RESOLVED that draft Social Media Policy be revised, taking into account the comments raised at this meeting.

43. Promotion of the role of Members and Committees (Verbal Report)

Graham Watts, Democratic and Elections Manager:

- (a) Referred to minute number 37 of the previous meeting where suggestions had been put forward regarding the publicity of committees, the role of councillors and the different services provided by the City Council and County Council.
- (b) Invited members to discuss these suggestions further.

Steve Welsby, Communications Manager, in undertaking some research with other authorities had identified that the City Council was not alone in seeking to proactively promote engagement in this way, which provided the authority with an opportunity to take a lead. He referred to journalism students in the city who often contacted him and he always encouraged them to attend meetings themselves in order that they could see first-hand the business being considered.

Councillor McWilliams made the point that people were not going to attend something if they did not know what it was about. She suggested a more modern and innovative way of promoting the role of members and committees through something such as a 60 second video clip, which could be a short and sharp visual way of engaging with and informing residents.

Councillor Lucinda Preston felt that it would be worthwhile engaging with schools, particularly secondary schools, who often had spare slots at assemblies or other sessions to promote democracy.

Councillor Geoff Ellis, in his previous role of Chair of this Committee, had often made contact with secondary schools for this purpose as part of Local Democracy Week but had not received any responses. He agreed in principle but in practice he reported that this had proven to be more difficult than anticipated.

Councillor Preston felt that the timing of Local Democracy Week in October may be one of the reasons for a lack of engagement by schools as this was a busy period for teachers. She suggested that schools would still be worth pursuing, but perhaps at a different time of the year.

Councillor Ellis agreed with this point and in addition suggested engagement with University and College students in the city.

Councillor Ric Metcalfe, Leader of the Council, highlighted that an important aspect of engagement was what people were going to get out of it. As part of his work at the University of Lincoln Councillor Metcalfe was regularly asked for interviews by students, which were almost always related to an assessed piece of work. The motivation for students in that respect, therefore, was that the information would help them with their degrees.

Councillor Tom Dyer emphasised that there was more to democratic involvement than young people and suggested that meetings of the Council's Executive, and meetings of the Council itself, should be held at different locations throughout the city in order to encourage people to attend.

Councillor Christopher Reid asked whether there had been much engagement as part of the Council's participation in #OurDay, which was a national social media event promoting local government. He also suggested posting videos from outgoing members to provide an insight from their perspective of having served as an elected member.

Mr Welsby reported that there had been huge engagement as part of the #OurDay event, which had proved to be very successful. The Council would also be participating this year.

Councillor Metcalfe made the point that there was also value in promoting the Council as a significant employer in the city, with people not necessarily knowing or understanding the interesting and important jobs that the City Council provided.

Mr Welsby shared an example of an innovative promotional video that could be utilised by the City Council whereby a person walked down the high street and all of the different services provided by the City Council or County Council were pointed out, making it clear who was responsible for what and highlighted some City Council services that were not necessarily appreciated as being services delivered by the Council.

RESOLVED that the points raised by members be considered as part of the development of promotional and engagement activities undertaken by the Communications Team.

44. Code of Conduct: Cases Review (Verbal Report)

Graham Watts, Democratic and Elections Manager, provided the Ethics and Engagement Committee with a number of recent examples of Code of Conduct cases where breaches had occurred from across the country.

RESOLVED that the update be noted.

SUBJECT: LOCAL GOVERNMENT ASSOCIATION MODEL CODE OF MEMBER CONDUCT

DIRECTORATE: CHIEF EXECUTIVE

REPORT AUTHOR: CAROLYN WHEATER, MONITORING OFFICER

1. Purpose of Report

- 1.1 To provide the Ethics and Engagement Committee with an opportunity to consider the approved version of the Local Government Association Model Code of Member Conduct.

2. Background

- 2.1 A report by the Committee for Standards in Public life, published in 2019, outlined a detailed assessment of the Model Code of Member Conduct and recommended that this be reviewed. The Ethics and Engagement Committee considered this report at its meeting on 14 March 2019.
- 2.2 The Local Government Association undertook a review of the Model Code of Conduct and held a consultation for 10 weeks from 8 June 2020 to 17 August 2020. All members of the Ethics and Engagement Committee were invited to contribute to the consultation.
- 2.3 Feedback from the consultation assisted the development of the final version of the revised Model Code of Conduct, which had been reviewed by the Local Government Association's Executive Advisory Body prior to approval at the Association's General Assembly.
- 2.4 The final, approved, version of the Local Government Association Model Code of Member Conduct is attached at Appendix A.
- 2.5 Guidance has not yet been published to support implementation of the revised Model Code of Conduct, which is expected in the New Year. It was felt prudent, however, to provide the Ethics and Engagement Committee with an opportunity to review the new Model Code and recommend any amendments to the City Council's Code of Conduct.

3. City of Lincoln Council Code of Conduct

- 3.1 The Council has recently updated its Code of Conduct to specifically include reference to harassment and bullying, which were aspects highlighted in the Committee for Standards in Public Life report and the new Model Code of Conduct. A copy of the City of Lincoln Council's Code of Conduct is attached at Appendix B.

- 3.2 The Ethics and Engagement Committee is also invited to consider member training requirements associated with the Code of Conduct in terms of the way in which they receive training and how often this should be undertaken. Traditionally the Council's Monitoring Officer holds an annual member development session on the Code of Conduct and the declaration of interests, together with an induction session for newly elected members as part of their induction programme.
- 3.3 It is envisaged that, for a fair proportion of next year, training sessions and meetings will continue to be facilitated remotely. The Committee's view is therefore sought on aspects of remote training for the Code of Conduct, which could include e-learning in members' own time (if such a package exists) or direct training from the Monitoring Officer.

4. Recommendation

- 4.1 That the new Local Government Association Model Code of Member Conduct be noted.
- 4.2 That consideration be given to any necessary amendments to the City of Lincoln Council's Code of Conduct.
- 4.3 That consideration be given to training associated with the Council's Code of Conduct for members.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? Two

List of Background Papers: None

Lead Officer: Graham Watts, Democratic and Elections Manager
Telephone (01522) 873439

Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when:

- you are acting in your capacity as a councillor and/or as a representative of your council
- you are claiming to act as a councillor and/or as a representative of your council
- you are giving the impression that you are acting as a councillor and/or as a representative of your council
- you refer publicly to your role as a councillor or use knowledge you could only obtain in your role as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. *Respect*

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. *Bullying, harassment and discrimination*

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. *Impartiality of officers of the council*

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. *Complying with the Code of Conduct*

As a councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. *Interests*

As a councillor:

9.1 I register and declare my interests.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be declared by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or declare a disclosable pecuniary (i.e. financial) interest is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and declaring interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B

Registering interests

1. Within 28 days of this Code of Conduct being adopted by the local authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests). Disclosable Pecuniary Interests means issues relating to money and finances.
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
3. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor/member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
4. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Declaring interests

5. Where a matter arises at a meeting which directly relates one of your Disclosable Pecuniary Interests, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest, just that you have an interest.
6. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', again you do not have to declare the nature of the interest.
7. Where a matter arises at a meeting which *directly relates* to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room

unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

8. Where a matter arises at a meeting which *affects* –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to declare under Disclosable Pecuniary Interests

you must disclose the interest.

9. Where the matter affects the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, 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 councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor 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 —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licences	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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 councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were</p>

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

* 'director' includes a member of the committee of management of an industrial and provident society.

* '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.

Table 2: Other Registerable Interests

Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;	
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 you are a member or in a position of general control or management.	

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Code of Conduct for Members

1.0 Application

- 1.1 This code applies to you whenever you are acting in your capacity as a member of this authority and it is your responsibility to comply with the provisions of this Code.
- 1.2 You are a representative of this authority and the public will view you as such therefore your actions impact on how the authority as a whole is viewed and your actions can have both positive and negative impacts on the authority.
- 1.3 The Code is based upon the 'Nolan Principles – the seven principles of public life' which are set out as **Appendix 1**.

2.0 Interpretation

- 2.1 In this Code –

“meeting” means any meeting of:

- (a) the authority;
- (b) the executive of the authority;
- (c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

whether or not the press and public are excluded from the meeting in question by virtue of a resolution of members.

“member” includes a co-opted member and an appointed member.

3.0 General Conduct

- 3.1 The Code applies to you whenever you are acting in your capacity as a member of the Council, including:
 - (a) at formal meetings of the Council, Executive, Committees and Sub-Committee, Joint Committees, Panels or Working Groups.
 - (b) when acting as a representative of the authority.
 - (c) in taking any decisions as an Executive Member or Ward Councillor.
 - (d) in discharging your functions as a Ward Councillor.
 - (e) at briefing meetings with officers.
 - (f) at site visits.

(g) when corresponding with the authority (other than in a private capacity).

3.2 When acting in your role as a member of the authority:

(a) do treat others with respect and not bully any person.

(b) do provide leadership to the authority by personal example.

(c) do not conduct yourself in a manner which is likely to bring the authority into disrepute.

(d) do use your position as a member in the public interest and not for personal advantage.

(e) do not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so

(iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is:

a. reasonable and in the public interest

b. made in good faith and in compliance with the reasonable requirements of the authority; and

c. you have consulted with the Monitoring Officer prior to its release if appropriate

(f) do not prevent another person from gaining access to information to which that person is entitled to by law.

(g) when using or authorising the use by others of the resources of the authority:

1. Do act in accordance with the authority's reasonable requirements including the requirements of the authority's ICT policy, copies of which have been provided to you and you are deemed to have read;

2. Do make sure that such resources are not used improperly for political purposes (including party political purposes); and

3. Do have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

3.2.1 In politics, rival groupings are common, either in formal political parties or more informal alliances. It is expected that members will campaign for their ideas, and may also seek to discredit the policies and actions of their opponents. Criticism of ideas and opinion is part of the democratic debate, and does not in itself amount to failing to treat someone with respect.

3.3 Ideas and politics may be robustly criticised, but individuals should not be subject to personal attacks. This particularly applies when dealing with the public and officers.

4.0 Bullying and Harassment

4.1 You must not bully, harass or intimidate any person. This is completely unacceptable and will be considered to be a breach of the Code.

4.2 Harassment, bullying, discrimination, intimidation and victimisation (either directly or indirectly) are unacceptable and should not be tolerated. It is important to recognise the impact such behaviour can have on any individual experiencing it, as well as the wider organisation in terms of morale and effectiveness.

4.3 **Bullying** is inappropriate and unwelcome behaviour which is offensive and intimidating and which makes an individual or group feel undermined humiliated or insulted. It is the impact of the behaviour rather than the intent which is the key.

4.4 Bullying usually arises as a result of an individual misusing their power and can occur through all means of communication. Bullying can be a pattern of behaviour or can be a one-off serious incident that becomes objectionable or intimidating.

4.5 Examples of bullying behaviour are set out below (these are not exhaustive):

- unwelcome physical, verbal or non-verbal contact
- intimidating behaviour including verbal abuse or the making of threats
- making someone's work life difficult
- disparaging, ridiculing or mocking comments and remarks
- physical violence

4.6 **Harassment** is any unwelcome behaviour or conduct which makes someone feel offended, humiliated, intimidated, frightened and/or uncomfortable. Harassment can be experienced directly or indirectly and can occur as an isolated incident or as a course of persistent behaviour.

4.7 As a Councillor you should be aware of the inherent influence your role brings and ensure that you are demonstrating respect for others and encouraging colleagues to do the same.

- 4.8 Where you have witnessed bullying and harassment you have a responsibility to speak out. You should challenge inappropriate behaviour as it happens and consider making a complaint.
- 4.9 As with bullying, even if the behaviour is unintentional, it can still be classed as a form of harassment. Harassment can occur through verbal or written comments, including those made online. Examples of harassment are set out below (these are not exhaustive):
- unwelcome physical contact such as touching or invading 'personal space'
 - inappropriate remarks or questioning such as comments about someone's appearance, lewd comments and offensive jokes (such as those of a racist, sexual or sectarian nature)
 - intrusive questioning for example on sexual orientation, religious or political beliefs (either directly or with others)
 - sending unwelcoming and/or inappropriate emails, messages or notes, circulating or displaying explicit or inappropriate images
- 4.10 Your specific duties as a Councillor:
- you should behave in accordance with the Code in all situations where you act as a councillor or are perceived as acting as a councillor, including representing the Council on official business and when using social media
 - you should treat all individuals with respect when carrying out your duties as a Councillor. You should not participate in, or condone, acts of harassment, discrimination, victimisation or bullying

5.0 Use of Social Media

- 5.1 The use of Social Media (Twitter, Facebook, blogs etc) is a very effective tool for Councillors to communicate with their local communities, and taking part in social networks and interactive activity online is now a majority activity which will certainly grow.
- 5.2 The Council has a Social Media Policy which members should be familiar with and sets out how to use social media in a positive way and how to avoid pitfalls.
- 5.3 There is a difference between communicating on behalf of the Council on social media and as a private citizen, and the former will be held to a higher standard than the latter.
- 5.4 The key to whether your online activity is subject to the Code is whether you are giving the impression that you are acting as a Councillor.
- 5.5 The Code of Conduct applies equally to your online activity in the same way it applies to other verbal communication or face to face meetings.

6.0 Disclosable Pecuniary Interests

You must:

- 6.1 Comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest. The statutory requirements with regards to disclosable pecuniary interests are attached as **Appendix 2** to this code.
- 6.2 Ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests
- 6.3 Make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item or business affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent

7.0 Other Interests

7.1 You must, within 28 days of:

(a) this Code being adopted by or applied to your authority; or

(b) your election or appointment to office (where that is later), notify the Monitoring Officer in writing of the details of your other personal interests, where they fall within the following descriptions, for inclusion in the register of interests.

7.2 You have a personal interest in any business of your authority where either it relates to or is likely to affect:

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.

7.3 You must, within 28 days of becoming aware of any new interest or change to any interest registered under paragraph 5.1, notify the Monitoring Officer of the details of that new interest or change.

8.0 Disclosure of interests

8.1 Subject to paragraphs 6.2 to 6.5, where you have a personal interest described in paragraphs 5.2 or 6.2 in any business of your authority, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

8.2 (A) You have a personal interest in any business of your authority

- (i) where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision, or
- (ii) it relates to or is likely to affect any of the interests you have registered as a disclosable pecuniary interest.

(B) In paragraph 6.2(A), a *relevant person* is:

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in paragraph 5.2.

8.3 Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 5.1(i) or (ii)(aa) you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

8.4 Where you have a personal interest but, by virtue of paragraph 8, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

8.5 Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

9.0 Register of interests

9.1 Any interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

10.0 Sensitive interests

- 10.1 Where you consider that disclosure of the details an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.

11.0 Non-participation in case of pecuniary interest

- 11.1 Where you have a personal interest in any business of your authority you also have a pecuniary interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business—

(a) affects your financial position or the financial position of a person or body described in paragraphs 5.2 or 6.2; or

(b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraphs 5.2 or 6.2.

- 11.2 Subject to paragraphs 9.3 and 9.4, where you have a pecuniary interest in any business of your authority—

a) You may not participate in any discussion of the matter at the meeting and should leave the room during consideration of the relevant matter.

(b) You may not participate in any vote taken on the matter at the meeting.

(c) If the interest is not registered, you must disclose the interest to the meeting.

(d) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days. In addition this Code and Standing Orders requires you to leave the room where the meeting is held while any discussion or voting takes place.

- 11.3 Where you have a pecuniary interest in any business of your authority, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.

- 11.4. Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a pecuniary interest that relates to the functions of your authority in respect of:

(i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;

- (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- (iv) an allowance, payment or indemnity given to members;
- (v) any ceremonial honour given to members; and
- (vi) setting council tax or a precept under the Local Government Finance Act 1992.

11.5. Where, as an executive member, you may discharge a function alone, and you become aware of a pecuniary interest in a matter being dealt with, or to be dealt with by you, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.

12.0 Interests arising in relation to scrutiny committees

12.1 In relation to any business before a scrutiny committee of the authority (or of a sub-committee of such a committee) where-

12.1.1 That business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

12.1.2 At the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph 12.1.1 and you were present when that decision was made or action was taken;

Or

12.1.3 that business relates to a decision made (whether implemented or not) or action taken by you (whether by virtue of the Council's constitution or under delegated authority from the Leader);

You may attend a meeting of the scrutiny committee of your local authority or of a sub-committee of such a committee but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise.

13.0 Gifts and Hospitality

13.1 You must within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value of in excess of £50 which you have accepted as a member from any person or body other than the authority

- 13.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality
- 13.3 This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

THE SEVEN PRINCIPLES OF PUBLIC LIFE

SELFLESSNESS

Holders of public office should act solely in terms of the public interest.

INTEGRITY

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

OBJECTIVITY

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

ACCOUNTABILITY

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

OPENNESS

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

HONESTY

Holders of public office should be truthful.

LEADERSHIP

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Disclosable pecuniary interests

This note explains the requirements of the Localism Act 2011 (Ss 29-34) and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, in relation to disclosable pecuniary interests.

These provisions are enforced by criminal sanction.

1 Notification of disclosable pecuniary interests

Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'.

A 'disclosable pecuniary interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions: (In the extracts from the Regulations below, 'M' means you and 'relevant person' means you and your partner, as above)

<i>Subject</i>	<i>Prescribed description</i>
<i>Employment, office, trade, profession or vacation</i>	<i>Any employment, office, trade, profession or vocation carried on for profit or gain.</i>
<i>Sponsorship</i>	<i>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</i>
<i>Contracts</i>	<i>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</i>
<i>Land</i>	<i>Any beneficial interest in land which is within the area of the relevant authority.</i>
<i>Licences</i>	<i>Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.</i>

Corporate tenancies	<p>Any tenancy where (to M's knowledge)—</p> <p>(a) the landlord is the relevant authority;</p> <p>and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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.</p>

These descriptions on interests are subject to the following definitions;

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“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.

2 Register of interests

Any interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

3 Sensitive interests

Where you consider that disclosure of the details of a disclosable pecuniary interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2).

4 Non participation in case of disclosable pecuniary interest

A) If you are present at a meeting of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority, and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,

1. You may not participate in any discussion of the matter at the meeting.
2. You may not participate in any vote taken on the matter at the meeting.
3. If the interest is not registered, you must disclose the interest to the meeting.
4. If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Note: In addition, Standing Orders require you to leave the room where the meeting is held while any discussion or voting takes place.

B) Where an executive member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the executive member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

5 Dispensations

The authority may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

6 Offences

It is a criminal offence to

- Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election
- Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
- As an executive member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.

This page is intentionally blank.