

BAGNALL PARISH COUNCIL

CODE OF CONDUCT

PURPOSE

This Code of Conduct is developed in line with National Association of Local Councils (NALC) and Local Government Association (LGA) guidelines and is pursuant to Section 27 of the Localism Act 2011.

The purpose of this Code is to assist councillors in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken. It is also to protect yourself, the public, fellow councillors, council officers and the reputation of local government. It sets out the conduct expected of all members and a minimum set of obligations relating to conduct. The overarching aim is to create and maintain public confidence in the role of member and local government.

THE SEVEN PRINCIPLES OF PUBLIC LIFE

Everyone in public office or delivering public services at all levels should uphold the seven principles of public life. This Code has been developed in line with these seven principles of public life, which are set out in appendix A.

MODEL MEMBER CONDUCT

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

- act with integrity and honesty
- act lawfully
- treat all people with civility; and
- lead by example and act in a way that secures public confidence in the office of councillor.

In undertaking my role, I will:

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

As a councillor I commit to:

Civility

1. Treat other councillors and members of the public with civility.
2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.

Civility 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 I can express, challenge, criticise and disagree with views, ideas, opinions, and policies in a civil manner. However, I should not subject individuals, groups of people or organisations to unreasonable or excessive personal attack.

In my contact with the public, I should treat them courteously. Rude and offensive behaviour lowers the public's expectations and confidence in its elected representatives.

In return I have a right to expect courtesy from the public. If members of the public are being abusive, threatening or intimidatory I am entitled to close down any conversation in person or online, refer them to the council, any social media provider or if necessary, the police. This also applies to members, where action could then be taken under the Member Code of Conduct.

Bullying and harassment

3. Not bullying or harassing any person. Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate, or injure the recipient. The 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 not always be obvious or noticed by others.

The Equality Act 2010 defines harassment as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

Impartiality of officers of the council

4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council. Officers work for the council 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. Although I 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, I must not try to force them to act differently, change their

advice, or alter the content of that report, if doing so would prejudice their professional integrity.

Confidentiality and access to information

5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.
6. Not preventing anyone 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 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 council are treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Disrepute

7. Not bringing my role or council into disrepute. Behaviour that is considered dishonest and/or deceitful can bring the council into disrepute. As a member I have been entrusted to make decisions on behalf of the community and my actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. I should be aware that my actions might have an adverse impact on other councillors and/or the council.

Your position

8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else. My position as a member of the council provides me with certain opportunities, responsibilities, and privileges. However, you should not take advantage of these opportunities to further private interests.

Interests

9. Registering and declaring my interests. I need to register my interests so that the public, council employees and fellow members know which of my interests might give rise to a conflict of interest. The register is a document that can be consulted when (or before) an issue arises, and so allows others to know what interests I have, and whether they might give rise to a possible conflict of interest. The register also protects me. I am responsible for deciding whether or not I should declare an interest in a meeting, but it can be helpful for me 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 me or other members, so that decisions 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. Details are set out in appendix B.

Dispensation

10. On a written request made to the council's proper officer, the council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if s/he has an interest in appendices A and B if the council believes that the number of members otherwise prohibits from taking part in the meeting would impede the transaction of the business, or it is in the interests of the inhabitants in the council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Gifts and hospitality

11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.
12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt. I should exercise caution in accepting any gifts or hospitality which are (or which I reasonable believe to be) offered to me because I am a member. I do not need to register gifts and hospitality which are not related to my role as a member, such as Christmas gifts from my friends and family, or gifts which you do not accept. However, I may wish to notify the monitoring officer of any significant gifts I am offered but refuse which I think may have been offered to influence you.

BREACHES OF THE CODE OF CONDUCT

Most councillors conduct themselves appropriately and in accordance with these standards. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations.

Appendices

Code Appendix A

The seven 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

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

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 paragraph 6 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—
	(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or

Subject	Description
	(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.

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 poli (including any political party or trade union)

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