FULL SUTTON & SKIRPENBECK PARISH COUNCIL

MEMBER CODE OF CONDUCT

(1) Introduction and Interpretation

(1) This Code applies to you as a Member of this authority when you act in your role as a Member and it is your responsibility to comply with the provisions of this Code.

(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 a positive and negative impact on the authority.

(3) The public expect Members to act in an open and transparent manner.

(4) 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;

'**Member**' includes all Members and co-opted and appointed Members of the authority.

'**Family**' means Spouse, Civil partner, any person with whom you are living as a Spouse or Civil Partner, parent, grandparent, child, grandchild or sibling.

'Bullying' is defined as offensive, intimating, malicious or insulting behaviour; an abuse of power or authority in a way that intends to undermine, humiliate, unfairly criticise of injury someone.

'Harassment' is defined as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

(2) General Obligations

(1) You must treat others with respect.

(2) You must not bully or harass any person and you must not intimidate any person who is involved in any complaint about any breach of the Code of Conduct.

(3) You must not conduct yourself in a manner that could reasonably be regarded as bringing your office or authority into disrepute.

(4) You must not disclose information given to you in confidence by any one or information acquired by you which you believe, or ought to be aware, is of a confidential nature except where:

(1) You have the consent of the person authorised to give it;

(2) You are required by law to do so;

(3) Disclosure is to 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

(4) The disclosure is:

(a) Reasonable in the public interest; and

(b) Made in good faith and in compliance with the reasonable requirements of the authority; and

(c) You have consulted the Monitoring Officer prior to its release.

(5) You must not prevent another person from gaining access to information to which that person is entitled by law.

(6) You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person an advantage or disadvantage.

(7) When using or authorising the use by others of the resources of the authority you must:

(1) Act in accordance with the authority's reasonable requirements.

(2) Ensure that such resources are not used improperly for political purposes (including party political purposes).

(3) Have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

8) You must comply with any formal investigation into allegations that you may have breached any of the provisions of the Code of Conduct.

9) You must not make any trivial or malicious complaint against any other Councillor alleging a breach of any of the provisions of this Code of Conduct.

10) You must, within 28 days of receipt, register offers of gifts or hospitality with a value of £25 or more which you have been offered to you in your capacity as a Councillor of the authority from any person or body other than the authority.

(3) Registration of Interests

(1) You must before the end of 28 days beginning on the day on which you become a Member of the authority or within 28 days of any change in an interest or becoming aware of any new interest notify the Monitoring Officer of:

(i) The following **Pecuniary Interests** of yourself, your spouse or civil partner, any person with whom you are living as husband or wife or any person with whom you are living as if they were a civil partner:

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

(b) Any payment or provision of any other financial benefit (other than from the authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a Member, or towards your 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.

(c) Any contract which is made between any of the above-named persons (or a body in which any of the above-named persons have a beneficial interest) and the authority under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(d) Any beneficial interest in land which is within the area of the authority.

(e) Any licence (alone or jointly with others) to occupy land in the area of the authority for a month or longer.

(f) Any tenancy where (to your knowledge) the landlord is the authority and the tenant is a body in which any of the above-named persons have a beneficial interest.

(g) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of the authority; and either the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which any of the above named persons has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

(ii) The following **Non-Pecuniary** interests of yourself:

(a) Bodies to which you are appointed or nominated by the authority (i.e. outside body appointments) other than bodies in which the authority has an interest.

(b) Bodies exercising functions of a public nature of which you are a Member (including regional and local enterprise partnerships, other councils, public health bodies, school governing bodies).

(c) Bodies directed to charitable purposes of which you are a Member (including the Lions, the Masons, a Parochial Church Council; not just bodies registered with the Charity Commission).

(d) Bodies whose principal purposes include influence of public opinion of policy (including any political party or trade union) of which you are a Member.

(e) Any voluntary work undertaken by you.

(f) Any role as a trustee.

(2) You need only notify the Monitoring Officer of any interests of which you are aware pursuant to paragraph (3) (1) above.

(3) Where you become a Member of the authority as a result of a re-election or re-appointment you only need to disclose interests not already entered on the register.

(4) Where the nature of the interest is such that you consider that the disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation, (and the Monitoring Officer agrees) details of the interests will not be included in any published version of the register of interests save that the register will state you have an interest the details of which are withheld under section 32(2) of the Localism Act 2011.

(4) Non - Pecuniary Interests

(1) You have a non pecuniary interest in any business of the authority where either:

(a) it is likely to affect any of the bodies listed in paragraph 3(1)(ii) of the Code;
(b) it is likely to affect any person or body from whom you within the last six years and in your capacity as a Member accepted an offer of gifts or hospitality with of £25 or more, or
(c) the decision in relation to that business might reasonably be regarded as affecting your wellbeing, or financial position, or the wellbeing or financial position of a relevant person to a greater extent than the majority of other Council tax payers, rate payers or inhabitants of the Ward affected by the decision.

(2) A relevant person is:

(a) A member of your family or any person with whom you have a close association, or
(b) A person or body who employs or has appointed such persons any firm of which they are a partner or any company of which they are Directors.

(3) Where you have a non-pecuniary interest in any business of the authority and you attend a meeting of the authority at which that 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.

(4) Sub paragraph (3) only applies where you are aware or ought reasonably to be aware of the existence of the interest.

(5) Where you have an interest but by virtue of paragraph (3)(4) it is not registered in the authority's register of interests you must indicate you have a non-pecuniary interest but need not disclose the sensitive information to the meeting.

(5) Pecuniary Interests

(1) You have a pecuniary interest in any business of the authority where you, your spouse or civil partner, any person with whom you are living as husband or wife or any person with whom you are living as if they were a civil partner have an interest that falls within sub paragraph (3)(1)(i) above.

(6) Effect of Pecuniary Interest on Participation

(1) Where you have a pecuniary interest in any business of the authority and you attend a meeting at which the business is considered you must then:

(a) Disclose the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent, subject to sub-paragraph (c) below.

(b) Withdraw from the room or chamber where the meeting considering the business is being held.

(c) Do not participate in discussion of, or vote on the matter at the meeting (participate includes addressing a meeting of which you are not a member).

(d) If the pecuniary interest is a sensitive interest as set out in sub-paragraph (3)(4) above you need only disclose the fact that you have a pecuniary interest.

Approved: 18th October 2021