

STOKE ORCHARD & TREDINGTON PARISH COUNCIL

CODE OF CONDUCT

Reviewed on 5 May 2020

Next scheduled review due at the Annual Meeting of the Parish Council in 2021

1. Introduction

Pursuant to section 27 of the Localism Act 2011, Stoke Orchard Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council including the business of the office to which they were elected or appointed or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the following principles of behaviour by members:

Selflessness: you must take decisions solely in terms of the public interest. You must not do so in order to gain financial or other material benefit for yourself, your family or friends.

Integrity: you must not place yourself under any financial or other obligation to outside individuals or organisations that might influence you in the performance of your official duties.

Objectivity: in carrying out public business, including making public appointments, awarding of contracts, or recommending individuals for rewards and benefits, you must make choices on merit.

Accountability: you are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.

Openness: you must be as open as possible about all the decisions and actions that you take and should give reasons for your decisions. Only when the wider public interest clearly demands it, should you restrict information.

Honesty: you have a duty to declare any personal interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership: you must promote and support these principles by leadership and example.

2. Definitions

- 2.1 For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.
- 2.2 For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.
- 2.3 For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.
- 2.4 The interests listed in Appendix A are "Disclosable Pecuniary Interests", those listed in Appendix B are "Other Interests"

3. Members obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations:

- 3.1 To behave in such a way that a reasonable person would regard as respectful
- 3.2 Not act in a way which a reasonable person would regard as bullying or intimidatory
- 3.3 Not seek to improperly confer an advantage on any person
- 3.4 To use the resources of the Council in accordance with its requirement
- 3.5 Not disclose information which is confidential or where disclosure is prohibited by law.

4. Registration of interests

- 4.1 Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he / she shall register all interests which fall within the categories set out in Appendices A and B.
- 4.2 Upon the re-election of a member or the re-appointment of a co-opted member, he / she shall within 28 days re-register any interests in Appendices A and B.
- 4.3 A member shall register any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
- 4.4 A member need only declare on the public register of interests the existence - but not the details - of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

5. Declarations of interest

- 5.1 If the interest is listed in Appendix A the member shall not participate in any discussion or vote on the matter and shall withdraw from the meeting.
- 5.2 If the interest is listed in Appendix B, the member shall withdraw from the meeting unless he wishes to speak on the matter, in which case he may do so provided that:
 - 5.2.1 the public are also allowed to speak, and
 - 5.2.2 he declares his interest he shall then withdraw from the meeting.
- 5.3 In every case where the interest is a sensitive one, it should be declared but not the nature of it.
- 5.4 Where the matter relates to a financial interest of a friend, relative or close associate he shall declare the nature of the interest and withdraw from the meeting. If he wishes to speak on the matter then sub clauses 5.2.1 & 5.2.2 apply.

6. Dispensations

On a written request made to the Council's proper officer, the Council may grant a member dispensation to participate in a discussion and vote on a matter if

- 6.1 he / she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or
- 6.2 it is in the interests of the inhabitants in the Council's area to allow the member to take part or
- 6.3 it is otherwise appropriate to grant a dispensation.

Appendix A

Disclosable Pecuniary Interests

The interests set out below are “Disclosable Pecuniary Interests” in accordance with the Localism Act 2011 and Members must notify the Monitoring Officer in accordance with Paragraphs 8(1)-(3) of this Code of Conduct of any interest which is an interest of **the Member or of any of the following**:

- the Member’s spouse or civil partner;
- a person with whom the Member is living as husband and wife; or
- a person with whom the Member is living as if they were civil partners;

and the Member is aware that that other person has the interest.

Subject	Disclosable Pecuniary Interest
Employment, Office, Trade, Vocation	Any employment, office, trade, profession or Profession or vocation carried on for profit or gain.
Sponsorship	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(a).
Contracts	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.
Land	Any beneficial interest in land which is within the area of the relevant authority.
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 M’s knowledge) – (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where – (a) that body (to M’s knowledge) has a place of business or land in the area of the relevant authority; 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

(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.

- (a) “the Act” means the Localism Act 2011;
- (b) “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;
- (c) “director” includes a member of the committee of management of an industrial and provident society;
- (d) “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;
- (e) “M” means a member of a relevant authority;
- (f) “member” includes a co-opted member;
- (g) “relevant authority” means the authority of which M is a member;
- (h) “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;
- (i) “relevant person” means M or any other person referred to in section 30(3)(b) of the Act;
- (j) “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(b) and other securities of any description, other than money deposited with a building society.

Appendix B

Other Interests

The interests set out below are “other interests” which must be notified to the Monitoring Officer in accordance with Paragraphs 8(1), 8(2) and 8(4) of this Code of Conduct.

A Member must notify the Monitoring Officer of any interest held by **the Member** in any of the categories set out below:-

Subject	Other Interest
Management or Control	Any body of which the Member is in a position of general control or management and to which he/she is appointed or nominated by the Council.
Public/Charitable and Other External Bodies	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 the Member of the Council is a member or in a position of general control or management.
Employer	Any person or body who employs, or has appointed, the Member.
Gifts and Hospitality	The name of any person, organisation, company or other body from whom the Member has received, by virtue of his Office, gifts or hospitality worth an estimated value of £50 or more.
