

PENTON MEWSEY PARISH COUNCIL

CODE OF CONDUCT

Minutes 5th November apply for discussion and formally Adopted at the meeting on the 17th December 2012

CODE OF CONDUCT

1. This code applies to you as a member or co-opted member of this council when you act in that role and it is your responsibility to comply with the provisions of this code.
2. This code is adopted pursuant to the Council's statutory duty to promote and maintain high standards of conduct by members and co-opted members of the council. It complies with the requirements of Section 28 of the Localism Act 2011 and is consistent with the principles set out in that section
3. This code is based on and consistent with the following principles:

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits.

Integrity

Holders of public office should not place themselves under financial or other obligation to outside individuals or organisations that may seek to influence them in the performance of their duties.

Objectivity

In carrying out public business you must make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choice 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 and those of your council, and must be prepared to give reasons for those actions and restrict information only when the wider public interest clearly demands.

Honesty

You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protect the public interest.

Leadership

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example in a way that secures or preserves public confidence.

General Obligations

- 1 You must treat others with respect and ensure that you are aware of and comply with all legal obligations that apply to you as a member or co-opted member of the council and act within the law;
- 2 You must not bully any person.
- 3 Do not intimidate or try to intimidate anyone who has complained about you or who may be involved in a complaint about you.
- 4 You must not do anything that compromises or is likely to compromise the impartiality of those who work for, or on behalf of the council.
- 5 You must not disclose information given to you in confidence by anyone, or information acquired by you of which you are aware, 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 council.
- 6 Do not prevent another person from gaining access to information which that person is entitled by law.
- 7 Do not try to use your position improperly to obtain an advantage or disadvantage for yourself or any other person or body.
- 8 When making decisions on behalf of or as part of the council you must have regard to any professional advice provided to you by the council's officers.
- 9 When using or authorising the use by others of the resources of the council:
 - (i) you must act in accordance with the council's reasonable requirements;
 - (ii) you must make sure that you do not use resources improperly for political purposes and do not use them at all for party political purposes.
 - (iii) do not improperly use knowledge gained solely as a result of your role as a member for the advancement of your DPI's

Interests

Disclosable Pecuniary Interests (DPI's) are as defined in the Regulations and are attached to this code.

Code of Conduct Interests are pecuniary interests of the nature set out in the Schedule to this code (not stated in your DPI's) that affect you/your spouse/member of your family/close friend.

Sensitive Interests are interests where you consider the disclosure of details could lead to you, or a person connected with you being the subject of violence or intimidation.

Registering and disclosure of interests

- 1 You must, within 28 days of;
 - a) this code being adopted or
 - b) your acceptance of office as a member
- 2 Notify the council's monitoring officer of any Disclosable Pecuniary Interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners.

At a meeting and you have a Disclosable Pecuniary Interest or a Code of Conduct Interest in any matter being considered you must:

- a) disclose the existence and nature of that interest
- b) you may not participate in any discussion or vote taken on the matter
- c) if the interest is a DPI and is not registered or pending registration you must notify the Monitoring Officer within 28 days
- d) if the interest is a DPI you must not make a statement on the matter
- e) if the interest is a Code of Conduct interest you may make a statement on the matter
- f) you may stay in the room in accordance with our Council's Participation Scheme

Dispensations

The right is given for the council to enforce any dispensation that is considered essential to making decisions.

DISCLOSABLE PECUNIARY INTERESTS

These are interests if they are of a description specified in regulations made by the Secretary of State and either it is your interest or your partner's interest (partner 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

Please state **NONE** where appropriate and do not leave boxes blank)

Subject	Prescribed description	Details of Members Interests
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 relevant 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 the election expenses of you. 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 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. 1	
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 your 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 your 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.	

1 This includes the land relating to any property you own or rent, including garages, allotments etc, that is within the parish.