

# WHELDRAKE PARISH COUNCIL

## Code of Conduct

The Localism Act 2011, s.27 requires that a Code of Conduct is adopted by Councils to promote and maintain high standards of conduct by members of a public body.

Wheldrake Parish Council ("the Council") adopted this Code of Conduct on 14<sup>th</sup> June 2017 and came into force on that day. The Code sets out the conduct that is expected of Councillors when acting as a Parish Councillor or when Councillors are appointed as co-opted members on any Committee of the Council.

The Code of Conduct is based upon the Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

In undertaking your duties as a Councillor

1. You must not behave in a way that a reasonable person would regard as disrespectful to them.
2. You must not bully or intimidate or attempt to bully or intimidate any person.
3. You must not do anything which compromises or is likely to compromise the impartiality of anyone who works for or on behalf of the Council.
4. You must not bring the Council, or your office as a Councillor, into disrepute.
5. You must not do anything which may cause the Council to breach any equality enactment
6. You must not use or attempt to use your position as a Councillor improperly to confer on or secure for yourself or any other person any advantage or disadvantage.
7. You must always use the resources of the Council in accordance with the Council's reasonable requirements and never use those resources for political purposes.
8. If, because of your membership of the Council, you are in receipt of or are offered any gift or hospitality with an estimated value of £50 or more you must disclose this to the Monitoring Officer; and you must decline to accept any such gift or hospitality which could reasonably be perceived as creating an obligation upon the Council, or upon yourself as a member of the Council.
9. You must not knowingly prevent, or attempt to prevent, another person from gaining access to information to which they are entitled by law.

10. You must not disclose information which is given to you in confidence, or information which you believe or ought reasonably to be aware is of a confidential nature, unless:
- You have the consent of a person authorised to give it; or
  - You are required by law to do so; or
  - The disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
  - The disclosure is reasonable, in the public interest (rather than in the interests of individuals), made in good faith and made in compliance with the reasonable requirements of the Council.
11. The Council's Monitoring Officer will maintain a Register of Interests for Councillors and Co-opted members. Subject to paragraph 16, you must register your interests in the Council's Register of Interests. In this code of conduct "your interests" means any disclosable pecuniary interest as defined in paragraph 14 below and also those other interests set out in paragraph 15, where those interests are held in either case
- by you, or
  - to your knowledge, by your spouse or civil partner, by a person with whom you are living as husband and wife, or by a person with whom you are living as if you were civil partners.
12. You must register information regarding your interests by giving written notice to the Monitoring Officer, who maintains the Register; and you must give such notice:
- before the end of 28 days beginning with the day of your appointment as a member of the Council; and/or
  - before the end of 28 days beginning with the date of any change in your interests.
13. The following are disclosable pecuniary interests referred to within paragraph 12:
- Your employment, office, trade, profession or vocation carried on for profit or gain;
  - Any payment or provision of any other financial benefit (other than from the Council) made or provided in respect of any expenses incurred by you in carrying out your duties as a Councillor or co-opted member or towards your election expenses including any payment or financial benefit from a Trades Union;
  - Any contract which is made between you (or a body in which you have a beneficial interest) and the Council for the provision of goods or services or the exchange of works and which has not been fully discharged;
  - Any beneficial interest which you have in land with is within the Council's area
  - Any licence you hold either alone or jointly with others to occupy land in the Council's area for a month or longer;
  - Any tenancies where you know that the Council is the landlord and that the tenant is a body in which you have a beneficial interest

- Any beneficial interest in securities in a body where you know that body has a place of business in the Council's area and either
    1. the total nominal value of the securities exceeds £25,000 or one hundredth of the total share capital or
    2. if the share capital of the body is more than one class, the total nominal value of the shares of any one class in which you have a beneficial interest exceeds one hundredth of the total issued share capital in that class.
14. The following are the other interests referred to within paragraph 12:
    - Your membership of any body to which you are appointed by the Council;
    - Your membership of any public body;
    - Your membership of any charitable body;
    - Your membership of any political party, trade union, or other body where one of the principal purposes of that body is to influence public opinion or policy;
  15. Where you consider that disclosure of the details of any of your interests could lead to you, or a person connected with you, being subject to violence or intimidation, you should tell the Monitoring Officer; and if the Monitoring Officer agrees, a note will be made in the register to the effect that you have a registerable interest, details of which are withheld under Section 32 of the Localism Act 2011.
  16. Where you attend a meeting of the Council, or of a Committee of the Council, and you are, or ought reasonably to be, aware that any of your interests are relevant to an item of business which is being considered, then unless the interest is one which has been registered under paragraph 12, you must disclose to that meeting the existence and nature of that interest at the commencement of that item of business, or when the interest becomes apparent, if later.
  17. Where you attend a meeting of the Council, or of a Committee of the Council, and you are, or ought reasonably to be, aware that a decision in relation to any item of business which is to be transacted might reasonably be regarded as affecting your wellbeing or financial position, or the wellbeing or financial position of a person described in paragraph 19 to a greater extent than the majority of inhabitants of the Council's area, then you must disclose to that meeting the existence and nature of that interest at the commencement of that item of business, or when the interest becomes apparent, if later.
  18. The persons referred to in paragraph 18 are:
    - (a) a member of your family;
    - (b) any person with whom you have a close association;
    - (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.
  19. You must comply with the Procedure Rule adopted by the Council which requires Councillors to leave the room and take no part during that part of any meeting at

which a matter in which you have a disclosable pecuniary interest is being discussed.

20. You may make a written request to the Monitoring Officer seeking a dispensation from the rules regarding interests and the Monitoring Officer may agree to grant a dispensation in the following circumstances:

1. Where so many members of the decision-making body have DPIs in a matter that it would “impede the transaction of the business”.
2. Where, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
3. Where the dispensation is in the interests of persons living in the Council’s area;
4. Where, without a dispensation, no member of the Executive would be able to participate in a matter before the executive; or
5. Where the Monitoring Officer considers that it is otherwise appropriate to grant a dispensation.

Signed: .....

Name: Cllr S Mercer, Chairman, Wheldrake Parish Council

Date: 14<sup>th</sup> June 2017

Minute No: 17009.