

Guide to the Code of Conduct for Members of Stantonbury Parish Council

I. Purpose of the Code

1. The purpose of this Code of Conduct is to assist Members (including co-opted Members) in the discharge of their obligations to the Parish Council, their local communities and the public at large by:
 - a) setting out the standards of conduct that are expected of Members and co-opted Members of the Parish Council when they are acting in that capacity, and in so doing
 - b) providing the openness and accountability necessary to reinforce public confidence in the way in which Members perform those activities.

II. Scope of the Code

2. The Code applies to Members in all aspects of their activities as a Member, including when acting on Parish Council business, ward business or when otherwise purporting to act as a Member. It does not seek to regulate what Members do in their purely private and personal lives.
3. The obligations set out in this Code are complementary to those which apply to all Members by virtue of the procedural and other rules of the Parish Council
4. The obligations set out in this Code are also complementary to, and include, those obligations which apply to Members falling within the scope of related Policies and Protocols of the Parish Council, specifically
 - The Protocol on Data Protection and IT
 - The Protocol on Parish Office
 - Keyholding Policy
 - Safeguarding Children Policy
 - Press/Media Policy
 - Freedom of Information Act Policy
 - Health & Safety Policy
 - Grant Review Policy

III. Public Duties of Members

5. Members have a duty to uphold the law, including the general law against discrimination and the requirements of the Localism Act, and to act on all occasions in accordance with the public trust placed in them.
6. Members have an overriding duty to act in the interests of the Stantonbury Parish Council as a whole, but also have a special duty to represent the views of the residents and communities of their ward.

IV. Principles of Conduct

7. The Localism Act 2011 required that the Parish Council must adopt a Code of Conduct to apply to its Members and co-opted Members, which is
 - (a) consistent with a set of prescribed principles described and
 - (b) includes provisions in respect of the registration and disclosure of
 - (i) pecuniary interests, both
 - (1) 'disclosable pecuniary interests' required as a minimum under the Localism Act and
 - (2) other pecuniary interests; and
 - (ii) interests other than pecuniary interests
8. In carrying out their duties in exercising the functions of their Parish Council or otherwise acting as a councillor or co-opted member, Members will be expected to observe the provisions of the Code and appreciate that the Code is based on the following general principles of conduct identified by the Committee on Standards in Public Life in its First Report as applying to holders of public office, which will be taken into consideration when any allegation is received of breaches of the provisions of the Code.

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

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

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

V. General Expectations of Conduct

9. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.
10. Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the Parish Council on the use of such expenses, allowances, facilities and services.
11. Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the Parish Council and never undertake any action which would bring the Parish Council, or its Members or officers generally, into disrepute.

VI. Registration and Declaration of Interests

14. Members shall fulfil conscientiously the requirements of the Parish Council in respect of the registration of interests in the Register(s) of Members' Interests and, where it is required or appropriate to do so, shall always draw attention to any relevant interest in any proceeding of the Parish Council or its Committees, or in any communications with the Parish Council, its Members or officers as required in
 - (a) Part 2 of the Code of Conduct; and
 - (b) the Council's standing orders.

VII. Criminal offences in relation to Conduct

18. The Code and associated arrangements are prepared pursuant to the Council's and Members' duties under Chapter 7 of the Localism Act 2011.
19. The following are criminal offences relating to the registration and disclosure of interests created under the Localism Act 2011.
 - (a) Where the Member fails, without reasonable excuse to
 - (i) notify the Stantonbury Parish Council monitoring officer of any disclosable pecuniary interests which the person has at the time when the notification is given, which is required to be given before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the Parish Council; or
 - (ii) notify the Stantonbury Parish Council's monitoring officer of an interest before the end of 28 days of an event where a Member is present at a meeting of the Parish Council, or is discharging a Parish Council function, and is aware that he or she has a disclosable pecuniary interest in any matter to be considered, or being considered, and that interest is not entered in the Parish Council's register or is not the subject of a pending notification
 - (b) Where a Member notifies the Stantonbury Parish Council's monitoring officer of such an interest but the person provides information that is false or misleading and the person
 - (i) knows that the information is false or misleading or
 - (ii) is reckless as to whether the information is true and not misleading.
 - (c) Where a Member is present at a meeting of the Parish Council, is aware that they have a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting, and either
 - (i) participates, or participates further, in any discussion of the matter at the meeting, or
 - (ii) participates in any vote, or further vote, taken on the matter at the meeting,
20. Offences also exist under the Bribery Act 2010, which includes the situation where a Member requests, agrees to receive or accepts a financial or other advantage intending that, in consequence, any function of a public nature, any activity connected with the Parish Council or any activity to be performed by or on behalf of the Parish Council or others should be performed improperly.

Signed:

G Davison

Date: 16/11/2016