

Code of Conduct

**This Code of Conduct was adopted
By Mountfield Parish Council at
their meeting on
21st July 2020**

MOUNTFIELD PARISH COUNCIL

Introduction

Pursuant to section 27 of the Localism Act 2011, Mountfield Parish 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 principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership (see Appendix C).

Definitions

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.

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.

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.

Member 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.

1. They shall behave in such a way that a reasonable person would regard as respectful.
2. They shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. They shall not seek to improperly confer an advantage or disadvantage on any person.
4. They shall use the resources of the Council in accordance with its requirements.
5. They shall not disclose information which is confidential or where disclosure is prohibited by law.

Registration of Interests

6. Within 28 days of this Code being adopted by the Council, or the member’s election or the co-opted member’s appointments (where that is later), they shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
7. Upon the re-election of a member or the re-appointment of a co-opted member, they shall within 28 days re-register with the Monitoring Officer any changes to any interests in Appendices A and B.
8. A new member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.

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9. A member need only declare 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.

Declaration of Interests at Meetings

10. Where a matter arises at a meeting which relates to an interest in Appendix A, the member shall not participate in a discussion or vote on the matter. They have only to declare what their interest is if it is not already entered in the member’s register of interests or if they have not notified the Monitoring Officer of it.
11. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose the interest but not the nature of it.
12. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. They may speak on the matter only if members of the public are also allowed to speak at the meeting.
13. A member only must declare their interest in Appendix B if it is not already entered in their register of interests or they have not notified the Monitoring Officer of it or if they speak on the matter. If they hold an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, they shall declare the interest but not the nature of the interest.
14. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest of a person in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. They may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a “sensitive interest” the member shall declare the interest but not the nature of the interest.

Dispensations

15. On a written request to the Council’s Proper Officer, the Proper Officer may grant a member a dispensation to participate in a discussion and vote on a matter even if they have an interest in Appendices A and B, if the Proper Officer believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council’s area to allow the member to take part or it is otherwise appropriate to grant the dispensation.

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Appendix A

Interests described in the table below

| SUBJECT | DESCRIPTION |
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| Employment, office, trade, profession, or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain by the member or by their spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the Council) made to the member during the past 12 month period ending on the latest date referred in paragraph 6 above for expenses incurred by them in carrying out their duties as a member, or towards their election expenses. This includes any payment or financial benefit from a trades union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract made between the member or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council – <ul style="list-style-type: none"> • under which goods or services are to be provided or works to be executed, and • which has not been fully discharged. |
| Land | Any beneficial interest in land held by the member or by their spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners which is within the area of the Council. “Land” excludes an easement, servitude, interest or right in or over land which does not give the member or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or receive income. |
| Licences | Any licence (alone or jointly with others) held by the member or by their spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners to occupy land in the area of the Council for a month or longer. |
| Corporate tenancies | Any tenancy where (to the member’s knowledge) – <ul style="list-style-type: none"> • the landlord is the Council; and • the tenant is a body that the member, or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of. |

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| Securities | <p>Any beneficial interest held by the member or by their spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners in securities* of a body where</p> <ul style="list-style-type: none">• that body (to the member's knowledge) has a place of business or land in the area of the Council; and• either –<ul style="list-style-type: none">○ 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 the member, or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest that exceeds one hundredth of the total issued share capital of that class. |
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* "director" includes a member of the committee of management of an industrial and provident society.

* "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 and other securities of any description, other than money deposited with a building society.

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Appendix B

An interest which relates to or is likely to affect:

1. Any body of which the member is in a position of general control or management and to which they are appointed or nominated by the Council.
2. 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 trades union).

of which the member of the Council is a member or in a position of general control or management.

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Appendix C

THE SEVEN PRINCIPLES OF PUBLIC LIFE

1. **SELFLESSNESS**
Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.
2. **INTEGRITY**
Members should not place themselves in situations where their integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour. Members should show integrity by consistently treating other people with respect, regardless of their race, age, religion, gender, sexual orientation, disability or position, for example as an officer or employee of the authority.
3. **OBJECTIVITY**
Members should make decisions in accordance with the law and on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
4. **ACCOUNTABILITY**
Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.
5. **OPENNESS**
Members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.
6. **HONESTY**
Members should not place themselves in situations where their honesty may be questioned, should not behave dishonestly and should on all occasions avoid the appearance of such behaviour. Members should declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects that public interest.
7. **LEADERSHIP**
Members should support and promote these principles by leadership and by example and should act in a way that secures and preserves public confidence.