



BEETHAM PARISH COUNCIL

Code of Conduct

1 PURPOSE AND SCOPE OF THE CODE

Pursuant to section 27 of the Localism Act 2011 Beetham Parish Council (“the Council”) has adopted the following Code dealing with the conduct that is expected of members and co-opted members of the Council (“Members”) when they are acting in that capacity (or when they claim to act, or give the impression of acting, as a representative of the Council)

The Council has a statutory duty under the Act to promote and maintain high standards of conduct by Members and the Code sets out the standards that the Council expects Members to observe. The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.

2 GENERAL PRINCIPLES OF COUNCILLOR CONDUCT

The Code is intended to be consistent with the Seven Principles set out in Section 6 of this document and it applies whenever a person is acting in his/her capacity as a Member of the Council or co-opted Member in the conduct of the Council’s business or acting as a representative of the Council.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in you, on all occasions:

- You act with integrity and honesty
- You act lawfully
- You treat all persons fairly and with respect; and
- You lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking your role:

- You impartially exercise your responsibilities in the interests of the local community
- You do not improperly seek to confer an advantage, or disadvantage, on any person
- You avoid conflicts of interest
- You exercise reasonable care and diligence; and
- You ensure that public resources are used prudently in accordance with your local authority’s requirements and in the public interest.

3 APPLICATION OF THE CODE OF CONDUCT

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.



The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and always show leadership when acting as a councillor.

4 GENERAL CONDUCT

As a councillor:

- You treat other councillors and members of the public with respect.
- You treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.
- You do not bully any person.
- You do not harass any person.
- You promote equalities and do not discriminate unlawfully against any person.
- You do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.
- You do not disclose information:
 - 1) given to you in confidence by anyone
 - 2) acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, unless
 - You have received the consent of a person authorised to give it.
 - You are required by law to do so.
 - 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
 - the disclosure is:
 - reasonable and in the public interest; and
 - made in good faith and in compliance with the reasonable requirements of the local authority
- You do not improperly use knowledge gained solely because of your role as a councillor for the advancement of yourself, friends, family members, employer or business interests.
- You do not prevent anyone from getting information that they are entitled to by law.
- You do not bring your role or local authority into disrepute.
- You do not use, or attempt to use, your position improperly to the advantage or disadvantage of yourself or anyone else.
- You undertake Code of Conduct training provided by your local authority.
- You cooperate with any Code of Conduct investigation and/or determination.
- You do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- You comply with any sanction imposed on you following a finding that you have breached the Code of Conduct.



5 REGISTERING AND DECLARING DISCLOSABLE PECUNIARY AND OTHER REGISTERABLE INTERESTS

1. You must, within 28 days of taking office as a member or co-opted member, notify your 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. These interests are set out in Section 7.1 of this document.
2. In addition, you must, within 28 days of taking office as a member or co-opted member, notify your Council's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which the Council has decided should be included in the register. These are set out in Section 7.2 of this document.
3. If an interest has not been entered onto the Council's register, then the Member must disclose the interest to any meeting of the Council at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest' as described by the Localism Act 2011.
4. Following any disclosure of an interest not on the Council's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
5. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your Council.

6 SEVEN GENERAL PRINCIPLES OF CONDUCT

The Localism Act 2011 requires the adoption of a Code that is consistent with the seven "Nolan Principles" of conduct. These are listed below.

Selflessness Holders of public office should act solely in terms of the public interest. They should not do so 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 seek to 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 or 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 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 by example and should act in a way that secures or preserves public confidence.

7 PECUNIARY AND OTHER REGISTERABLE INTERESTS

Disclosable Pecuniary Interests

It is a legal requirement for Councillors to enter these interests into the Council's register. They are defined in regulations issued by the Secretary of State.

1. Details of any employment, office, trade, profession or vocation carried on for profit or gain.
2. Details of any payment or provision of any other financial benefit (other than from the relevant Council) made or provided within the relevant period in respect of any expenses incurred by councillors in carrying out duties as a member, or towards the election expenses of Councillors. (This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.)
3. Details of any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant Council:
 - a. under which goods or services are to be provided, or works are to be executed; and
 - b. which has not been fully discharged.
4. Details of any beneficial interest in land which is within the area of the relevant Council.
5. Details of any licence (alone or jointly with others) to occupy land in the area of the relevant Council for a month or longer.
6. Details of any tenancy where (to councillor's knowledge):
 - a. The landlord is the relevant Council; and
 - b. The tenant is a body in which the relevant person has a beneficial interest.
7. Details of any beneficial interest in securities of a body where
 - a. That body (to councillor's knowledge) has a place of business or land in the area of the relevant Council; and
 - b. Either: The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or if that 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.

Other Registerable Interests

Beetham Parish Council has resolved that all Members shall also enter the following into the Council's Register.

8. Details of any body of which you are a member, or in a position of general control or management, and to which you are appointed or nominated by the Council.
9. Details of any body of which you are a member, or in a position of general control or management, and which:
 - a. Exercises function of a public nature.
 - b. Is directed towards charitable purposes; or
 - c. Is a body which includes as one of its principal purposes influencing public opinion or policy (this includes political parties or trade unions).
10. Details of any persons from whom you have received a gift or hospitality with an estimated value of at least £50. (You must register any gifts or hospitality worth £50 or over that you receive personally in connection with your official duties).