

## **CODE OF CONDUCT**

### **1 Introduction**

- 1.1 Chearsley Parish Council ('the 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.
- 1.2 This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.
- 1.3 This Code is based on the text of 'Code of Conduct' published in 2012 by the National Association of Local Councils.
- 1.4 The Code of Conduct incorporates a member's mandatory obligations in the Localism Act 2011 ('the 2011 Act') concerning 'disclosable pecuniary interests' which come into force on 1 July 2012.
- 1.5 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.
- 1.6 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.
- 1.7 Throughout these Standing Orders references to the masculine gender shall include references to the female gender.
- 1.8 In Appendix A the term 'member' refers to the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners.

### **2 Member obligations**

- 2.1 When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, the member shall:
  - a. behave in such a way that a reasonable person would regard as respectful.
  - b. not act in a way which a reasonable person would regard as bullying or intimidatory.
  - c. not seek to improperly confer an advantage or disadvantage on any person.
  - d. use the resources of the Council in accordance with its requirements.
  - e. not disclose information which is confidential or where disclosure is prohibited by law.

### **3 Registration of interests**

- 3.1 Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), the member shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
- 3.2 Upon the re-election of a member or the re-appointment of a co-opted member, the member shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B
- 3.3 A 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.
- 3.4 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.

### **4 Declaration of interests at meetings**

- 4.1 Where a matter arises at a meeting which relates to an interest in Appendix A unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. The member shall not participate in a discussion or vote on the matter.
- 4.2 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.
- 4.3 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.

### **5 Dispensations**

- 5.1 On a written request made to the proper officer ( The Clerk to the Council) the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if they have an interest in Appendices A and B if the Council 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 a dispensation.

#### **NOTES.**

- 1. The monitoring officer referred to in 3 and 4.1 is a member of staff at Bucks Council who maintains the register of interests.

## Appendix A

Interests described in the table below:

Area	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by the member.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12-month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. 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 made between the member (or a firm in which such person is a partner, or an incorporated body of which such person is a director <sup>1</sup> or a body that such person has a beneficial interest in the securities of <sup>2</sup> ) and the Council — under which goods or services are to be provided or works are to be executed; and which has not been fully discharged.
Land	Any beneficial interest in land held by the member 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 (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) held by the member to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge) — the landlord is the Council; and the tenant is a body that the member is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest held by the member in securities* of a body where — that body (to the member's knowledge) has a place of business or land in the area of the Council; and 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 member has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
<p><b>NOTES</b></p> <p>1 'director' includes a member of the committee of management of an industrial and provident society.</p> <p>2 '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.</p>	

## **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 that is:
  - 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 trade union) of which the member of the Council is a member or in a position of general control or management.
3. any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of their office.