

FOULDEN PARISH COUNCIL

CODE OF CONDUCT

Introduction

Foulden 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.

- **Selflessness:** Members of the Council should act 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:** Members of the Council 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 and benefits, members of the Council should make choices on merit.
- **Accountability** Members of the Council are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate for their office.
- **Openness:** Members of the Council 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:** Members of the Council 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:** Members of the Council should promote and support these principles by leadership and example.

Registration of Interests

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), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
2. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
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 being aware of it.
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.

Declaration of Interests at Meetings

5. 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. He/she only as to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
6. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the members 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 he/she has an interest but not the nature of it.
7. Where a matter arises at a meeting which related to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
8. A member only has to declare his/her interest in Appendix B if it is not already entered into his/her register of interests or he/she has not notified the Monitoring Office of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Office, he/she shall declare the interest but not the nature of the interest.
9. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she 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

10. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has 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.

Gifts and hospitality

11. A member must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £100 which has been accepted from any person or body other than the Authority.
12. The Monitoring Officer will place the notification on a public register of gifts and hospitality.
13. This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Authority for this purpose.

APPENDIX A

Interests described in the table below:-

Subject	Description
Employment, office, trade, profession or vocation.	Any employment, office, trade, profession or vocation carried on for profit or gain.
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 his/her 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 a 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.
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- a) Under which goods or services are to be provided or works are to be executed; and
- b) Which has not been fully discharged.

Land	Any beneficial interest in land 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 his/her 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 to receive income.
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Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
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Corporate tenancies	Any tenancy where (to the member's knowledge) :- (a) The landlord is the Council; and (b) The tenant is a body that 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 is a partner of or a director or has a beneficial interest in the securities of.
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Securities

Any beneficial interest in securities of a body where:-

- (a) That body (to the member's knowledge) has a place of business or land in the area of the Council, and
 - (b) 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, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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APPENDIX B

An interest which relates to or is likely to affect:

- i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council.
- ii) 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 trade union).

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

- iii) Any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his/her office.

