



# Savernake Parish Council

## **Council Code of Conduct for Councillors**

### **Introduction**

Members of the Council are the elected representatives of the people within the Parish of Savernake and they take decisions on their behalf. The purpose of this code is to set out the standards of conduct expected of Councillors when carrying out their duties and to demonstrate to the public the standards of conduct they can expect from their elected representatives.

This code applies to Council Members whenever they are carrying out their official duties as an elected representative of the Council. Although, in line with the Localism Act 2011 this code only applies to Council Members when they are carrying out their official duties nevertheless the Council expects its Council Members to uphold high standards of conduct at all times in order to uphold the reputation of the Council and the office to which they have been elected.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

### **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 of the Council, or represents the Council on any joint committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, or joint 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.

For the purposes of this Code, the 'Monitoring Officer' is the Councillor tasked with overseeing compliance with this Code of Conduct.

### **This Code of Conduct is based on the Seven Principles of Public Office**

#### **Selflessness**

Council Members should act solely in terms of the public interest.

#### **Integrity**

Council Members must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

## **Objectivity**

Council Members must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

## **Accountability**

Council Members are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

## **Openness**

Council Members should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

## **Honesty**

Council Members should be truthful.

## **Leadership**

Council Members should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **Member obligations**

When a Council Member acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage, on any person, including themselves.
4. He/she shall not use their position as a Council Member for personal financial gain.
5. He/she shall not misuse the resources of the Council.
6. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.
7. He/she shall not bring the council, or the role of Council Member, into disrepute.

## **Registration of interests**

8. Within 28 days of this Code being adopted by the Council, or the Council Member's election or the co-opted Council 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.
9. Upon the re-election of a Council Member or the re-appointment of a co-opted Council Member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
10. A Council 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.

11. A Council 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**

12. Where a matter arises at a meeting which relates to an interest in Appendix A the Council Member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the Council Member's Register of Interests or if he/she has not notified the Monitoring Officer of it.
13. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the Council 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 Council Member shall disclose he/she has an interest but not the nature of it.
14. Where a matter arises at a meeting which relates to an interest in Appendix B, the Council 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.
15. A Council Member only has to declare his/her interest in Appendix B if it is not already entered in his/her Register of Interests or he/she has not notified the Monitoring Officer 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 Officer, he/she shall declare the interest but not the nature of the interest.
16. 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), and the Council 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 Council Member shall declare the interest but not the nature of the interest.

### **Dispensations**

17. On a written request made to the Council's proper officer, the Council may grant a Council 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 Council 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 Council Member to take part or it is otherwise appropriate to grant a dispensation.

## 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 by the Council Member or by his/her spouse or civil partner or by the person with whom the Council 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 Council 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 Council 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   | <p>Any contract made between the Council Member or his/her spouse or civil partner or the person with whom the Council 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 -</p> <ul style="list-style-type: none"> <li>• under which goods or services are to be provided or works are to be executed; and</li> <li>• which has not been fully discharged.</li> </ul> |
| Land  | <p>Any beneficial interest in land held by the Council Member or by his/her spouse or civil partner or by the person with whom the Council Member is living as if they were spouses/civil partner which is within the area of the Council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the Council Member or his/her spouse or civil partner or the person with whom the Council Member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>    |
| Licences  | Any licence (alone or jointly with others) held by the Council Member or by his/her spouse or civil partner or by the person with whom the Council Member is living as if they were spouses/civil partners to occupy land in the area of the Council for a month or longer.  |

| Subject             | Description  |
|---------------------|--|
| Corporate tenancies | <p>Any tenancy where (to the member's knowledge)-</p> <ul style="list-style-type: none"> <li>the landlord is the Council; and</li> <li>the tenant is a body that the Council Member, or his/her spouse or civil partner or the person with whom the Council 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.</li> </ul>   |
| Securities          | <p>Any beneficial interest held by the Council Member or by his/her spouse or civil partner or by the person with whom the Council Member is living as if they were spouses/civil partners in securities* of a body where-</p> <ul style="list-style-type: none"> <li>that body (to the Council Member's knowledge) has a place of business or land in the area of the Council; and</li> <li>either <ul style="list-style-type: none"> <li>the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>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 Council Member, or his/her spouse or civil partner or the person with whom the Council 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.</li> </ul> </li> </ul> |

\* '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.

## **Appendix B**

An interest which relates to or is likely to affect:

- 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;
- any body-
  - exercising functions of a public nature;
  - directed to charitable purposes; or
  - 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;
- any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.