

GREAT WALTHAM PARISH COUNCIL

Code of Conduct for Councillors

Version 3

This policy document should be reviewed and updated as necessary.

Version	Review Date	Reviewed By	Summary of Changes
1			Existing document.
2	December 2021	S. Gilbert	Format changes.
3	March 2022	S. Gilbert	Include copy of Register of Members' Interests, General Notice of Registerable Interests document as Annex 1. Minor formatting changes.

1. Application of the Code

This Code of Conduct applies to you whenever you are acting in your capacity as a member or co-opted member (referred to in this Code as “Councillors”) of Great Waltham Parish Council (“Council”) including:

- 1.1. At formal meetings of the Council, its Committees and Sub-Committees, and other meetings at which business of the Council is discussed.
- 1.2. When acting as a representative of the Council.
- 1.3. In discharging your functions as a Councillor.
- 1.4. At briefing meetings with officers.
- 1.5. At site visits or other visits to do with the business of the Council.
- 1.6. When corresponding with the Council other than in a private capacity.

2. General Conduct

You must:

- 2.1. Provide leadership to the Council and communities within its area, by personal example.
- 2.2. Respect others and not bully any person.
- 2.3. Recognise that officers (other than political assistants) are employed by and serve the whole Council.
- 2.4. Respect the confidentiality of information which you receive as a Councillor by:
 - 2.4.1. Not disclosing confidential information to third parties unless required by law and only then after receiving confirmation from the Monitoring Officer to do so; and
 - 2.4.2. Not obstructing third parties’ legal rights of access to information.
- 2.5. Not conduct yourself in a manner which is likely to bring the Council into disrepute.
- 2.6. Use your position as a Councillor in the public interest and not for personal advantage.
- 2.7. Accord with the Council’s reasonable rules on the use of public resources for private and political purposes.
- 2.8. Exercise your own independent judgement, taking decisions for good and substantial reasons by:
 - 2.8.1. Attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups.

- 2.8.2. Paying due regard to the advice of officers, and in particular the Monitoring Officer and Clerk to the Council.
- 2.8.3. Stating the reasons for your decisions where those reasons are not otherwise apparent.
- 2.9. In your decisions and actions apply the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership and, as far as reasonably possible, assist the Council to act within the law.

3. Disclosable Pecuniary Interests

You must:

- 3.1. Comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matters in which you have a disclosable pecuniary interest (see pro forma document Register of Members' Interests, General Notice of Registerable Interests in **Annex 1**), and specifically:
 - 3.1.1. Ensure that your entries in the register of interests are kept up to date and notify the Monitoring Officer in writing, via the Council's Clerk, within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests.
 - 3.1.2. Make verbal declarations of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present where an item of business affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as that interest becomes apparent.
 - 3.1.3. Withdraw from any meeting at which you have a disclosable pecuniary interest during the entire consideration of that item, unless a dispensation has been granted.
- 3.2. "Meeting" means any meeting organised by or on behalf of the Council and in particular in the circumstances as set out in paragraph 1 of this Code.

4. Other Interests

- 4.1. In addition to Paragraph 3, if you attend a meeting and there is an item of business to be considered in which you are aware you have a non-disclosable pecuniary interest or non-pecuniary interest, you must make a verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as that interest becomes apparent.
- 4.2. You have a non-disclosable pecuniary interest or non-pecuniary interest in an item of business of your Council where:
 - 4.2.1. A decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Council's administrative area;

4.2.2. Relates to an interest concerning either of the following:

4.2.2.1. Any person or body who employs or has appointed you;

4.2.2.2. Any contract for goods, services or works made between Great Waltham Parish Council and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description that would create a disclosable pecuniary interest but only where it has been fully discharged within the last 12 months.

5. Gifts and Hospitality

5.1. You must within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50, which you have accepted as a Councillor from any person or body other than the Council, including the name of the donor.

5.2. The Monitoring Officer will place your notification on a public register of gifts and hospitality.

5.3. The duty to notify the Monitoring Officer does not apply to a gift, benefit or hospitality that comes within any description approved by the Council for this purpose.

Annex 1

REGISTER OF MEMBERS' INTERESTS
GENERAL NOTICE OF REGISTERABLE INTERESTS

I, a member of
..... Council ("the Council"), set out in the
appropriate sections below the interests that I am required to disclose under the
Localism Act 2011 and the Council's Code of Conduct and I have put "none" where I
have no such interests under any heading.

DATED.....

<u>SECTION 1</u> <u>Disclosable Pecuniary Interests (DPI)</u> <u>(Legal duty to provide this under the Localism Act 2011)</u>	
<p>1. Members, including co-opted Members, of the Council must include under categories 1 to 7 below:</p> <ul style="list-style-type: none">a) their own interests;b) those of their husband or wife, or civil partner; andc) those of any person with whom they are living as if husband and wife or as civil partners. <p>2. Reference to "you" or "your" in categories 1 to 7 below includes those of anyone referred to in paragraph 1(a) to (c) above.</p> <p>3. You are only required to include interests that you know about.</p>	
<p>DPI Category 1: EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION</p> <ul style="list-style-type: none">- Any employment, office, trade, profession or vocation- Carried on by you for profit or gain	

<p>DPI Category 2: SPONSORSHIP</p> <ul style="list-style-type: none"> - Any payment or provision of any other financial benefit (other than from your Council) - made or provided within the last 12 months - in respect of expenses you have incurred: <ul style="list-style-type: none"> a. in carrying out your duties as a councillor, or b. towards your 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. 	
<p>DPI Category 3: CONTRACTS</p> <ul style="list-style-type: none"> - Any contract made between: <ul style="list-style-type: none"> a. you and the Council; or b. a body in which you have a beneficial interest 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 	
<p>DPI Category 4: LAND</p> <ul style="list-style-type: none"> - Any land in which you have a beneficial interest and - that is within the Council's area 	<p>Under Section 32(2) of the Localism Act 2011, the Monitoring Officer has decided that your home address need not be disclosed in this category.</p>

<p style="text-align: center;">DPI Category 5: LICENCES</p> <ul style="list-style-type: none"> - Any land for which you have a licence (either alone or jointly with others) - that you are entitled to occupy - for a month or longer; and - which is within the Council's area 	
<p style="text-align: center;">DPI Category 6: CORPORATE TENANCIES</p> <ul style="list-style-type: none"> - Any tenancy where, to your knowledge, - Your Council is the landlord - and the tenant is a body in which you have a beneficial interest 	
<p style="text-align: center;">DPI Category 7: SECURITIES</p> <ul style="list-style-type: none"> - The name of any body - in which you have a beneficial interest in its securities where: <ul style="list-style-type: none"> a) that body, to your knowledge, has a place of business or land in the area of your authority; AND b) either: <ul style="list-style-type: none"> (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 you have a beneficial interest that exceeds one hundredth of the total issue share capital of that class 	

SECTION 2
Other Pecuniary Interests (OPI)
 (Required under the Code of Conduct not by legislation)

1. Members are only obliged to register their own interests under this heading.
2. They do not need to include the interests of husbands/wives/civil partners or those they are living with in such a capacity.

**OPI Category 1:
 DETAILS OF EMPLOYERS,
 PERSONAL COMPANIES AND
 COMPANIES WITH WHICH YOU
 ARE A DIRECTOR**

- The name of the person who employs or has appointed you,
- the name of any firm in which you are a partner, and
- the name of any company for which you are a remunerated director.

**OPI Category 2:
 CONTRACTS WITH THE
 COUNCIL THAT WERE
 DISCHARGED WITHIN THE
 LAST 12 MONTHS**

- A description of any contract for goods, services or works
- made between you and the Council (or a body in which you or they have a beneficial interest) and
- which has been fully discharged within the last 12 months

SECTION 3
Registerable Non-Pecuniary Interests (NPI)
(Required under the Code of Conduct not by legislation)

1. **Members are only obliged to register their own interests under this heading.**
2. **They do NOT need to include the interests of husbands/wives/civil partners or those they are living with in such a capacity.**

**NPI Category 1:
MEMBERSHIPS**

- Your membership of or the fact that you are in a position of general management and control of a body that falls within one or more of the following descriptions:
 - a. to which you have been appointed or nominated by the Council
 - b. exercising functions of a public nature
 - c. directed towards charitable purposes
 - d. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

**NPI Category 2:
GIFTS AND HOSPITALITY**

- Any gift, benefit or hospitality
- with a value in excess of £50,
- which you have accepted as a Councillor from any person or body, other than the Council,
- including the name of the donor.

I recognise that it may be an offence under the Localism Act 2011 to:-

- (1) omit information that ought to be given in this notice;
- (2) provide information that is materially false or misleading;
- (3) fail to give further notices in order to bring up to date information given in this notice after my re-election or reappointment or to fail to declare a disclosable pecuniary interest that I acquire after the date of this notice and have to declare under the provisions of s. 31 (2) Localism Act 2011.

I also acknowledge that it may be a breach of the Code of Conduct to:-

- (1) omit information that ought to be given in this notice;
- (2) provide information that is materially false or misleading;
- (3) fail to provide written notification to the authority's monitoring officer of any change in my interests contained in this notice within 28 days of my becoming aware of such change of circumstances

Signed:

Date:

RECEIVED

Signed: Clerk to the Council

Date:

RECEIVED

Signed: Proper Officer of Chelmsford City Council

Date: