

**COUNCILLOR  
CODE OF  
CONDUCT  
2020**

**As adopted by  
Credenhill Parish Council**

**17<sup>th</sup> June 2020**

# Councillor Code of Conduct

## 1. Introduction

1.1. This code has been adopted by the council as required by section 27 of the Localism Act 2011. The Council has a statutory duty to promote and maintain high standards of conduct by members and co-opted members of the council. The code sets out the standards that the council expects members to observe.

## 2. Who does the code apply to?

2.1. The code applies to all members of the council and to all co-opted members of any committee, sub-committee, or joint committee.

## 3. When does the code apply?

3.1. The code applies whenever a member is acting in their capacity as a member, a representative of the council or when they claim to act or give the impression of acting as a member or representative of the council. It does not seek to regulate what members do in their purely private and personal lives, unless such conduct brings the council into disrepute.

## 4. What standards of conduct are members required to observe?

4.1. When carrying out their role members should always act in accordance with the seven principles of public life, the council's PEOPLE values and the following standards: The seven principles of public life, the council's PEOPLE values and the following standards;

	<b>The seven principles of public life</b>	<b>Standards of conduct</b>
A	<p>Selflessness</p> <p>Holders of public office should act solely in terms of the public interest.</p>	<p>A.1 Serve the public</p> <p>A.2 Only take decisions in the public interest</p> <p>A.3 Treat everyone that they deal with equally and with respect and courtesy</p>
B	<p>Integrity</p> <p>Holders of public office 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.</p>	<p>B.1 Should declare and resolve their interests in accordance with the law and with the provisions of this code of conduct.</p> <p>B.2 Should not place themselves in a position where they either are, or give the appearance that they are, under any financial or other obligation to anyone that might seek to influence them in the performance of their duties as a member</p> <p>B.3 Should not act or take decisions in order to (or attempt to) confer or secure an advantage, disadvantage, financial gain or other material benefits for themselves, their family or close associations</p> <p>B.4 Should declare gifts and hospitality that they are offered whether accepted or not where the value exceeds £20</p> <p>B.5 Maintain confidentiality and not disclose information given to them in confidence.</p>
C	<p>Objectivity</p> <p>Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias</p>	<p>C.1 Act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias</p>
D	<p>Accountability</p> <p>Holders of public office are accountable to the public for their decisions and</p>	<p>D.1 Be accountable to the public for their decisions and actions</p> <p>D.2 Co-operate fully with any scrutiny appropriate to their particular role or office</p>

	actions and must submit themselves to the scrutiny necessary to ensure this.	D.3 Act in accordance with the member and officer relations code D.4 Act in accordance with the constitution procedural rules and codes D.5 Do not prevent another person from gaining access to information to which that person is entitled to by law
E	Openness  Holders of public office 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.	E.1 Be as open as possible about their decisions and actions and should give reason for their decisions and actions E.2 Complete and maintain an up to date register of interests E.3 Do draw attention to any code of conduct interest when performing their duties as a member E.4 Do not bully, harass, intimidate or attempt to intimidate any person
F	Honesty  Holders of public office should be truthful.	F.1 Be truthful F.2 Declare any private interests that relate to their duties as a member and resolve any such conflict in a way that protects the public interest F.3 Only use the resources of the council in accordance with the reasonable requirements set out for their use from time to time.
G	Leadership  Holders of public office 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.	G.1 Actively promote and robustly support leadership principles G.2 Be willing to challenge poor behaviour wherever it occurs G.3 Never undertake any action which would bring the council, members or officers into disrepute G.4 Never make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your council.

## 5. Code of conduct interests

## 6. Registerable Interests

7. 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 Schedules 1 and 2.
8. 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 Schedules 1 and 2.
9. A member shall register with the Monitoring Officer any change to interests or new interests in Schedules 1 and 2 within 28 days of becoming aware of it.
10. 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.
11. The monitoring officer will maintain a register of interests which can be inspected at Herefordshire Council, Governance and Democratic Services, 33-35 Union Street, St Peters Square, Hereford, HR1 2HX and found at:  
<http://councillors.herefordshire.gov.uk/mgParishCouncilDetails.aspx?ID=679&LS=3>
12. The register of interests contains two schedules. Schedule 1 are interests defined by regulations made under section 30(3) of the Localism Act 2011("the Act"), Schedule 2 are interests that Herefordshire Council considers are appropriate to register and disclose.

**13. Schedule 1 Interests** (defined as disclosable pecuniary interests under the Act) may be amended from time to time by regulation but at 25 May 2018 were:-

<b>Employment, office, trade or profession</b>	Any employment, office, trade, profession, or vocation carried out for profit or gain
<b>Sponsorship</b>	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 a person in carrying out duties as a member, or towards the election expenses of that person
<b>Contracts</b>	Any contract which is made between the relevant person (or body in which the relevant person has a beneficial interest) and the relevant council <ol style="list-style-type: none"> <li>1. Under which goods or services are to be provided or works are to be executed; and</li> <li>2. Which has not been fully discharged</li> </ol>
<b>Land</b>	Any beneficial interest in land which is within the area of the relevant council
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the relevant council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the persons knowledge): <ol style="list-style-type: none"> <li>1. The landlord is the relevant council; and</li> <li>2. The tenant is a body in which the relevant person has a beneficial interest</li> </ol>
<b>Securities</b>	Any beneficial interest in securities of a body where: <ol style="list-style-type: none"> <li>1. That body (to the persons knowledge) has a place of business or land in the area of the relevant council; and</li> <li>2. Either:- <ol style="list-style-type: none"> <li>2.1 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>2.2 If the share capital of that body is of more than one class, the total nominal value of the shares in any one class in which the relevant person has a beneficial interest that exceeds one hundredth of the total issued share capital of that class</li> </ol> </li> </ol>

**14. Schedule 2 interests** are:

<p>Membership of any body:</p> <ol style="list-style-type: none"> <li>a) exercising functions of a public nature; or</li> <li>b) directed to charitable purposes; or</li> <li>c) whose principal purposes include the influencing public opinion or policy (including any political party); or</li> <li>d) is not open to the public without formal membership.</li> </ol> <p>This does not include subscription, or membership of any body to which the member is appointed or nominated by the council.</p>
Any gifts or hospitality which the member has been offered by virtue of their office (whether accepted or refused) where in excess of £20.
Trade Union membership.

## **15. Other declarable interests**

16. If a matter to be considered affects the welfare or financial position (positively or negatively) of the member, a member of their family, and or a close personal associate to a greater extent than others in the member's ward: then there is a requirement to declare such an interest.

## **17. Dispensations**

18. 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 Schedules 1 and 2 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.

## **19. Declarations of interests in meetings**

20. The below table, article 21, shows how an interest should be treated during a meeting when a matter arises which relates to a registerable or other interest as detailed above.

21. Where a member has a registrable or other interest as detailed above the following applies:

What is the interest?		Do I have to complete the form and register?	Do I have to declare this interest?	When do I disclose the interest?	Can I participate?	Can I vote?	Do I have to leave the room?
Schedule 1		Yes Within 28 days of: <ul style="list-style-type: none"> <li>• Election</li> <li>• re-election</li> <li>• disclosing in a meeting a previously undisclosed interest</li> <li>• becoming aware of any change or new interests</li> </ul>	Yes verbally At a meeting  Yes Where making a decision either as an individual member or collectively  Yes When acting in the capacity of a member  <u><b>If the interest is in the matter being considered</b></u>	As soon as you are aware that you have an interest (unless determined as a sensitive interest)	<b>No</b> (unless a dispensation has been granted)	<b>No</b>	<b>Yes</b>
Schedule 2		<b>Yes</b> <b>As per schedule 1 interests above</b>	<b>Yes</b> <b>As per schedule 1 interests above</b>	As soon as you are aware that you have an interest	<b>No</b>	<b>No</b>	<b>Yes</b>
Other declarable interests	<b>Welfare</b>	<b>No</b>	<b>Yes</b> <b>As per schedule 1 interests above</b>	As soon as you are aware that you have an interest	<b>Yes</b>	<b>Yes</b>	<b>No</b>
	<b>Financial</b>	<b>No</b>			<b>No</b>	<b>No</b>	<b>No</b>