

CODE OF CONDUCT OF RATBY PARISH COUNCIL

You are a member or co opted member of Ratby Parish Council and as such when performing your role as a member or co-opted member you are bound by this Code of Conduct. This code also applies to you in your private life if you are convicted of a criminal offence.

1. Obligations

You will:-

- (a) Have regard to the Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- (b) Strive to establish respectful and courteous relationships with everyone you come into contact with as a Member.
- (c) Follow adopted corporate operational policies of the Council.
- (d) Not disclose or use confidential information for any other purpose other than that provided by the law unless in the Public Interest.
- (e) Use council resources for the undertaking of the Council duties and not for any other purposes.

2. Disclosable Pecuniary Interests

2.1 Subject to Paragraph 8 (Sensitive Interests), you must within 28 days of

- (a) this code being adopted or
- (b) your election or appointment (where that is later)

Notify the Monitoring Officer of any Disclosable Pecuniary Interests where such an interest is

- (i) yours,
- (ii) your spouse's or civil partner's or
- (iii) somebody with whom you are living as husband and wife or civil partners

and you are aware that that person has the interest

2.2 You must within 28 days of becoming aware of any new Disclosable Pecuniary Interest or any change to any such interest, notify the Monitoring Officer in writing

2.3 You have a Disclosable Pecuniary Interest if it is of a description specified in Regulations made by the Secretary of State

2.4 Where such an interest exists you must disclose the interest to any meeting of the authority at which you are present, where you have a Disclosable Interest in any matter being considered and where the matter is not a 'sensitive interest' or where no dispensation has been given.

2.5 Following any disclosure of an interest not on the authority's register you must notify the Monitoring Officer in writing of the interest within 28 days beginning with the date of disclosure.

2.6 Where you have a Disclosable Pecuniary Interest you must not vote or participate in the discussions on the matter and will leave the room if required by standing orders or Council Procedure Rules.

3. Disclosable Non-Pecuniary Interests and Non Disclosable Pecuniary Interests

3.1 Subject to Paragraph 8 (sensitive interests), you must within 28 days of

(a) this code being adopted or

(b) your election or appointment (where that is later)

notify the Monitoring Officer of any Disclosable Non-Pecuniary Interests.

3.2 You have a Disclosable Non-Pecuniary Interest if it is contained on the register of interests form.

3.3 Where you have a Disclosable Non-Pecuniary Interest you may remain in the meeting, speak and vote on the matter unless to do so would compromise your impartiality obligations or any other obligations set out in this Code.

3.4 You have a Non Disclosable Pecuniary Interest if the interest is specified as a Pecuniary Interest by Regulations and it is the interest of an immediate member of your family (parents, children, siblings, aunts, uncles, grandparents) or a close associate.

3.5 Where you have a Non Disclosable Pecuniary Interest you should declare that interest when the interest arises and you must not vote or participate in the discussions on the matter and will leave the room if required by standing orders or Council Procedure Rules.

4. A. Personal Interests

Definition:

4.1 You have a personal interest in any business of the Authority where either it relates to or is likely to affect:

4.1.1 Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Authority:

4.1.2 Any body:

(i) Exercising functions of a public nature

(ii) Directed to charitable purposes, or

(iii) One of whose principle purposes includes the influence of public opinion or policy (including any political party or trade union)

4.1.3 The interests of any person from whom you have received a gift of hospitality with an estimated value of at least £50 within the last 12 months.

Or

4.2 A decision in relation to that business might reasonably be regarded as affecting your wellbeing or financial position or the wellbeing or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision.

4.3 For the purposes of paragraph 4.2, a 'relevant person' is:

4.3.1 a member of your family or any person with whom you have a close association; **or**

4.3.2 any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; **or**

4.3.3 any person or body in whom such persons have a beneficial interest and a class of securities exceeding the nominal value of £25,000 or one hundredth of the total issued share capital of that body; **or**

4.3.4 any body of a type described in sub-paragraph 4.1.1 or 4.1.2.

Declaring at and participation in meetings

4.4 Where you have a Personal Interest in any business of the Authority and where you are aware or ought reasonably to be aware of the existence of the Personal Interest and you attend a meeting of the Authority where such business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of the meeting and prior to any discussion of the relevant item, or as soon as the interest becomes apparent to you.

4.5 Where you have a Personal Interest you may remain in the meeting, speak and vote on the matter unless to do so would compromise your impartiality obligations or any other obligations set out in this Code.

4.6 Where you have a Personal Interest, sensitive information relating to it is not registered in the Authority's Register of Members' Interests, you must indicate to the meeting that you have a Personal Interest, but need not disclose the sensitive information to the meeting.

5. B. Personal Interests which might lead to bias

Definition:

5.1 In addition to the requirements in relation to Disclosable Pecuniary Interests previously referred to, you have a Personal Interest which might lead to bias in any business of the Authority where:

5.1.1 you have a 'Personal Interest' as defined in paragraphs 4.4 -4.5 **and** 4.2 that 'Personal Interest' is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

5.2 The provisions of paragraph 5.1 shall be applied in such a manner as to recognise that this Code should not obstruct a member's service on more than one local authority. For the avoidance of doubt, participation in discussion and decision making at one local authority will not by itself normally prevent you from taking part in discussion and decision making on the same matter at another local authority. This is on the basis that a reasonable member of the public will see no objection in principle to such service or regard it as prejudicing a member's judgement of the public interest and will only regard a matter as giving

rise to a 'Personal Interest' which might lead to bias in exceptional circumstances.

Declaring at and participation in meetings

- 5.2 If you are present at any meeting of the Authority and you have a Personal Interest which might lead to bias in any matter to be considered or being considered, and the interest is not a 'sensitive interest', at the meeting:
- 5.2.1 you must disclose the interest to the meeting (whether or not it is registered);
- 5.2.2 unless a dispensation has been given, you may not participate in any discussion of the matter at the meeting;
- 5.2.3 unless a dispensation has been given, you may not participate in any vote taken on the matter at the meeting
- 5.3 Where you have a Personal Interest which might lead to bias in any business of your authority, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, and you must leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.
- 5.4 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a Personal Interest which might lead to bias, if the matter relates to:
- 5.4.1 school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- 5.4.2 setting precepts under the Local Government Finance Act 1992.

6. C Registration of interests

- 6.1 Subject to paragraph 8.1 (Sensitive Interests) you must within 28 days of
- (a) The adoption of this Code' **or**
- (b) Your election or appointment to office as a member (where that is later), notify the Monitoring Officer in writing of:
- (i) Any Disclosable Pecuniary Interests where they fall within the category mentioned in paragraph 5.1 above and
- (ii) details of your Personal Interests where they fall within the category mentioned in paragraph 5.1 above
- 6.2 Subject to paragraph 8.1 (Sensitive Interests) you must, within 28 days of becoming aware of any new Disclosable Pecuniary Interest or Personal Interest as referred to in paragraphs 3 – 5 , or any change to any such interest, notify the Monitoring Officer in writing of the details of that new interest or change.

7. Dispensations

- 7.1 Dispensations may be granted by the Monitoring Officer for one meeting only on request in writing from you. Dispensations will only be granted where there are reasonable grounds for doing so and where such grounds are in the public interest.

8. Sensitive Interests

- 8.1 A 'sensitive interest' is where disclosure of an interest of the member or co-opted member, would, in the opinion of the Monitoring Officer, lead to the member or co-opted member, or a person connected with the member or co-opted member, be subject to violence or intimidation.

Appendix 1 – The Nolan Principles

- (i) **Selflessness** You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family or a friend or close associate.
- (ii) **Integrity** You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- (iii) **Objectivity** When carrying out your public business, you must make all choices, such as making public appointments, awarding contracts, or recommending individuals for rewards and benefits, on merit.
- (iv) **Accountability** You are accountable for your decisions to the public and you must cooperate fully with whatever scrutiny is appropriate to your office.
- (v) **Openness** You must be as open as possible about your decisions and actions and the decisions and actions of your Authority and should be prepared to give reasons for those decisions and actions.
- (vi) **Honesty** You must declare any private interests, both pecuniary and non pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests
- (vii) **Leadership** You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Appendix 2 - Definitions

“**Meeting**” means any meeting of the Authority, the Executive, any of the Authority’s committees, sub-committees, joint committees, joint sub-committees, or area committees;

“**Member**” means any person being an elected or co-opted member of the Authority and any independent person appointed by the Authority to assist with the discharge of the Code of Conduct functions.

In relation to a **parish council**, references to an authority's Monitoring Officer is the Monitoring Officer of the Borough Council

In relation to **corporate operational policies** these are policies such as personnel policies, financial procedure rules, equalities policies or IT policies.