



Councillors' Code of Conduct

PREAMBLE TO THE CODE OF CONDUCT

This preamble provides an explanatory introduction to the Councillors' Code of Conduct. It is not part of the Code of Conduct itself.

Introduction

Four Marks Parish council *has adopted* the following code which deals with the conduct that is expected of Councillors and co-opted members of the Council when they are acting in that capacity, as required by section 27 of the Localism Act 2011.

The Council has a statutory duty under the Act to promote and maintain high standards of conduct by Councillors, and this code sets out the standards that the Council expects its Councillors to observe.

The code is not intended to be an exhaustive list of all the obligations that are placed on Councillors. If in doubt, Councillors should seek advice from the Clerk/Executive Officer or Monitoring Officer or Deputy Monitoring Officer at East Hampshire District Council, but the final decision and responsibility on how to act rests with Councillors themselves.

Councillors should not do anything in their capacity as councillors, which they could not justify to the public or could not justify by law. Councillors' conduct, and the public's judgement of that conduct, will affect the reputation and creditability as councillors and the Council as a whole.

Failure to comply with the code may result in a sanction being applied by the Monitoring Officer.

Expectations and values

It is the responsibility of individual Councillors to understand and comply with the provisions of the Code of Conduct and the protocols contained in or linked to Standing Orders. Councillors have a responsibility to ensure that they comply with the Code of Conduct in all respects.

- Councillors will treat each other and officers civilly and with respect.
- Councillors will regularly review their personal circumstances and intended actions in the context of the Code.
- It is not enough to avoid impropriety; perception that no impropriety has occurred is also important.
- Councillors should avoid giving any grounds for suspicion and any appearance of improper conduct.



CODE OF CONDUCT

SEVEN GENERAL PRINCIPLES OF PUBLIC LIFE

The Code of Conduct includes and is intended to be consistent with the following seven principles, introduced by the Committee on Standards in Public Life, as required by the Localism Act 2011.

This Code of Conduct is adopted pursuant to the Council's duty to promote and maintain high standards of conduct by Councillors and co-opted members¹ of the Council.

This code applies to you as a member or co-opted member of this Council when you act in that role, and it is your responsibility to comply with the provisions of this code.

1. 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, a friend or close associate.

2. 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.

3. OBJECTIVITY

When carrying out your public duties you must act and take decisions impartially, fairly and on merit, such as making public appointments, awarding contracts, or recommending individuals for rewards or benefits, using the best evidence and without discrimination or bias

4. ACCOUNTABILITY

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

¹ A "co-opted member" for the purposes of this code is, as defined in the Localism Act 2011 Section 27 (4) "a person who is not a member of the Council but who

a) is a member of any committee or sub-committee of the Council; or

b) is a member of, and represents the Council on, any joint committee or joint sub-committee of the Council; and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

5. OPENNESS

You must be as open as possible about your decisions and actions and the decisions and actions of your Council and should be prepared to give reasons for those decisions actions. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.

6. HONESTY

You must be truthful and 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 in a manner conforming with the procedures set out below.

7. LEADERSHIP

You must exhibit these principles in your own behaviour and actively promote and robustly support the principles and be willing to challenge poor behaviour when it occurs. You must promote and support high standards of conduct when serving in your public post, in as characterised by the requirements contained within this Code of Conduct, by leadership and example in a way that secures or preserves public confidence.

GENERAL OBLIGATIONS

1. You must comply with this code whenever you -
 - (i) conduct the business of the Council,
 - (ii) act, claim to act, or give the impression you are acting as a representative of the Council, and references to your official capacity are construed accordingly,
 - (iii) act or may be perceived as acting in your role in public life.
2. You must -
 - (i) treat other councillors and members of the public with respect²
 - (ii) treat local authority employees, employees and representatives of partner organisations and those volunteering for local authority with respect and respect for the role they play.
3. You must not -
 - (i) do anything that may cause your council to breach the Equality Act 2010 (or subsequent legislation) that prohibit discrimination on grounds such as age, sex, race, disability, religion/belief, sexual orientation, or pregnancy.
 - (ii) bully any person (Bullying is offensive, intimidating, malicious, insulting, or humiliating behaviour that is directed at someone over whom you have some actual or potential influence.)
 - (iii) intimidate, or attempt to intimidate, anyone who has complained about you or who may be involved with a complaint about you.
 - (iv) do anything that compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

² Respect means politeness and courtesy in behaviour, speech, and in the written word.

4. You must not -
 - (i) disclose information that you know, or ought to know, is confidential, without authority or legitimate reason,
 - (ii) prevent another person from gaining access to information to which that person is entitled to by law.
5. You must not conduct yourself in a manner which a reasonable member of the public would regard as bringing the Council or the office of councillor into disrepute.
6. You must represent the needs of the residents and deal with representations or inquiries from residents and visitors, fairly, appropriately, and impartially.
7. You must, when using or authorising the use by others of the resources of the Council -
 - (i) act in accordance with the Council's reasonable requirements,
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes), and
 - (iii) you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
8. When reaching decisions on any matter you must have regard to any advice provided to you by the Council's officers and you must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

REGISTERING AND DECLARING INTERESTS

1. You must within 28 days of taking office as a member or co-opted member, notify East Hampshire District Council's (EHDC) Monitoring Officer of any 'disclosable pecuniary interest'. A 'disclosable pecuniary interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person, with whom you are living as you are civil partners).
2. If an interest has not been entered onto EHDC's register you must disclose the interest to any meeting of the Council 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'³.
3. Following any disclosure of an interest not on EHDC's register or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.
4. Unless dispensation has been granted, you may not participate in any discussion of, or vote on, or discharge any function related to any matter in which you have a pecuniary interest as

³ A "sensitive interest" is described in the Localism Act 2011 as a member or co-opted member of a Council having an interest, and the nature of the interest being such that the member or co-opted member, and the Council's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions EHDC places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by EHDC.

5. A copy of the Register of Interests will be available for public inspection and will be published on the Council's website.

GIFTS AND HOSPITALITY

6. You must not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on your part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply for the local authority for any permission, licence or other significant advantage.
7. You must register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of receipt.
8. You must register with the Monitoring Officer any significant gift or hospitality that you have been offered but have refused to accept.