

# WINWICK PARISH COUNCIL

## MEMBERS

### CODE OF CONDUCT

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## CODE OF CONDUCT FOR MEMBERS

The Code has been adopted under section 27 of the Localism Act 2011 and is based on the following core principles of public life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It sets out general obligations about the standards of conduct expected of members and co-opted members of the authority, together with provisions about registering and declaring interests.

### **A General obligations**

Whenever you are acting as a member or co-opted member of this authority you must act in accordance with the following obligations:

#### *Selflessness*

- 1 You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

#### *Integrity*

- 2 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.

You should exercise independent judgement. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

#### *Objectivity*

- 3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the authority's officers, into consideration.

#### *Accountability*

- 4 You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including by local residents.

#### *Openness*

- 5 (a) You must be as open and transparent as possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and

actions. You must not prevent anyone getting information that they are entitled to by law.

(b) Where the law or the wider public interest requires it, you must not disclose confidential information or information to which public access is restricted.

#### *Honesty*

6 (a) 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 as set out in Section B below.

(b) You must only use or authorise the use of the authority's resources in accordance with the authority's requirements. You must, when using or authorising the use by others of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986

#### *Respect for others*

7 (a) You must treat others with respect. You should engage with colleagues and staff in a manner that underpins mutual respect, essential to good local government.

(b) You must not do anything which may cause your authority to breach any equality laws.

(c) You must not compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the authority.

(d) You must not bully any person, including other councillors, officers of the authority or members of the public.

#### *Leadership*

8 You must promote and support high standards of conduct when serving as member or co-opted member of the authority, by leadership and example, championing the interests of the community.

You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

## **B Registering and declaring pecuniary and non-pecuniary interests**

- 1 Registration and declaration of interests shall be made in accordance with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

### **Excerpt from CLG text:**

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then 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'\*.

Following any disclosure of an interest not on the authority'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.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.

\*A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority'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.

## **CODE OF CONDUCT ON MEMBERS' GIFTS AND HOSPITALITY**

The following forms part of the locally adopted Members Code of Conduct under s.27(2) Localism Act 2011. This Code of Conduct on Members' Gifts and Hospitality retains, adapted as appropriate, those elements relating to gifts and hospitality included in the Model Code of Conduct for Members 2007<sup>1</sup>, which was in place prior to the implementation of the Localism Act 2011.

### What should you register and when?

You must register any gifts or hospitality worth £25 or over that you receive in connection with your official duties as a Member, and the source of the gift or hospitality, within 28 days of receiving it. A pro forma is appended to this Code.

### Declaring a gift or hospitality as an interest at meetings

At a meeting of the council, a committee or sub-committee, you may have an interest in a matter under consideration if it is likely to affect a person who gave you a gift or hospitality that is registered. If that is the case you must declare the existence and nature of the gift or hospitality, the person who gave it to you, how the business under consideration relates to that person.

Once three years has passed since you registered the gift or hospitality in your register of interests, your obligation to disclose that interest to any relevant meeting ceases.

### Is the gift or hospitality connected to my official duties as a Member?

You should ask yourself, would I have been given this if I was not a Member of the Council? If you are in doubt as to the motive behind a gift or hospitality, you are recommended to register it, or speak to your Monitoring Officer or your Parish Clerk where appropriate.

You do not need to register gifts or hospitality which are not related to your role as a Member, such as Christmas or other gifts from friends and family, or gifts which you do not accept. However, you should always register a gift or hospitality if it could be perceived as something given to you because of your position.

### What if you do not know the value of a gift or hospitality?

You may have to estimate how much a gift or hospitality is worth. Also, an accumulation of small gifts you receive from the same source over a short period that add up to £25 or over should be registered.

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<sup>1</sup> Published by the now defunct Standards Committee

The general rule is, if in doubt you should register it, as a matter of good practice and in accordance with the principles of openness and accountability in public life.

**WINWICK**



**PARISH  
COUNCIL**

**Members Register of Gifts and Hospitality**

- 1. Name.....
- 2. Gift/Hospitality.....  
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.....  
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- 3. Estimated Value.....
- 4. Name of Company/Organisation/Individual that has provided the gift or hospitality  
.....  
.....
- 5. Accepted Yes/No
- 6. Date Accepted/Rejected.....
- 7. If gift accepted, how dealt with.....

**Signed:**.....

**Date:**.....