

# **SHIPTON PARISH COUNCIL**

## **CODE OF CONDUCT**

**Adopted by the council on 19 September 2012**

## PART 1

### GENERAL PROVISIONS

#### Introduction and Interpretation

**1.1** This Code applies to **you** as a member of this authority, and has been adopted pursuant to the Council's duty to promote and maintain high standards of conduct.

**1.2** All members shall observe the general principles of public life prescribed by the Secretary of State and which are annexed to this Code.

**1.3** It is your responsibility to comply with the provisions of this Code.

**1.4** In this Code –

“The Council” means Shipton Parish Council

“meeting” means any meeting of:-

- (a) the Council;
- (b) any of the Council's committees, sub-committees, joint committees and joint sub-committees.

“Monitoring Officer” means the Cotswold District Council officer who is the Monitoring Officer for Shipton Parish Council

Note:

“member” includes a co-opted member and an appointed member.

#### Scope

**2.1** You must comply with this Code whenever you:-

- (a) conduct the business of the Council (which, in this Code, includes the business of the office to which you are elected or appointed); or
- (b) 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.

**2.2** This Code does not have effect in relation to your conduct other than where it is in your official capacity.

**2.3** Where you act as a representative of the Council:-

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- (b) on any other body, you must, when acting for that other body,

comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

## **General Obligations**

- 3.1** You must treat others with respect.
- 3.2** You must not:-
  - 3.2.1** do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);
  - 3.2.2** bully any person;
  - 3.2.3** intimidate or attempt to intimidate any person who is or is likely to be:
    - (a) a complainant,
    - (b) a witness, or
    - (c) involved in the administration of any investigation of proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
  - 3.2.4** do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
- 4.** You must not:-
  - 4.1** disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:-
    - 4.1.1** you have the consent of a person authorised to give it;
    - 4.1.2** you are required by law to do so;
    - 4.1.3** the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
    - 4.1.4** the disclosure is -
      - (a) reasonable and in the public interest; and
      - (b) made in good faith and in compliance with the reasonable requirements of the authority; or
    - 4.1.5** before making any disclosure under the provisions of clause 4.1.4 above, you must consider advice from any of the

Council's officers and/or the Monitoring Officer.

- 4.2** prevent another person from gaining access to information to which that person is entitled by law.
- 5.** You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.
- 6.** You:-

  - 6.1** must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
  - 6.2** must, when using or authorising the use by others of the resources of the Council:-

    - (a) act in accordance with your authority's reasonable requirements;
    - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
  - 6.3** must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- 7.1** When reaching decisions on any matter you must have regard to any relevant advice provided to you by:-

  - (a) the Council's Responsible Finance Officer (RFO); or
  - (b) the Monitoring Officer,

where that officer is acting pursuant to his or her statutory duties.
- 7.2** You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

## **PART 2**

### **REGISTERING AND DECLARING INTERESTS**

8. You must, within 28 days of taking office as a member or co-opted member, notify the 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 as a husband or wife, or as if you were civil partners.
9. You must disclose the interest at 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'.
10. Following any disclosure of an interest not on the Council'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.
11. 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. You must withdraw from the room or chamber when the meeting discusses and votes on the matter.
12. For the purposes of this Part, a "sensitive interest" is described as a member or co-opted member having an interest, and the nature of the interest being such that the member or co-opted member, and the 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.

## THE TEN GENERAL PRINCIPLES

The general principles governing your conduct under the *Relevant Authorities (General Principles) Order 2001* are set out below:

### *Selflessness*

1. Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

### *Honesty and Integrity*

2. Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

### *Objectivity*

3. Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

### *Accountability*

4. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

### *Openness*

5. Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

### *Personal Judgement*

6. Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

### *Respect for Others*

7. Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

### *Duty to Uphold the Law*

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

*Stewardship*

- 9.** Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

*Leadership*

- 10.** Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

(END)