

SWINEFLEET PARISH COUNCIL

MEMBER CODE OF CONDUCT

1 Introduction and Interpretation

1.1 This Code of Conduct to you as a Member of Swinefleet Parish Council when you act in your role as a member and it is YOUR responsibility to comply with the provision of this code.

1.2 You are a representative of Swinefleet Parish Council and the public will view you as such therefore your actions impact on how the authority as a whole is viewed and your actions can have both positive and negative impact on the authority

1.3 The public expect Members to act in an open and transparent manner

1.4 In the Code –

Meetings means any of the following

(a) The Parish Council

(b) Any of the Parish Councils Meetings, Committees, Sub Committees, Joint Committees, Joint Sub Committees or area committees

'Member' includes all Members and co-opted and appointed members of the Parish Council.

'Family' means Spouse, Civil Partner, any person with whom you are living with as spouse or civil partner, parents, grandparent, child, grandchild or sibling.

2 General Obligations

2.1 You must treat other with respect

2.2 You must not bully any person

2.3 You must not conduct yourself in a manner that could reasonably be regarded as bringing your office or authority into disrepute

2.4 You must not disclose information given to you in confidence by any one or information acquired by you which you believe, or ought to be aware, is of a confidential nature, except where:

2.4.1 You have the consent of the person authorised to give it;

2.4.2 You are required by law to do so;

2.4.3 Disclosure is to made to a third party for the purpose of obtaining professional legal advice provided that the third party agreed not to disclose the information to any other person; or

2.4.4 The disclosure is:

Reasonable in the public interest; and

Made in good faith and in compliance with the reasonable requirements of the Parish Council and

You have consulted the Monitoring Officer prior to its release

2.5 You must not prevent another person from gaining access to information to which that person is entitled by law

2.6 You must not or attempt to use your position as a member improperly to confer on or secure yourself or any other person an advantage or disadvantage

2.7 When using or authorising the use of other of the resources of the Parish Council you must:

2.7.1 Act in accordance with the Parish Council's reasonable requirements

2.7.2 Ensure that such resources are not used improperly for political purposes (including party political purposes)

2.7.3 Have regards to any applicable Local Authority Code of Publicity made under the Local Government Act 1986

3 Register on Interests

3.1 You must before the end of 28 days beginning on the day on which you become a Member of the Parish Council or within 28 days of any change in an interest or becoming aware of any new interest notify the Monitoring Officer of:

a) Your interest falling within the categories set out below:

b) Pecuniary Interests

c) Bodies to which you are appointed or nominated by the Parish Council i.e. outside body appointments

d) Bodies exercising functions of a public nature of which you are a Member (including regional and local development agencies, other (parish) councils, public health bodies, school governing bodies)

e) Bodies directed to charitable purpose of which you are a member (including the Lions, the Masons, a parochial Church Council, not just bodies registered with the Charity Commission).

- f) Bodies whose principle purpose includes influence of public opinion of policy (including any political party or trade union) of which you are a Member.
- g) Any employment or business carried on by you (including any voluntary work undertaken)
- h) Any person or body that has employed or appointed you (including any organisations that have appointed you to an office, for example as a Magistrate or Board of a Government Agency)
- i) Any person or body, other than a relevant authority who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties (including political / local political associations)
- j) Any person who has a place of business or land in the Parish Council's area and in which you have a beneficial interest in a class of securities of that person or body that exceeds the normal value of £25,000.00 or one hundredth of the total issued shared capital (whichever is the lower) (including stocks, shares bonds or options)
- k) Any contracts for goods, services or works made between the Parish Council and you or a firm in which you are a partner, company of which you are a remunerated Director or a company or body specified in paragraph (j)
- l) Any person from whom you receive in your capacity as a Member a gift or hospitality that amounts to the value of at least £25
- m) Any land in the Parish Council's area in which you have a beneficial interest (including your home and business addresses and other properties / land you own, or use)
- n) Any land where the landlord is the Parish Council and you are, or a firm of which you are a partner, a company of which you are a remunerated Director or a person or body of the description specified in paragraph (j) is, the tenant (including allotments where the Council owns the land)
- o) Any land in the Parish Council's area for which you have a license (alone or jointly) to occupy for 28 days or longer (including an allotment)
- p) Any person employed by the Parish Council who is a member of your family

1) The Interest of your:

Spouse or civil partner

Any person with whom you are living as husband or wife

Any person with whom you are living as if they were a civil partner

Falling within the categories below:

Pecuniary Interests

- 3.2 Pecuniary Interests
- 3.3 You need only notify the Monitoring Officer of any interests of which you are aware pursuant to paragraph 3.1 above
- 3.4 Where you become a member of the Parish Council as a result of a re-election or reappointment you only need to disclose interests not already entered on the register.
- 3.5 Where the nature of the interest is such that you consider that the disclosure of the interest could lead to your or a person connected with you being subject to violence or intimidation, (and the Monitoring Officer agrees) details of the interest will not be included in any published version of the register of interests save that the register will state you have an interest the details of which are withheld under section 32(2) of the Localism Act 2011

4 Non – Pecuniary Interests

- 4.1 You have a non-pecuniary interest in any business of the Parish Council where either it is likely to affect any of the bodies listed in paragraph 3.1 b – p of the Code or, the decision in relation to that business might reasonably be regarded as affecting your well-being, or financial position, or the well-being or financial position of a relevant person to a greater extent that the majority of other Council tax payers, rate payers or inhabitants of the Council area affected by the decision.
- 4.2 A relevant person is:
- a) A member of your family or any person with whom you have a close association
- or
- b) A person or body who employ or has appointed such persons any firm of which they are a partner or any company of which they are Directors.
- 4.3 Where you have a non-pecuniary interest in any business of the Parish council and you attend a meeting of the Parish Council at which that business is considered you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent
- 4.4 Dub paragraph 4.3 only applies where you are aware or ought reasonably to be aware of the existence of the interest.
- 4.5 Where you have an interest but by virtue of paragraph 4.4 it is not registered in the Parish Council register of interest you must indicate you have a non – pecuniary interest but need not disclose the sensitive information of the meeting.

5 Pecuniary Interests

- 5.1 You have a pecuniary interest in any business of the authority where you have an interest that falls within sub paragraphs 3.1. or 3.2 above

6 Effect of pecuniary Interest on participation

- 6.1 Where you have a pecuniary interest in any business of the Parish Council and you attend a meeting at which the business is considered you must then:-

- a) Disclose the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent. Subject to sub paragraph (c) below
- b) Retire to the public gallery of the room or chamber where the meeting considering the business is being held.
- c) If the pecuniary interest is a sensitive interest as set out in paragraph 4 and 5 above you need only disclose the fact that you have a pecuniary interest.