

# CORRINGHAM PARISH COUNCIL

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## CODE OF CONDUCT

Adopted from LO9 - NALC Model Code of Conduct for Parish Councils

Adopted January 2022

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## Introduction

Local authorities are required to adopt a code of conduct, which sets out rules governing the behaviour of their Members and satisfies the requirements of the Localism Act 2011. All elected, co-opted and independent members of local authorities, including parish councils, are required to abide by their own, formally adopted, code.

The code of conduct seeks to ensure that members observe the highest standards of conduct in their civic role, taking decisions fairly, openly, and transparently. Members have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Pursuant to section 27 of the Localism Act 2011, Corringham Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

## 1. Seven Principles of Public Life

This Code of Conduct is based on the Seven Principles of Public Life, also known as the Nolan Principles:

**Selflessness** - Holders of public office should act solely in terms of the public interest.

**Integrity** - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work.

They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

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**Objectivity** - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability** - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**Openness** - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty** - Holders of public office should be truthful.

**Leadership** - Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## 2. Definitions

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or 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.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

## 3. Application of the Code of Conduct

**Corringham Parish Council has adopted this Members Code of Conduct** and each Member has signed an undertaking to act in accordance with this code of conduct. This Code of Conduct will be reviewed annually to ensure its fitness for purpose.

This Code of Conduct applies to each councillor as soon as the councillor signs the declaration of acceptance of the office of councillor or attends their first meeting as a co-opted member. It continues to apply to each councillor until they cease to be a councillor.

The Code of Conduct also applies to the Clerk to The Council and any other individual who is working on behalf of The Council who may be attending or reporting to The Council at meetings.

This Code of Conduct applies to each and every member when:

- acting in their capacity as a councillor and/or as a representative of the council
- claiming to act as a councillor and/or as a representative of the council
- giving the impression of acting as a councillor and/or as a representative of the council
- referring publicly to their role as a councillor or using knowledge that could only be obtained in their role as a councillor.

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- The Code applies to all forms of communication and interaction, including:
  - ❖ at face-to-face meetings
  - ❖ at online or telephone meetings
  - ❖ in written communication
  - ❖ in verbal communication
  - ❖ in non-verbal communication
  - ❖ in electronic and social media communication, posts, statements and comments.

## 4. Member Obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, they shall have the following obligations.

- i. They shall behave in such a way that a reasonable person would regard as respectful.
- ii. They shall not act in a way which a reasonable person would regard as bullying or intimidatory.
- iii. They shall not seek to improperly confer an advantage or disadvantage on any person.
- iv. They shall use the resources of the Council in accordance with its requirements.
- v. They shall not disclose information which is confidential or where disclosure is prohibited by law.

## 5. Registration of Interests

- i. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), they shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
- ii. Upon the re-election of a member or the re-appointment of a co-opted member, they shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
- iii. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
- iv. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

## 6. Declaration of Interests at Meetings

- i. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. They only have to declare what their interest is if it is not already entered in the member's register of interests or if they have not notified the Monitoring Officer of it.
- ii. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter.

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If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose they have an interest but not the nature of it.

- iii. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. They may speak on the matter only if members of the public are also allowed to speak at the meeting.
- iv. A member only have to declare their interest in Appendix B if it is not already entered in their register of interests or they have not notified the Monitoring Officer of it or if they speak on the matter. If they hold an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, they shall declare the interest but not the nature of the interest.
- v. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. They may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

## 7. Dispensations

On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if they have an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

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## APPENDIX A

Interests described in the table below.

<i>Subject</i>	<i>Description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out their duties as a member, or towards their election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the member or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities** of) and the Council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge)— (a) the landlord is the Council; and (b) the tenant is a body that the member, or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities** of.
Securities	Any beneficial interest in securities** of a body where— (a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and (b) either— (i) the total nominal value of the securities** exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\* "director" includes a member of the committee of management of an industrial and provident society.

\*\* "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

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## APPENDIX B

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which they are appointed or nominated by the Council;
- (ii) any body—
  - (a) exercising functions of a public nature;
  - (b) directed to charitable purposes; or
  - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which the member of the Council is a member or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

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