



RUDGWICK PARISH COUNCIL MEMBERS CODE OF CONDUCT

Date Adopted	Minute Number	Review Date
14 May 2018	46/18	May 2020
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1. Introduction and Interpretation

- 1.1 This Code applies to you as a Member of Rudgwick Parish Council (“the Council”) when you act in your role as a Member.
- 1.2 You are a representative of the Council and the public will view you as such. Your actions can impact on how the Council as a whole is viewed.
- 1.3 This Code is based on and is consistent with the principles of public life set out in Section 28 Localism Act 2011: - - selflessness - integrity - objectivity - accountability - openness - honesty - leadership
- 1.4 It is your responsibility to comply with the provisions of this Code.
- 1.5 In this Code –
“meeting” means any meeting of:
(a) the Council; or
(b) any of the Council’s committees, sub-committees or working groups.

“Member” includes a co-opted member or a resident who is part of a Working Group.
- 1.6 A “co-opted Member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a Member of the authority but who

(a) is a Member of any committee or sub-committee of the authority, or;
(b) is a Member of, and represents the authority on, any joint committee or joint sub-committee of the authority; and
(c) who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

2. General Obligations

- 2.1 Do treat other Councillors and members of the public with respect, you promote politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.
- 2.2 Do treat Local Authority employees, employees and representatives of partner organisations and those volunteering for the Local Authority with respect and respect the role they play.

- 2.3 Do not bully or harass any person.
- 2.4 Do promote equality and do not discriminate unlawfully against any person.
- 2.5 Do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Local Authority.
- 2.6 Do not 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:
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is:
 - a. reasonable and in the public interest;
 - b. made in good faith and in compliance with the reasonable requirements of the Council; and you have consulted the Monitoring Officer (via the Parish Clerk) or taken other independent legal advice prior to its release.
- 2.7 Do not improperly use knowledge gained solely as a result of the role as a Councillor for the advancement of yourself, friends, family members, employer or business interests.
- 2.8 Do not prevent another person from gaining access to information to which that person is entitled by law.
- 2.9 Do not bring my role or Local Authority into disrepute.
- 2.10 Do 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.

3. Resources of the Council

- 3.1 Do not misuse Council resources.
- 3.2 When using or authorising the use by others of the resources of the Council:
 - (i) Do act in accordance with the Council's reasonable requirements and policies;
 - (ii) Do ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (iii) Do have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

4. Complying with the Code of Conduct

- 4.1 Do undertake Code of Conduct training provided by the Local Authority.
- 4.2 Do cooperate with any Code of Conduct investigation and/or determination.
- 4.3 Do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- 4.4 Do comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

5. Gifts and Hospitality

- 5.1 Do exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member.
- 5.2 Do not accept significant gifts or hospitality from persons seeking to acquire, develop or do business with the Council or from persons who may apply to the Council for any permission, licence or other significant advantage.
- 5.3 Do register with the Monitoring Officer (via the Parish Clerk) any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

6. Registration of Interests

- 6.1 Do notify the Monitoring Officer (via the Parish Clerk) of your disclosable pecuniary interests, or other interests which the Council has decided are appropriate for registration (Annex 'A' refers), within 28 days of being elected or appointed to office or with effect from the adoption of this Code.
- 6.2 Do notify the Monitoring Officer (via the Parish Clerk) of any change in your disclosable pecuniary interests, or other interests which the Council has decided are appropriate for registration, within 28 days of the change taking effect.
- 6.3 Do notify the Monitoring Officer (via the Parish Clerk) of any disclosable pecuniary or other interests not already registered within 28 days of your re-election or re-appointment to office.
- 6.4 Do be aware that disclosable pecuniary interests include not only your interests but also the interests of your spouse or civil partner, a person with whom you are living as husband or wife or a person with whom you are living as if they were a civil partner, so far as you are aware of the interests of that person.

6.5 Do be aware that the Council has decided that it is appropriate for you also to register and disclose non-pecuniary interests that arise from your membership of, or your occupation of a position of general control or management of:

- (i) bodies to which you have been appointed or nominated by the Council;
- (ii) bodies exercising functions of a public nature;
- (iii) bodies directed to charitable purposes and with a connection to the Council's area;
- and
- (iv) bodies whose principal purposes include the influence of public opinion or policy.

7. Disclosure of Interests and Participation

- 7.1 Do disclose to a meeting at which you are present any disclosable pecuniary interest, or other interest which the Council has decided is appropriate for disclosure (such interests are defined at Appendix I) which relates to any matter considered at the meeting.
- 7.2 Do notify the Monitoring Officer (via the Parish Clerk) of any interest not already registered that is disclosed to a meeting under paragraph 6.1 above within 28 days of the disclosure.
- 7.3 Do not participate in any discussion, or vote, where you have a disclosable pecuniary interest in a matter. Do withdraw from the meeting during the consideration of the matter.

8. Predetermination

- 8.1 Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life, you should not be prohibited from participating in a decision in your political role as a Member.
- 8.2 However, do not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- 8.3 When making a decision, do consider the matter with an open mind and on the facts established at the meeting at which the decision is to be made.

Appendix I - Parish Council's Code of Conduct – Interests which must be registered

DISCLOSABLE PECUNIARY INTERESTS (relating to Elected / Co-opted Members AND their spouses or civil partners)

Employment

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 relevant authority) made or provided during the previous 12-month period for expenses incurred by you in carrying out duties as a member, or towards your 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 which is made between a Member (or his/her spouse/partner) (or a body in which either;

- person has a beneficial interest) and the Council:
under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Land and Property

Any beneficial interest in land (e.g. a Member's home) which is within the Council's area.

Licences

Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.

Corporate Tenancies

Any tenancy where (to the Member's knowledge):

- the landlord is the Council; and
- the tenant is a body in which the Member or his/her spouse/partner has a beneficial interest

Securities

Any beneficial interest in securities of a body where:

- that body (to the Member's knowledge) has a place of business or land in the Council's area and
- the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

- 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 his/her spouse/partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

DISCLOSABLE NON-PECUNIARY INTERESTS arising from membership of or occupation of a position of general control or management in the following bodies (relating to Elected / Co-opted Members)

Bodies:

- to which a Member has been appointed by the Council
- exercising functions of a public nature
- directed to charitable purposes and with a connection to the Council's area
- whose principal purposes include the influence of public opinion or policy.