

ICKHAM & WELL PARISH COUNCIL

Code of Conduct

Pursuant to section 27 of the Localism Act 2011, Ickham & Well Parish Council has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members, (i.e. members of the public asked to serve on specific bodies only), 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.

The following Code of Conduct is based on the seven principles of public life as identified under Section 28(1) of the Localism Act 2011.

SELFLESSNESS

Holders of public office should act solely in terms of the public interest, never improperly conferring an advantage or disadvantage on any person or gaining financial or other material benefits for themselves or for their family, or for friends and close associates.

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 must declare any interests and relationships, resolving in the public interest any conflicts arising from such interests. They must always have regard to any relevant advice provided by Canterbury City Council's Monitoring Officer¹, when acting pursuant to statutory duties;

OBJECTIVITY

Holders of public office must act and take decisions impartially, fairly and on merit, using their best evidence and without discrimination or bias, such as when making public appointments, awarding contracts or recommending individuals for rewards or benefits.

¹ The Parish Council's register of interests is maintained by Canterbury City Council, and the Parish Council's Monitoring Officer is accordingly the City Council's Monitoring Officer.

ACCOUNTABILITY

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS

Holders of public office should act and take decisions in an open and transparent manner, and information should not be withheld from the public unless there are clear and lawful reasons for so doing as, for example, information given in confidence or otherwise acquired, which could be of a confidential or personal nature². Such information should not be disclosed except where there is written consent of a person authorised to give it or it is required by law to do so³ or the disclosure is made to a third party for the purpose of obtaining professional advice and the third party has agreed not to disclose the information to any other person; or the disclosure is reasonable and in the public interest and made in good faith and in compliance with the reasonable requirements of the authority.

HONESTY

Holders of public office should be truthful and must be as open as possible about decisions made and actions taken and be prepared to give reasons for those decisions and actions and must also declare any private interests, both pecuniary and non-pecuniary, and must take any necessary steps to resolve any conflicts arising in a way that protects the public interest. They must ensure that resources are not used improperly for political purposes (including party political purposes) and must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986

LEADERSHIP

Holders of public office should exhibit these principles in their own behaviour and should actively promote and robustly support the principles and be willing to challenge poor behaviour whenever it occurs. Members must promote equality by not discriminating against any person, regardless of their race, age, religion, gender, sexual orientation or disability.

All Members or Co-opted Members of Ickham & Well Parish Council⁴ must behave in a manner that is consistent with the above principles and aim to

² Be also aware of, and abide by, the terms of the Data Protection Act 1998.

³ Either under the terms of the Freedom of Information Act 2000 or other legal requirement

⁴ All references to ‘the authority’, ‘this authority’, ‘your authority’ or ‘the relevant authority’ relate to the Ickham & Well Parish Council.

achieve the fairest and most appropriate outcomes for parishioners and maintain public confidence in this authority.

Registering and declaring pecuniary and non-pecuniary interests

Within 28 days of taking office, Members or Co-opted Members, must notify the authority's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State⁵ (see Schedule below), where the pecuniary interest is theirs, their spouse's or civil partner's, or is the pecuniary interest of somebody with whom they are living as a husband or wife, or as if they were civil partners.

In addition, within 28 days of taking office, Members or Co-opted Members, must notify the authority's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which the authority has decided should be included in the register or which they personally consider should be included if they are to fulfil their duty to act in conformity with the Seven Principles of Public Life as set out above. These non-pecuniary interests will necessarily include membership of any Trade Union.

If a disclosable interest has not been entered onto the register maintained by the authority's Monitoring Officer then the Member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.⁶ Following any disclosure of an interest not on the register maintained by the authority's Monitoring Officer or the subject of pending notification, they must notify the authority's Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted⁷, they may not participate in any discussion of, vote on, or discharge any function related to any matter in which they have a pecuniary interest as defined by regulations made by the Secretary of State.

⁵ The Register is as defined under Section 29 of the Localism Act 2011.

⁶ A 'sensitive interest' is described in the Localism Act 2011 as a Member or Co-opted Member of an authority having an interest, the nature of which is 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.

⁷ Dispensations may be granted by the Authority or any committee or by the clerk, if authorised, if, without the dispensation, the transaction of business would be impeded or the likely outcome would be affected, or if it is in the interests of the community to grant a dispensation or it is otherwise appropriate to do so.

Additionally, Members and Co-opted Members must observe the restrictions that the authority places on their involvement in matters where they have a pecuniary or non-pecuniary interest as defined by the authority.

SCHEDULE

Disclosable pecuniary interests:

<u>Subject</u>	<u>Prescribed description</u>
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 relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member or Co-opted Member in carrying out duties as a Member, or towards the election expenses of the Member or Co-opted Member. 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 the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:(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 relevant authority.

Licences

Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Corporate tenancies

Any tenancy where (to the Member or Co-opted Member's knowledge):

(a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities of a body where:

(a) that body (to the Member or Co-opted Member's knowledge) has a place of business or land in the area of the relevant authority;

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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Note: 'Securities' means shares, debentures, debentures 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.

Non-pecuniary interests

A disclosable interest is one which relates to or is likely to affect:

- 1 Any body of which the member is in a position of general control or management and to which s/he is appointed or nominated by the Council;
- 2 Any body whose principal purposes includes the influence of public opinion or policy, for example being a card carrying member of any political party or trade union;
- 3 Any gifts or hospitality worth more than an estimated value of £100 which the member has received by virtue of his or her office;
- 4 When a Planning application is made by someone close such as relative, neighbour or friend;
- 5 Having a personal interest in, or association with, a voluntary/charitable body, club etc. which might one day be supported by the Parish Council in some way, such as being given a grant or some other type of help.