

The Code of Conduct

PART 1 - GENERAL PROVISIONS

The Code has been adopted under section 27 of the Localism Act 2011 and is based on the following core principles of public life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It sets out general obligations about the standards of conduct expected of members and co-opted members of the authority, together with provisions about registering and declaring interests.

Definitions

In this Code

- “member” includes a co-opted member and a member of the Standards Advisory Board¹
- “co-opted member” is a person who is not a member of the authority but who is either a member of any of its committees or sub-committees or a member of and represents the authority on any joint committee or joint sub-committee of the authority, and who is entitled to vote at such meetings
- “meeting” means
 - any meeting of the authority or any of its committees, sub-committees, joint committees or joint sub-committees
 - any briefing by officers
 - any site visit to do with business of the authority
 - any meeting of the Executive or its committees
 - any meeting of the Standards Advisory Board
 - in taking a decision as a member of the Executive or as a ward member

General obligations

Whenever you are acting as a member of this authority you must act in accordance with the following obligations:

Selflessness

- 1 You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

Integrity

- 2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties. You should exercise independent judgement. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

Objectivity

3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the authority's officers, into consideration.

Accountability

4 You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including by local residents.

Openness

5 (a) You must be as open and transparent as possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and actions. You must not prevent anyone getting information that they are entitled to by law.

(b) Where the law or the wider public interest requires it, you must not disclose confidential information or information to which public access is restricted.

Honesty

6 (a) You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out below.

(b) You must only use or authorise the use of the authority's resources in accordance with the authority's requirements. You must, when using or authorising the use by others of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986

Respect for others

7 (a) You must treat others with respect. You should engage with colleagues and staff in a manner that underpins mutual respect, essential to good local government.

(b) You must not do anything which may cause your authority to breach any equality laws.

(c) You must not compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the authority.

(d) You must not bully any person, including other councillors, officers of the authority or members of the public.

Leadership

8 You must promote and support high standards of conduct when serving as member or co-opted member of the authority, by leadership and example, championing the interests of the community.

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

Registration of Interests

- 9 You must within 28 days of
- (a) this Code being adopted by your authority; or
 - (b) your election or appointment to office (where that is later)
- register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Disclosable Interests).

- 10 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer of that new interest or change.

Declaring of Interests and Participation in Meetings

- 11 If you are present at a meeting and you have a Disclosable Pecuniary Interest as set out in Appendix A -

- (a) you must make a verbal declaration of that interest if an item of business affects or relates to that interest, at or before the item is considered or as soon as the interest becomes apparent;
- (b) you must not participate in any discussion of the matter at the meeting;
- (c) you must not vote on the matter;
- (d) you must leave the room where the meeting is held during any discussion or vote; and
- (e) if your interest is not already registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

- 12 Where a matter arises at a meeting which relates to an interest in Appendix B -

- (a) you must declare your interest if
 - (i) you speak on the matter at the meeting; or
 - (ii) your interest is not already on the register of interests; or
 - (iii) you have not notified the Monitoring Officer of it;

- (b) if the matter significantly affects the financial interests of the body in which you have an interest under Appendix B or relates to a licensing or regulatory matter concerning that body
 - (i) you must declare your interest ;
 - (ii) you must not participate in any discussion of the matter at the meeting (subject to paragraph (iv) below) ;
 - (iii) you must not vote on the matter; and
 - (iv) you may speak on the matter only if members of the public are allowed to speak at the meeting;

- (c) you do not need to declare your interest if paragraph 12(a) and/or 12(b) above do not apply.

(d) The requirement in paragraph 12(b) above shall not apply where the matter under consideration relates to the setting of the Council Tax, a precept or a special expense.

- 13 Where a matter arises at a meeting which relates to or is likely to affect any of the interests listed in Appendix A, but in respect of a member of your family (other than your spouse/partner) or a friend or close associate of yours
- (a) you must declare the interest;
 - (b) you must not vote on the matter;
 - (c) you may speak on the matter only if members of the public are allowed to speak at the meeting.

Sensitive interests

- 14 Where you consider that disclosure of the details of an interest could lead to you or a person connected with you being subject to violence or intimidation and the Monitoring Officer agrees that it is a “sensitive interest”, you need only declare the fact that you have an interest but not the details of that interest. Copies of the public register of interests may state you have an interest the details of which are withheld.

Gifts and Hospitality

- 15 You must within 28 days of receipt notify the Monitoring Officer² of any gift, benefit or hospitality with an estimated value of £25 or more which you have accepted as a member from any person or body other than the authority. The notification will be entered on a public register of gifts and hospitality.

Criminal Records Bureau (CRB) Checks

- 16 If you are an elected member of the authority, you will comply with the following³:
- (a) you will be subject to a standard CRB check, unless paragraph 16(b) below applies to you;
 - (b) if you undertake a role which by law requires an enhanced CRB disclosure, you will be subject to an enhanced CRB check ;
 - (c) following a CRB check, you must notify the Monitoring Officer in writing of any new conviction(s) within 14 days of such conviction.

*PLEASE NOTE THAT THE NOTIFICATION OF MEMBERS' INTERESTS MAY BE VIEWED.
PLEASE CONTACT THE CLERK OF WINCHAM PARISH COUNCIL, NAOMI MORRIS AT
winchampc@talktalk.net or on 0161 926 8645 or at 22 Churchfields, Bowdon, Cheshire.
WA14 3PJ.*