CHELSHAM AND FARLEIGH PARISH COUNCIL - MEMBERS' CODE OF CONDUCT

1. Introduction and Interpretation

1.1 This Code applies to you as a Member of Chesham and Farleigh 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.

2. General Obligations

2.1 **Do** treat others with respect. In particular, you should promote equality by not discriminating unlawfully against any person, and by treating people with respect regardless of their race, age, religion, gender, sexual orientation or disability. You should also respect the impartiality and integrity of the Council's employees.

2.2 **Do not** conduct yourself in a manner which is contrary to the Council's duty to promote and maintain high standards of conduct by Members - **do not** act in a bullying or intimidatory manner.

3. **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.

4. **Do not** prevent another person from gaining access to information to which that person is entitled by law.

5. **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 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. Gifts and Hospitality

4.1 **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.

4.2 **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.

4.3 **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.

5. Registration of Interests

5.1 **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 (Appendix A), within 28 days of being elected or appointed to office or with effect from the adoption of this Code.

5.2 **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.

5.3 **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.

5.4 **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.

5.5 **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.

6. Disclosure of Interests and Participation

6.1 **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 in Appendix A) which relates to any matter considered at the meeting.

6.2 **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.

6.3 **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.

7. Predetermination

7.1 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.

7.2 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.

7.3 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 'A'

Chelsham and Farleigh 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 within the relevant period in respect of any 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
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.