

SOUTH CAVE PARISH COUNCIL MEMBER CODE OF CONDUCT

(1) Introduction and Interpretation

- (1) This Code applies to you as a Member of this authority when you act in your role as a Member and it is your responsibility to comply with the provisions of this Code.
- (2) You are a representative of this authority and the public will view you as such therefore your actions impact on how the authority as a whole is viewed and your actions can have both a positive and negative impact on the authority.
- (3) The public expect Members to act in an open and transparent manner.
- (4) In this Code -

‘**Meeting**’ means any meeting of:-

- (a) The authority;
- (b) Any of the authority’s, or its Executive’s, committees, sub-committees, joint committees joint sub committees or area committees;

‘**Member**’ includes all Members and co-opted and appointed Members of the authority.

‘**Family**’ means Spouse, Civil partner, any person with whom you are living as a Spouse or Civil Partner, parent, grandparent, child, grandchild or sibling.

(2) General Obligations

- (1) You must treat others with respect.
- (2) You must not bully any person.
- (3) You must not conduct yourself in a manner that could reasonably be regarded as bringing your office or authority into disrepute.
- (4) You must not disclose information given to you in confidence by any one or information acquired by you which you believe, or ought to be aware, is of a confidential nature, except where :-
 - (1) You have the consent of the person authorised to give it;
 - (2) You are required by law to do so;
 - (3) Disclosure is to 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

- (4) The disclosure is:-
 - (a) Reasonable in the public interest; and
 - (b) Made in good faith and in compliance with the reasonable requirements of the authority; and
 - (c) You have consulted the Monitoring Officer prior to its release.
- (5) You must not prevent another person from gaining access to information to which that person is entitled by law.
- (6) You must 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.
- (7) When using or authorising the use by others of the resources of the authority you must:-
 - (1) Act in accordance with the authority's reasonable requirements.
 - (2) Ensure that such resources are not used improperly for political purposes (including party political purposes).
 - (3) Have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

(3) Registration of Interests

- (1) You must before the end of 28 days beginning on the day on which you become a Member of the authority or within 28 days of any change in an interest or becoming aware of any new interest notify the Monitoring Officer of:
 - (i) Your interests falling within the categories set out below:-
 - (a) Pecuniary Interests
 - (b) Bodies to which you are appointed or nominated by the authority (i.e. outside body appointments).
 - (c) Bodies exercising functions of a public nature of which you are a Member (including regional and local development agencies, other (parish) councils, public health bodies, school governing bodies).
 - (d) Bodies directed to charitable purposes of which you are a Member (including the Lions, the Masons, a Parochial Church Council; not just bodies registered with the Charity Commission).
 - (e) Bodies whose principal purposes include influence of public opinion of policy (including any political party or trade union) of which you are a Member.

- (f) Any employment or business carried on by you (including any voluntary work undertaken).
 - (g) Any person or body that has employed or appointed you (including any organisations that have appointed you to an office, for example as a Magistrate or Board of a Government Agency).
 - (h) Any person or body, other than a relevant authority who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties (including political parties/local political associations).
 - (i) Any person who has a place of business or land in the authority's area and in which you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued shared capital (which ever is the lower) (including stocks, shares, bonds or options).
 - (j) Any contracts for goods, services or works made between the authority and you or a firm in which you are a partner, a company of which you are a remunerated Director or a company or body specified in paragraph (i).
 - (k) Any person from whom you received in your capacity as a Member a gift or hospitality that amounts to the value of at least £25.
 - (l) Any land in the authority's area in which you have a beneficial interest (including your home and business addresses and other properties/land that you own, rent or use).
 - (m) Any land where the landlord is the authority and you are, or a firm of which you are a partner, a company of which you are a remunerated Director or a person or body of the description specified in paragraph (i) is, the tenant (including allotments where the Council owns the land).
 - (n) Any land in the authority's area for which you have a license (alone or jointly) to occupy for 28 days or longer (including an allotment).
 - (o) Any person employed by the authority who is a member of your family.
- (ii) The interest of your:-
- (a) Spouse or civil partner.
 - (b) Any person with whom you are living as husband or wife.

- (c) Any person with whom you are living as if they were a civil partner

falling within the categories below:-

- (aa) Pecuniary interests.

- (2) You need only notify the Monitoring Officer of any interests of which you are aware pursuant to paragraph (3) (1) above.
- (3) Where you become a Member of the authority as a result of a re-election or re-appointment you only need to disclose interests not already entered on the register.
- (4) Where the nature of the interest is such that you consider that the disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation, (and the Monitoring Officer agrees) details of the interests will not be included in any published version of the register of interests save that the register will state you have an interest the details of which are withheld under section 32(2) of the Localism Act 2011.

(4) Non - Pecuniary Interests

- (1) You have a non pecuniary interest in any business of the authority where either it is likely to affect any of the bodies listed in paragraph 3(1)(i) (b) to (o) of the Code or, the decision in relation to that business might reasonably be regarded as affecting your well being, or financial position, or the well being or financial position of a relevant person to a greater extent than the majority of other Council tax payers, rate payers or inhabitants of the Ward affected by the decision.
- (2) A relevant person is:-
 - (a) A member of your family or any person with whom you have a close association, or
 - (b) A person or body who employs or has appointed such persons any firm of which they are a partner or any company of which they are Directors.
- (3) Where you have a non-pecuniary interest in any business of the authority and you attend a meeting of the authority at which that business is considered you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent.
- (4) Sub paragraph (3) only applies where you are aware or ought reasonably to be aware of the existence of the interest.
- (5) Where you have an interest but by virtue of paragraph 3 (4) it is not registered in the authority's register of interests you must indicate you have a non -pecuniary interest but need not disclose the sensitive information to the meeting.

(5) Pecuniary Interests

- (1) You have a pecuniary interest in any business of the authority where you have an interest that falls within sub paragraphs (3) (1)(i) (a) or (3)(1)(ii) above.

(6) Effect of Pecuniary Interest on participation

- (1) Where you have a pecuniary interest in any business of the authority and you attend a meeting at which the business is considered you must then:-
- (a) Disclose the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent. Subject to sub paragraph (c) below.
 - (b) Retire from the room or Chamber where the meeting considering the business is being held.
 - (c) If the pecuniary interest is a sensitive interest as set out in sub paragraph (3) (4) above you need only disclose the fact that you have a pecuniary interest.