

BODENHAM PARISH COUNCIL

CODE OF CONDUCT

Introduction

1. This Code has been adopted by the Parish Council as required by Section 27 of the Localism Act 2011. It is based on, and complies with, Herefordshire Council's Councillors' Code of Conduct adopted on 19 May 2017, and supersedes the Parish Council's own Code of Conduct adopted on 6 August 2012 (as amended).

2. The Parish Council has a statutory duty to promote and maintain high standards of conduct by its members and co-opted members. This Code sets out the standards that the Council expects members to observe.

Who Does the Code Apply to?

3. The Code applies to all members of the Parish Council and to all co-opted members of any committee, sub-committee or joint committee of the Council.

When Does the Code Apply?

4. The Code applies whenever a member is acting in his or her capacity as a member or a representative of the Council, or when they claim to act, or give the impression of acting, as a member or representative of the Council. It does not seek to regulate what members do in their purely private and personal lives, unless such conduct brings the Council into disrepute.

What Standards of Conduct Are Members Required to Observe?

5. When carrying out their role members should always act in accordance with the seven principles of public life and the following standards:

	The Seven Principles of Public Life	Standards of Conduct
A	Selflessness Holders of public office should act solely in terms of the public interest.	A.1 Serve the public. A.2 Only take decisions in the public interest. A.3 Treat everyone that they deal with equally and with respect and courtesy.
B	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.	B.1 Should declare and resolve their interests in accordance with the law and with the provisions of this Code of Conduct. B.2 Should not place themselves in a position where they either are, or give the appearance that they are, under any financial or other obligation to anyone that might seek to

	The Seven Principles of Public Life	Standards of Conduct
	<p>They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends.</p> <p>They must declare and resolve any interests and relationships.</p>	<p>influence them in the performance of their duties as a member.</p> <p>B.3 Should not act or take decisions in order to (or attempt to) confer or secure an advantage, disadvantage, financial gain or other material benefit for themselves, their family or close associates.</p> <p>B.3 Should declare gifts and hospitality that they are offered whether accepted or not where the value exceeds £20.</p> <p>B.4 Maintain confidentiality and not disclose information given to them in confidence.</p>
C	<p>Objectivity Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.</p>	<p>C.1 Act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.</p>
D	<p>Accountability Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.</p>	<p>D.1 Be accountable to the public for their decisions and actions.</p> <p>D.2 Co-operate fully with any scrutiny appropriate to their particular role or office.</p> <p>D.3 Act in accordance with the Council's Standing Orders.</p> <p>D.4 Not prevent another person from gaining access to information to which that person is entitled to by law.</p>
E	<p>Openness Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.</p>	<p>E.1 Be as open as possible about their decisions and actions and should give reason for their decisions and actions.</p> <p>E.2 Complete and maintain an up to date register of interests.</p> <p>E.3 Draw attention to any code of conduct interest when performing their duties as a member.</p> <p>E.4 Not bully, harass, intimidate or attempt to intimidate any person.</p>
F	<p>Honesty Holders of public office should be truthful.</p>	<p>F.1 Be truthful.</p> <p>F.2 Declare any private interests that relate to their duties as a member and resolve any such conflict in a way that protects the public interest.</p> <p>F.3 Only use the resources of the Council in accordance with the reasonable requirements set out for their use from time to time.</p>
G	<p>Leadership Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the</p>	<p>G.1 Actively promote and robustly support leadership principles.</p> <p>G.2 Be willing to challenge poor behaviour wherever it occurs.</p>

	The Seven Principles of Public Life	Standards of Conduct
	principles and be willing to challenge poor behaviour wherever it occurs.	G.3 Never undertake any action which would bring the Council, members or officers into disrepute. G.4 Never make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, the Council.

Code of Conduct Interests

Registerable Interests

6. Herefordshire Council's Monitoring Officer maintains a register of Parish Councillors' interests which can be inspected at Herefordshire Council, Governance and Democratic Services, 33-35 Union Street, St Peters Square, Hereford, HR1 2HX and found at <https://councillors.herefordshire.gov.uk/mgParishCouncilDetails.aspx?ID=661&LS=3> .

7. The Register of Interests contains two schedules. Schedule 1 contains interests defined by Regulations made under Section 30(3) of the Localism Act 2011("the Act"), Schedule 2 contains interests that Herefordshire Council considers are appropriate to register and disclose.

8. **Schedule 1 Interests** (defined as disclosable pecuniary interests under the Act) may be amended from time to time by Regulation, but at 19 May 2017 were:

Employment, Office, Trade or Profession	Any employment, office, trade, profession or vocation carried out 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 a person in carrying out duties as a member, or towards the election expenses of that person.
Contracts	Any contract which is made between the relevant person (or body in which the relevant person has a beneficial interest) and the relevant authority: <ol style="list-style-type: none"> 1. Under which goods or services are to be provided or works are to be executed; and 2. Which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licenses	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 person's knowledge): <ol style="list-style-type: none"> 1. The landlord is the relevant authority; and 2. The tenant is a body in which the relevant person has a beneficial interest.

Securities	<p>Any beneficial interest in securities of a body where:</p> <ol style="list-style-type: none"> 1. That body (to the person's knowledge) has a place of business or land in the area of the relevant authority; and 2. Either: <ol style="list-style-type: none"> 2.1 The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or 2.2 If the share capital of that body is of more than one class, the total nominal value of the shares in any one class in which the relevant person has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.
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9. Schedule 2 interests are:

<p>Any body of which the member is in a position of general control or management. (This does not include general membership or subscription or where the member is appointed or nominated by the Council).</p>	<p>Including:</p> <ul style="list-style-type: none"> • Any body exercising functions of a public nature; • Any body directed to charitable purposes; • Any body whose principal purposes includes the influence of public opinion or policy (including any political party); • Any body which is not open to the public without formal membership.
<p>Any gifts or hospitality which the member has been offered by virtue of their office (whether accepted or refused) where in excess of £20</p>	
<p>Trade Union membership</p>	

Other Declarable Interests

10. If a matter to be considered affects the welfare or financial position (positively or negatively) of the member, a member of their family, and/or a close personal associate to a greater extent than others in the Parish, then there is a requirement to declare such an interest.

11. Where a member has a registrable or other interest as detailed above the following applies:

What is the interest?		Do I have to complete the form and register?	Do I have to declare this interest?	When do I disclose the interest?	Can I participate ?	Can I vote?	Do I have to leave the room?
Schedule 1		<input checked="" type="checkbox"/> Yes Within 28 days of: <ul style="list-style-type: none"> • election • re-election • disclosing in a meeting a previously undisclosed interest • becoming aware of any change or new interests 	<input checked="" type="checkbox"/> Yes verbally At a meeting <input checked="" type="checkbox"/> Yes Where making a decision either as an individual member or collectively <input checked="" type="checkbox"/> Yes When acting in the capacity of a member <u>If the interest is in the matter being considered</u>	As soon as you are aware that you have an interest ⁽¹⁾	X No ⁽²⁾	X No	<input checked="" type="checkbox"/> Yes
Schedule 2		<input checked="" type="checkbox"/> Yes As for schedule 1 interests above	<input checked="" type="checkbox"/> Yes As for Schedule 1 interests above	As soon as you are aware that you have an interest	X No	X No	<input checked="" type="checkbox"/> Yes
Other declarable interests	Welfare	X No	<input checked="" type="checkbox"/> Yes As for Schedule 1 interests above	As soon as you are aware that you have an interest	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	X No
	Financial	X No			<input checked="" type="checkbox"/> No	X No	X No

Adopted by the Parish Council on 3 July 2017.

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1. Unless the Chairman has determined that the interest is a sensitive one.
 2. Unless a dispensation has been granted by the Chairman.