

New Code of Conduct

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Background

Localism Act 2011

- Each Council to draft a Code
- Consistent with the following principles –
 - Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
- Must include provision for the registration and disclosure of pecuniary interests and interests other than pecuniary interests.
- Parish Councils may adopt the Code adopted by the principal Council

What is New ?

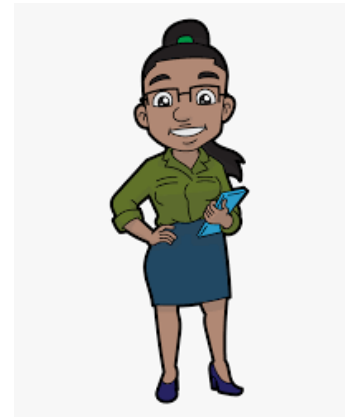
- Nolan Principles (do not form part of the Code)
- Purpose of the Code
- Application of the Code
- Explanatory Text

What is New ?(2)

- Additional Requirements –
 - Equalities
 - Impartiality of Officers
 - Personal Data
 - Training
 - Intimidation
 - Gifts and Hospitality
- New Interests
 - Prejudicial Interests

Prejudicial Interests

- These are a subset of non pecuniary interests.
- A Member has to have a non pecuniary interest in order to have a prejudicial interest



Non-Pecuniary Interests

Bodies to which a Member is appointed or nominated by the authority (outside body appointments) –

- Village Hall Committee

Bodies exercising functions of a public nature of which they are a member

- District Council (if twin hatted)

Bodies directed to charitable purposes of which they are a member

- Parochial Church Council

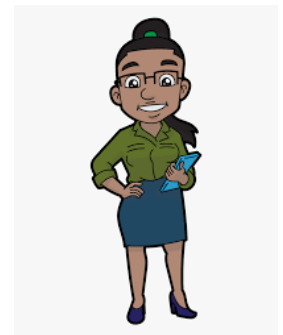
Bodies whose principle purposes include the influencing of public opinion or policy of which you are a member (political parties)

- Political Party

Voluntary work

- Work in a charity shop

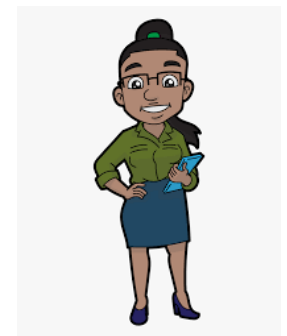
Any role as a trustee



Non-Pecuniary Interests

Member has a Non Pecuniary interest in a matter where -

- I. It is likely to affect any of the bodies they have registered as a non pecuniary interest
- II. It is likely to effect any person or body from whom they have within the last six years and in your capacity as a Member accepted an offer of gifts or hospitality with a value of £25.00 or more.
- III. The decision in relation to that business might reasonably be regarded as affecting their **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 or inhabitants of the parish affected by the decision.



Non-Pecuniary Interests

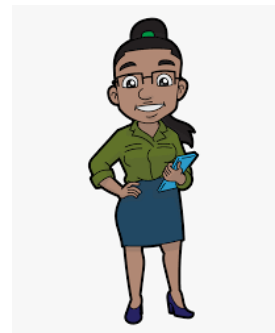
A Member has a Non Pecuniary interest in a matter where -

It is likely to affect any of the bodies a Member has registered as a non pecuniary interest –

- The foodbank they volunteer for has applied to the Council for a donation
- A Member sits on the governing body of a school which has applied for planning permission for an extension

It is likely to effect any person or body from whom the Member has within the last six years and in their capacity as a Member accepted an offer of gifts or hospitality with a value of £25.00 or more.

- Member has attended a dinner as a guest of a company that submit a tender for a Council contract



Non-Pecuniary Interests

A Member has a Non Pecuniary interest in a matter where -

The decision in relation to that business might reasonably be regarded as affecting their **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 or inhabitants of the parish affected by the decision.

Affecting well being – Anything that has an effect positive or negative on a persons sense of happiness

- Planning Application they feel strongly about
- Any matter they have campaigned on
- Any cause that is close to their heart

Relevant Person

A relevant person is –

A **Member of their Family** which is –

Spouse Civil Partner

Any person with whom they are living as a spouse or civil partner



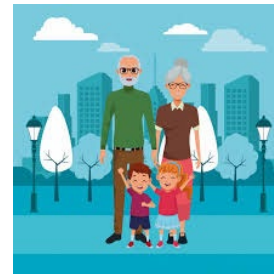
Parent

Grandparent

Child

Grandchild

Sibling



Relevant Person

A relevant person is –

Any person with whom they have a close association –

A friend



Or an enemy



Relevant Person

A relevant person is –

Any **person** or **body** who **employs** or who has **appointed**
A member of the Member's family or **person with whom they have a close association**

Any **firm** of which they are a **partner**

Any **Company** of which they are a **Director**

Grandson



Works for



Web Design Firm

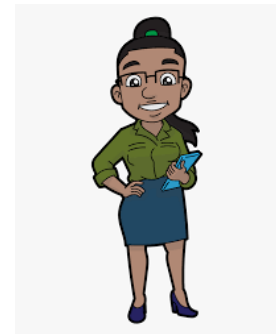


Member

has



An Interest



Non-Pecuniary Interests

Application to build a
Windfarm



Close to



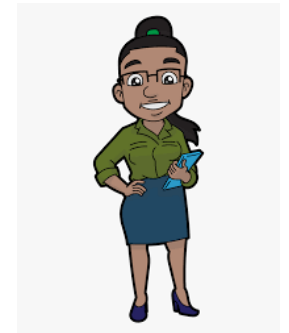
Your
Brother's
House



You have



An Interest



Prejudicial Interests

A Member with a non pecuniary interest in a matter has a prejudicial interest where -

the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest

Does not apply to business relating to

- **an allowance, payment or indemnity given to members;**
- **any ceremonial honour given to members; and**
- **setting council tax or a precept under the Local Government Finance Act 1992.**

Prejudicial Interests

A Member with a prejudicial interest

- Must declare the existence of and nature of the interest
- Must not speak on the item
- Must not vote on the item
- Must leave the room while the item is being discussed



Interests

Interest	Action
Pecuniary Interests	<ul style="list-style-type: none">• Declare• Leave meeting• Do not speak• Do not vote
Non-Pecuniary Interests	<ul style="list-style-type: none">• Declare• Remain in meeting• Can speak• Can vote
Prejudicial Interests	<ul style="list-style-type: none">• Declare• Leave meeting• Do not speak• Do not vote



Prejudicial Interests

Member campaigning against a



Windfarm



Member has a



Prejudicial Interest



Member's Brother



Applies for



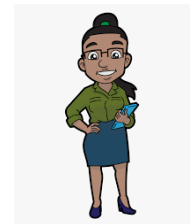
Planning Permission



Member has a



Prejudicial Interest



7 Principles of Public Life

- **Selflessness**
- **Integrity**
- **Objectivity**
- **Accountability**
- **Openness**
- **Honesty**
- **Leadership**

Underpin the requirements of the Code.

Do not form part of the Code itself.

Purpose/ Application /Explanation

- **Purpose of the Code**

Sets out the purpose of the Code to assist and protect Councillors

- **Application of the Code**

Explains when the Code applies including in comments on social media

- **Explanatory Text**

Explanatory text to accompany each section of the Code to explain what the requirements mean.

Equalities / Impartiality of Officers

- **You must not:**
 - **Do anything which may cause your authority to breach any of the equality enactments.**
 - **Compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the authority**

Personal Data

You must not

– Disclose information:

- **given to you in confidence by anyone**
- **acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature,**
- **which consists of the personal data of another person**

Text in red added following feedback from Members at workshop. Felt important to add given that Members deal with resident's personal data.

Training / Intimidation

You must –

Undertake Code of Conduct training provided by your principal authority.

You must not –

Intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

Gifts and Hospitality

You must not accept gifts and hospitality regardless of value where it may lead any reasonable person with knowledge of the relevant facts to believe that you might be influenced by the gift or hospitality given.

Questions ?

