



ST CUTHBERT (OUT) PARISH COUNCIL
c/o Council Offices, Cannard's Grave Road, Shepton Mallet, BA4 5BT
E-mail: parishclerk@stcuthbertout-pc.gov.uk
Tel: 07496 198032

CODE OF CONDUCT

*Based on extracts from the LGA/SALC model document 2021 and the Council's existing Code of Conduct
Adopted by SCOPC: 24 October 2022
Last Review Date: 24 October 2022; Approved by Full Council 08 January 2024.
Next Review Date: January 2026*

Introduction

Pursuant to section 27 of the Localism Act 2011, St Cuthbert (Out) Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the seven principles of public life:

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. 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. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. 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.

5. 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.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Definitions

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or subcommittee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, subcommittees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

Compliance with the Code

Councillors are expected at all times:

1. When working or socialising with their colleagues and members of the public to behave in a way that a reasonable person would regard as respectful.
2. When working or socialising with the employees or elected members of any local or national government organisations, services, and volunteers, to treat all and everyone with respect.
3. To act in a non-discriminatory way, to promote equality for all, and never act in a manner that a reasonable person would regard as bullying, harassment, or intimidation.
4. Not to compromise or attempt to compromise the impartiality of any staff member of the council
5. Never to disclose information in whatever form or media it might take that is:
 - 5.1. provided in confidence (whether verbal or written)
 - 5.2. acquired in a manner that a reasonable person would conclude was acquired in circumstances of confidentiality or contained material that was confidential in nature whether stated or not, unless:
 - 5.2.1. the consent of the source of the information is obtained (preferably in writing); or
 - 5.2.2. the law requires disclosure; or

- 5.3. the disclosure is by a third party solely for seeking the impartial advice of a councillor in the normal performance of their elected duties, and none other, and the third party agrees not themselves to disclose the source of the information or any other.
6. When a matter arises that relates to a financial interest of a friend, relative or close associate (**other than an interest in Table 1**), a councillor shall disclose the nature of the interest to the Council in accordance with Council's Standing Orders.
7. To assist members of the public acquiring information to which they are entitled by law, in accordance with Standing Orders and appurtenant regulations.
8. Not knowingly bring the council into disrepute.
9. Not to exploit their position to improperly confer an advantage or disadvantage on any person.
10. Not exploit or use the resources of the Council improperly, or for personal gain or in connection with any political activity.
11. Other than following the statutory or legal instruction of the Responsible Finance Officer, respect and give due consideration to any other advice provided by the council's Responsible Finance Officer.
12. On first election to a council receive code of conduct training within their first six (6) months provided by the council.
13. Not make derogatory remarks or lodge trivial or malicious complaints about their serving council colleagues, including staff and volunteers **or against serving councillors of neighbouring councils.**
14. Register and keep updated their interests as required by law.
15. Not to accept gifts, monies or hospitality irrespective of the value of such, that could be regarded by a reasonable person as leading to personal gain, undue influence, or favouritism towards any party seeking to acquire or develop a business or contractual relationship with the council, or seek a licence or support for a license application.
16. Within 28 days of any gift or hospitality received or offered, alert the parish clerk and chair and seek their direction.

APPENDIX A Registering interests

Within 28 days of becoming a member or re-election or re-appointment to office or within 28 days of a member's interests changing, members must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". Members should also register details of their other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"**Disclosable Pecuniary Interest**" means an interest of a member, or of their partner if a member is aware of their partner's interest, within the descriptions set out in **Table 1** below.

"**Partner**" means a spouse or civil partner, or a person with whom a member is living as husband or wife, or a person with whom they are living as if they were civil partners.

1. Members must ensure that their register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where a member has a 'sensitive interest' they must notify the Monitoring Officer with the reasons why they believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non-Participation in case of Disclosable Pecuniary Interest

4. Where a matter arises at a meeting which directly relates to one of a members Disclosable Pecuniary Interests as set out in **Table 1**, the member must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If it is a 'sensitive interest', the member does not have to disclose the nature of the interest, just that they have an interest. Dispensation may be granted in limited circumstances, to enable a member to participate and vote on a matter in which they have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests

5. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of a member's Other Registerable Interests (as set out in **Table 2**), the member must disclose the interest. The member may speak on the matter only if members of the

public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If it is a 'sensitive interest', the member does not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to a member's financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, the member must disclose the interest. The member may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise they must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If it is a 'sensitive interest', the member does not have to disclose the nature of the interest.
7. Where a matter arises at a meeting which *affects* –
 - a. a member's own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

the member must disclose the interest. In order to determine whether the member can remain in the meeting after disclosing their interest the following test should be applied.

8. Where a matter (referred to in paragraph 7 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the parish affected by the decision, and
 - b. a reasonable member of the public knowing all the facts would believe that it would affect the member's view of the wider public interest.

A member may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise they must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', the member does not have to disclose the nature of the interest.

In the event that a member's non-registerable interest relates to -

- (1) an unpaid directorship on a company owned by the member's authority or
- (2) another local authority of which they are a member,

subject to declaring that interest, the member is able to take part in any discussion and vote on the matter.

TABLE 1: DISCLOSABLE PECUNIARY INTERESTS

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	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 council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council— a) under which goods or services are to be provided or works are to be executed; and b) which has not been fully discharged
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) 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 councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest which exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

TABLE 2: OTHER REGISTRABLE INTERESTS

Councillors must register as an Other Registerable Interest :

- a) any unpaid directorships
- b) a body of which they are a member or are in a position of general control or management and to which they are nominated or appointed by their authority
- c) any body
 - i. exercising functions of a public nature
 - ii. directed to charitable purposes or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which they are a member or in a position of general control or management.