



North Leverton with Hablesthorpe Parish Council

Code of Conduct

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This Code of Conduct has been adopted by North Leverton with Hablesthorpe Parish Council and has been based on the Bassetlaw District Council Code of Conduct for District and Parish Councillors.

Introduction

In accordance with the Localism Act 2011 provisions, when acting in this capacity you must be committed to behaving in a manner that is consistent with “Nolan Principles” to achieve and maintain public confidence in this authority. Those principles are as follows:

Selflessness: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership: Holders of public office should promote and support these principles by leadership and example.

Definitions

Member

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. 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 sub-committee.

Meeting

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

“Relevant Persons”

For the purposes of this Code a relevant person is yourself and:

- i. Your spouse or civil partner
- ii. A person with whom you are living as husband and wife, or
- iii. A person whom you are living as if you were civil partners.
- iv. A close associate

“Executive Decision”

For the purposes of this Code an 'Executive decision is to construed in accordance with any regulations made by the Secretary of State under Section 22 of the Local Government Act 2000.

General Obligations

Accordingly, when acting in your capacity as a member or co-opted member

1. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for a 'Relevant Person'
2. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
3. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
4. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
5. You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
6. You must declare any private interests, both pecuniary and non-pecuniary that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in this Code.
7. You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
8. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Members Interests

Disclosable Pecuniary Interests

As specified for the purposes of section 30(3) of the Localism Act 2011, these are defined as:

- i. Employment, office, trade, profession or vocation (Any employment, office, trade, profession or vocation carried on for profit or gain).
- ii. Sponsorship (Any payment or provision of any other financial benefit (other than from this Council) 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(c.52))
- iii. Contracts (Any contract which is made between the 'Relevant Person' (or a body in which the 'Relevant Person' has a beneficial interest) and this 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
- iv. Land (Any beneficial interest in land which is within the area of this Council).
- v. Licences (Any licence (alone or jointly with others) to occupy land in the area of this Council for a month or longer).
- vi. Corporate Tenancies Any tenancy where (to your knowledge)
 - a. the landlord is this Council; and
 - b. the tenant is a body in which the relevant person has a beneficial interest.
- vii. Securities (Any beneficial interest in securities of a body where;
 - a. that body (to your knowledge) has a place of business or land in the area of this 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For the purposes of Chapter 7 of the Localism Act 2011 a disclosable pecuniary interest is an interest of yourself or an interest of another 'Relevant Person'.

Non-Pecuniary Interests

You have a non-pecuniary interest in any business of your Council where either:

- a. It relates to or is likely to affect:
 - i. Any organisation or body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
 - ii. Anybody
 1. exercising functions of a public nature;
 2. directed to charitable purposes; or
 3. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union); of which you are a member or in a position of general control or management;
 - iii. the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - iv. a decision in relation to that business might reasonably be regarded as affecting wellbeing or the wellbeing of a 'Relevant Person' to a greater extent that the majority of other council tax payers, ratepayers or inhabitants in the electoral division or ward, as the case may be, affected by the decision.

Sensitive Interests

A 'sensitive interest' is described in the Localism Act 2011 as a member of this Council having an interest, and the nature of the interest being such that the member and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or a person connected with the member being subject to violence or intimidation.

Disclosure of Interests

You must disclose an interest to the Council where;

- (a) You have either a Disclosable Pecuniary Interest or a non-pecuniary interest in any business of the Council and you are present at a meeting of the Council at which the business is considered. You must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your register of interest or for which you have made a pending notification.
- (b) You have an interest in any business of the Council which would be disclosable but by virtue of 'Sensitive Interests' as described above, the details of the interest are not registered in the published register of members' interests and that the interest is a Disclosable Pecuniary Interest (if that is the case) then you need not disclose the nature of the interest to the meeting.

- (c) You have a pecuniary interest in any business of the Council and a function of the Council may be discharged by you acting alone in relation to that business, then you must ensure you notify the Monitoring Officer of the existence and nature of that interest within 28 days of becoming aware that you will be dealing with the matter even if more than 28 days before you will actually deal with the business.
- (d) You have an interest in any business of the Council which would be disclosable and you have made an 'Executive Decision' in relation to that business you must ensure that any written statement of that decision records the existence and nature of that interest.

Effect of Disclosable Pecuniary Interests on Participation

If present at a meeting of the Council and you have a Disclosable Pecuniary Interest in any matter to be considered and you are aware that paragraph 8 b) is met then you may not;

- i. Participate, or participate further, in any discussion of the matter at the meeting.
- ii. Participate in any vote, or further vote taken on the matter at the meeting and must withdraw from the room where the meeting considering the business is being held unless you have received a dispensation from the authority's proper officer.
- iii. Exercise executive functions in relation to that business and must not seek improperly to influence a decision about that business.

If a function of the Council may be discharged by a member acting alone and you have a Disclosable Pecuniary Interest in any matter to be dealt with or being dealt with in the course of discharging that function you may not take any steps or any further steps in relation to the matter (except for the purpose to enable the matter to be dealt with otherwise than by yourself).

If you have a pecuniary interest other than a Disclosable Pecuniary Interest in any business of your authority which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgment of the public interest and you are present at a meeting of the authority at which such business is to be considered or is being considered you must:

- i. Disclose the existence and nature of the interest in accordance with 7 a) (but subject to paragraph 7 b))
- ii. Withdraw from the room or chamber where the meeting considering the business is being held unless you have received a dispensation from the authority's proper officer in a case where paragraph 8.3 applies immediately after making your representations or in any other case where the business is under consideration unless you have obtained a dispensation from the authority's proper officer.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify the Council's Monitoring Officer of any Disclosable Pecuniary Interest as defined in paragraph 4, where the pecuniary interest is yours, your spouse's or civil partner's, or if the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify the Council's Monitoring Officer of any non-pecuniary interest as defined in paragraph 5.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined within this code. Additionally, you must observe the restrictions placed on your involvement in matters where you have a pecuniary or non-pecuniary interest.