

## Adopted by Branston & Mere Parish Council 13 May 2019.

Minute Ref 16019.

### Part 4.1

## Code of Conduct for Members of North Kesteven District Council

### Contents

1. Introduction.....	1
2. The Code of Conduct.....	2
3. Review of the Code.....	5
Appendix A .....	6
Appendix B .....	8

### 1. Introduction

This code of conduct applies to you as a Member of North Kesteven District Council (“the Council”) when you act in your role as a Member, co-opted Member or appointed Member.

It is your responsibility to comply with the provisions of this code of conduct when acting in your capacity as an elected Member, co-opted Member or appointed Member.

The Council is under a duty to promote and maintain high standards of conduct by elected Members, co-opted Members or appointed Members, therefore Members should remember that they are a representative of the Council and the public will view you as such. Your actions can impact on how the Council as a whole is viewed.

All holders of public office must uphold the seven principles of public life and these principles underpin and inform the Council’s code of conduct. The seven principles are:

- **Selflessness** – Holders of public office should act solely in terms of the public interest.
- **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 to gain

financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

- **Objectivity** – Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- **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.
- **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.
- **Honesty** – Holders of public office should be truthful.
- **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.

## 2. The Code of Conduct

### A. Behaviour

1. You shall always treat others with respect.
2. You shall not bully or attempt to bully any person.
3. You shall not do anything which compromises or is intended to compromise the impartiality of those who work for, or on behalf of, the Council.
4. You shall not use or attempt to use your position as a Member improperly to confer an advantage or disadvantage on yourself or any other person.
5. You shall not place yourself under any financial obligation to any person or organisation who might attempt to influence you.
6. When using Council resources you shall act in accordance with the Council's reasonable requirements and policies and shall ensure they are used properly.

7. You shall not disclose information given to you in confidence, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature.
8. You shall not prevent another person from gaining access to information to which that person is entitled by law.
9. You shall not bring the Council or the role of Member into disrepute.
10. You shall comply with any formal standards investigation.

## **B. Interests**

### **Registration of interests**

11. Within 28 days of this code of conduct being adopted by the Council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Registerable Interests).
12. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer.
13. Where you consider that the information relating to any of your registerable interests is a sensitive interest, and the Monitoring Officer agrees, the Monitoring Officer will not include details of the sensitive interest on any copies of the register of Members' interests which are made available for inspection or any published version of the register, but may include a statement that you have an interest, the details of which are withheld under this paragraph.

### **Disclosable Pecuniary Interests (DPI)**

14. Where a matter arises at a meeting which **relates to** an interest in Appendix A, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest but merely the fact that you hold an interest in the matter under discussion.

### **Other registerable interests (ORI)**

15. Where a matter arises at a meeting which **directly relates to** an interest in Appendix B, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest but merely the fact that you hold an interest in the matter under discussion.

### **Non-registerable interests (NRI)**

16. Where a matter arises at a meeting which **directly relates to** your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest', you do not have to declare the nature of the interest but merely the fact that you hold an interest in the matter under discussion.

17. Where a matter arises at a meeting which **affects** the financial interest or well-being of –

- i. you;
- ii. a friend, relative, close associate; or
- iii. a body covered by Appendix B

you must disclose the interest.

18. Where the matter **affects** the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest you must not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

If it is a 'sensitive interest', you do not have to declare the nature of the interest but merely the fact that you hold an interest in the matter under discussion.

### **C. Gifts and hospitality**

19. The acceptance of gifts and hospitality by Members is not merely an administrative issue. It reflects directly upon the perception of the probity of the Council.

20. You shall exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member.

21. You shall register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.

### **3. Review of the Code**

This Code of Conduct shall be reviewed by Council annually.

## Appendix A

Interests described in the table below.

<b>Subject</b>	<b>Description</b>
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 <a href="#">Trade Union and Labour Relations (Consolidation) Act 1992</a> .
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.
Licences	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 has a beneficial interest 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.

## Appendix B

### Other Registerable Interests

- (i) Any 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) Any body—
  - (a) exercising functions of a public nature;
  - (b) directed to charitable purposes; or
  - (c) one of whose principal purposes includes the influence of public opinion or policy

of which you are a member or in a position of general control or management.