

Harby Parish Council Code of Conduct for Members



1. Introduction

- a. The Council has adopted this Code of Conduct pursuant to Section 27 of the Localism Act 2011 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.
- b. This Code is based on the Nolan Principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

2. Application

- a. This Code of Conduct applies to you whenever you are acting in your capacity as a member of the Parish Council, including:
 - i. At formal meetings of the Council, its Committees and Sub-Committees,
 - ii. When acting as a representative of the Parish Council,
 - iii. At briefing meetings with officers,
 - iv. At site visits, and
 - v. When corresponding with the Parish Council other than in a private capacity.

3. General Conduct

You must:

- a. Provide leadership to the Parish Council and communities within its area, by personal example.
- b. Respect others and not bully any person.
- c. Recognise that the Clerk is employed by and serves the Council as a whole.
- d. Respect the confidentiality of information which you receive as a member:
 - i. Not disclosing confidential information to third parties, unless required by law to do so, or where there is a clear and overriding public interest in doing so, and
 - ii. Not obstructing third parties' legal rights of access to information.
- e. Not conduct yourself in a manner which is likely to bring the Parish Council into disrepute.
- f. Use your position as a member in the public interest and not for personal advantage.
- g. Accord with the Parish Council's reasonable rules on the use of public resources for private and political purposes.
- h. Exercise your own independent judgement, taking decisions for good and substantial reasons.
- i. Ensure that the Parish Council acts within the law.

4. Disclosable Pecuniary Interests

You must:-

- a. Comply with the statutory requirements to register, disclose and withdraw from participating (unless you have obtained a dispensation) in respect of any matter in which you have a Disclosable Pecuniary Interest.
- b. Ensure that your Register of Interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your Disclosable Pecuniary Interests.
- c. Make verbal declaration of the existence and nature of any Disclosable Pecuniary Interest at any Meeting at which you are present where an item of business which affects or relates to the subject matter of that interest is under consideration (unless the interest is a sensitive interest, *as defined by the Localism Act*, in which event you need not disclose the nature of the interest).
- d. “Meeting” means any meeting organised by or on behalf of the Parish Council, including:
 - i. Any meeting of the Council, or a Committee or Sub-Committee,
 - ii. Any briefing by officers, and
 - iii. Any site visit to do with business of the Parish Council.

5. Other Interests

- a. In addition to the requirements of Paragraph 4, if you attend a meeting at which any item of business is to be considered and you are aware that you have a “non-disclosable pecuniary interest” or “personal interest” in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.
- b. You have a “non-disclosable pecuniary interest” or “personal interest” in an item of business of your Council where:
 - i. A decision in relation to that business might reasonably be regarded as affecting the well being or financial standing of you, or a member of your family, or a person with whom you have a close association, to a greater extent than it would affect the majority of the inhabitants of the electoral area for which you have been elected, or otherwise of the Council’s administrative area, or
 - ii. It relates to, or is likely to affect, any of the interests listed in the Table in the Schedule to this Code, but in respect of a member of your family (other than your spouse, civil partner or person with whom you are living as spouse or civil partner) or a person with whom you have a close association.

and that interest is not a Disclosable Pecuniary Interest.

This Code is based on Newark and Sherwood District Council’s Code of Conduct for parish councils.

Schedule to the Code of Conduct - Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011. Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows :

Interest	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council</p> <ul style="list-style-type: none">(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	<p>Any beneficial interest in land which is within the Council's area.</p> <p>For this purpose "land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.</p>
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	<p>Any tenancy where (to your knowledge)</p> <ul style="list-style-type: none">(a) the landlord is the Council; and(b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	<p>Any beneficial interest in securities of a body where –</p> <ul style="list-style-type: none">(a) that body (to your knowledge) has a place of business or land in the Council's area and(b) either –<ul style="list-style-type: none">i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; orii. 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 you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class. <p>For this purpose, "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.</p>

NOTE: The provisions in paragraph 4 of the Code in respect of the registration and disclosure of Disclosable Pecuniary Interests and to withdraw from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.