**OVERTON PARISH COUCIL**

**CODE OF CONDUCT**

**ADOPTED BY OVERTON PARISH COUNCIL ON THE 13th March 2017**

# Introduction

Pursuant to Section 27 of the Localism Act 2011, Overton 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. The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time.

**The Code of Conduct is intended to be consistent with the following principles and applies whenever a person is acting in his/her capacity as a Member of the Council**

* **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 or 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 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 public interest.
* **Leadership** – holders of public office should promote and support these principles by leadership and by example and should act in a way the preserves public confidence.

# Member Obligations

**When a member of the Council acts, claims to act or gives the impressions of acting as a representative of the Council, he/she has the following obligations :-**

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 yourself, your family, a friend, a close associate, an employer or a business carried on by you.
2. You must not disclose information that is confidential or where disclosure is prohibited by law.
3. You must not place yourself under any financial or other obligation to individuals or organisations that may influence you in the performance of your official duties.
4. You must not disclose any information given to you, as a Member, in confidence.
5. You must not bring your Council into disrepute.
6. You must treat others with respect and promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of age, disability, gender reassignment, race, religious belief, sex, sexual orientation, marriage or civil partnership, pregnancy and maternity. You should respect the impartiality and integrity of the Council’s members.
7. When representing the Council, you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits on merit.
8. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your Council.
9. You must be open about your decisions and actions and the decisions and actions of your Council and should be prepared to give reasons for those decisions and actions.
10. You must declare any private interests that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest.
11. You must ensure, when using or authorising the use by others of the resources of your Council, that such resources are not used improperly. Council members should abide by the Local Authority Code of Publicity made under the Local Government Act 1986.

# Registration of Interest

1. Within 28 days of this Code being adopted by the Council, or the member’s election or the co-opted member’s appointment, he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
2. Upon the re-election of a member of the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
3. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
4. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a “sensitive interest”. A sensitive interest is one which, if disclosed on a public register, could lead to the member or a person connected with the member to be subject to violence or intimidation.

# Declaration of Interest at Meetings

1. Where a matter arises at a meeting which relates to an interest in Appendix A, the member shall not participate in a decision or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member’s register of interests or if he /she has not notified the Monitoring Officer of it.
2. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
3. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
4. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A) the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if the members of the public are also allowed to speak at the meeting. If it is a “sensitive interest” the member shall declare the interest but not the nature of the interest.

# Dispensations

On written request made to the Council’s proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council’s area to allow the member to take part of it is otherwise appropriate to grant dispensation.

# Appendix A

# Interests defined by regulations made under Section 30(3)\_of the Localism Act 2011 and described in the table below :-

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| **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 member during the 12 month period ending on the latest date referred to under Registration of Interest Item 1 for expenses incurred by him/her in carrying out his/her duties as a member, 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 member or between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in which such a person is a partner in a firm, a director of an incorporated body or holds the beneficial interest in securities\*) and the council.   1. under which goods or services are to be provided or works are to be executed; and 2. which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the Council. |

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| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate Tenancies | Any tenancy where (to the member’s knowledge)-   1. the landlord is the Council; and 2. the tenant is a body in which the member, or his/her spouse or civil partner/the person with whom the member is living as if they were spouses/civil partners has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where –   1. that body (to the member’s knowledge) has a place of business   or land in the area of the Council; and   1. either- 2. the total nominal value of the securities\* exceeds £25,000 or one hundredth of the total issued share capital of that body; or 3. 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. |

# Appendix

An interest which relates to or is likely to effect;

1. anybody of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council
2. 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 the member of the Council is a member or in a position of general control or management;
3. any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

# Complaints

# If anyone wishes to make a complaint about Overton Parish Council, Overton Parish Councillors, persons acting for and on behalf of Overton Parish Council or employees of Overton Parish Council they should do so by reporting it to :-

**The Monitoring Officer**

**Lancaster City Council**

**Town Hall**

**Lancaster LA1 1PJ.**

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