

Monk Fryston Parish Council Document 005	Page 1 of 6
Code of Conduct	Rev: 3.0
Prepared and Issued by: Sue Woodhall	Issued: 16th August 2022
Approved 16th August 2022 minute 9b	

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Document Change History

Revision	Date	Author	Verified	Section	Change Description
1	12/6/12	BH	PC	new	Adapted from NALC model
2	13/8/13	BH	PC	reviewed	no changes
3	16/8/22	SW		Various sections updated	To bring in line with current NALC

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1.0 Introduction

Pursuant to section 27 of the Localism Act 2011, Monk Fryston 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 principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

2.0 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 sub-committee.

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

3.0 Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. The member shall behave in such a way that a reasonable person would regard as respectful. Respect means politeness and courtesy in behaviour, speech, and in the written word
2. The member shall not act in a way which a reasonable person would regard as bullying or intimidation. Bullying is characterised by offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.
3. The member shall not seek to improperly confer an advantage or disadvantage on any person.
4. The member shall use the resources of the Council in accordance with its requirements
5. The member shall not disclose information which is confidential or where disclosure is prohibited by law. This applies to disclosure of any information
 - a. given in confidence by anyone
 - b. acquired and which it is reasonable to believe is of a confidential nature, unless
 - i. required by law to do so
 - ii. The disclosure is to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to another person.
 - iii. disclosure is made to a third party for the purpose of obtaining professional legal advice and that the third party agrees not to disclose the information to any other person.

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- iv. The disclosure is reasonable and in the public interest, made in good faith and within the requirements of the local authority
6. The member shall not improperly use knowledge gained as for the advantage of friends or family.
7. The member will not prevent anyone from obtaining information to which they are entitled to by law
8. The member will not bring their role or Local Authority into disrepute.

4.0 Registration of interests

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members.

Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register all interests which fall within the categories set out in Appendices A and B.

1. Upon the re-election of a member or the re-appointment of a co-opted member, The member shall within 28 days re-register any interests in Appendices A and B.
2. A member shall register any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
3. A member need only declare on the public register of interests 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 the member or a person connected with the member to be subject to violence or intimidation.

5.0 Declaration of interests

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

6.0 Dispensations

On a written request made to the Council's proper officer, the Council may grant a member dispensation to participate in a discussion and vote on a matter at a meeting even if the member

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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 or it is otherwise appropriate to grant a dispensation.

7.0 Gifts and Hospitality

1. Members shall not accept gifts or hospitality, irrespective of estimated value, which could give rise to/cause suspicion of a real or substantive personal gain or a reasonable suspicion of influence.
2. Any offers of a significant gift or hospitality, whether refused or accepted will be registered with the Clerk
3. Any gift or hospitality of an estimated value of at least £50 must be registered with the clerk within 28 days of receipt.
4. The clerk will maintain the register of Gifts and Hospitality and report such at the next available Parish Council meeting.

Appendix A

Such interests, as prescribed by regulations, are.....

There are no areas of dispensation identified at the present time

If any areas become apparent, they shall be raised at a full Parish council meeting and be subject to approval. Once approved they shall be included in this appendix.

Appendix B

[Unless they are interests prescribed by regulation for inclusion in Appendix A] any interest which relates to or is likely to affect:

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. any body
 - exercising functions of a public nature.
 - directed to charitable purposes; or
 - 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 employment or business carried on by the member.
4. any person or body who employs or has appointed the member.
5. any person or body, other than the Council, who has made a payment to the member in respect of his/her election or any expenses incurred by him/her in carrying out his/her duties;
6. any person or body who has a place of business or land in the Council's area, and in whom the member has a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
7. any contract for goods, services or works made between the member's Council and the member or a firm in which he/she is a partner, a company of which he /she is a remunerated director, or a person or body of the description specified in paragraph (vi);
8. any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.
9. any land in the Council's area in which the member has a beneficial interest;
10. any land where the landlord is the Council and the member is, or a firm in which the member is a partner, a company of which the member is a remunerated director, or a person or body of the description specified in paragraph (vi), is the tenant;
11. any land in the Council's area for which the member has a licence (alone or jointly with others) to occupy for 28 days or longer.