

Winsley Parish Council Code of Conduct



1. Introduction

- 1.1. Pursuant to section 27(2) of the Localism Act 2011, Winsley Parish Council (hereafter referred to as '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.
- 1.2. This Code of Conduct is consistent with the principles of *selflessness, integrity, objectivity, accountability, openness, honesty, and leadership*.

2. Definitions

- 2.1. 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 Advisory Group of the Council and who is entitled to vote on any question that falls to be decided at any meeting of that Activity Group.
- 2.2. For the purposes of this Code:
A 'meeting' is a meeting of the Council or its Advisory Groups.
- 2.3. For the purposes of this Code, and unless otherwise expressed;
Reference to a member of the Council includes a co-opted member of the Council.

3. Member obligations

- 3.1. When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, they have the following obligations.
 - 3.1.1. They shall behave in such a way a reasonable person would regard their behaviour as respectful.
 - 3.1.2. They shall not act in a way which a reasonable person would regard as bullying or intimidation.
 - 3.1.3. They shall not seek to improperly confer an advantage or disadvantage on any person.
 - 3.1.4. They shall use the resources of the Council in accordance with its requirements.
 - 3.1.5. They shall not disclose information which is confidential or where disclosure is prohibited by law.

4. Registration of Interests

- 4.1. Members of the Council shall register their interests on the following occasions:
 - 4.1.1. 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), they shall register with Wiltshire Council's Monitoring Officer the interests which fall within the categories set out in Appendices A and B.



4.1.2. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with Wiltshire Council's Monitoring Officer any interests in Appendices A and B.

4.1.3. Where there is any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.

4.2. 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 the member or a person connected with the member to be subject to violence or intimidation.

4.3. Members of the Council shall register online at the following address:

<http://www.wiltshire.gov.uk/registerofinterests.htm>.

4.4. Any member of the electorate can view the Register of Interests online at the following address: <http://services.wiltshire.gov.uk/TownAndParish/ROI/>

Further details relating to the Register of Interests and Dispensations are at Standing Order 3.23 and Standing Order 13.

5. Declaration of interests at meetings

5.1. 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. They should only declare what their interest is if it is not already entered in the member's register of interests or if they have not notified the Monitoring Officer of it.

5.2. 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 they have an interest but not the nature of it.

5.3. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. They may speak on the matter only if members of the public are also allowed to speak at the meeting.

5.4. A member should only declare their interests listed at Appendix B, if it is not already entered in their register of interests or they have not notified the Monitoring Officer of it or if they speak on the matter. If they hold an interest in Appendix B, which is a sensitive interest not already disclosed to the Monitoring Officer, they shall declare the interest but not the nature of the interest.

5.5. 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. They 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' the member shall declare the interest but not the nature of the interest.

Further details relating to the Register of Interests and Dispensations are at Standing Order 3.23 and Standing Order 13.



6. Dispensations

- 6.1. On a written request made to the Council's Proper Officer (Parish Clerk), the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting, even if they have 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.

Further details relating to the Register of Interests and Dispensations are at Standing Order 3.23 and Standing Order 13.

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Appendix A – Material Interests

| Subject | Description |
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| Employment, office, trade, profession or vocation, sponsorship | <p>Any employment, office, trade, profession or vocation carried on for profit or gain.</p> <p>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 in para 6 above, for expenses incurred by them in carrying out their duties as a member, or towards their 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 made between the member or their spouse or civil partner or the person with whom the member 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.</p> |
| Land | <p>Any beneficial interest in land which is within the area of the Council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the member or their spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p> |
| Licences | <p>Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.</p> |
| Corporate Tenancies | <p>Any tenancy where (to the member’s knowledge)— (a) the landlord is the Council; and (b) the tenant is a body that the member, or their spouse or civil partner or the person with whom the member 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*</p> |
| Securities | <p>Any beneficial interest in securities* of a body where— (a) that body (to the member’s knowledge) has a place of business or land in the area of the Council; and</p> |



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| | <p>(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 member, or their spouse or civil partner or the person with whom the member 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.</p> |
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Appendix B – Influential Interests

An interest which relates to or is likely to affect:

1. Any body 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 which:
 - 2.1 Exercises functions of a public nature;
 - 2.2 Is directed to charitable purposes; or
 - 2.3 Has a principal purpose to influence 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 their office.