

West Hill Parish Council

Code of Conduct

Adopted 16 May 2017

Code of Conduct for West Hill Parish Council

Introduction

Pursuant to section 27 of the Localism Act 2011, West Hill Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its elected and co-opted parish councillors 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.

Definitions

For the purposes of this Code, a 'co-opted councillor' is a person who is not a member of West Hill Parish Council but who is either a member of any of its committees or sub-committees, or represents the Parish Council on any joint committee or joint sub-committee, 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 West Hill Parish Council, any of its committees, sub-committees, working groups, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of West Hill Parish Council includes a co-opted member of West Hill Parish Council.

The Monitoring officer is the Monitoring officer of East Devon District Council

Member obligations

When a member of West Hill Parish Council acts, claims to act or gives the impression of acting as a representative of West Hill Parish Council, they have the following obligations.

1. They shall behave in such a way that a reasonable person would regard as respectful.
2. They shall not act in a way which a reasonable person would regard as bullying or intimidation.
3. They shall not seek to improperly confer an advantage or disadvantage on any person.
4. They shall use the resources of West Hill Parish Council in accordance with its requirements.

5. They shall not disclose information which is confidential or where disclosure is prohibited by law.
6. Councillors summoned to and/or attending a meeting are regarded as acting as a West Hill Parish Councillor when within the room in which the meeting is to take place and are subject to the Code of Conduct.
7. Any councillor speaking as a member of the public is still subject to the Code of Conduct and Standing Orders.

Registration of interests

8. Within 28 days of this Code being adopted by West Hill Parish Council, or the parish councillor's election or the co-opted member's appointment (where that is later), they shall register with the Monitoring Officer (East Devon District Council) the declaration of interests as set out in Appendices A and B below.
9. Upon the re-election of a parish councillor or the re-appointment of a co-opted councillor, they shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
10. A parish councillor 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.
11. A parish councillor 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 councillor or a person connected with the councillor to be subject to violence or intimidation.

Declaration of interests at meetings

12. Where a matter arises at a meeting which relates to an interest in Appendix A the parish councillor shall not participate in a discussion or vote on the matter. They only have to 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.
13. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the parish councillor 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 parish councillor shall disclose they have an interest but not the nature of it.
14. Where a matter arises at a meeting which relates to an interest in Appendix B, the parish councillor 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.
15. A parish councillor only has to declare their interest in 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.

16. 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 parish councillor 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 councillor shall declare the interest but not the nature of the interest.

Dispensations

17. On a written request made to West Hill Parish Council's proper officer, the Council may, grant a councillor 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 West Hill Parish Council believes that the number of councillors 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 West Hill Parish Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Appendix A

Interests defined by regulations made under section 30(3) of the Localism Act 2011 and described in the table below. 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 West Hill Parish Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above 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 West Hill Parish 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	Any beneficial interest in land which is within the area of West Hill Parish Council.
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)—
(a) the landlord is West Hill Parish Council; and	
(b) 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—
(a) that body (to the member's knowledge) has a place of business or land in the area of West Hill Parish 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.	

Appendix B

An interest which relates to or is likely to affect:

(i) any body of which the member is in a position of general control or management and to which They are appointed or nominated by West Hill Parish Council;

(ii) any body—

(a) exercising functions of a public nature;

(b) directed to charitable purposes; or

(c) one whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which the member of West Hill Parish Council is a member or in a position of general control or management;

(iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.