

BREDE PARISH COUNCIL CODE OF CONDUCT FOR MEMBERS JULY 2012

Introduction

Pursuant to section 27 of the Localism Act 2011, Brede 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.

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.

A '**meeting**' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

Unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

'**Register of members' interests**' means Rother District Council's register of members' pecuniary and other interests established and maintained by Rother District Council's Monitoring Officer under section 29 of the Localism Act.

'**Monitoring Officer**' is the Monitoring Officer of Rother District Council who must maintain a register under Section of the Localism Act 2011.

'**Partner**' means

- Your spouse or civil partner
- A person with whom you are living as husband or wife
- A person with whom you are living as if you were civil partners.

NB: The interest which your partner may have is only treated as your interest if you are aware that your partner has the interest.

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. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

Registration of interests

6. 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 with the Monitoring Officer the interests which fall within the categories set out in Appendix A (**disclosable pecuniary interests**).
7. 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 with the Monitoring Officer the interests which fall within the categories set out in Appendix B (**personal interests**).
8. 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 the Monitoring Officer any interests in Appendices A and B as detailed in paras 6 and 7 above.
9. 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 as detailed in paras 6 and 7 above.
10. 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.

Declaration of interests at meetings

10. Where a matter arises at a meeting which relates to an interest in Appendix A (**disclosable pecuniary interests of him/herself or spouse**) the member shall not participate in a discussion or vote on the matter and shall leave the meeting immediately the Chairman announces the relevant agenda item.
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.
11. Where a matter arises at a meeting which relates to an interest in Appendix A (**disclosable pecuniary interests of him/herself or spouse**) which is a sensitive interest, the member shall not participate in a discussion or vote on the matter and shall leave the meeting immediately the Chairman

announces the relevant agenda item. 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.

12. Where a matter arises at a meeting which relates to an interest in Appendix B (**personal interests**), 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 (even if no members of the public are present). However, a personal interest will become prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the member's judgement of the public interest. In these cases, the members should leave the meeting immediately after making representation, giving evidence or answering questions.
13. A member only has to declare his/her interest in Appendix B (**personal interests**), 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.
14. 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, **disclosable pecuniary interests**), the member shall disclose the nature of the interest and 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. (even if no members of the public are present). If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

Dispensations

15. On a written request made to the Brede Parish Council's proper officer, Brede Parish 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 or it is otherwise appropriate to grant a dispensation.