CLIFTON COMMUNITY COUNCIL

Clerk: Becx Carter, 40 Windebrowe Avenue, Keswick, Cumbria, CA12 4JA. Tel: 077866 78283
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Code of Conduct

1 PURPOSE AND SCOPE OF THE CODE

Clifton Community Council ("the Council") has adopted the following Code dealing with the conduct that is expected of members and co-opted members of the Council ("Members") when they are acting in that capacity (or when they claim to act, or give the impression of acting, as a representative of the Council) as required by section 27 of the Localism Act 2011 ("the Act").

The Council has a statutory duty under the Act to promote and maintain high standards of conduct by Members and the Code sets out the standards that the Council expects Members to observe.

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. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.

The Code is intended to be consistent with the Seven Principles set out in Section 4 of this document and it applies whenever a person is acting in his/her capacity as a Member of the Council or co-opted Member in the conduct of the Council's business or acting as a representative of the Council.

2 WHEN ACTING IN YOUR CAPACITY AS A COUNCILLOR

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 place yourself under a financial or other obligation to outside individuals or organisations that may influence you in the performance of your official duties.
3. You must not disclose any information given to you as a Member in breach of any confidence.
4. You must not bring your office or your Council into disrepute.
5. You must treat others with respect and promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability. You should respect the impartiality and integrity of the Council's statutory officers and its other employees.
6. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits on merit.
7. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
8. You must be as open as possible 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.

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9. You must declare any private interests, both disclosable pecuniary interests and any other registrable interests, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner which conforms with the procedures set out below.
10. You must ensure, when using or authorising the use by others of the resources of your Council, that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Council Code of Publicity made under the Local Government Act 1986.
11. You must promote and support high standards of conduct when serving in your office.

3 REGISTERING AND DECLARING DISCLOSABLE PECUNIARY AND OTHER REGISTERABLE INTERESTS

1. You must, within 28 days of taking office as a member or co-opted member, notify your Council's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners. These interests are set out in Section 5.1 of this document.
2. In addition, you must, within 28 days of taking office as a member or co-opted member, notify your Council's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which the Council has decided should be included in the register. These are set out in Section 5.2 of this document.
3. If an interest has not been entered onto the Council's register, then the Member must disclose the interest to any meeting of the Council at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest' as described by the Localism Act 2011.
4. Following any disclosure of an interest not on the Council's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
5. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your Council.

4 SEVEN GENERAL PRINCIPLES OF CONDUCT

The Localism Act 2011 requires the adoption of a Code that is consistent with the seven "Nolan Principles" of conduct. These are listed below.

4.1 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.

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4.2 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.

4.3 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.

4.4 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.

4.5 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.

4.6 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 the public interest.

4.7 Leadership

Holders of public office should promote and support these principles by leadership and by example, and should act in a way that secures or preserves public confidence.

5 PECUNIARY AND OTHER REGISTERABLE INTERESTS

5.1 Disclosable Pecuniary Interests

It is a legal requirement for Members to enter these interests into the Council's register. They are defined in regulations issued by the Secretary of State.

1. Details of any employment, office, trade, profession or vocation carried on for profit or gain.
2. Details of any payment or provision of any other financial benefit (other than from the relevant Council) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. (This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.)
3. Details of any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant 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.

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4. Details of any beneficial interest in land which is within the area of the relevant Council.
5. Details of any licence (alone or jointly with others) to occupy land in the area of the relevant Council for a month or longer.
6. Details of any tenancy where (to M's knowledge):
    a. The landlord is the relevant Council; and
    b. The tenant is a body in which the relevant person has a beneficial interest.
7. Details of any beneficial interest in securities of a body where
    a. That body (to M's knowledge) has a place of business or land in the area of the relevant 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 that 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.

5.2 Other Registerable Interests

Clifton Community Council has resolved that all Members shall also enter the following into the Council's Register.

8. Details of any body of which you are a member, or in a position of general control or management, and to which you are appointed or nominated by the Council.
9. Details of any body of which you are a member, or in a position of general control or management, and which:
    a. Exercises function of a public nature;
    b. Is directed towards charitable purposes; or
    c. Is a body which includes as one of its principal purposes influencing public opinion or policy (this includes political parties or trade unions).
10. Details of any persons from whom you have received a gift or hospitality with an estimated value of at least £50. (You must register any gifts or hospitality worth £50 or over that you receive personally in connection with your official duties).

Approved: May 2021

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