

Funtington Parish Council

Code of Conduct

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| <p>In the case of hard copies of this policy the content can only be assured to be accurate on the date of issue marked on the document.</p> <p>For assurance that the most up to date policy is being used, staff should refer to the version held on the Funtington Parish website. www.funtingtonpc.org</p> | |

1. Introduction

This Code applies to you as a member of Funtington Parish Council (the Council) when you act in your role as a member. It is your responsibility to comply with the provisions of this Code.

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role.

Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct and by challenging behaviour which falls below those expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

The Code has been designed to:

- protect the democratic role of a councillor;
- encourage good conduct; and
- safeguard the public's trust in local government.

2. Definitions

For the purposes of the Code of Conduct, a "councillor" means a member or co-opted member of the Council. A co-opted member is defined in the Localism Act 2011 Section 29(4) as a "person who is not a member of the authority but is a member of any Council committee or sub-committee and entitled to vote on any question which has to be decided by those committees.

3. Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist and protect councillors by:

- setting out the general principles of conduct expected of all councillors
- setting out specific obligations in relation standards of conduct;
- providing a personal check and balance; and
- setting out the type of conduct that could lead to action against you.

4. General principles of councillor conduct

Everyone in public office at all levels, including parish councillors should uphold the [Seven Principles of Public Life](#) also known as the Nolan Principles. (also at Appendix A)

Building on these principles, the following general principles have been developed with the role of councillor in mind

In accordance with the public trust placed in councillors, they will, on all occasions:

- act with integrity and honesty
- act lawfully
- treat all persons fairly and with respect; and
- lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking the role, councillors will:

- impartially exercise responsibilities in the interests of the local community;
- not misuse council resources;
- register and disclose their Disclosable Pecuniary Interests (see Appendix B)
- not improperly seek to confer an advantage, or disadvantage, on any person;
- not bring their role or that of the Council into disrepute;
- avoid conflicts of interest;
- not bully, harass or discriminate;
- not breach confidentiality or improperly use knowledge gained solely as a result of their role as a councillor;
- be impartial and not attempt to compromise others;
- exercise reasonable care and diligence;
- ensure that public resources are used prudently in accordance with their local council's requirements and in the public interest; and
- not accept gifts or hospitality, which could give rise to real or substantive personal gain.

5. Application of the Code of Conduct

This Code of Conduct applies as soon as a councillor signs their declaration of acceptance to the office or, for a co-opted member, their first meeting. Application of the code continues until the role ceases.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings

- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments

The Monitoring Officer at Chichester District Council has statutory responsibility for the implementation of the Code of Conduct and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code, or from the Clerk who may refer matters to the Monitoring Officer.

The Seven Principles of Public Life (Nolan Principles)

1 Selflessness

Councillors have a general duty to act with probity and prudence in the best interest of the Council as a whole. They should not act in order to gain financial or other benefits for themselves, their family, their friends, or any organisation from which they come.

2 Integrity

Councillors should conduct themselves in a manner which does not damage or undermine the reputation of the Council or its staff. More specifically they:

- 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 role;
- must avoid actual impropriety and any appearance of improper behaviour; and
- should avoid accepting gifts and hospitality that might reasonably be thought to influence their judgment, and any gift or hospitality received in any connection to the Council over the value of £50 should be declared.

3 Objectivity

In carrying out their role, including making appointments, awarding contracts, recommending individuals for rewards and benefits, or transacting other business, Councillors should ensure that decisions are made solely on merit. In arriving at decisions in areas where they do not have expertise themselves, appropriate professional advice should be considered.

4 Accountability

Councillors:

- have a duty to comply with constitutional and legal requirements and to adhere to best practice in such a way as to preserve confidence in the Council; and
- are accountable to all stakeholders for their decisions, effectiveness, and the performance of the Council.

5 Openness

Councillors should ensure that confidential information and material, including material about individuals, is handled in accordance with due care so that it remains confidential. In addition they should be as open as possible about their decisions and the actions that they take. As far as possible, they should give reasons for their decisions and restrict information only when the wider interest clearly demands.

6 Honesty

Councillors have a duty to avoid any conflict of interest so far as is reasonably practicable. In particular they must make known any interest in any matter under discussion which:

- creates either a real danger of bias (that is, the interest affects him/her, or a member of his/her family, or friends, or organisation, more than the generality affected by the decision); or
- which might reasonably cause others to think it could influence the decision

He/she should declare the nature of the interest and withdraw from the room and not participate in discussion and decision making, unless the remaining Councillors agree otherwise.

7 Leadership

Councillors must:

- promote and support the principles of leadership by example;
- strive to attend all meetings regularly, ensuring they prepare for and contribute appropriately and effectively, and avoid dominating the contributions of others;
- bring a fair and open minded view to all discussions, maintaining a respectful balance between speaking and listening, treating different views with respect, and ensuring that all decisions are made in the Council's best interests;
- respect the authority of the Chair;
- having given delegated authority to any of their number or to any staff, be careful - individually and collectively - not to undermine it by word or action; accept and respect the difference in roles between the Councillors and others, ensuring that all work effectively and cohesively for the benefit of the Council, and develop a mutually supportive and loyal relationship;
- abide by any equal opportunities, diversity, health and safety, bullying and harassment and any other adopted policies;
- when speaking or writing as a Councillor, ensure comments reflect current Council policy even when they might be at variance with personal views; and
- when speaking privately, strive to uphold the reputation of the Council and those who work in it.

Appendix B

| Subject | Description |
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| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.] |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, 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 councillor or his/her spouse or civil partner or the person with whom the councillor 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; (b) band which has not been fully discharged. |
| Land and property | Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income |
| Licenses | Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer |
| Corporate tenancies | Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor 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* of. |
| Securities | Any beneficial interest in securities* of a body where— a) that body (to the councillor's knowledge) has a place of business or land in the area of the 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 councillor, or his/ her spouse or civil partner or the person with whom the councillor 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 |