

STOTFOLD TOWN COUNCIL

CODE OF CONDUCT

1.0 Introduction

- 1.1 This Code of Conduct (“the Code”) has been adopted by Stotfold Town Council as required by Section 27 of the Localism Act 2011 (“the Act”), 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 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.
- 1.3 The Code is consistent with the following principles (the “Nolan” principles of standards in public life):

Selflessness
Integrity
Objectivity
Accountability
Openness
Honesty
Leadership

2.0 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 committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee, joint sub-committee or working group/party 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.
- 2.2 For the purposes of this Code, a ‘meeting’ is a meeting of the Council, any of its committees, sub-committees, joint committees, joint sub-committees or working group/party.
- 2.3 For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

3.0 What standards of Conduct are members expected to observe?

Selflessness:

- 3.1 Members must always act in the public interest.
- 3.2 Members must never use their position as a member of Council improperly to secure for themselves or any other person, an advantage or disadvantage.
- 3.3 Members must not use the Council’s resources improperly for personal or party political purposes.
- 3.4 Members shall behave in such a way that a reasonable person would regard as respectful.

3.5 Members shall not act in a way which a reasonable person would regard as bullying or intimidatory.

Integrity:

3.6 Members must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

3.7 Members must not disclose information given to them in confidence, or where disclosure is prohibited by law.

Objectivity:

3.8 When making decisions on behalf of the Council, including awarding contracts or making appointments, members must do so on merit.

3.9 Members must have regard to any relevant advice provided to them by the Clerk to the Council and the Responsible Financial Officer.

Accountability:

3.10 Members must act in accordance with their legal obligations, including the following Acts of Parliament that confer special obligations on elected Councillors:

Local Government Act 1972
Employment Rights Act 1996
Data Protection Act 1998
Freedom of Information Act 2000
Bribery Act 2010
Equality Act 2010
Localism Act 2011

3.11 Members must act in accordance with the Council's policies and reasonable requirements, including any protocols and codes of practice that may apply.

Openness:

3.12 Members must give reasons for any decisions taken on behalf of the Council in accordance with any statutory requirements and the Council's Standing Orders.

3.13 Members must not prevent another person from gaining access to information to which that person is entitled by law.

Honesty:

3.14 Members must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a member of the Council.

3.15 Members must at all times ensure that their claims for expenses, allowances, and their use of facilities and services provided by the Council are strictly in accordance with the rules laid down on these matters.

Leadership:

3.16 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its members.

- 3.17 Members must show respect and courtesy to others.
- 3.18 Members should value the Council's officers and work alongside them to achieve the Council's objectives. Members must on no account behave in a manner that might constitute bullying.

4.0 Interests

Registration of interests

- 4.1 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), he/she shall register with the Monitoring Officer at Central Bedfordshire Council, via the Town Clerk, the interests which fall within the categories set out in Schedules 1 and 2.
- 4.2 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 the Monitoring Officer any interests in Schedules 1 and 2.
- 4.3 A member shall register with the Monitoring Officer any change to interests or new interests in Schedules 1 and 2 within 28 days of becoming aware of it.
- 4.4 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

- 4.5 Where a matter arises at a meeting which relates to an interest in Schedule 1 the member shall not participate in a discussion or vote on the matter, and shall withdraw from the meeting. 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.
- 4.6 Where a matter arises at a meeting which relates to an interest in Schedule 1 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 he/she has an interest but not the nature of it.
- 4.7 Where a matter arises at a meeting which relates to an interest in Schedule 2, the member shall not vote on the matter and shall withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting.
- 4.8 A member only has to declare his/her interest in Schedule 2 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 Schedule 2 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.
- 4.9 Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than interests in Schedule 1), the member shall disclose the nature of the interest and withdraw from the meeting. He/she may also speak on the matter before withdrawing 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.

Dispensations

- 4.10 On a written request made to the Council's proper officer (Town Clerk), the Council may grant a member a dispensation to participation in a discussion and vote on a matter at a meeting even if he/she has an interest in Schedules 1 and 2 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.

SCHEDULE 1

Disclosable Pecuniary Interests

Within 28 days of becoming a Member or co-opted Member of Stotfold Town Council, Members must notify the Monitoring Officer, via the Town Clerk, of any 'disclosable pecuniary interests'.

A 'disclosable pecuniary interest' is an interest of yourself or your partner (which means a spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

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 the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 4.1 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 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.
Land	Any beneficial interest in land which is within the area of the 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 the 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 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

SCHEDULE 2

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 he/she is appointed or nominated by the Council;
- (ii) any body –
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- (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;