

BURGHWALLIS PARISH COUNCIL

CODE OF CONDUCT With effect from 3rd. August 2012

1.0 INTRODUCTION

- 1.1 This Code of Conduct (“the Code”) has been adopted by Burghwallis Parish Council as required by Section 27 of the Localism Act 2011 (“the Act”).
- 1.2 The Parish Council has a statutory duty under the Act to promote and maintain high standards of conduct by Parish Councillors and co-opted Parish Councillors of the Parish Council and the Code sets out the standards that the Parish Council expects Councillors to observe.
- 1.3 The Code is not intended to be an exhaustive list of all the obligations that are placed on Parish Councillors. It is the responsibility of individual Parish Councillors to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time.
- 1.4 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 WHO DOES THE CODE APPLY TO?

- 2.1 The Code applies to all Councillors of the Parish Council and to all co-opted Parish Councillors of any committee, sub-committee or joint committee or sub-committee of the Parish Council.

3.0 WHEN DOES THE CODE APPLY?

- 3.1 The Code applies whenever a person is acting in his/her official capacity as a Councillor of the Parish Council or co-opted Councillor in the conduct of the Parish Council’s business or acting as a representative of the Parish Council.

4.0 WHAT STANDARDS OF CONDUCT ARE PARISH COUNCILLORS EXPECTED TO OBSERVE?

Selflessness:

- 4.1 Parish Councillors must always act in the public interest.
- 4.2 Parish Councillors must never use their position as a Parish Councillor of the Parish Council improperly to secure for themselves or any other person, an advantage or disadvantage.
- 4.3 Parish Councillors must not use the Parish Council’s resources improperly for personal or party political purposes.

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Integrity:

- 4.4 Parish Councillors must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Parish Council.
- 4.5 Parish Councillors must not disclose information given to them in confidence.

Objectivity:

- 4.6 When making decisions on behalf of the Parish Council, including awarding contracts or making appointments, Parish Councillors must do so on merit.
- 4.7 Parish Councillors must have regard to any relevant advice provided to them by the Clerk where such advice is provided pursuant to his or her statutory duties.

Accountability:

- 4.8 Parish Councillors must act in accordance with their legal obligations, including the following Acts of Parliament that confer special obligations on elected Parish 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
- 4.9 Parish Councillors must act in accordance with the Parish Council's policies and reasonable requirements, including any protocols and codes of practice that may apply. (eg in respect of Parish Councillor/Clerk relations).

Openness:

- 4.10 Parish Councillors must give reasons for any decisions taken on behalf of the Parish Council in accordance with any statutory requirements and the Parish Council's Constitution.
- 4.11 Parish Councillors must not prevent another person from gaining access to information to which that person is entitled by law.

Honesty:

- 4.12 Parish Councillors must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a Councillor of the Parish Council.
- 4.13 Parish Councillors must at all times ensure that any claims for expenses, and their use of facilities and services provided by the Parish Council are strictly in accordance with the rules laid down on these matters.

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Leadership:

- 4.14 Parish Councillors must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Parish Council and its Councillors.
- 4.15 Parish Councillors must show respect and courtesy to others.
- 4.16 In their dealings with the Clerk, Parish Councillors should on no account behave in a manner that might constitute bullying.

5.0 REGISTER OF INTERESTS

- 5.1 Doncaster Council Monitoring Officer maintains a register of interests of Parish Councillors and co-opted Parish Councillors of Burghwallis Parish Council. A copy of the register will be available for public inspection at Catmose.
- 5.2 The Parish Council has determined what interests Parish Councillors are required to enter in the register of interests, including those disclosable pecuniary interests prescribed by regulations. These disclosable pecuniary interests are listed in Schedule 1. The other disclosable interests are listed in Schedule 2.
- 5.3 Parish Councillors must notify the Clerk of any disclosable pecuniary and non-pecuniary interests that should be recorded in the Parish Council's register of interests. In turn the Clerk should inform the Monitoring Officer.
- 5.4 Within 28 days of becoming a Parish Councillor, all Parish Councillors must submit to the Clerk a list of their disclosable interests and must notify the Clerk of any changes as and when they arise.
- 5.5 Where a Parish Councillor considers that disclosure of the details of an interest could lead to the Parish Councillor, or a person connected with the Parish Councillor, being subject to violence or intimidation if the interest is entered in the register, and the Monitoring Officer agrees, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that the Parish Councillor has an interest the details of which are withheld.
- 5.6 Where a disclosable interest exists, whether or not it has been entered in the register of interests, a Parish Councillor must disclose the interest to any meeting of the authority at which the Parish Councillor is present and where an item of business at that meeting relates to that disclosable interest.

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Schedule 1 – Disclosable Pecuniary Interests

In this Schedule, “C” means a Parish Councillor or co-opted Parish Councillor of Burghwallis Parish Council.

The interests to be disclosed include those interests (of which C is aware) of C’s partner, which means spouse or civil partner, a person with whom C is living as husband or wife, or a person with whom C is living as if they were civil partners.

Subject	Prescribed description
Employment, office, trade, profession or vacation	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 relevant authority) made or provided within the relevant period in respect of any expenses incurred by C in carrying out duties as a Parish Councillor, or towards the election expenses of C. 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 which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (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 relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

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Corporate tenancies	Any tenancy where (to 's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to C's knowledge) has a place of business or land in the area of the relevant authority; 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.

Schedule 2 - Disclosable interests other than disclosable pecuniary interests

- (i) Any body of which the Parish Councillor is in a position of general control or management and to which he/she is appointed or nominated by the Parish 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)
 of which the Councillor of Burghwallis Parish Council is a Councillor or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of £50, which the Parish Councillor has received by virtue of his or her office.