

MYNDTOWN COMBINED PARISH COUNCIL
Grouping the parishes of Myndtown, Norbury, Ratlinghope & Wentnor

Using the
Local Government Association
Model Code of Conduct 2020 (Updated 2021)

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 you can be held accountable, and all adopt the behaviours and responsibilities associated with the role. Your conduct as an individual councillor affects the reputation of all councillors.

As councillors you represent local residents, work to develop better services and deliver local change. The public entrust you to represent your local area, taking decisions fairly, openly and transparently. You have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct and by challenging behaviour that falls below expectations.

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

This Code has been designed to protect your democratic role, encourage good conduct and safeguard the public's trust in local government.

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you; to provide a personal check and balance and to set out the type of conduct that could lead to action being taken against you.

All councils are required to have a local Councillor Code of Conduct which applies to you as soon as you sign your declaration of office as a councillor, whether by election or co-option and continues to apply until you cease to be a councillor. This Code of Conduct applies when you are acting in your capacity as a councillor which may include when:

- You misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor

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 electronic and social media communication, posts, statements and comments.

This Code is based on the Seven Principles of Public Life (the Nolan Principles) of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

Building on these principles, the following general principles have been developed specifically for the role of a councillor in accordance with public trust, on all occasions.

- I will act with integrity and honesty
- I will act lawfully
- I will treat all persons fairly and with respect: and
- I will lead by example and act in a way that secures public confidence in my role and in undertaking my role:
- I will impartially exercise my responsibilities in the interests of the local community
- I will not improperly seek to confer an advantage, or disadvantage, on any person

- I will avoid conflicts of interest
- I will exercise reasonable care and diligence: and
- I will ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest

The following are the minimum standards of conduct required of you as a councillor:

General Conduct:

- 1. Respect.** As a councillor -
 - 1.1 I will treat other councillors and members of the public with respect.**
 - 1.2 I will treat local authority employees and partner organisation members with respect and respect the role they play.**
- 2. Bullying, Harassment and discrimination.** As a councillor -
 - 2.1 I will not bully any person**
 - 2.2 I will not harass any person**
 - 2.3 I will promote equalities and will not discriminate unlawfully against any person.**

(Best Practise 1) ACAS characterises bullying as offensive, intimidating, malicious or insulting behaviour through means that undermine, humiliate, denigrate or injure the recipient including through face-to-face meetings, social media, email or phone calls, at work or social events. Likewise, formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council body rather than the clerk in all but exceptional circumstances. (Best Practise 11)

- 3. Impartiality:** As a councillor –
 - 3.1 I will not compromise or attempt to compromise the impartiality of anyone who works for or on behalf of the local authority.**
- 4. Confidentiality and access to information:** As a councillor –
 - 4.1 I will not disclose information:**
 - a. Given to me in confidence**
 - b. Acquired by me which I believe or ought reasonably to be aware is of a confidential nature, unless**
 - i. I have received the consent of the person authorised to give it**
 - ii. I am required by law to do so**
 - iii. The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person or**
 - iv. The disclosure is:**
 - 1. Reasonable and in the public interest**
 - 2. Made in good faith and in compliance with the reasonable requirements of the local authority, and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

The Monitoring Officer can provide advice to parish councils, including support and management of investigations on alleged breaches. (Best Practice 12 & 8)

- 4.2 I will not properly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my family members, my friends, my employer or my business interests**
- 4.3 I will not prevent anyone from getting information that they are entitled to by law**
- 5. Disrepute:** As a councillor –
 - 5.1 I will not bring my role into dispute**

As a councillor you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. This includes behaviour considered dishonest and/or deceitful.

6. Use of position: As a councillor –

6.1 I will not use or attempt to use my position improperly to the advantage or disadvantage of myself or anyone else.

6.2 As a councillor I will not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or any persons who may apply to the local authority for any permission, licence or other significant advantage. (Best Practise 5)

7. Complying with the Code of Conduct: As a councillor –

7.1 I will cooperate with any Code of Conduct investigation and/or determination

7.2 I will not intimidate or attempt to intimidate any person who is likely to be involved in the administration of any investigation or proceedings

7.3 I will comply with any sanction imposed on me following a finding that I have breached the Code of Conduct. (Best Practise 2)

As a Member of Myndtown Combined Parish Council my conduct will in particular address the statutory principles of the Code of Conduct by:

- Championing the needs of residents of the whole community
- Dealing with enquiries from members of the community appropriately and impartially
- Not allowing other pressures, including financial interests of myself or others connected to me, to deter me from good governance in a proper manner
- Exercise independent judgment and not compromise my position by placing myself under obligation to outside individuals or organisations who may seek to influence the way I perform my duties as an elected or co-opted member of this council
- I will listen to the interests of all parties, including relevant advice from professional officers, taking all relevant information into consideration, remaining objective and make decisions on merit
- I will be accountable for my decisions and will co-operate when scrutinised internally and externally, including by local residents
- I will contribute to making this council's decision-making process as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it
- Behave in accordance with all the legal obligations, alongside any requirements within this council's policies, protocols and procedures
- Value my colleagues by engaging with them in an appropriate manner and treat all people with respect