

Etchilhampton Parish Council Code of Conduct

You are a member or co-opted member of Etchilhampton Parish Council and hence you must have regard to the following principles: **selflessness, integrity, objectivity, accountability, openness, honesty and leadership.**

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements, by leadership and example.

Accordingly, when acting in your capacity as a member or co-opted member:

- 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 or close associate.
- 2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- 3 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.
- 4 You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
- 5 You must be as open as possible about your decisions and actions and the decisions and actions of your authority, and should be prepared to give reasons for those decisions and actions.
- 6 You must declare any private interests, both pecuniary and non-pecuniary, 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 and seeking dispensations in a manner conforming with the procedures set out below.
- 7 You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- 8 You shall use the resources of the Council in accordance with its requirements.
- 9 You shall not disclose any information which is confidential or where disclosure is prohibited by law.

Registering and declaring pecuniary and non-pecuniary interests

- 10 You must, within 28 days of taking office as a member or co-opted member, notify your unitary authority'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. The Proper Officer of the Parish Council shall also be notified.
- 11 In addition, you must, within 28 days of taking office as a member or co-opted member, notify your unitary authority's monitoring officer of any disclosable pecuniary or non-pecuniary interests which your authority has decided should be included in the register. The Proper Officer of the Parish Council shall also be notified.

- 12 If an interest has not been entered onto the Council's register you must disclose the interest to any meeting of the Council at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.
- 13 Following any disclosure of an interest which is not on the 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.
- 14 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 explained in paragraph 15 below.

Dispensations – Explanation and Process

- 15 Parish Councils are now responsible for determining requests for a dispensation by a parish councillor.
- 16 A dispensation enables Councillor(s) to take part in Council business where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest or another interest. Provided Councillors act within the terms of their dispensation there is no breach of the Code of Conduct or the law. Please note: If a Parish Councillor participates in a meeting where he/she has a Disclosable Pecuniary Interest and he/she does not have a dispensation, he/she maybe committing a criminal offence under s34 of the Localism Act 2011.
- 17 Process for making requests
Any Councillor who wishes to apply for a dispensation may complete a Dispensation Request form and submit it to the proper officer of the Parish Council (i.e. the Parish Clerk) as soon as possible before the meeting at which the dispensation is required. Applications may also be made at the meeting itself. A request for dispensation must be made on an individual basis.
- 18 Consideration by the Parish Council
The Parish Council will decide whether dispensations are appropriate and if granted the dispensation will be recorded in the minutes of that meeting. The recording of the dispensation(s) in the minutes will suffice.
- 19 The Council may grant a dispensation to a councillor who has a Disclosable Pecuniary Interest to participate in any discussion of a matter at a meeting and/or to participate in any vote on the matter if they consider that:
 - (a) so many members of the decision-making body have disclosable pecuniary interests that it would impede the transaction of the business (i.e. the meeting would be inquorate); or
 - (b) the authority considers that the dispensation is in the interests of persons living in the authority's area; or
 - (c) it is otherwise appropriate to grant a dispensation.
- 20 The Council extends the provisions of the above paragraphs to apply in the same way in the case of a "non-disclosable pecuniary interest" or an "other interest" whether or not previously registered
- 21 Criteria for Determination of Requests
In reaching a decision on a request for a dispensation the Council will take into account:
 - (a) the nature of the Councillor's prejudicial interest
 - (b) the need to maintain public confidence in the conduct of the Council's business
 - (c) the possible outcome of the proposed vote
 - (d) the need for efficient and effective conduct of the Council's business

(e) any other relevant circumstances.

22 Terms of Dispensations

Dispensations may be granted:

(a) for one meeting; or

(b) for a period not exceeding 4 years

Dispensations are relevant to the current term being served and have to be reissued if re-elected for a new term

23 Disclosure of Decision

Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.

Non-Discrimination

24 Councillors will operate in a non-discriminatory manner regardless of race, gender or religion

Code Changes

25 The Council may change this Code at anytime

I PETER HANSON hereby confirm that I agree to the requirements set down in this Code of Conduct.

Signed P. Hanson

I JONATHAN NASH hereby confirm that I agree to the requirements set down in this Code of Conduct.

Signed [Signature]

I MICHAEL HARRIS hereby confirm that I agree to the requirements set down in this Code of Conduct.

Signed M. Harris

I HEATHER LEE CLARK hereby confirm that I agree to the requirements set down in this Code of Conduct.

Signed [Signature]

I GARY WINDS hereby confirm that I agree to the requirements set down in this Code of Conduct.

Signed [Signature]