

# **PRESTON PARISH COUNCIL**

## **Doc013 – Code of Conduct**

Adopted May 2024

Chair: Margaret Trinder

## **Introduction**

The Model Councillor Code of Conduct 2020 was developed by the Local Government Association (LGA) with support from the National Association of Local Councils (NALC) and the Society for Local Council Clerks (SLCC) in response to recommendations from the Committee on Standards in Public Life in their Local Government Ethical Standards report published in 2019. The Civility and Respect Project endorses the Model Code and aims to encourage its adoption within the local (parish and town) council sector.

All councils are required to have a local Councillor Code of Conduct. Preston Parish Council has amended and adopted this Model Councillor Code of Conduct to ensure that it is relevant and accessible for our Councillors, alongside the Civility and Respect Pledge.

## **Purpose of the Code of Conduct**

The Model Code has been designed to encourage good conduct and safeguard the public's trust and confidence in the role of councillor at Parish Council level in local government. While the Code sets out the minimum standards of behaviour expected, it is designed to encourage councillors to model the high standards expected of councillors, to be mutually respectful even if they have personal or political differences, to provide a personal check and balance, and to set out the type of conduct that could lead to complaints being made of behaviour falling below the standards expected of councillors and in breach of the Code.

## **General principles of Councillor Conduct**

Everyone at all levels of public office should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

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

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my Parish Council's requirements and in the public interest.

## **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you 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 non-verbal communication
- in electronic and social media communication, posts, statements and comments

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer 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 of Conduct. Parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Standards of Councillor Conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

### **General Conduct**

#### **1. Respect**

As a councillor:

**1.1** I treat other councillors and members of the public with respect.

**1.2** I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

#### **2. Bullying, harassment and discrimination**

As a councillor:

**2.1** I do not bully any person.

**2.2** I do not harass any person.

**2.3** I promote equalities and do not discriminate unlawfully against any person.

#### **3. Impartiality of officers of the council**

As a councillor:

**3.1** I do 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 do not disclose information:**

- a. given to me in confidence by anyone
- 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 a 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; and
    - 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.

**4.2** I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests

**4.3** I do not prevent anyone from getting information that they are entitled to by law.

#### **5. Disrepute**

As a councillor:

**5.1** I do not bring my role or local authority into disrepute.

#### **6. Use of position**

As a councillor:

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

#### **7. Use of local authority resources and facilities**

As a councillor:

**7.1** I do not misuse council resources.

**7.2** I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

#### **8. Complying with the Code of Conduct**

As a Councillor:

**8.1** I undertake Code of Conduct training provided by my local authority.

**8.2** I cooperate with any Code of Conduct investigation and/or determination.

**8.3** I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

**8.4** I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

## **Protecting your reputation and the reputation of the local authority**

### **9. Interests**

As a councillor:

**9.1** I register and disclose my interests.

### **10. Gifts and hospitality**

As a councillor:

**10.1** I do 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 from persons who may apply to the local authority for any permission, licence or other significant advantage.

**10.2** I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

**10.3** I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

Copies of the complete LGA Code of Conduct containing definitions and explanations can be found on the Policies page of the Parish Council section of the village website:

<https://www.prestonvillageherts.com/key-organisations/preston-parish-council/parish-councillors/transparency-documents/>

This Code of Conduct will be reviewed every 4 years when Councillors take up a new term of office. Councillors who join mid-term to fill a casual vacancy will be provided with a copy of the Code of Conduct at their first meeting.

**Adopted: May 2023    Review: May 2027**

## **Appendix: The Seven Principles of Public Life**

The principles are:

### **Selflessness**

Holders of public office should act solely in terms of the public interest.

### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships

### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.