



LITTLE MARLOW PARISH COUNCIL

CODE OF CONDUCT FOR MEMBERS

Resolved at the Council Meeting 19th March 2024

INTRODUCTION

Members of Little Marlow Parish Council represent local residents and deliver services to the public. The public should have trust that decisions taken by Members are fair, open and transparent and that the council's operations are of a high standard. This Code is designed to promote high standards and accountability and has been adopted to ensure that Members understand the conduct which is expected of them. The Code will be reviewed regularly to ensure that it continues to be relevant and is up to date with legislation.

1. APPLICATION

This Code of Conduct applies to you whenever you are acting in your capacity as a Member of Little Marlow Parish Council (the "**Council**"), including –

- 1.1. at formal meetings of the Council, its Committees and Sub-Committees;
- 1.2. when acting as a representative of the Council;
- 1.3. in taking any decision as a Councillor;
- 1.4. in discharging your functions as a Councillor;
- 1.5. at meetings with officers and members of the public;
- 1.6. when corresponding with the Council other than in a private capacity.

2. GENERAL PRINCIPLES

You shall have regard to the following Seven Principles of Public Life – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

3. CONDUCT

You must:

- 3.1. treat councillors, employees and officers of the council and members of the public with respect;
- 3.2. recognise that officers are employed by and serve the whole Council and respect their roles;
- 3.3. not bully, harass, or discriminate unlawfully against any person;
- 3.4. act impartially and not attempt to compromise the impartiality of another Member, officer or employee of the Council;
- 3.5. respect the confidentiality of information which you receive as a Member by:
 - 3.5.1. not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so;
 - 3.5.2. not obstructing third parties' legal rights of access to information; and
 - 3.5.3. not improperly using confidential information for the advancement of yourself, your friends, family members, employer, or business interests.
- 3.6. not conduct yourself in a manner which is likely to bring you or the Council into disrepute;

- 3.7. use your position as a Member in the public interest and not for personal advantage;
- 3.8. exercise your own independent judgement, taking decisions for good and substantial reasons;
- 3.9. not misuse public resources for private or political purposes but in accordance with the Council's rules and policies;
- 3.10. act lawfully and ensure that the Council acts within the law; and
- 3.11. register and disclose your interests as required to ensure transparency with respect to potential conflicts.

4. DISCLOSABLE PECUNIARY INTERESTS

The Council is required to establish and maintain a register of disclosable interests of Members, as described in the Appendix. The register is a public document and must be published on the Council web site.

You must:

- 4.1. register any disclosable pecuniary interest of yourself or a "relevant person"¹ within 28 days of the adoption of this code or you becoming a Member;
- 4.2. comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest;
- 4.3. ensure that your register of interests is kept up to date and notify the Council Clerk, who will notify the Monitoring Officer, in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests;
- 4.4. make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent;
- 4.5. "Meeting" means any meeting organised by or on behalf of the Council, including:
 - 4.5.1. any meeting of the Council, or a Committee or Sub-Committee of Council;
 - 4.5.2. in taking a decision as a Councillor or as a Member;
 - 4.5.3. at any briefing by Officers; and
 - 4.5.4. at any site visit to do with business of the Council.

5. OTHER INTERESTS

- 5.1. In addition to the requirements of Paragraph 4, if you attend a meeting at which an item of business is to be considered and you are aware that you have an interest in that item which is not disclosable on the register, you must make verbal declaration of the existence of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. Unless the interest is sensitive (meaning its disclosure could lead to violence or intimidation of the member or a relation) its nature should also be disclosed.
- 5.2. You have an interest in an item of Council business where:

¹ "relevant person" means a) the Member's spouse or civil partner or, b) a person with whom the Member is living with as husband or wife or, c) a person with whom the Member is living as if they were civil partners; and the Member is aware that that other person has the interest. Please refer to the Appendix to this code.

- 5.2.1. a decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of (i) you, (ii) a member of your family or (iii) a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the Parish,
or
- 5.2.2. it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close association.

6. GIFTS AND HOSPITALITY

- 6.1. You must not accept any gift or hospitality that could give rise to a suspicion of influence over a decision relating to Council business, irrespective of the amount.
- 6.2. You must, within 28 days of receipt, notify the Clerk in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a Member from any person or body other than the Council.
- 6.3. The Clerk will place your notification on the Council’s public register of gifts and hospitality.
- 6.4. This duty to notify the Clerk does not apply where the gift, benefit or hospitality comes within any description approved by the Council for this purpose.

Date of policy: March 2024

Approving committee: Parish Council Meeting

Date of committee meeting: 19th March 2024

Minute No: 2605/24

Appendix

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows:

<i>Interest</i>	<i>Prescribed description</i>
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 M in carrying out duties as a member, or towards the election expenses of M. 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.
Corporate tenancies	Any tenancy where (to M'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 M'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.

For this purpose:

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“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.