

# *Wirksworth Town Council*



## Code of Conduct

Adopted 2012

## Code of Conduct

As a member or co-opted member of Wirksworth Town Council, I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity i.e.

- At formal meetings of the Council, its Committees and Sub-Committees
- When acting as a representative of the authority
- In discharging functions as a Ward Member
- At briefing meetings with officers and at site visits
- When corresponding with the authority, other than in a private capacity

I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

**SELFLESSNESS:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**RESPECT:** Holders of public office must treat others with respect and must not pursue a course of conduct which amounts to bullying or harassment of another.

**LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example.

The Act provides for registration and disclosure of interests and in Wirksworth Town Council, this will be done as follows:

## **1. DISCLOSABLE PECUNIARY INTERESTS**

I will -

- Comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which I have a Disclosable Pecuniary Interest as defined in Appendix 2.
- Keep my register of interests up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of my interests.
- Make verbal declaration of the existence and nature of any Disclosable Pecuniary Interest at any meeting at which I am present at which an item of business which affects or relates to the subject matter of that interests is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.

## **2. SENSITIVE INFORMATION**

Where I consider that the information relating to any of my interests in 1 above is sensitive information, and the District Council's Monitoring Officer agrees, I need not include that information when registering that interest, or, as the case may be, a change to that interest under section 1. In this Code "sensitive information" means information whose availability for inspection by the public creates or is likely to create, a serious risk that I or a person who lives with me may be subjected to violence or intimidation.

## **3. OTHER INTERESTS**

In addition to the statutory requirements, I will make verbal declaration of the existence and nature of any other non disclosable pecuniary interest or non pecuniary interest at any meeting at which I am present at which an item of business is under consideration, at or before the consideration of the item, or as soon as the interest becomes apparent where –

- The matter may be particularly regarded as affecting the well-being or financial standing of me, a friend or a member of my family
- It relates to, or is likely to affect, any of the interests listed in Appendix 2 to this Code, but in respect of my family or friends.

As a Member of Wirksworth Town Council, my conduct will in particular address the statutory principles of the Code of Conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the Town Council or the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this authority's decision-making processes 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.
- Respecting the confidentiality of information which I receive as a member in accordance with Town Council's Member/Employee Protocol.
- Behaving in accordance with all our legal obligations, with particular regard to the:
  - Data Protection Act 1998
  - Freedom of Information Act 2000
  - Bribery Act 2010
  - Equality Act 2010
- Having regard to the principles of the authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

## APPENDIX 2 - DISCLOSABLE PECUNIARY INTERESTS

In accordance with Section 30(3) of the Act a pecuniary interest is a “disclosable pecuniary interest” in relation to a Member, if it is of a description specified below and either

- is an interest of the Member, or
- is an interest of
  - the members spouse or civil partner
  - a person with whom the member is living as husband and wife, or
  - a person with whom the Member is living as if they were civil partners, and the Member is aware that the other person has the interest.

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 the member in carrying out duties as a member, or towards the election expenses of the member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(a).
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.
Licenses	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 the Member’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

2012 No.

**LOCAL GOVERNMENT, ENGLAND**

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	-	1st July 2012

The Secretary of State, in exercise of the powers conferred by sections 30(3) and 235(2) of the Localism Act 2011<sup>(1)</sup>, makes the following Regulations.

**Citation, commencement and interpretation**

—a) These Regulations may be cited as the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and shall come into force on 1st July 2012.

(a) In these regulations—

2. “the Act” means the Localism Act 2011;
3. “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;
4. “director” includes a member of the committee of management of an industrial and provident society;
5. “land” includes 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;
6. “M” means the person M referred to in section 30 of the Act;
7. “member” includes a co-opted member;
8. “relevant authority” means the authority of which M is a member;
9. “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) of the Act;
10. “relevant person” means M or any other person referred to in section 30(3)(b) of the Act;
11. “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 <sup>(2)</sup> and other securities of any description, other than money deposited with a building society.

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<sup>(1)</sup> 2011 c.20.

<sup>(2)</sup> 2000 c. 8.

## Specified pecuniary interests

The pecuniary interests which are specified for the purposes of section 30(3) of the Localism Act 2011 are the interests specified in the Schedule to these Regulations.

Signed by authority of the Secretary of State for Communities and Local Government

*Name*

Parliamentary Under Secretary of State

*Date*

Department for Communities and Local Government

### SCHEDULE

Regulation 2

<i>Subject</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	<p>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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992<sup>(3)</sup>.</p>
Contracts	<p>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—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>

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<sup>(3)</sup> 1992 c. 52.

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.

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Section 30 of the Localism Act 2011 provides that a member or co-opted member of a local authority and certain other authorities, on taking office, must notify the authority's monitoring officer of any disclosable pecuniary interest which that person has at the time of notification. These Regulations specify what is a pecuniary interest. Section 30(3) sets out the circumstances in which such an interest is a disclosable interest.

A full impact assessment has not been produced for these Regulations as no impact on the private or voluntary sectors is foreseen.