

---

## CODE OF CONDUCT

---

## WARE TOWN COUNCIL



### What's in the Policy:

The purpose of this code of conduct is to set out the standards of conduct expected of Councillors when carrying out duties or representing Ware Town Council and to demonstrate to the public the standards of conduct they can expect from elected or coopted members.

Adopted  
13<sup>th</sup> May 2019

Review  
May 2020

For more information please contact:

[info@waretowncouncil.gov.uk](mailto:info@waretowncouncil.gov.uk)

Telephone: 01920 460316

## WARE TOWN COUNCIL CODE OF CONDUCT FOR COUNCILLORS

### Introduction

You are a member of Ware Town Council and as such you are an elected or appointed representative of the people within the Ware and you take decisions on their behalf. Your actions impact on how the Council as a whole is viewed and your actions can have both positive and negative impacts on the Council.

The purpose of this code of conduct is to set out the standards of conduct expected of you when carrying out your duties or representing [name of town or parish] Council and to demonstrate to the public the standards of conduct they can expect from you as their representative.

### Scope

This code applies to you whenever you are carrying out your official duties as a member of Ware Town Council or representing the Council.

Although, in line with the Localism Act 2011 this code only applies to you when you are carrying out your official duties nevertheless the Council expects you to uphold high standards of conduct at all times in order to uphold the reputation of the Council and the office to which you have been elected or appointed.

### Seven principles of public life

All holders of public office must uphold the seven principles of public life and these principles underpin and inform the Council's code of conduct.

The seven 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 to gain financial or other material benefits for themselves, their family, or their friends. They must declare 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.

## **Code of Conduct**

### **A. General obligations**

1. You must always treat others with respect.
2. You must not bully or attempt to bully anyone.
3. You must not intimidate or attempt to intimidate anyone who is or is likely to be—
  - i. a complainant,
  - ii. a witness, or
  - iii. involved in the administration of any investigation or proceedings

in relation to an allegation that a councillor (including yourself) has failed to comply with his or her council's code of conduct.

4. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.
5. You must not use or attempt to use your position as a councillor improperly to confer an advantage or disadvantage on yourself or any other person.
6. You must not place yourself under any financial obligation to any person or organisation who might attempt to influence you.
7. You must not do anything which compromises or is intended to compromise the impartiality of those who work for, or on behalf of the Council.
8. You must have regard to any relevant advice provided to you by an officer of the Council when reaching decisions on any matter.
9. You must not disclose information given to you in confidence, information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature or information where disclosure is prohibited by law.
10. You must not prevent another person from gaining access to information to which that person is entitled by law.

11. You must not misuse Council resources or breach any of the Council's resource requirements and policies.
12. You must not use information given to you by virtue of your role as a councillor to gain a personal advantage.
13. You must comply with the Council's policies and procedures.

## **B. Interests**

### **1. Registration of interests**

14. Within 28 days of this Code being adopted by the Council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Registerable Interests).
15. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer.

### **2. Disclosable Pecuniary Interests**

16. Where a matter arises at a meeting which relates to an interest in Appendix A, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

### **3. Other Registerable Interests**

17. Where a matter arises at a meeting which relates to an interest in Appendix B, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the on the item but must not take part in any vote on the matter unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

### **4. Non-Registerable Interests**

18. Where a matter arises at a meeting which relates to your financial interest (and is not a Disclosable Pecuniary Interest) or a financial interest of a friend, relative or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

19. Where a matter arises at a meeting which affects your own financial interest or a financial interest of a friend, relative, close associate or body covered by Appendix B you must disclose the interest.
20. Where the matter affects the financial interest to a greater extent than it affects the financial interests of the majority of inhabitants of the parish/ward affected by the decision-and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest you must not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.
21. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

## Code Appendix A

Disclosable Pecuniary Interests are interests described in the table below.

<b>Subject</b>	<b>Description</b>
Employment, office, trade, profession or vocation	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 Council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses.
	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 made between the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council —
	(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 and Property	Any beneficial interest in land which is within the area of the Council.  'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the Councillor's knowledge)—

	(a) the landlord is the Council; and
	(b) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where—
	(a) that body (to the Councillor’s knowledge) has a place of business or land in the area of the Council; 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 Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\*‘director’ includes a member of the committee of management of an industrial and provident society.

\*‘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.

## Code Appendix B

- i. Anybody to which you have been appointed or nominated by the Council;
- ii. Any body—
  - a. exercising functions of a public nature;
  - b. directed to charitable purposes; or
  - c. one of whose principal purposes includes the influence of public opinion or policyof which you are a member or in a position of general control or management;
- iii. Any gifts or hospitality worth more than an estimated value of £25 which you have received by virtue of your office.

### Review Summary:

Date	Update
13 <sup>th</sup> May 2019	New HAPTC version adopted