Ashby Herringfleet & Somerleyton Parish Council

SUFFOLK LOCAL CODE OF CONDUCT FOR MEMBERS

In accordance with S.26 to 37 of the Localism Act 2011 on 5th July 2012 Ashby Herringfleet & Somerleyton Parish Council resolved to adopt the Suffolk Local Code of Conduct for the purposes of discharging its duty to promote and maintain high standards of conduct within its area.

Until otherwise amended or replaced by a decision of the Council, the Suffolk Code of Conduct set out below shall hereafter apply to all elected members and any co-opted members entitled to vote on any decisions of the council or its committees, sub committees or joint committees when acting in their capacity as a member of the Council.

Preamble

The Suffolk Local Code of Conduct shall be interpreted in accordance with the following seven principles of public life identified by the Committee on Standards in Public Life chaired by Lord Nolan:

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.

Leadership - Holders of public office should promote and support these principles by leadership and example.

CODE OF CONDUCT APPLICABLE TO PARISH & TOWN COUNCILLORS IN SUFFOLK

1. You must treat others with respect.

2. You must not: -
   (1) do anything which may cause your authority to breach any of the Council's duties under the Equality Act 2010
   (2) bully any person;
   (3) intimidate or attempt to intimidate any person who is or is likely to be—
      (a) a complainant,
      (b) a witness, or
      (c) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
   (4) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your council.

3. You must not: -
   (1) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
      (a) you have the consent of a person authorised to give it;
      (b) you are required by law to do so;
      (c) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
      (d) the disclosure is reasonable, in the public interest, made in good faith and in compliance with the reasonable requirements of the authority; or
   (2) prevent another person from gaining access to information to which that person is entitled by law

4. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

5. You: -
   (1) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
   (2) must, when using or authorising the use by others of the resources of your authority—
      (a) act in accordance with your authority's reasonable requirements;
      (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
   (3) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

6.1 When reaching decisions on any matter you must have regard to any relevant advice provided to you by: -

(a) your council's chief finance officer; or
(b) your council's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

6.2 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

7. Registration of interests

7.1. You must register within 28 days of becoming a member of the Council (and notify the relevant Monitoring Officer of any changes within 28 days) any Disclosable Pecuniary Interests (DPIs) you have for publication in the Register of Members' Interests.
(See Appendix)

7.2. You may not at any time discharge any function or participate in any Council business or discussions, or vote on any issues that relate to or concern any of your DPIs where you are aware that you have a relevant DPI. You may not remain in the chamber or meeting room or in the public gallery when any matter that relates to any of your DPI is under discussion or debate unless you have requested a dispensation in writing to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required, and a written dispensation has been granted by the Council (or Committee or Proper Officer where council has delegated the function).

7.3. You must register within 28 days of becoming a member of the Council (and notify the relevant Monitoring Officer of any changes within 28 days) any Local Non-Pecuniary Interests (LNPIs) set out in Part 2 to Appendix A to this code, but you may participate in any discussions or debates relating to or concerning any of your LNPIs after the date of registration.

7.4. You must declare any DPIs or LNPIs to a meeting where business is relevant to those interests, including those interests that are already registered with the relevant Monitoring Officer or where registration is pending.

7.5. You must register, within 28 days, any gifts and hospitality of £25 or more received by you in accordance with the instructions issued within your Council by the relevant Monitoring Officer.

7.6. The Council's Register of Interests will be available for inspection at the relevant District/Borough Council offices by prior arrangement during normal office hours and will be published on that Council's website.

8. Sensitive Interests

You may also apply to the relevant Monitoring officer for non-publication of the full details of any of your DPIs or LNPIs where you reasonably believe that publication of the details of a particular DPI or LNPI could result in your being subjected to violence or intimidation. In considering such applications the relevant Monitoring Officer shall have regard to any representations made by you in determining whether he or she considers the relevant DPI or LNPI should be treated as a Sensitive Interest and excluded from the published version of the Register of Members' Interests.

Appendix

Part 1

Description of categories of Disclosable Pecuniary Interests

You have a Disclosable Pecuniary Interest in any business of the Council if it is of a description set out in 1-7 below and is either:

(a) An interest of yours
(b) An interest of your spouse or civil partner
(c) An interest of a person with whom you are living as husband and wife or as civil partners

And, in the case of paragraphs (b) and (c), you are aware they have the interest.

In these descriptions the term 'relevant person' is used to mean you as a member and any such person as set out in paragraphs (b) and (c).

1. Any employment, office, trade, profession or vocation carried on for profit or gain.

2. Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a member, or towards your 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.

3. Any beneficial interest in securities of a body where -

   (1) that body (to your knowledge) has a place of business or land in the area of the Council, and

   (2) either:
   (a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
   (b) 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 beneficial interest exceeds one hundredth of the total issued share capital of that class.

4. Any contract which is made between the relevant person, or a body in which they have a beneficial interest, and the Council-
   (1) under which goods or services are to be provided or works are to be executed; and
   (2) which has not been fully discharged.

5. Any beneficial interest in any land in the Council's area.

6. Any tenancy where to your knowledge (a) the landlord the Council is and (b) the tenant is a body in which a relevant person has a beneficial interest.

7. Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.

Part 2

Description of categories of Local Non-Pecuniary Interests

1. Anybody of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;

2. 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 policy including any political party or trade union);
   of which you are a member or in a position of general control or management;

3. Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

This code was adopted by Ashby Herringfleet & Somerleyton Parish Council at its meeting on 5th July 2012
Code last reviewed September 2024
Next review due May 2027