

# Blofield Parish Council Councillors' Code of Conduct

## Introduction to the Code

The Code of Conduct key to Blofield Parish Council (the Council) discharging its statutory duty to promote and maintain high standards of conduct by its Councillors. This Code is focused upon the following principles of conduct in public life: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership. It is the intention of the Council that the Code be used exclusively in that context and not for any other purpose. The Code sets an objective, non political and high standard whose purpose is to remind Councillors of the behaviour expected of them in public life and it sets out the key principles against which their conduct will be measured.

The Code requires the registration and declaration of personal and prejudicial interests in any item being discussed or enacted by the Council, the breach of which now attracts potential criminal sanctions.

Broadland District Council will establish a Standards Committee to hear breaches of the Code and decide on sanctions against Councillors found to be in default. The Standards Committee will oversee a straightforward and robust regime dealing only with substantial ethics and standards issues and filtering out the inconsequential, trivial and vexatious. The Code deals in broad common sense principles and neither it nor the supporting arrangements are intended to be over-technical or over-procedural. To return to the wording of the statute the Code is the Council's public statement on the promotion and maintenance of high standards of conduct in public life.

Every member and co-opted member of Blofield Parish Council must sign an undertaking to observe the Code in the terms set out below.

## The Code

As a member or co-opted member of Blofield Parish 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 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.

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

As a Member of Blofield Parish Council my conduct will in particular address the statutory principles of the Code by:

- Championing the needs of residents – the whole community and in a special way my constituents - 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 Blofield nor 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

- Behaving in accordance with all our legal obligations, alongside any requirements contained within this 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.

### **How it works - completing an Interests Form**

An interest's form must be completed within 28 days of the member holding office. This includes details relating to property and land in the district and work and business. These interests are known as Disclosable Pecuniary Interests (DPI). The form should also include interests relating to club membership and other local interests. The form, once signed, is given to the Clerk who then forwards a copy to NNDC for posting on their website. Members should then keep that interest form up to date. There is no need for a member to declare a DPI at a meeting provided it is on the Interests Form, however best practice suggests it is good to declare this interest at the start of the meeting or at a time when it might come up in discussion. Members are also required to declare interests which may not be on their Interests Forms. For example, if a planning application is under consideration and a member knows the applicant very well, then the member should declare that interest. However that member may apply for a dispensation to talk and even vote on an item, provided the member has requested that dispensation in advance of the meeting and to the Clerk. There is an item at the start of the meeting for disclosure of all interests and requests for dispensations. The Council as a Corporate Body considers any such requests.

### **How it works - pecuniary interests in matters considered at meetings**

Section 31 of the Localism Act 2011 sets out what a member must do if he or she has (and is aware that he or she has) a DPI in a matter which is to be considered or is being considered at a meeting at which the member is present. Section 31 applies to all councillors and to the very few co-opted members of committees who are not councillors but who are allowed (by law) to vote on certain committee decisions. A DPI is an interest of **either** the member or co-opted member **or** the member's or co-opted member's spouse or civil partner. There are national rules relating to disclosable pecuniary interests as laid down in Chapter 7 of the Localism Act 2011 [www.legislation.gov.uk](http://www.legislation.gov.uk). In consideration of the Nolan Principles outlined above, a member should also disclose an interest (although not a DPI) where a member of the public might consider that that member could be influenced in any decision they may make.

### **How it works - granting a dispensation**

So, in what circumstances may a dispensation be granted to a member to remove from that member the prohibition on taking part in a discussion and or a vote on a matter in which he or she has a disclosable pecuniary interest?

Section 33 says that a relevant authority (which, for our purposes, means the parish council) may grant a dispensation relieving the member from either or both of the restrictions in section 31(4) in cases described in the dispensation. But, it may only do so in response to a written request made to the clerk by the member concerned. In the case of a parish council, it may grant a dispensation under section 33 only if, after having had regard to all relevant circumstances, it considers that:

- without the dispensation, the number of members or co-opted members prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business; or
- without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business; or
- granting the dispensation is in the interests of persons living in the authority's area; or
- it is otherwise appropriate to grant a dispensation.

A dispensation granted under section 33 must specify the period for which it has effect, and that period may not exceed four years. If granted the member can take part in that decision-making process.

Note that there is no need for a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support, which is in any event a decision affecting the generality of the public in the area of your council, rather than you as an individual.

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