

# **Members' Code of Conduct**

## **PART 1**

### **General Provisions**

#### **Introduction**

1. (1) Gedling Borough Council is committed to promoting and maintaining high standards of conduct by Members and co-opted Members of the Council. The actions of those who represent the Council impact on how the Council as a whole is viewed. Misconduct can seriously damage the effectiveness and reputation of the Council and will not be tolerated. Those serving their communities must adhere to the high standards expected of them to promote public confidence in local democracy.
- (2) This Code of Conduct has been adopted by the Council under Section 27 of the Localism Act 2011 and sets out the standards that Members are expected to observe.

#### **Interpretation**

2. (1) This Code applies to you as a Member of the Council.
- (2) It is your responsibility to comply with the provisions of this Code. Failure to do so may result in a sanction being imposed by the Council. Failure to take appropriate action in respect of a disclosable Pecuniary Interest may result in a criminal conviction.
- (3) In this Code:  
"meeting" means any meeting of:
  - (a) the Council;
  - (b) the executive of the Council;
  - (c) any of the Council's or its Executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"Member" includes a co-opted member or an appointed member.

#### **Scope**

3. (1) Subject to sub-paragraphs (2) and (3), you must comply with this Code whenever you:
  - (a) Conduct the business of the Council (which, in this Code, includes the business of the office to which you are elected or appointed); or
  - (b) act, claim to act or give the impression you are acting as a representative of the Council;and references to your official capacity are construed accordingly.

- (2) Where you act as a representative of the Council:
  - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's Code of Conduct; or
  - (b) on any other body, you must, when acting for that other body, comply with this Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
- (3) This Code does not have effect in relation to your conduct other than where it is in your official capacity.

## **The Seven Principles of Public Life**

### **4. You must observe the following general principles:**

#### **Selflessness**

You should take decisions solely in terms of the public interest. You should not do so in order to gain financial or other material benefits for yourself, your family or your friends.

#### **Integrity**

You should not place yourself under any financial or other obligation to outside individuals or organisations that might influence you in the performance of your official duties.

#### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit.

#### **Accountability**

You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.

#### **Openness**

You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

#### **Honesty**

You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### **Leadership**

You should promote and support these principles by leadership and example.

## **General Obligations**

### **5. (1) You must:**

- (a) treat others with respect, including the organisations and public you engage with and those you work alongside.
- (b) value your colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between you that is essential to good local government.

### **(2) You must not:**

- (a) do anything which may cause the Council to breach the Equality Act 2010;
- (b) bully any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be:
  - (i) a complainant;
  - (ii) a witness;
  - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with the Code of Conduct; or
- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

### **6. You must not:**

- (a) 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:
  - (i) you have the consent of a person authorised to give it;
  - (ii) you are required by law to do so;
  - (iii) 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
  - (iv) the disclosure is:
    - (aa) reasonable and in the public interest; and
    - (bb) made in good faith and in compliance with the reasonable requirements of the Council; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

### **7. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.**

### **8. You must:**

- (a) 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;

- (b) when using or authorising the use by others of the resources of the Council:
    - (i) act in accordance with the Council's reasonable requirements; and
    - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes);
  - (c) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986;
  - (d) behave in accordance with all legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures.
9. (1) When reaching decisions on any matter you must listen to the interests of all parties and have regard to relevant advice provided to you by:
- (a) The Council's Chief Finance Officer; or
  - (b) The Council's Monitoring Officer;
- (where that officer is acting pursuant to his or her statutory duties) and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- (2) You must:
- (a) exercise independent judgement and not compromise your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties as a member.
  - (b) contribute to making the Council'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 you and other members to account.
  - (c) be accountable for your decisions and co-operate when scrutinised internally and externally, including by local residents.
10. You must:
- (a) champion the needs of residents – the whole community and your constituents, including those who did not vote for you – and put their interests first.
  - (b) deal with representations, or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
  - (c) not allow other pressures, including your financial interests or others connected to you, to deter you from pursuing constituents casework, the interests of the Council's area or the good governance of the Council in a proper manner.
11. You must provide leadership by behaving in accordance with these principles when championing the interests of the community with other organisations as well as within the Council.