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Ethical Governance Members Code of Conduct


Director of Law and Governance
(Monitoring Officer)

What we will cover

Thurrock Council adopted Members Code of Conduct

Registering and Declaring interests

Gifts and Hospitality

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Background to the adoption of our Code of Conduct

The Localism Act 2011

- Adopt its own Code based on Nolan principles
- Have a Register of Interests
- Have arrangements to deal with allegations of breach of the Code
- Appoint at least one Independent Person

Committee for Standards in Public Life (CSPL)

Local Government Association

Council adoption of our Code in October 2022

Council Constitution Chapter 7 – Ethnical Governance

Quick Quiz

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Code of Conduct

The code sets out what is and what is not acceptable behaviour of you as Councillors and enshrines the Nolan Principles

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

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On all occasions you will

- Act with integrity and honesty
- Act lawfully
- Treat all persons fairly and with respect
- Lead by example
- Act in a way that secures public confidence in the role of Councillor

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In undertaking your role:

You will impartially exercise your responsibilities in the interest of the local community

You will not improperly seek to confer an advantage, or disadvantage on any person

You will avoid conflicts of interest

You will exercise reasonable care and diligence

Ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest

Workshop

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Standard of the Councillor Conduct

What is the minimal standards required of you as a Councillor?

Register of Interest

Bias and Predetermination

You should approach decisions with an open mind - do not prejudge

You are entitled to be pre-disposed, and to express this (with care)

Caution is needed when acting in some committees, especially Licensing and Planning

The appearance of bias is an issue as much as the reality

General Conduct:

- Respect other Members, officers, and the public
- Not to Bully harass and/or discriminate (promote equalities)
- Impartiality of officers of the council (do not compromise anyone who works for the council)
- Confidentiality and access to information
- Do not bring your role or Council into disrepute
- Use of position and use of local authority resources and facilities
- Complying with the Code of Conduct
- Protecting your reputation and the reputation of the local authority interest

Localism Act 2011 section 29

- Register disclosable (criminal offence)
- MO maintain a register of Interests - public record
- 28 days of becoming a member to complete
- Disclosable Pecuniary Interests (DPI) and Other Registerable Interests
- Include Partner (spouse, civil partner, living with as husband/wife or civil partners)
- If you have a DPI you must declare and leave the room

What do I register?

Disclosable Pecuniary Interest (for you and partner):

- Employment office trade profession or vocation
- Sponsorship
- Contracts with the Council
- Land and property you own or rent in the borough
- Licences
- Corporate tenancies
- Securities

Disclosure of Other Registerable Interests (ORI) and Non-Registerable Interests (NRI)

- any unpaid directorships
- any body you are a member or in a position of general control or management and to which you are nominated or appointed by your authority
- any body:
 - exercising functions of a public nature
 - directed to charitable purpose or
 - one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are member or in a position of general control or management

What shall I do if I have a DPI, ORI or Non RI ?

If you have DPI – you must declare, ensure it is registered in the form, and not participate or vote in the discussion and leave the room before the item on the agenda

If you have ORI or a Non RI - you must declare, may speak on the matter only if members can do so but otherwise do not take part in the discussion or vote on the matter

If you're a Cabinet member exercising your executive function, you must not take part in the decision and arrange for another to deal with the matter

Dispensations

If you have a disclosable pecuniary interest or an other registerable interest or a non registerable interest in a matter coming before a meeting of the authority, you can make a written request to the Monitoring Officer beforehand for a dispensation. This may allow you to participate in the discussion and vote.

Monitoring Officer can grant a dispensation after consultation with the Independent Person

Gifts and Hospitality

Do not accept Gifts and Hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on your part to show favour from persons seeking to acquire, develop or do business with the local authority or who may apply for permissions or license or other significant advantage

Value of **£50** within 28 days of receipt – forms NIL return

Register with MO offered if accepted or refused

QUIZ

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The Code of Conduct must be considered alongside the other codes of the Council:

- Officers Code of Conduct
- Protocol for Member/Officer Relations
- Planning and Licensing Codes

Protocol for Member/Officer Relations

- Mutual respect and courtesy
- Awareness of roles and duties and responsibilities
- Officers to advise in a timely effective manner
- Avoid conflicts of interests
- Confidentiality
- No inappropriate or public criticism of officers
- No intimidating or threatening behaviour of any kind
- Do not use your relationship to advance your personal interests

Members provide political leadership and do not get involved in day-to-day management or operational matters of the Council

Colchester councillor Patricia Moore faces code of conduct probe

27th March

LOCAL GOVERNMENT COLCHESTER



Conservative councillor Patricia Moore faces code of conduct allegations over comments made (Image: Newsquest)

By Tom Dalby
Digital Audience and Content Editor
@tomd575

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20 Comments

A DEFIANT councillor who penned an article in a community magazine referring to fellow councillors as “muppets” is accused of breaching a code of conduct.

Breakthrough: This Is How Much Solar Panels Should Actually Cost
The Eco Experts

Avoid NHS Queues In Grays With Private Media Insurance From £23 Per Month
Which Health Insurer

Public Finance

Local Government Central Government Pay & Pensions Health Education

News | Governance, Local government

Borough sends property review to police

By: Oliver Rudgevic | 17 Apr 23

The London Borough of Haringey has handed an independent property probe to police after it found “clear evidence” of confidential information being leaked.



Questions



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