



# BISHOPSTEIGNTON PARISH COUNCIL

## Appendix A for 22.05.23 Clerks Report

### MEETING ARRANGEMENT for 2023-24

In recent years Bishopsteignton Parish Council have conducted 11 Full Council meeting per year; one per month excluding August.

On occasion meetings have not felt essential and some of the business conducted could have either waited for a future meeting or be determined by other means; by a committees or under the BPC Scheme of Delegation. In either situation the results are reported to full council and the public at the earliest opportunity.

The small reduction to the number of meetings suggested in OPTION B, will free up some time for the clerk to the council; to be used carrying out essential governance and other committees and project work. Time will be freed with a reduction in the production and publication of meeting agenda, agenda appendices and compiling minutes, let alone attending the meeting itself.

It is likely fewer meetings may result in an improvement in attendance, for example in the previous 12 months of full council meetings (11 meetings) only twice has 100% attendance been achieved:

April 3	6/11	March 6	8/11
February 6	10/11	January 16	<b>11/11</b>
December 5	8/11	November 7	<b>11/11</b>
October 3	9/11	September 5	8/11
July 6	9/11	June 6	9/11
May 9	7/11		

For the reasons given above I would recommend Option B; at least as a trial, and if more meetings were required these could be arranged and added to the schedule.

Kim Ford (CiLCA)  
Clerk to the Council



# 2023-24 COUNCIL MEETINGS

Community Centre, Shute Hill  
Bishopsteignton, Devon, TQ14 9QL  
07483 149812  
clerk@bishopsteignton-pc.gov.uk

## OPTION A – 11 Full Council Meetings (includes 22/05/23)

MEETING DATE	COMMITTEE	EXPECTED BUSINESS FOR AGENDA
Monday 5th June	FULL COUNCIL	Currently no business scheduled or expected. Dependent on your resolution
Monday 26th June	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
Monday 3rd July	GOVERNANCE & STRATEGY COMMITTEE	To review and amend councils focus, priority and strategy for the year and 4-year term ahead. Review policy summary, indicate new policies required and those to be reviewed.
Monday 10th July	FULL COUNCIL	Currently no business scheduled or expected.
Monday 17th July	FINANCE COMMITTEE	First meeting of this committee to elect chair, members to understand financial position, bank signatories, understand current & future budget, investment opportunities and any future considerations to be aware of. Review Financial Regulations.
Monday 24th July	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
Monday 4th September	FULL COUNCIL	Currently no business scheduled or expected.
Monday 18th September	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
Monday 2nd October	FULL COUNCIL	Currently no business scheduled or expected.
Monday 16th October	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
Monday 6th November	FULL COUNCIL	Currently no business scheduled or expected.
Monday 20th November	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
Monday 13th November	FINANCE COMMITTEE	To consider clerks recommendations for BPC budget and precept for following year.
Monday 27th November	GOVERNANCE & STRATEGY COMMITTEE	To review progress to date and revise, if necessary, the council focus, priority and strategy midway through this first year of this councils 4-year term.
Monday 4th December	FULL COUNCIL	Currently no business scheduled or expected.
Monday 18th December	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.

<b>Monday 15th January</b>	<b>FULL COUNCIL</b>	Full Council decision to finalise precept for submission to TDC before end of January. Will include current planning matters if required.
<b>Monday 5th February</b>	<b>FULL COUNCIL</b>	Currently no business scheduled or expected.
<b>Monday 19th February</b>	<b>PLANNING COMMITTEE</b>	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
<b>Monday 4th March</b>	<b>FULL COUNCIL</b>	Finalise any outstanding business which can be concluded within the current financial year and approve a schedule of regular payments to be made across the coming year. Full Council review & acknowledgement of Asset Register.
<b>Monday 18th March</b>	<b>ANNUAL PARISH MEETING FOR ELECTORS</b>	Hosted by BPC, not a council meeting, refreshments served, informal occasion. Chair gives annual report, opportunity to hear directly from parishioners.
<b>Monday 25th March</b>	<b>PLANNING COMMITTEE</b>	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
<b>Monday 8th April</b>	<b>FULL COUNCIL</b>	Acknowledge BPC Annual Statement of Accounts, if prepared.
<b>Monday 15<sup>th</sup> April</b>	<b>GOVERNANCE &amp; STRATEGY COMMITTEE</b>	To review progress to date and revise, if necessary, the council focus, priority and strategy before reaching the first year of this councils 4-year term.
<b>Monday 22nd April</b>	<b>PLANNING COMMITTEE</b>	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.

- Planning meetings may be cancelled if there are no current applications to be considered. Alternatively, planning matters may be considered at a Full Council meeting or comments formed under the BPC Scheme of Delegated Authority.
- All meetings are to be held at the Community Centre, Shute Hill, unless otherwise indicated. Time to be indicated on the meeting agenda.
- An agendas and associated documents shall be published not less than 3 clear days before each meeting.
- Meetings of the Asset Management Committee shall be called when required. An agenda with the time, date and location will be published as above. A meeting of this committee will be required in September to review the annual contracts making changes where considered necessary to enable to clerk to send invitations for contractors to tender. A further meeting shall be arranged for late Oct/Early Nov to review the tenders received and select a contractor, in time for the budget setting process in Nov/Dec.
- A working party/group is not obligated to publish a notification or an agenda in advance of its meeting.

# 2023-24 MEETINGS (Option A)



11	Full Council (10 if resolved to cancel 5 <sup>th</sup> June)
9	Planning Committee, if required
2	Finance Committee
3	Governance & Strategy Committee

MAY 2023							JUNE 2023							JULY 2023							AUGUST 2023						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
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8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30	28	29	30	31			
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SEPTEMBER 2023							OCTOBER 2023							NOVEMBER 2023							DECEMBER 2023						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
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18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
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JANUARY 2024							FEBRUARY 2024							MARCH 2024							APRIL 2024						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
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8	9	10	11	12	13	14	5	6	7	8	9	10	11	4	5	6	7	8	9	10	8	9	10	11	12	13	14
15	16	17	18	19	20	21	12	13	14	15	16	17	18	11	12	13	14	15	16	17	15	16	17	18	19	20	21
22	23	24	25	26	27	28	19	20	21	22	23	24	25	18	19	20	21	22	23	24	22	24	25	26	27	28	29
29	30	31					26	27	28	29				25	26	27	28	29	30	31	30						



# 2023-24

## COUNCIL MEETINGS

Community Centre, Shute Hill  
 Bishopsteignton, Devon, TQ14 9QL  
 07483 149812  
 clerk@bishopsteignton-pc.gov.uk

### OPTION B – 9 Full Council Meetings (includes 22/05/23)

MEETING DATE	COMMITTEE	EXPECTED BUSINESS FOR AGENDA
Monday 5th June	FULL COUNCIL	Currently no business scheduled or expected. Dependent on your resolution
Monday 26th June	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
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Monday 18th September	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
Monday 16th October	FULL COUNCIL	Currently no business scheduled or expected. Will include current planning matters if required.
Monday 20th November	PLANNING COMMITTEE	To consider BPC comments to any current application and receive notification of approvals, refusals and appeals. If required.
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- A working party/group is not obligated to publish a notification or an agenda in advance of its meeting.

# 2023-24 MEETINGS (Option B)



9	Full Council (8 if it is resolved to cancel 5 <sup>th</sup> June)
8	Planning Committee, if required
2	Finance Committee
3	Governance & Strategy Committee

MAY 2023							JUNE 2023							JULY 2023							AUGUST 2023						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
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29	30	31					26	27	28	29	30			24	25	26	27	28	29	30	28	29	30	31			
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M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
1	2	3	4	5	6	7				1	2	3	4					1	2	3	1	2	3	4	5	6	7
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22	23	24	25	26	27	28	19	20	21	22	23	24	25	18	19	20	21	22	23	24	22	24	25	26	27	28	29
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# BISHOPSTEIGNTON PARISH COUNCIL

## Appendix B for 22.05.23 Clerks Report

### GENERAL POWER OF COMPETENCE

The General Power of Competence was introduced in the Localism Act 2011 and enables an eligible local council to do anything an individual might do within the realms of the law. The General Power of Competence (GPOC) allows eligible local councils to have more freedom in their actions and is often referred to as the power of first resort; when a council is looking for a power to act, their first question can be whether they can use the GPOC.

The power can be used to do anything an individual might do, with a few restrictions:

- you must still act within the law.
- if an individual can't do it, then you cannot use the general power (although may be able to use other powers such as for raising a precept).
- if what you intend to do conflicts with a duty of another local authority (such as the provision of education) then you will still be able to help but only in ways an individual could.

I can confirm the Bishopsteignton Parish Council are eligible to resolve to use the GPOC:

- At least two thirds of the council is made up of elected members. This means at least two thirds of parish councillors must have been elected, not co-opted. Elected can include councillors elected at contested election, or at an uncontested election, therefore currently all 11 members are elected.
- A qualified clerk. This means that the clerk of the council must hold the Certificate in Local Council Administration\* (a level 3 qualification) and/or one of the higher education qualifications (level 4 or above) such as the Certificate of Higher Education in Local Council administration. I am CiLCA qualified (2019).

An eligible council which wished to use the GPOC needs to formally adopt this at a meeting of the full council, preferably the meeting as soon as eligibility is achieved (first meeting after election or clerks' qualification achievement).

Once the council has resolved to adopt it, the General Power of Competence is retained until after the next election where it will need to have an agenda item to check whether or not it is still eligible.

Kim Ford (CiLCA)  
Clerk to the Council





# BISHOPSTEIGNTON PARISH COUNCIL

## COUNCILLOR CODE OF CONDUCT

### **Local Government Association Joint Statement**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable, and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

### **Introduction**

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

### **Definitions**

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
  - b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;
- and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

## Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

## General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, on any matters that may relate to the Code of Conduct., who may refer matters to the Monitoring Officer.

## Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

## General Conduct

### 1. Respect

#### As a councillor:

#### 1.1 I treat other councillors and members of the public with respect.

#### 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

### 2. Bullying, harassment and discrimination

#### As a councillor:

#### 2.1 I do not bully any person.

#### 2.2 I do not harass any person.

#### 2.3 I promote equalities and do not discriminate unlawfully against any persons.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or

puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

### **3. Impartiality of officers of the council**

**As a councillor I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information**

**As a councillor:**

#### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
  - i. I have received the consent of a person authorised to give it;
  - ii. I am required by law to do so;
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
  - iv. the disclosure is:
    - reasonable and in the public interest; and
    - made in good faith and in compliance with the reasonable requirements of the local authority; and
    - I have consulted the Monitoring Officer prior to its release.

**4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

**4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## 5. Disrepute

**As a councillor I do not bring my role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

## 6. Use of position

**As a councillor I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## 7. Use of local authority resources and facilities

**As a councillor:**

**7.1 I do not misuse council resources.**

**7.2 I will, when using the resources of the local authority or authorising their use by others:**

- a. **act in accordance with the local authority's requirements; and**
- b. **ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the**
- c. **discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor. Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## 8. Complying with the Code of Conduct

**As a Councillor:**

- 8.1 I undertake Code of Conduct training provided by my local authority.**
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.**
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

## **Protecting your reputation and the reputation of the local authority**

### **9. Interests**

**As a councillor I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B sets** out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

### **10. Gifts and hospitality:**

**As a councillor:**

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

## COUNCILLOR CODE OF CONDUCT



In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## Appendices

### Appendix A – The Seven Principles of Public Life

The 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 in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose 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.



## Appendix B – Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

### Disclosure of Other Registerable Interests

5. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

### Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to your financial interest or wellbeing (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or wellbeing of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’,



you do not have to disclose the nature of the interest.

7. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or wellbeing.
  - b. a financial interest or wellbeing of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests asset out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

8. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on forprofit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during theprevious 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 LabourRelations (Consolidation) Act 1992.
<b>Contracts</b>	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 beprovided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which iswithin the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which doesnot give the councillor or his/her spouse orcivil 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.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the councillor'sknowledge)— (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 asif they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.



<p><b>Securities</b></p>	<p>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 have a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>
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\* ‘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.

**Table 2: Other Registrable Interests**

<p>You must register as an Other Registrable Interest:</p> <ul style="list-style-type: none"> <li>a) any unpaid directorships</li> <li>b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority</li> <li>c) any body                         <ul style="list-style-type: none"> <li>(i) exercising functions of a public nature</li> <li>(ii) directed to charitable purposes or one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).</li> <li>(iii) of which you are a member or in a position of general control or management</li> </ul> </li> </ul>
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## Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations.

These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straight forward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be



made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers’ roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

*The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose. BPC will amend when necessary in accordance with any recommendations made by the LGA & recognised by the NALC.*

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