



# OAKHAM TOWN COUNCIL

## CODE OF CONDUCT

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## 1. Introduction

1.1 **This Code of Conduct (“the Code”) was adopted by Oakham Town Council (“the Council”) as required by Section 27 of the Localism Act 2011 (“the Act”) on the 8<sup>th</sup> August 2012 and amended on March 12<sup>th</sup>, 2014**

1.2 The Council has a statutory duty under the Act to promote and maintain high standards of conduct by members and co-opted members of the Council and the Code sets out the standards that the Council expects members to observe.

1.3 The Code is not intended to be an exhaustive and exclusive list of all the obligations that are placed on members. It is the responsibility of individual members to comply with the provisions of the Code as well as such other obligations as may apply to them from time to time.

1.4 The Code is based on the following standards which incorporate the principles of Standards In Public Life, i.e.

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

## 2. To Whom Does the Code Apply?

2.1 The Code applies to all members of the Council and to all co-opted members of any committee or sub-committee of the Council.

2.2 For the purposes of this Code, a co-opted member is a person who is not an elected member of the Council but who is either a member of any committee or sub-committee or joint sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

2.3 For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

## 3. When Does the Code Apply?

3.1 The Code applies whenever a person is acting in his/her official capacity as a member of the Council or a co-opted member in the conduct of the business or acting as a representative of the Council. The Code does not apply when a person claims to act or gives the impression of acting as a representative of the Council.

## 4. Member Obligations

4.1 A member of the Council has the following obligations. He or she shall –

4.1.1 Behave in such a way that a reasonable person would regard as respectful.

4.1.2 Not act in a way which a reasonable person would regard as bullying or intimidatory.

4.1.3 Not seek to improperly confer an advantage or disadvantage on any person.

- 4.1.4 Use the resources of the Council in accordance with its requirements.
- 4.1.5 Not disclose information which is confidential or where disclosure is prohibited.

## **5 Registration of Interests**

- 5.1 Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
- 5.2 Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests set out in Appendices A and B.
- 5.3 A member shall register with the Monitoring Officer any change in interests or new interests as set out in Appendices A and B within 28 days of becoming aware of them.
- 5.4 A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'.
- 5.5 A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the Member to be subject to violence or intimidation.

## **6 Declaration of Interests at Meetings**

- 6.1 Where a matter arises at a meeting which relates to an interest in Appendix A, the member shall not participate in a discussion or vote on a matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
- 6.2 Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.
- 6.3 Where a matter arises at a meeting which relates to Appendix B, the member shall not vote on a matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
- 6.4 A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
- 6.5 Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

## **7 Dispensations**

- 7.1 On a written request made to the Council's Proper Officer, the Proper Officer may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B, if the Proper Officer believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

## **8 Review**

This Code of Conduct will be reviewed periodically on changes to legislation or good practice and at least annually.

## Appendix A

Interests defined by regulations made under section 30(3) of the Localism Act 2011 and described in the table below.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 5.1 above for expenses incurred by him/her in carrying out his/her duties as a member, 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 Labour Relations Act 1992.
Contracts	Any contract made between the member or between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in which such a person is a partner in a firm, a director of an independent body or holds the beneficial interest in securities*) and the Council -
	(a) under which goods or services are to be provided or works are to be executed; and
	(b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where ( to the member's knowledge)
	(a) the landlord is the Council; and
	(b) the tenant is a body in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest.
Securities	Any beneficial interest in securities of a body where-
	(a) that body (to the member'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 member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\* 'Securities' means shares, debentures, debenture stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and any other securities of any description, other than money deposited with a building society.

## **Appendix B**

An interest which relates to or is likely to affect:

- (i) Any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council.
- (ii) 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 the member of the Council is a member or in a position of general control or management.
- (iii) Any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.