GOXHILL PARISH COUNCIL

CODE OF CONDUCT

Adopted: 3/2/2022, reviewed December 2024

1. INTRODUCTION

1.1 This Code of Conduct ('Code') has been adopted by Goxhill Parish Council ('Council') as required by Section 27 of the Localism Act 2011 ('Act').

1.2 The Council has a statutory duty under the Act to promote and maintain high standards of conduct by its Members.

1.3 This Code is not intended to be an exhaustive 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 legal obligations as may apply from time to time. Members should also comply with the following "Nolan" principles:

Selflessness
Integrity
Objectivity
Accountability
Openness
Honesty
Leadership

2. WHO DOES THIS CODE APPLY TO AND WHEN DOES IT APPLY?

2.1 This Code applies to all Members of the Council and to all co-opted Members of any committee, sub-committee or joint committee of the Council.

2.2 This Code applies whenever a person is acting in his/her official capacity as a Member of the Council or co-opted Member in the conduct of the Council's business, or acting as a representative of the Council, including -

2.2.1 at meetings of the Council, its Committees and Sub-Committees;

2.2.2 when acting as a representative of the Council;

2.2.3 at briefing meetings with officers;

2.2.4 at site visits; and

2.2.5 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

2.3 Any allegation received by the Council that a Member has failed to comply with this Code will be dealt with under the Arrangements which the North Lincolnshire Council has adopted for such purposes.

3. WHAT STANDARDS OF CONDUCT ARE MEMBERS EXPECTED TO OBSERVE?

3.1 You must treat others with respect and courtesy.

3.2 You must not bully or harass any person, as further defined in Appendix 2.

3.3 You must not do anything which may cause the Council to breach any equality laws.

3.4 You must not conduct yourself in a manner which could reasonably be regarded as bringing the Council, or your office as a Member of the Council, into disrepute.

3.5 You must not knowingly prevent, or attempt to prevent, another person from gaining access to information to which they are entitled by law.

3.6 You must act solely in the public interest and not use, or attempt to use, your position as a Member improperly to confer or secure for yourself or any other person an advantage or disadvantage.

3.7 You must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the Council.

3.8 You must only use, or authorise the use of, the Council's resources for proper purposes (non-political with regard being had to any applicable Code of Recommended Practice on Local Authority Publicity) and in accordance with the Council's procedural and policy requirements.

3.9 You must not disclose information which is given to you in confidence, or information which you believe, or ought to be aware, is of a confidential nature, except where:

3.9.1 you have the consent of the person authorised to give it;

3.9.2 you are required to do so by law;

3.9.3 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

3.9.4 the disclosure is reasonable in the public interest, made in good faith, and that you have consulted the Monitoring Officer.

3.10 You must:

3.10.1 undertake Code of Conduct training provided or recommended by the Council

3.10.2 co-operate with any Code of Conduct investigation and/or determination

3.10.3 not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings

3.10.4 comply with any sanction imposed on you following a finding that you have breached the Code of Conduct

3.11 You must not accept gifts and hospitality regardless of value where it may lead any reasonable person with knowledge of the relevant facts to believe that you might be influenced by the gift or hospitality given.

4. DISCLOSABLE PECUNIARY INTERESTS ('DPI')

4.1 You have a Disclosable Pecuniary Interest (DPI) in any business of the Council if that interest falls under any of the descriptions at Appendix 1 of this Code.

Disclosure Requirement

4.2 You must, within 28 days of 1st July 2012 or of taking office as a Member or co-opted Member (where that is later), notify North Lincolnshire Council's Monitoring Officer ('Monitoring Officer') of any DPI as defined in Regulations made by the Secretary of State and set out in Appendix 1 of this Code, where the DPI is yours or your partner's (which means spouse or civil partner, a person with whom you are living with as husband or wife or a person with whom you are living with as civil partners). You must also notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your DPIs.

4.3 You must make verbal declaration of the existence and nature of any DPI at any meeting of the Council at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent. Where the interest is deemed a "sensitive interest" (see paragraph 4.5), you need only declare the existence of the DPI but not the detail.

4.4 If you are present at a meeting of the Council, or any committee, sub-committee, joint committee or joint sub-committee of the Council, and you have a DPI in any matter to be considered or being considered at the meeting, unless a dispensation has been granted,

4.4.1 you must not participate in any discussion of the matter at the meeting.

4.4.2 you must not participate in any vote taken on the matter at the meeting.

4.4.3 you must withdraw from the room or chamber whilst the matter is being discussed and voted on.

4.4.4 if the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Sensitive Interest

4.5 Where you consider that disclosure of the details of a DPI could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a DPI, the details of which are withheld under Section 32 (2) of the Act.

5. CRIMINAL SANCTIONS RELATING TO DISCLOSABLE PECUNIARY INTERESTS

5.1 A Member commits a criminal offence if, without reasonable excuse, you -

5.1.1 fail to notify the Monitoring Officer of any DPI within 28 days of election;

5.1.2 fail to disclose a DPI at a meeting if it is not on the register;

5.1.3 fail to notify the Monitoring Officer within 28 days of a DPI that is not on the register that you have disclosed to a meeting;

5.1.3 participate in any discussion or vote on a matter in which you have a DPI; and

5.1.4 knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

5.2 The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a Councillor for a maximum of 5 years.

6. PERSONAL INTERESTS

6.1 You have a personal interest in any business of the Council where either it relates to or is likely to affect -

6.1.1 any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;

6.1.2 any body -

exercising functions of a public nature;

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), of which you are a member or in a position of general control or management.

6.1.3 the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25, such gift or hospitality to be registered within 28 days of receipt.

6.2 You have a personal interest in any business of the Council where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision, or relates to or is likely to affect any interests you have registered as a DPI.

6.3 A *relevant person* is -

6.3.1 a member of your family or any person with whom you have a close association; or

6.3.2 any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

6.3.3 any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

6.3.4 any body of a type described in sub-paragraphs 6.1.1 and 6.1.2.

Disclosure Requirement

6.4 If you have a personal interest as defined in paragraph 6.1, you must, within 28 days of 1st July 2012 or of taking office as a Member or co-opted Member (where that is later), notify the Monitoring Officer in writing of such interest. You must also notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your personal interests defined in paragraph 6.1.

6.5 Subject to paragraph 6.6, you must make a verbal declaration of the existence and nature of any personal interest you have under this paragraph, at any meeting of the Council at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent. Where the interest is deemed a "sensitive interest" (see paragraph 4.5), you need only declare the existence of the interest but not the detail.

6.6 Where you have a personal interest in any business of the Council which relates to or is likely to affect a body defined in paragraphs 6.1.1 and 6.1.2 you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

6.7 Having disclosed a personal interest and providing it is not a prejudicial interest, you may still continue to participate and vote on the matter at that meeting.

7. PREJUDICIAL INTERESTS

7.1 Where you have a personal interest in any business of the Council you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest (unless the matter falls within one of the exempt categories detailed in paragraph 8) and where that business -

7.1.1 affects your financial position or the financial position of a person or body described in paragraph 6.3; or

7.1.2 relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 6.3.

Disclosure Requirement

7.2 Subject to paragraph 7.3, where you have a prejudicial interest in any business of the Council, you must make verbal declaration of the existence and nature of such interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent and, unless a dispensation has been granted, -

7.2.1 you must not participate in any discussion of the matter at the meeting.

7.2.2 you must not participate in any vote taken on the matter at the meeting.

7.2.3 you must, unless paragraph 7.3 applies, withdraw from the room or chamber whilst the matter is being discussed and voted on.

7.3 Where you have a prejudicial interest in any business of your Council, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room or chamber where the meeting is held immediately after making representations, answering questions or giving evidence.

8. EXEMPT CATEGORIES

8.1 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of the Council in respect of -

8.1.1 an allowance, payment or indemnity given to Members;

8.1.2 any ceremonial honour given to Members; and

8.1.3 setting council tax or a precept under the Local Government Finance Act 1992.

9. REGISTER OF INTERESTS

9.1 Any interests notified to the Monitoring Officer will be included in the register of members' interests. A copy of this register will be available for public inspection and will be published on North Lincolnshire Council's website.

9.2 For the purposes of this Code a DPI is the subject of a 'pending notification' where it has been notified to the Monitoring Officer but has not yet been entered in the register of members' interests in consequence of that notification.

APPENDIX 1

A 'Disclosable Pecuniary Interest' is an interest of yourself or your partner (which means spouse or civil partner, 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) within the following descriptions:

Interest	**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 relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority - (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 relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge) - (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where - (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions;

"the Act" means the Localism Act 2011;

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

"director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

"M" means a member of a relevant authority;

"member" includes a co-opted member;

"relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

"relevant person" means M or any other person referred to in section 30(3)(b) of the Act;

"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.

APPENDIX 2

Bullying and Harassment

The following should be read in conjunction with the paragraph 3.2 of this Code.

Bullying maybe characterised as: offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, denigrate or injure the recipient.

Harassment maybe characterised as: unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Bullying and harassment is not necessarily face to face, it may occur through written communications, visual images or by email and phone. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Some examples of bullying and harassment include:

- Spreading malicious rumours, or insulting someone by word or behaviour
- Exclusion or victimisation
- Ridiculing or demeaning someone
- Unfair treatment
- Deliberately undermining the competence of an employee by constant criticism.
- Unwanted sexual advances
- Threats to a person's wellbeing, reputation or employment.

These examples are not exhaustive and due regard will be had to any guidance issued by ACAS, from time to time, on the definition of bullying and harassment in the application of paragraph 3.2 of this Code.