

## **PART VII**

### **CRUDWELL PARISH COUNCIL CODE OF CONDUCT**

#### **INTRODUCTION**

Pursuant to Section 27 of the Localism Act 2011, Crudwell Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standard of behaviour by its members and co-opted members whenever they conduct business of the Council, including business of the office which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

#### **DEFINITIONS**

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

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

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

#### **MEMBER OBLIGATIONS**

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/She shall behave in such a way that a reasonable person would regard as respectful.
2. He/She shall; not act in such a way which a reasonable person would regard as bullying or intimidatory.
3. He/She shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/She shall use the resources of the Council in accordance with requirements.
5. He/She shall not disclose information which is confidential or where disclosure is prohibited by law.

## **REGISTRATION OF INTERESTS**

6. 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 the Appendices A and B.
7. 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 in Appendices A and B.
8. A member shall register with the Monitoring Officer any changes to interest or new interests in Appendices A and B within 28 days of becoming aware of it.
9. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest.' 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.

## **DECLARATION OF INTERESTS AT MEETINGS**

10. 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 the 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.
11. 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.
12. Where a matter arises at a meeting which relates to an interest on Appendix B, the member shall 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.
13. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register or interests or he/she has not notified the Monitoring Officer 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.
14. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest of a person 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.

## **DISPENSATIONS**

15. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even is he/she has an interest in Appendices A and B if the Council 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 a member to take part or it is otherwise appropriate to grant a dispensation.

## Appendix A

Interests described in the table below

| <b>Subject</b>                                    | <b>Description</b>   |
|---|--|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried for profit or gain by the member by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners.  |
| Sponsorship                                       | Any payment or provision of any other financial benefit (other than from the Council) made to a member during the 12 month period ending on the latest date referred to in paragraph 6 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 (Consolidation Act) 1992.   |
| Contracts   | Any trade made between the member of his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners or a firm in which such person is a partner or in incorporated body of which such a person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council—<br>(a) Under which goods or services are to be provided or works are to be executed and<br>(b) Which has not been fully discharged.  |
| Land  | Any beneficial interest in land held by the member of by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners which is within the area of the Council.<br>'Land' excludes easement, servitude, interest or right in or over land which does not give 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 (alone or jointly with another) a right to occupy or receive income.  |
| Licences  | Any licence (alone or jointly with others) held by the member of by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners to occupy land in the area of the Council for a month or longer.  |
| Corporate tenancies                               | Any tenancy where (to the member's knowledge)—<br>(a) The landlord is the Council and<br>(b) the tenant is a body that 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 is a partner or a director* of or has a beneficial interest in the securities* of.   |
| Securities  | Any beneficial interest held by the member of by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners in securities* of a body where—<br>(a) That body (to the member's knowledge) has a place of business or land in the area of the Council; and<br>(b) either—<br>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body ; or<br>(ii) (if the share capital of that body is 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 capital of that class |
|   |  |

\* '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.

## **Appendix B**

An interest which relates to or is likely to affect:

- (i) any body to 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.

**PART VII**  
**CRUDWELL PARISH COUNCIL**  
**COMPLAINTS PROCEDURE**

**INTRODUCTION**

1. A complaint may be submitted to the Council against an individual Councillor, the Clerk or the Council in general, by a member of the Public or any associated Agency. Regardless of the source of the complaint or its nature, in the first instance the procedures to resolve any dispute will be the same as outlined below. Throughout the procedure the appropriate degree of confidentiality will be observed by the appointed investigating Councillors.

**PROCEDURE**

2. On the receipt of a complaint, the Council will appoint at least two Councillors as appropriate to investigate the issue of concern. They will acknowledge to the Complainant that their complaint is being addressed.
3. It is accepted that the nature of the complaint may cover a wide variety of issues with a spectrum of complexity. Wherever possible a complaint should be resolved as informally as the nature of the issue permits. A record of all deliberations should be maintained to facilitate any future discussion that may become necessary.
4. Having understood the issues of concern and decided on a suggested redress the investigating Councillors should discuss and record with the Complainant an acceptable resolution. Such discussion may be in person or by suitable alternative methods acceptable to the Complainant.
5. If an agreeable resolution cannot be achieved, then the Complainant should be offered the opportunity to transfer the complaint to the Wiltshire Council Monitoring Officer. The ensuing procedure will then be in accordance with the Monitoring Officer's normal method of resolution and disciplinary sanctions.