

1.2.6 Annually, the Council appoints a Town Mayor to chair the Council and be the public face of Uppingham. A Deputy Mayor is also appointed.

1.2.7 The Council is responsible for any changes to its Standing Orders.

### **1.3 Councillors and their duties:**

1.3.1 Before taking up their duties, Councillors must sign a statutory declaration of acceptance of office on being elected to the Council and sign and complete their register of members' interests.

#### **1.3.2 Councillors:**

- when sitting in full Council, collectively make the decisions of the Council;
- represent their community and bring its views into the Council's decision-making process, i.e. be the advocate of, and for, their community;
- deal with individual casework and act as an advocate for the people of Uppingham in resolving particular concerns or grievances;
- respond to enquiries and representations fairly and impartially;
- be available to represent the Council on other bodies as well as serve on committees;
- maintain the highest standards of conduct and ethics in accordance with the Code of Conduct.

#### **1.3.3 A Councillor's key tasks:**

- Participate effectively as a member of the Council and any committee, or other body to which they have been appointed, acting at all times within the remit of these standing orders;
- promote the Council and the town it represents;
- promote partnership working with other bodies;
- serve on any review body the Council has constituted and to which they have been appointed;
- participate in the activities of an outside body to which they have been appointed by the council, providing two-way communication between the organisations;
- report to the Council at the next available opportunity on the activities of any outside body to which he or she is appointed by the council;
- ensure that, when attending meetings with third parties at the resolution of full council or standing committee, a brief report of the meeting is submitted to the Clerk at the next available opportunity for circulation to members;

- participate, as appointed, in consultative processes with the community and with other organisations;
- develop and maintain a working knowledge of the Council and the role of the Town Clerk;
- contribute constructively to open government and transparent decision making;
- actively encourage local people to participate generally in local governance of the area;
- use any delegated power solely within the confines of the resolution giving those powers.

## **1.4 The Council**

### **1.4.1 Only full Council can exercise the following functions:**

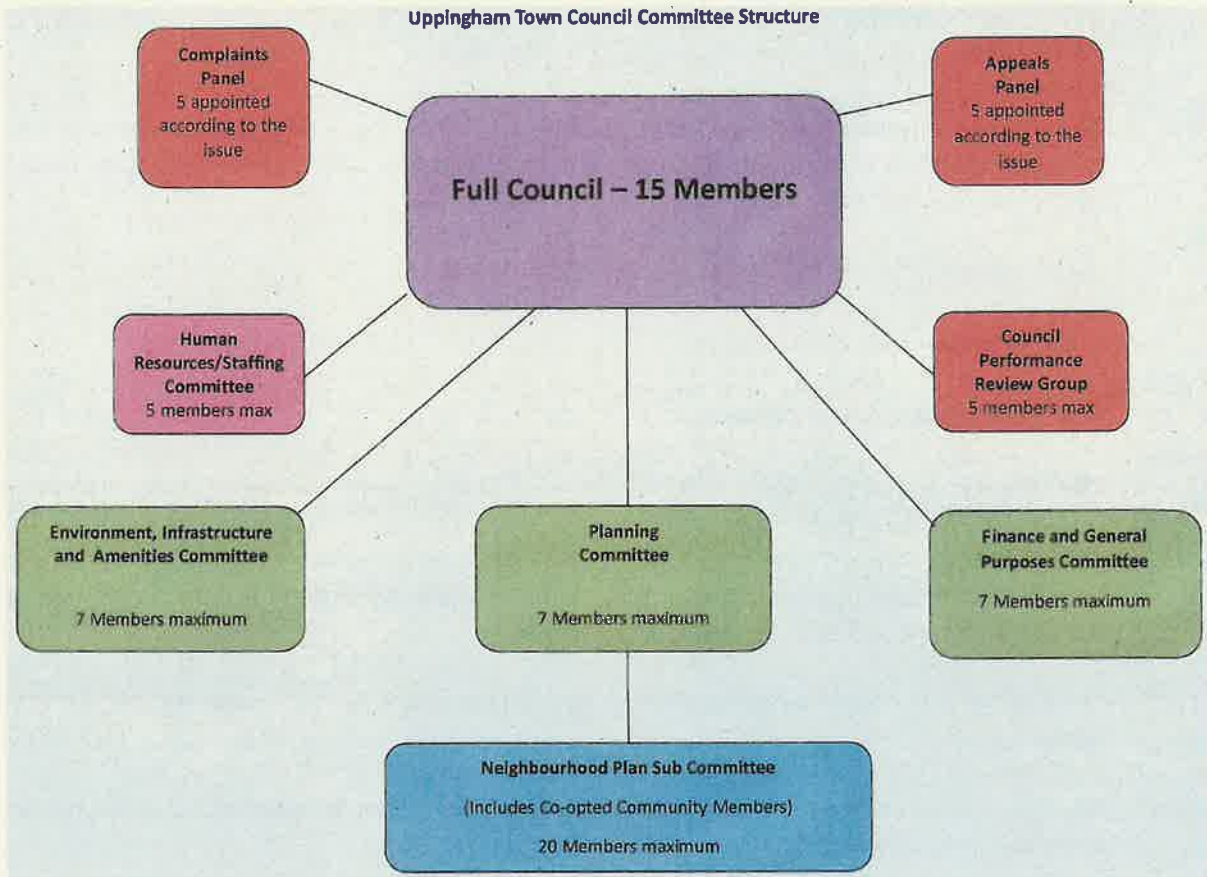
- adopt and change standing orders;
- adopt corporate strategies and policies;
- approve and adopt the annual budget;
- set an annual precept;
- agree terms of reference for any committee;
- appoint to committees
- appoint representatives to outside bodies
- appoint a Town Clerk unless such power has been delegated to a group set up with the purpose of making such an appointment;
- promote byelaws;
- elect the Town Mayor;
- elect the Deputy Mayor;
- and all other matters, which by law, must be reserved to the Council.

### **1.4.2 There are three types of Council meeting:**

- the annual council meeting;
- ordinary meetings;
- extraordinary meetings.

### **1.4.3 The Council and its committees meet throughout the year as determined at the Annual Council Meeting.**

#### 1.4.4 Scheme of Delegation.



#### **Standing Committees:**

- Planning as appropriate to local Planning Authority timescales, or as and when required;
- Environment, Infrastructure and Amenities as and when required;
- Finance & General Purposes as and when required;
- Staffing as and when required.

#### **Sub Committees:**

- Neighbourhood Plan Sub Committee as and when required.

#### **Advisory Committees:**

- Council Performance Review Group as and when required
- Complaints Panel as and when required
- Appeals Panel as and when required

1.4.5 Quorum – a quorum shall consist of a minimum 5 members for meetings of the full council (being one third of the membership), and a minimum of three members for Standing Committees and advisory panels, committees and groups. For the Neighbourhood Plan Sub Committee the quorum shall be 7 of which at least three shall be council members.

## **1.5 Town Mayor**

- 1.5.1 The Council has a Town Mayor, who is elected annually at the Annual Meeting. The main duty of the Mayor is to preside over meetings of the full Council.
- 1.5.2 The role of the Mayor is to undertake Uppingham Town Council's civic and ceremonial duties in a dignified manner so as to uphold and enhance the status of the town and engender civic pride. The role has three main aims:
- As a symbol of authority;
  - Act as ambassador for the town;
  - An expression of Social Cohesion.
- 1.5.3 The Mayor is entitled to the right of precedence within the town and should be accorded the respect due to the office.
- 1.5.4 For the purposes of these standing orders the Town Mayor is the Chair of the Council and has the same rights and duties as a local council Chair.
- 1.5.5 The Council's civic regalia shall be worn as appropriate and when not in use should be stored safely.
- 1.5.6 The Mayor sits on all standing committees ex-officio – in addition to specified members (shown at section 1.7.0 below)
- 1.5.7 In the absence of The Mayor, the Deputy Mayor will act in accordance with the points above in 1.5.0 to 1.5.6

## **1.6 Town Clerk (Clerk to the Council)**

- 1.6.1 The Council has a Town Clerk to provide advice, implement decisions, and manage the day-to-day running of the Council and the delivery of its services.
- 1.6.2 The Town Clerk is the Proper Officer of the Council delegated to discharge any functions of the Council provided for under statute (See also, Section 15 Standing Orders).
- 1.6.3 The Town Clerk is also the Responsible Financial Officer for discharging the Council's responsibilities under section 151 of the Local Government Act 1972. The Town Clerk's financial role is to ensure the proper administration of the Council's finances (See also, Section 16 Standing Orders).
- 1.6.4 The Town Clerk is responsible for the day to day management of the Council's staff.
- 1.6.5 Documents pertaining to legal procedures or proceedings of the Council shall be signed by the Town Clerk or other person(s) authorised by the Council.

## **1.7 The Council's Standing Committees, Sub Committees & Advisory Groups**

### *Committee membership*

1.7.1 Each committee shall consist of a maximum number of members and these will be elected at the Annual Council Meeting or Committee where appropriate (apart from the Complaints Panel and the Appeals Panel where membership shall be established at an appropriate full Council meeting dependent upon the issue requiring deliberation):

- Planning – 7 members
- Environment, Infrastructure and Amenities – 7 members
- Finance & General Purposes – 7 members
- Staffing – 5 members
  
- Neighbourhood Plan Sub Committee – maximum 20 members (including Councillors and community/external representatives.
  
- Council Performance Review Group – 5 members
- Complaints Panel – 5 members
- Appeals Panel – 5 members

1.7.2 For the Complaints Panel and the Appeals Panel where the matter to be discussed involves a Councillor, they may not serve as a member of that group

1.7.3 At the Annual Council Meeting a Chair and Deputy Chair will be appointed for each committee/group (with the exception of the Complaints Panel and Appeals Panel where these appointments will be made as and when required).

### *Meetings*

1.7.4 The Council will agree a year's meeting dates for each committee at its annual meeting in May. It may ask committees to meet at additional times and committees may also determine to meet at other times.

1.7.5 Committees will normally meet between Council meetings.

## **Terms of Reference for Standing & Advisory Committees**

### **1.8 Planning Committee**

#### **1.8.1 Purpose of the Committee:**

The purpose of the Planning Committee is to debate issues in detail concerning planning policy and planning applications and to make observations to the Planning Authority in accordance with planning guidelines on behalf of the Council, which is a statutory consultee.

### 1.8.2 Powers:

The Committee has **delegated authority** to consider and comment on planning applications and make recommendations to Council about planning policy and highways matters.

### 1.8.3 Frequency of meetings:

The Committee shall meet as appropriate to local Planning Authority timescales, or as and when required.

### 1.8.4 Specific brief to:

- consider planning applications and make observations to the Planning Authority;
- convene a public meeting if it is felt that a planning application warrants such action and report findings to the Council and Planning Authority;
- appoint representatives or the Proper Officer to attend Planning Authority meetings and authorise them to speak on behalf of the Town Council;
- appoint representatives or the Proper Officer to attend Planning Enquiries and authorise them to speak on behalf of the Town Council;
- consider and make recommendations to Council on planning policy, Neighbourhood Plan and highway matters;
- ensure when requested to do so by the committee members or the proper officer that meetings with third parties have a clear and transparent agenda and recorded outputs are shared at the next available opportunity with committee and, when appropriate, full Council.

### 1.8.5 Sub-committee

The Neighbourhood Plan Sub-committee reports to the Planning Committee.

## 1.9 Environment, Infrastructure and Amenities Committee

### 1.9.1 Purpose of the Committee:

The purpose of the committee is to debate issues, determine decisions and when appropriate, make recommendations to Council in respect of issues within the remit of this Committee. It has **delegated authority** to spend within its allocated budget.

With a view to strengthening social cohesion to consider the functions and services provided by the Council in relation to:

- its environmental duties and goals
- the infrastructure and amenities for which the council is accountable including cemeteries, parks, gardens and open spaces, amenity areas, play areas and community facilities and toilets; and if required for budget and other relevant reasons to make recommendations to Council for any variations, improvements or alterations.

### 1.9.2 Powers:

To oversee the finance allocated to the Committee, for which it has **delegated powers** to make decisions and spend within the budget headings allocated to the Committee by the Council. Any virement applications must be referred to Finance & General Purposes Committee or to full Council.

### **1.9.3 Frequency of meetings:**

As and when required.

### **1.9.4 Specific brief to:**

- consider and recommend to Council any improvements variations, improvements or alterations to the Council's infrastructure including leisure and recreation facilities;
- monitor and enact changes to the ground's maintenance contract within existing budgetary constraints;
- review the use of the Council's leisure and recreational facilities;
- to oversee progress on any leisure or recreational projects;
- consider projects and associated costs;
- liaise with any appropriate external bodies and agencies;
- oversee the Christmas Lights installation as well as heritage and cultural initiatives;
- annually inspect the Council's leisure and recreation facilities;
- oversee the maintenance and development of the Town Hall, property and land;
- be the Council's primary area of expertise for all environmental matters
- ensure when requested to do so by the committee members or the proper officer that meetings with third parties have a clear and transparent agenda and recorded outputs shared at the next available opportunity with committee and full Council.

## **1.10 Finance & General Purposes Committee**

### **1.10.1 Purpose of the Committee:**

The purpose of the Finance and General Purposes Committee is to oversee and implement the councils financial affairs and to debate relevant issues of Strategy and Policy in detail and to formulate recommendations to the Council.

The Committee's strategic role will be to formulate strategies for the Council to consider adopting. Maintain oversight of Council approved long term plans. Draft for Council approval policies and procedures for the good governance of the Council.

### **1.10.2 Powers:**

The Committee will also maintain oversight over the Council's finances. It has **delegated authority** to spend within its allocated budget. This will include making decisions on budgeted finance and recommend to Council any proposals which are outside the approved budget and require either grant aiding or the use of financial reserves. Consider and recommend to full Council any virements proposed by other committees.

### **1.10.2 Frequency of meetings:**

As and when required.

### **1.10.3 Specific brief to:**

- formulate and consider draft strategic documents for Council approval;

- formulate and consider policies and procedures for Council approval;
- formulate and consider projects, their associated costs and funding sources;
- annually review financial regulations and recommend to Council any changes;
- oversee internal audit, consider any weaknesses identified and recommend appropriate actions;
- use its delegated authority to spend within the budget allocated to the committee subject to the overall budget adopted by the Council;
- oversee the preparation of a medium-term financial plan;
- prepare draft budgets for the following financial year and recommend to Council accordingly;
- maintain oversight of the income and expenditure against the current financial year's budget;
- approve applications for virement either from other committees or the Council's Responsible Financial Officer;
- formulate, consider and recommend to Council applications for expenditure from other committees which are outside their current budgets;
- ensure appropriate health and safety policies are in place to mitigate risk;
- provide oversight and manage the Council's risk approach;
- ensure when requested to do so by the committee members or the proper officer that meetings with third parties have a clear and transparent agenda and recorded outputs shared at the next available opportunity with committee and full Council.

## **1.11 Staffing Committee**

### **1.11.1 Purpose of the Committee:**

The purpose of the committee is to debate issues and recommend to Council matters relating to employment and personnel.

### **1.11.2 Powers:**

The committee has **no delegated powers** and all decisions and recommendations should be referred to Full Council at the next or most appropriate opportunity.

### **1.11.3 Frequency of meetings:**

As and when required.

### **1.11.4 Specific brief to:**

- oversee all matters relating to the employment of staff and making recommendations to Council thereon;
- recommend to Council matters regarding conditions of employment;
- review, job descriptions, contracts, salary awards, clerk appraisals and staff allocations, make recommendations to Council as appropriate;
- convene investigatory committees to examine disciplinary matters, reporting outcomes to full Council;
- monitor Health & Safety regulations, policy and procedures;



- monitor and review the Council's personnel policies and make recommendations to Council;
- In consultation with and including the Town Clerk, advise Council on the continuous professional development of all employees;
- recommend to Council any staff training requirements;
- ensure when requested to do so by the committee members or the Proper Officer that meetings with third parties have a clear and transparent agenda and recorded outputs shared at the next available opportunity with committee and full Council;
- require the maintenance by the Town Clerk of a staff handbook.

## **1.12 Neighbourhood Plan Sub-committee**

### **1.12.1 Purpose of the Sub-committee:**

The purpose of this subcommittee of the Planning Committee is to:

- Monitor the delivery of the current Neighbourhood Plan
- Monitor the relationship of the current Neighbourhood Plan with the Rutland Local Plan making recommendations to Planning Committee as appropriate
- Advise the Planning Committee and Full Council on the refreshing of the Neighbourhood Plan with the full involvement of the community and other interested parties.

### **1.12.2 Powers:**

This is a subcommittee of Uppingham Town Council who are the governing body for the Uppingham Neighbourhood Plan. All decisions, recommendations and proposed expenditure should be referred to Planning Committee or where appropriate, full Council. Volunteer committee members drawn from the community will be required to declare relevant interests and observe the council's code of conduct.

### **1.12.3 Frequency of meetings:**

As and when required.

### **1.12.4 Specific brief:**

- to report to the Planning committee and to follow the governance approach set out for the council by the Proper Officer;
- to consider and make recommendations to Council on future planning options for Uppingham;
- to engage as many of the community and key stakeholders as possible in the process, by encouraging participation and the submission of views and ideas
- to produce a plan that is compliant with current Neighbourhood Planning legislation and in general compliance with Rutland County Council's Local Plan
- to consult with and use the expertise of professional planners where appropriate
- to assess existing evidence as well as gather fresh evidence about the needs and aspirations of the community;
- to keep Rutland County Council Planning Department informed of progress;
- to liaise as appropriate with neighbouring councils (parish, district and county);
- to liaise with central government about new initiatives potentially shaping future content and revisions of the plan;

- ensure when requested to do so by the sub committee members or the proper officer that meetings with third parties have a clear and transparent agenda and recorded outputs shared at the next available opportunity with planning committee and full Council.

**1.12.5** In addition to appointed town councillors, members of the Sub Committee are drawn from the community with no more than two representatives from each recognised community forum outside of the Council.

Organisations are invited to confirm their nominated representatives and if desired, deputies with the Council. Those nominated should then (with assistance from the Town Council) complete and declare their pecuniary interests with the Monitoring Officer at Rutland County Council. To be able to vote at the Subcommittee, members will have to submit their registration before attending a meeting. Any deputies who have not undertaken a declaration will not be able to vote on matters conducted at the meetings.

Examples of community forums that may be invited to submit nominations for membership include:

*Residents' Associations*

- *Beeches Residents Association*
- *Limes, Firs & Spurs Residents Association*
- *The Elms Residents Association*

*Schools*

- *Uppingham School*
- *Uppingham Community College*
- *Leighfield Primary School*
- *Uppingham C of E*

*Churches Together*

- *St. Peter's & St. Paul's*
- *Uppingham Methodist Church*

*Youth Organisations*

- *Scouts / Cubs*
- *Brownies / Girl Guides*

*Others*

- *Uppingham First Ltd (which will include its sub groups)*
- *Uppingham Neighbourhood Forum*
- *Uppingham Business Forum*
- *Rutland County Council*
- *Sports Clubs*

In exceptional circumstances the Town Council may also authorise membership of the subcommittee by an individual who is not representing any group, where that individual is judged to have specific skills of value to the subcommittee.

## **1.13 Council Performance Review Group**

### **1.13.1 Purpose of the Advisory Group:**

The purpose of this group is to critically appraise progress (or otherwise) against the Council's agreed overall strategic plans (including Visions, Aims and Objectives) and bring any variations to the attention of Full Council for appropriate action to be taken.

#### **1.13.2 Powers:**

The advisory group has **no delegated powers** and all decisions and recommendations should be referred to Full Council at the next or most appropriate opportunity.

#### **1.13.3 Frequency of meetings:**

The group should meet at least quarterly to review the Council's performance but may meet more frequently as and when required.

#### **1.13.4 Specific brief to:**

- oversee all matters relating to the monitoring of Council's performance against agreed targets and objectives
- identify where shortfalls in performance are to be seen
- make recommendations to full Council on how to address any shortfalls in performance
- propose appropriate levels of communication on the subject of Council performance

### **1.14 Complaints Panel**

#### **1.14.1 Purpose of the Advisory Group:**

The purpose of this group is to act as an appropriate body to hear any complaints made within the boundaries of the Council's published Complaints Procedure.

#### **1.14.2 Powers:**

The advisory group has **no delegated powers** and all decisions and recommendations should be referred to Full Council at the next or most appropriate opportunity.

#### **1.14.3 Frequency of meetings:**

As and when required.

#### **1.14.4 Specific brief to:**

- Be the primary group to consider all complaints made to the Council which are covered by the Council's Complaints Policy
- identify the facts in each case referred to it
- make recommendations to full Council on how to address any such complaints
- make recommendations to full Council on any proposed improvements that could be made to the Council's Complaints Procedure.

### **1.15 Appeals Panel**

#### **1.15.1 Purpose of the Advisory Group:**

The purpose of this group is to act as an appropriate body to hear any appeals made within the boundaries of the Council's published Complaints Procedure and Staff Procedures.

**1.15.2 Powers:**

The advisory group has **no delegated powers** and all decisions and recommendations should be referred to Full Council at the next or most appropriate opportunity.

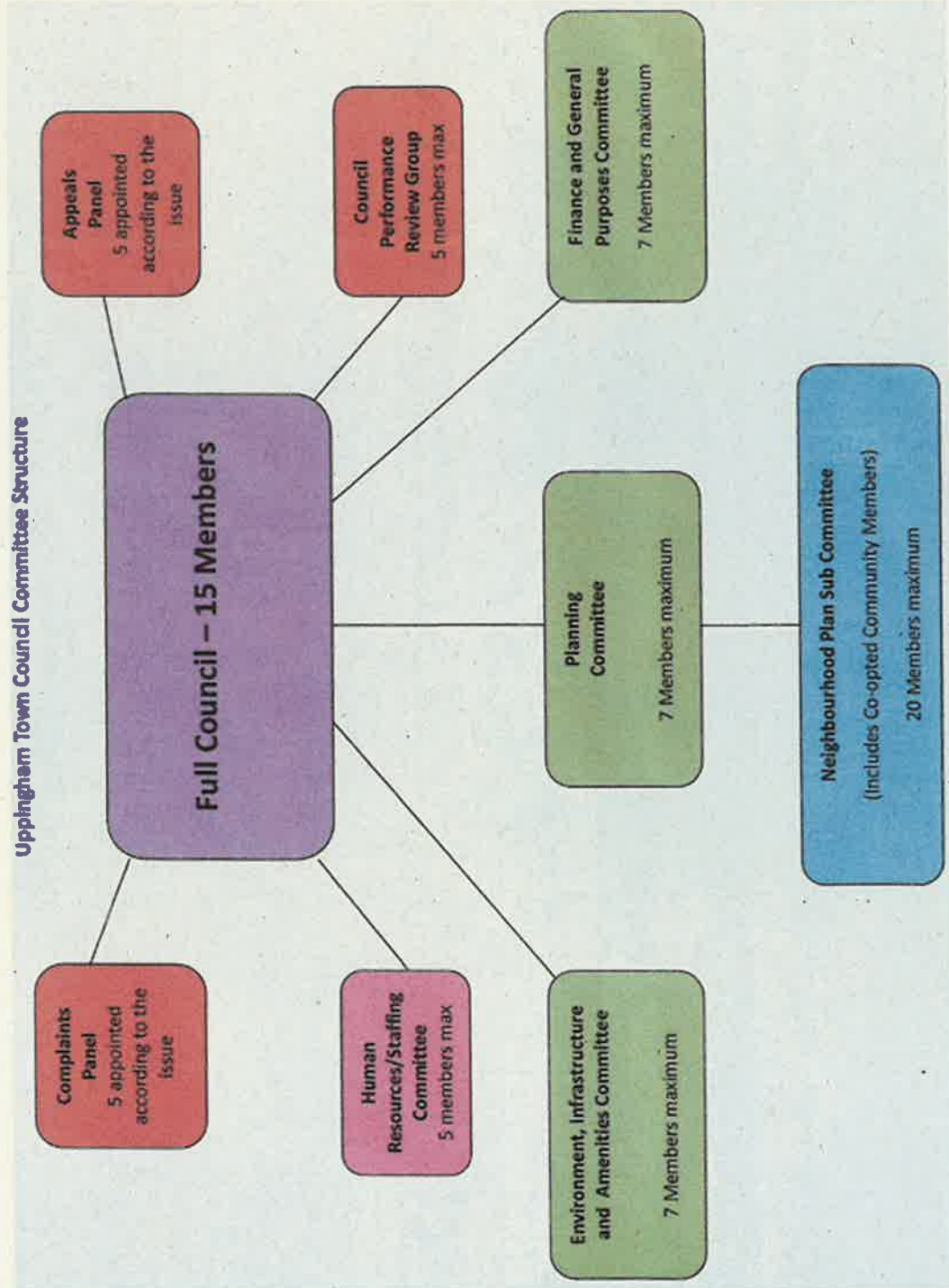
**1.15.3 Frequency of meetings:**

As and when required.

**1.15.4 Specific brief to:**

- Be the primary group to consider all appeals made to the Council which are covered by the Council's Complaints Policy
  - Be the primary group to consider all appeals made to the Council which are covered by the Council's Staffing Policies
  - identify the facts in each case referred to it
  - make recommendations to full Council on how to address any such appeals
  - make recommendations to full Council on any proposed improvements that could be made to the Council's Complaints Procedure or Staffing Procedures.
- 
- NB Members of this panel must not also serve on the Complaints Panel (1.14).

### 1.4.4 Scheme of Delegation.



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## **Local Government Association**

### **Model Councillor Code of Conduct 2020**

#### **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 behaviors 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, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, 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 person.**

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:**

#### **3.1 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:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. 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:**

### **5.1 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:**

### **6.1 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 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:**

**9.1 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.**

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.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it ]

### Disclosure of Other Registerable Interests

6. 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

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being 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.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set 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

9. 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.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

**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 for profit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 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 Labour Relations (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

	<p>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 —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</p>
<b>Land and Property</b>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give 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 (alone or jointly with another) a right to occupy or to receive income.</p>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(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 as if 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>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either—</p> <p>(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</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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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 Registerable 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</li><li>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)</li></ul></li></ul> <p>of which you are a member or in a position of general control or management</p>
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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 straightforward 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.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

***The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.***

# Agenda Item

Agenda item No: 11	Meeting of: Full Council
Appendix:	Date of the meeting: 07/05/2025
Strategic Aim:	
Report Author: Clerk to the council	Title: Committee Chairman and Deputy
Subject : Receive Nominations and Agree Committee Chairman and Deputy Chairman	

Receive Nominations and Agree Committee Chairman and Vice Chairman:

- a Finance and General Purposes Committee
- b Environment, Infrastructure & Amenities Committee
- c Planning Committee
- d Staffing Committee
- e Neighbourhood Plan Sub Committee

## Finance

Role	Name	Proposed	Second
Chairman			
Deputy Chairman			

## Amenities

Role	Name	Proposed	Second
Chairman			
Deputy Chairman			

## Planning

Role	Name	Proposed	Second
Chairman			
Deputy Chairman			

## Staffing

Role	Name	Proposed	Second
Chairman			
Deputy Chairman			