

KIRKBY FLEETHAM WITH FENCOTES PARISH COUNCIL

CODE OF MEMBERS CONDUCT

INTRODUCTION

1. Kirkby Fleetham with Fencotes Parish District Council has adopted the following Code for the purposes of Section 27(2) of the Localism Act 2011 dealing with the conduct that is expected of Members of the Parish Council when they are acting in that capacity.

PRINCIPLES

2. The Code is intended to be consistent with the following seven principles, and should be read in light of those principles, namely that members of the council will act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

CONDUCT

3. You must treat others with respect.

4. You must not do anything which may cause the Parish Council to breach any equality enactment.

5. You are entitled to Freedom of Expression. However, you must not bully, harass or intimidate any person, or attempt to bully, harass or intimidate any person. Bullying includes “offensive, intimidating, malicious or insulting words and behaviour and/or an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient”.

Harassment is defined in the Equality Act 2010 as “unwanted conduct related to a relevant protected characteristic”, 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 may more commonly arise from persistent behaviour, rather than one off instances, although depending on the behaviour complained of one-off instances may constitute a breach of this Code.

6. Examples of bullying include but are not limited to the following:

- a. spreading malicious rumours, or insulting someone by words or behaviour;
- b. ridiculing or demeaning someone, picking on them or setting them up to fail;
- c. exclusion or victimisation;
- d. unfair treatment;
- e. overbearing supervision or other misuse of power or position;
- f. making threats or comments about job security without foundation;
- g. unwelcome sexual advances – e.g. touching, standing too close, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected and displaying offensive material;
- h. deliberately undermining a competent worker by overloading and constant criticism;
- i. preventing individuals progressing by intentionally blocking promotion or training opportunities.

7. You must not do anything which compromises or is likely to compromise the impartiality of anyone who works for or on behalf of the Parish Council.

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

9. You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person any advantage or disadvantage and this includes discussing with other Members any matter in which you have a disclosable pecuniary interest.

10. If you are in receipt of any gift or hospitality which is attributable to your membership of the Parish Council and is of a value in excess of £25, or any offer of any such gift or hospitality, you must disclose this to the Parish Clerk; and you must decline to accept any such gift or hospitality which could reasonably be perceived as creating an obligation upon the Parish Council, or upon yourself as a Member of the Parish Council.

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

12. You must not disclose information which is given to you in confidence, or information which you believe or ought reasonably to be aware is of a confidential nature, unless:

- a. You have the consent of a person authorised to give it; or
- b. You are required by law to do so; or
- c. The disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
- d. The disclosure is reasonable, in the public interest, made in good faith, and made in compliance with the reasonable requirements of the Parish Council.

13. Where, as a Member of the Parish Council, you have been involved in making any decision which is subsequently subject to scrutiny within the Parish Council, you must not take part in the scrutiny process. For the purposes of this paragraph, you do not take part in a scrutiny process if you simply offer evidence or opinion to the scrutiny body, and do not participate in its decision.

DISCLOSURE OF INTERESTS

14. Subject to paragraph 16, you must register in the Parish Council's Register of Members' Interests information regarding your financial and personal interests. In this Code of Conduct "your personal interests" means any disclosable pecuniary interest as defined by statutory regulations in force from time to time.

15. You must register information regarding your financial and personal interests (and those of your spouse or civil partner or persons living with you as if a spouse or civil partner) by giving written notice on the relevant form to the Monitoring Officer at HDC before the end of 28 days beginning with the day you become a Member, or within 28 days following any changes to your personal interests.

16. Where you consider that disclosure of the details of any of your disclosable pecuniary interests could lead to you, or a person connected with you, being subject to violence or intimidation, you may so inform the Monitoring Officer; and if the Monitoring Officer agrees, a note will be made in the Register to the effect that you have a disclosable pecuniary interest, details of which are withheld under Section 32 of the Localism Act 2011.

17. You must comply with any Standing Order or Procedure Rules adopted by the Parish Council which requires Members to leave the room during any meeting at which a matter in which they have a disclosable pecuniary interest is being discussed.

COMPLAINT

18. Where a complaint under this Code has been made against you as a Member you shall:
- a. co-operate with the Parish Council and HDC Monitoring Officer during the assessment of the complaint;
 - b. co-operate with and attend any meeting of the Standards Hearings Panel at which the complaint is considered.

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