

## **Code of Conduct**

### **Purpose**

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.

### **Definitions**

For the purpose of this Code of Conduct document, a “Councillor” means a member or co-opted member of a local authority. A “co-opted member” is defined in the Localist 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 subcommittee of the parish council or

b – is a member of and represents the authority on and joint committee or joint sub-committee of the authority.

and who is entitled to vote on any questions 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, parish councils, town councils, county and district councils.

### **Councillors of Nether Denton Parish Council**

Nether Denton Parish Council has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by Members and the Code sets out the standards that the Council expects Members to observe.

The 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 to them from time to time. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.

**Application of the Code of Conduct** This Code of Conduct applies as soon as a councillor signs the declaration of acceptance of the office of councillor or attend their first meeting as a co-opted member and continues to apply until they cease to be a councillor.

This Code of Conduct applies to when they are acting in the capacity 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.

Councillors are also expected to uphold high standards of conduct and show leadership at all times when acting in the role of a councillor.

### **When acting in the capacity as a Councillor**

Councillors must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for themselves, family, friends, a close associate, of an employer or a business associated with them.

1. You must not place yourself under a financial or other obligation to outside individuals or organisations that may influence you in the performance of your official duties.
2. You must not disclose any information given to you as a Member in breach of any confidence.

3. You must not bring your office or your Council into disrepute.
4. You must treat others with respect and promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability. You should respect the impartiality and integrity of the Council's statutory officers and its other employees.
5. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits on merit.
6. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
7. You must be as open as possible about your decisions and actions and the decisions and actions of your Council and should be prepared to give reasons for those decisions and actions.
8. You must declare any private interests, both disclosable pecuniary interests and any other registrable interests, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner which conforms with the procedures set out below.
9. You must ensure, when using or authorising the use by others of the resources of your Council, that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Council Code of Publicity made under the Local Government Act 1986.
10. You must promote and support high standards of conduct when serving in your office.

## **Seven General Principles of Conduct**

The code is intended to be consistent with the seven principles as attached to this code and applies whenever a person is acting in his/her 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.

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.

**1 – Selflessness** - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**2 – Integrity** - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**3 – Objectivity** - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choices on merit.

**4 – Accountability** - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**5 – Openness** - Holders of public office should be as open as possible about the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands

**6 – Honesty** - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest

**7 – Leadership** - Holders of public office should promote and support these principles by leadership and by example, and should act in a way that secures or preserves public confidence.

### **Pecuniary and Non-pecuniary 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. Councillors must:

1. within 28 days of taking office a council, notify the Clerk to your Council of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners.
2. If an interest has not been entered onto the Council's register, then the member must disclose the interest to any meeting of the Council at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest' as described by the Localism Act 2011.

3. Following any disclosure of an interest not on the Council's register or the subject of pending notification, you must notify the Clerk to your Council of the interest within 28 days beginning with the date of disclosure.
4. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your Council.

Please note that failure to register or disclose pecuniary interests is a criminal offence under the Localism Act 2011.

### **Other Interests, Gifts and Hospitality**

*These interests are what the Council has determined should be entered into the Council's register of interests*

1. Details of 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 to by the District Council.
2. Details of any body of which you are a member, or in a position of general control or management, and which\_
  - a. Exercises function of a public nature;
  - b. Is directed towards charitable purposes; or
  - c. Is a body which includes as one of its principal purposes influencing public opinion or policy (this includes political parties or trade unions).
3. Details of any persons from whom you have received a gift or hospitality with an estimated value of at least £50. (You must register any gifts or hospitality worth £50 or over that you receive personally in connection with your official duties).
  - a. do not accept and gift or hospitality which could give rise to real or substantive personal gain or with a reasonable suspicion of influence to show favour.
  - b. any gift or hospitality accepted with an estimated value of at least £50 must be reported to the Monitoring Officer within 28 days.

### **Complying with the Code of Conduct**

As a Councillor:

- **I will undertake Code of Conduct training provided by my local authority.**
- **I will familiarise myself with other policies I must comply with.**

- I cooperate with any Code of Conduct investigation and/or determination.
- I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for Councillor to demonstrate high standards, to have actions open to scrutiny and not to undermine public trust in the local authority or its governance. If councillors do not understand or are concerned about the local authority's processes in handling a complaint, they should raise this with the Monitoring Officer.

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**Accepted by FCM and Adopted:** March 2026

**Date for next review:** March 2027

**Review:** Annually

**Amendment Notes -**

| Date accepted by FCM | Amendment |
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