

## Code of Conduct for Members

### 1 Application

This Code of Conduct applies to me whenever I am acting in my capacity as a member of High Peak Borough Council, including –

- 1.1 at formal meetings of the Council, its Committees and Sub-Committees, its Executive and Executive Committees
- 1.2 when acting as a representative of the Authority
- 1.3 in taking any decision as an Executive member or a Ward Councillor
- 1.4 in discharging my functions as a ward Councillor
- 1.5 at briefing meetings with officers and
- 1.6 at site visits
- 1.7 when corresponding with the authority other than in a private capacity

### 2 General Conduct

2.1 As a member or co-opted member of High Peak Borough Council I will have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

2.2 In accordance with the Localism Act provisions, when acting in this capacity I will be committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this Authority

- **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 declare 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.

2.3 As a Member of High Peak Borough Council my conduct will in particular address the statutory principles of the code of conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me – and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from ensuring that constituents' casework is appropriately pursued, the interests of the Borough's area or the good governance of the Authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of the Authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this Authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it.
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.

- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public, I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Authority.
- Not bullying or harassing any person (including any unwanted behaviour that makes someone feel intimidated, degraded, humiliated or offended), nor doing anything which may cause my Authority to breach any of its duties under the Equality Act 2010.
- Co-operating fully with any investigation carried out in accordance with the Council's Arrangements for dealing with Standards Complaints under the Localism Act 2011, and by not making any trivial or malicious allegations under those Arrangements.

### **3 Disclosable Pecuniary Interests**

This part explains the requirements of the Localism Act 2011 (Ss 29-34) and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 in relation to Disclosable Pecuniary Interests. These provisions are enforced by criminal sanction.

I will: -

- 3.1 comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which I have a Disclosable Pecuniary Interest.
- 3.2 ensure that my register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of my Disclosable Pecuniary Interests.
- 3.3 make an oral declaration of the existence and nature of any Disclosable Pecuniary Interest at any meeting at which I am 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 leave the room where the meeting is held while any discussion or voting takes place.
- 3.4 "Meeting" means any meeting organised by or on behalf of the authority, including:–
  - 3.4.1 any meeting of the Council, or a Committee or Sub-Committee of Council;
  - 3.4.2 any meeting of the Executive and any Committee of the Executive;
  - 3.4.3 in taking a decision as a Ward Councillor or as a Member of the Executive;
  - 3.4.4 at any briefing by officers; and
  - 3.4.5 at any site visit to do with business of the Authority.

## **4 Other Interests**

- 4.1 In addition to the requirements of Paragraph 3, if I attend a meeting at which any item of business is to be considered and I am aware that I have an interest in that item which may or may not be entered in my register of interests, I must make an oral declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.
- 4.2 I will have an interest, as referred to at 4.1 above, in an item of business of my Authority where –
  - 4.2.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of me or a member of my family or a person with whom I have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which I have been elected or otherwise of the authority's administrative area, or
  - 4.2.2 it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code, but in respect of a member of my family (other than a "relevant person") or a person with whom I have a close association, or
  - 4.2.3 it relates to an interest (other than a Disclosable Pecuniary Interest) entered in my register of interests,and that interest is not a Disclosable Pecuniary Interest.
- 4.3 Where I have an interest in accordance with 4.1 and 4.2 above then I will consider whether the nature of that interest is so significant that I should withdraw from participating in respect of the matter relating to that interest.

## **5 Gifts and Hospitality**

- 5.1 I will, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which I have accepted as a member from any person or body other than the authority.
- 5.2 The Monitoring Officer will place my notification on a public register of gifts and hospitality.
- 5.3 This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

# Appendix

## Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<i>Interest</i>	<i>Prescribed description</i>
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

<i>Interest</i>	<i>Prescribed description</i>
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(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.

For this purpose –

“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 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.