



WORCESTER CITY COUNCIL

CODE OF CONDUCT FOR MEMBERS

Adopted by Council: 26th June 2012

Worcester City Council
Code of Conduct for Members

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TEN PRINCIPLES OF PUBLIC LIFE

SELFLESSNESS

Members and other Holders of Public Office should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

HONESTY AND INTEGRITY

Members and other Holders of Public Office should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.

OBJECTIVITY

Members and other Holders of Public Office should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

ACCOUNTABILITY

Members and other Holders of Public Office should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

OPENNESS

Members and other Holders of Public Office should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

PERSONAL JUDGEMENT

Members and other Holders of Public Office may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

RESPECT FOR OTHERS

Members and other Holders of Public Office should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

DUTY TO UPHOLD THE LAW

Members and other Holders of Public Office should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

STEWARDSHIP

Members and other Holders of Public Office should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.

LEADERSHIP

Members and other 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.

As defined in the Nolan Report on Conduct in Public Life

WORCESTER CITY COUNCIL

CODE OF CONDUCT

Part 1

General provisions

Introduction and interpretation

1. (1) This Code applies to **you** as a member or co-opted member of Worcester City Council.
- (2) You should read this Code together with the Ten Principles of Public Life (also known as the Nolan Principles).
- (3) Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you should not be prohibited from participating in a decision in your political role as Member.
- (4) It is your responsibility to comply with the provisions of this Code.
- (5) In this Code—
"meeting" means any meeting of
 - (a) the authority;
 - (b) any of the authority's sub-committees, joint committees, joint sub-committees, or area committees;
 - (c) the executive (Cabinet) of the authority or its committees.

"Monitoring Officer" means the Monitoring Officer for the principal council which is Worcester City Council.

Attached as **Appendix 2** to this Code is a Glossary of relevant Terms.

Scope

2. (1) This Code applies to you as a member of this authority when you act in your role as a Member, or as a representative of this authority in the circumstances described in paragraph 2(b) below.
- (2) Where you act as a representative of the authority:-
 - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with the authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3. (1) You must treat others with respect.
- (2) You must not:-
 - (a) do anything which may cause your authority to breach any of the equality enactments;
 - (b) bully any person;
 - (d) intimidate or attempt to intimidate any person who is or is likely to be:-
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings,in relation to an allegation that a member (including yourself) has failed to comply with the authority's Code of Conduct;
 - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the authority.

4. You must not:-

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:-
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) 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
 - (iv) the disclosure is:-
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute

6. You:-

- (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
- (b) must, when using or authorising the use by others of the resources of, or under the control of, the authority:-
 - (i) act in accordance with the authority's reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) must have regard to any applicable Local Authority Code of Publicity.

- 7.** You must:-
- (a) when reaching decisions on any matter have regard to any relevant advice provided to you by the authority's officers and in particular by the authority's Monitoring Officer and Section 151 Officer; and
 - (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the authority
- 8.** You must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

Part 2

Interests

Disclosable Pecuniary Interests (DPI)

- 9.** (1) You will have a "DPI" under this Code if:-
- (a) such interest meets the definition prescribed by regulations as amended from time to time and set out in **Appendix 1** to this Code; and
 - (b) it is either an interest of yourself; or it is an interest of:-
 - (i) your spouse or civil partner; or
 - (ii) a person with whom you are living as husband and wife: or
 - (iii) a person with whom you are living as if you were civil partners;
- and you are aware that the other person has the interest.

Registration of DPIs

- 10.** (1) You must within 28 days of becoming a Member of the authority or being re-elected notify the Monitoring Officer in writing of any DPI which you hold at the time notification is given.
- (2) You must within 28 days of becoming aware of any new DPI or changes to existing DPI's notify the Monitoring Officer in writing.

Other Disclosable Interests

- 11.** (1) You will have a Disclosable Interest in any matter if you or a member of your family or person or organisation with whom you are associated have:-
- (a) a pecuniary interest in the matter under discussion which is not de minimis; or
 - (b) a close connection with the matter under discussion
- (2) If you are a member of another local authority, or public body, or you have been appointed as the Council's representative on an outside body, you do not have a Disclosable Interest unless a member of the public knowing the circumstances would reasonably regard membership of the body concerned as being likely to prejudice your judgment of what is in the public interest.

Disclosure of Interests

12 (1) DPIs: formal meetings

If you are present at a meeting of the Council and you have a DPI then you must:-

- (a) Disclose the nature and existence of the interest; and
- (b) Leave the meeting (including the meeting room and public gallery) and take no part in the discussion; and
- (c) If the interest has not already been recorded notify the Monitoring Officer of the interest within 28 days beginning with the date of the meeting.

(2) DPIs: informal meetings

If you have a DPI you must not participate in informal meetings/briefings and site visits and must disclose the DPI in any correspondence with the Council.

(3) Single Member Decisions

If when participating in single member decision making you have a DPI affecting the matter being decided then you may take no steps other than asking for the matter to be decided under alternative arrangements.

(4) Other Disclosable Interests

If you are present at a meeting of the Council and you have an Other Disclosable Interest then you must:-

- (a) Disclose the nature and existence of the interest; and
- (b) If the interest;
 - (i) affects your pecuniary interests or relates to the determination of a planning or regulatory matter; and
 - (ii) is one which a member of the public knowing the circumstances would reasonably regard as being likely to prejudice your judgment of what is in the public interest leave the meeting (including the meeting room and public gallery) and take no part in the discussion.

(5) Dispensations

You may take part in the discussion of and vote on a matter in respect of which you have been granted a dispensation.

Sensitive Information

- 13.** (1) An interest will be a sensitive interest if the two following conditions apply:-
- (a) that you have an interest (whether or not a DPI); and
 - (b) the nature of the interest is such that you and the Monitoring Officer consider that disclosure of the details of the interest could lead to you or a person connected to you being subject to violence or intimidation.
- (2) Where it is decided that an interest is a "sensitive interest" it will be excluded from the published versions of the register. The Monitoring Officer may state on the register that the member has an interest the details of which are excluded under this section.
- (3) Where the sensitive interest is a DPI the usual rules relating to disclosure of that interest will apply save that the member will not be required to disclose the nature of the interest but merely the fact that they hold a DPI in the matter concerned.

APPENDIX 1The Localism Act Definition of Disclosable Pecuniary Interests (DPI) Regulations

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Act are the interests specified below.

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vacation	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

(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.

Appendix 2

Glossary of Terms

- **“Member of your family”** this should be given a very wide meaning and include a partner, a parent, a parent in law, a son or daughter, a step-son or daughter, child of a partner, a brother or sister, a brother or sister of your partner, grandparent, grandchild, an uncle or aunt, a nephew or niece and a partner to any of these people. A partner includes someone you are married to, your civil partner, or someone you live with in a similar capacity.
- **“Person with whom you have a close association”** this is someone that you are either in regular or irregular contact with over a period of time who is more than an acquaintance. It is someone a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them. It may be a friend, a colleague, a business associate or someone whom you know through general social contacts.
- **“Executive Decision”** this is to be construed in accordance with any regulations made by the Secretary of State under Section 22 of the Local Government Act 2000.