

South Holland District Council

Code of Conduct

1. Expected behaviours

- 1.1 South Holland District Council has adopted this Code setting out the expected behaviours required of its members or co-opted members, acknowledging that they each 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.
- 1.2 In accordance with the Localism Act provisions, when acting in this capacity all Councillors must 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. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

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.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

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.

OPENNESS: Holders of public office should be as open as possible about all 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.

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.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

- 1.3 As a Member of South Holland District Council your conduct will in particular address the statutory principles of the code of conduct by:
- I. Championing the needs of residents – the whole community and in a special way your constituents, including those who did not vote for you - and putting their interests first.
 - II. Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
 - III. Not allowing other pressures, including the financial interests of yourself or others connected to you, to deter you from pursuing constituents' casework, the interests of the South Holland District area or the good governance of the Authority in a proper manner.
 - IV. Exercising independent judgement and not compromising your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties as a member/co-opted member of this Authority.
 - V. 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.
 - VI. Being accountable for your decisions and co-operating when scrutinised internally and externally, including by local residents.
 - VII. 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 you and other members to account but restricting access to information when the wider public interest or the law requires it
 - VIII. Behaving in accordance with all your legal obligations, alongside any requirements contained within this Authority's policies, protocols and procedures, including on the use of the Authority's resources.
 - IX. Valuing your colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between you that is essential to good local government.
 - X. Always treating people with respect, including the organisations and public you engage with and those you work alongside.
 - XI. 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.

2. Declaration of Pecuniary Interests

2.1 The Localism Act 2011 provides for registration and disclosure of pecuniary interests and in South Holland District Council this will be done as follows:

- On taking up office a member or co-opted member must, within 28 days of becoming such, notify the Monitoring Officer of any 'disclosable pecuniary interests', as prescribed by the Secretary of State.
- On re-election or re-appointments, a member or co-opted member must, within 28 days, notify the Monitoring Officer of any 'disclosable pecuniary interests' not already included in his or her register of interests.
- If a member or co-opted member is aware that they have a 'disclosable pecuniary interest' in a matter they must not participate in any discussion or vote on the matter at a meeting.
- If a member or co-opted member is aware of a 'disclosable pecuniary interest' in a matter under consideration at a meeting but such interest is not already on the Council's register of interests or in the process of entry onto the register having been notified to the Monitoring Officer, the member or co-opted member must disclose the 'disclosable pecuniary interest' to the meeting and register it within 28 days of the meeting at which it is first disclosed.

2.2 The duties to register, disclose and not to participate for the entire consideration of the matter, 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. Members are also required to withdraw from the room as stated in the Standing Orders of this Council.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Personal Interests) Regulations 2012 No.1464 as follows:

Subject	Prescribed description
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 the member in carrying out duties as a member, or towards the election expenses of the member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(1).
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 the member'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 the member'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.

2.3 Other Interests

~~Members must also avoid any situation in which their objectivity and impartiality may have been (or may appear to have been) compromised even though they may not have a disclosable pecuniary interest. There are many examples of how a non-pecuniary interest may arise, but examples include decisions made in respect of a body or organisation that you have a connection to (such as an outside body to which you have been appointed by the Council), or decisions that affect an individual who you have a close personal connection with.~~

Members should also keep in mind that, in addition to the duty to comply with the rules on Disclosable Pecuniary Interests, the Nolan principles (set out at paragraph 1.2 above) apply to them. Members may feel that, whilst they do not have a Disclosable Pecuniary Interest in a matter being consider by the Council or one of its committees or other decision-making bodies, it is inappropriate to participate due to other factors (one such example might be a decision that affects a friend or an organisation that you are connected to). If a member has any doubt about whether they should participate in a decision, s/he should seek guidance from the monitoring Officer.

2.4 Gifts and Hospitality

- 2.4.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift offered, benefit or hospitality with a value in excess of ~~£50~~£100 which you have accepted as a member from any person or body other than the Authority.
- 2.4.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.
- 2.4.3 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.