

# THE CODE OF CONDUCT

For members of the Nettlestone and Seaview Parish Council

## 1. Introduction and interpretation

- a. This Code applies to you as a member of the Nettlestone and Seaview Parish Council
- b. You should read this Code together with the seven general principles prescribed by the Localism Act 2011 as follows:

**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.

**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.

- c. It is your responsibility to comply with the provisions of this Code.

- d. In this Code—

"meeting" means any meeting of—

- (a) the Nettlestone and Seaview Parish Council.
- (b) any of the Nettlestone and Seaview Parish Council's committees, sub-committees, joint committees, joint sub-committees, panels, area committees or working parties.

"member" includes a co-opted member and an appointed member.

In relation to a parish or town council, references to an authority's monitoring officer shall be read as references to the monitoring officer of the Isle of Wight Council under section 55(12) of the Local Government Act 2000.

## 2. Scope

a. Subject to sub-paragraphs b. to e., you must comply with this Code whenever you—

- i. conduct the business of the Nettlestone and Seaview Parish Council (which, in this Code, includes the business of the office to which you are elected or appointed); or
- ii. act, claim to act or give the impression you are acting as a representative of the Nettlestone and Seaview Parish Council,

and references to your official capacity are construed accordingly.

b. This Code does not have effect in relation to your conduct other than where it is in your official capacity.

c. Where you act as a representative of the Nettlestone and Seaview Parish Council

- i. on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- ii. on any other body, you must, when acting for that other body, comply with the Nettlestone and Seaview Parish Council's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

## 3. General obligations

a. You must treat others with respect.

b. You must not—

- i. do anything which may cause the Nettlestone and Seaview Parish Council to breach any of the equality enactments (in particular the Equality Act 2010);
- ii. bully any person;
- iii. intimidate or attempt to intimidate any person who is or is likely to be—
  1. a complainant,
  2. a witness, or
  3. involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with their Council's code of conduct; or

- iv. do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Nettlestone and Seaview Parish Council
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—
      - 1. reasonable and in the public interest; and
      - 2. 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 the Nettlestone and Seaview Parish Council 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 the Nettlestone and Seaview Parish Council —
    - i. act in accordance with the Nettlestone and Seaview Parish Council'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 made under the Local Government Act 1986.
7. When reaching decisions on any matter you must have regard to any relevant advice provided to you by—
- (for Isle of Wight Council)*
- a. The Isle of Wight Council's chief finance officer; or
  - b. the Isle of Wight Council's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

*(for Nettlestone and Seaview Parish Council)*

the Clerk of the Nettlestone and Seaview Parish Council

8. You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Nettlestone and Seaview Parish Council).

9. Register of Interests

You must complete your register of interest within 28 days of being elected and then update your register of interests within 28 days of any event that requires a change.

10. Declaration of an Interest

If you have a matter due to be considered by the Nettlestone and Seaview Parish Council that affects a matter disclosed in your register of interest or your register of disclosable pecuniary interests then you must declare that interest before the matter is being discussed or when that interest becomes apparent.

If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and if it is being considered at a meeting of the Nettlestone and Seaview Parish Council you must leave the room for that item, other than to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures. In such cases once you have participated as a member of the public you must leave the room during the remainder of the debate.

11. A Member has a "personal interest" in an item of business where it relates to or is likely to affect any of the following bodies of which they are a member: a public or charitable body, any body to which the Member has been appointed by the authority, any political party, trade union or other body one of whose principal purposes is to influence public opinion or policy.

A Member also has a "personal interest" in an item of business where a decision in relation to it might reasonably be regarded as affecting the wellbeing or financial position of the Member, a member of the Member's family or person with whom they have been in close association, more than other council tax payers, ratepayers or inhabitants of the authority's area.

A Member shall disclose a "personal interest" at a meeting of the authority, committee or sub-committee, where the Member considers that interest to be relevant to an item of business being considered at that meeting, or when the interest becomes apparent, and shall be recorded in the minutes of the meeting.

Disclosure of a personal interest will only affect the ability of the Member to participate in discussion or vote on the relevant item if it is also a disclosable pecuniary interest; OR if the personal interest is so close (i.e. the matter directly affects a member of your family). In either case, you should exclude yourself from the meeting.

## 12. Register of Gifts and Hospitality

You must register with the Monitoring Officer/Clerk any gift or hospitality exceeding a value of £50 that you have been offered (whether accepted or not) as part of your role as a member of the Nettlestone and Seaview Parish Council

Review: Section 11 added by resolution on 19<sup>th</sup> May 2014 (Minute No 4271, 4286)  
Last Reviewed and agreed 17th May 2021 (Minute No 21/86/03)