

# STAFFORDSHIRE COUNTY COUNCIL

## MEMBERS' CODE OF CONDUCT

### Principles of the Code

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

In accordance with the Localism Act provisions, when acting in this capacity I am 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.

### General Undertaking

When acting in my role of member of Staffordshire County 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 your constituents, including those that did not vote for you, and put their interests first.
- Dealing with representations and enquiries from residents, members of the community and visitors fairly, appropriately and impartially
- Not allow other pressures, including the financial interest of myself or others connected with me to deter me from pursuing constituents' casework, the interest of Staffordshire County Council 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 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-operate when scrutinised internally and externally, including by local residents
- Contributing to making the 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 (Being aware of the potential for information passed through social networking media to be distributed much more widely than intended by the author)
- Behaving in accordance with all the authority's legal obligations, alongside any requirements within the authority's policies, protocols and procedures, including with regard to confidentiality and on the use of the authority's resources
- Valuing colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government
- Always treating people with respect, including those organisations and members of the public I engage with and those I work alongside
- Providing leadership through behaving in accordance with these principles when championing the interest of the community and other organisations as well as within the authority

## Registration and Disclosure of Interests

1. The interests which you are required to register with the County Council's Monitoring Officer (Director of Corporate Services) are called Disclosable Pecuniary Interests and are defined in section 5 below.
2. Any such interest must be registered within 28 days of the adoption of this Code (19<sup>th</sup> July 2012) or within 28 days of being elected (or re-elected) or appointed (or re-appointed), whichever is relevant.
3. All interests notified to the Monitoring Officer (with the exception of such interests defined in paragraph 6 below) will be included in the register of interests
4. A copy of the register of interests will be available for public inspection and will be published on the County Council's website.
5. A 'Disclosable Pecuniary Interest' is an interest of yourself or your partner, ie your spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners, (but only where you are aware that your partner has the interest) within the following descriptions:

SUBJECT	DESCRIPTION
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 Staffordshire County Council) made or provided within the relevant period in respect of any expenses incurred by you or your partner in connection with you carrying out duties as a member or towards your election expenses. 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 you or your partner (or a body in which you or your partner has a beneficial interest) and Staffordshire County Council- (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 Staffordshire County Council
Licences	Any licence (alone or jointly with others) to occupy land in the area of Staffordshire County Council for a month or longer
Corporate Tenancies	Any tenancy where (to your knowledge) <ul style="list-style-type: none"> <li>(a) the landlord is Staffordshire County Council</li> <li>and</li> <li>(b) the tenant is a body in which you or your partner has a beneficial interest</li> </ul>
Securities	Any beneficial interest in securities of a body where- <ul style="list-style-type: none"> <li>(a) that body (to your knowledge) has a place of business or land in the area of Staffordshire County Council; and</li> <li>(b) either- <ul style="list-style-type: none"> <li>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>(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 you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class</li> </ul> </li> </ul>

6. Where you consider that disclosure of the details of any Disclosable Pecuniary Interest could lead you, or a person connected with you, being subject to violence or intimidation if the interest is entered on the register, then, if the Monitoring Officer agrees, copies of the register that are available for public inspection and any published version of the register will exclude details of the interest but may state that you have an interest the details of which are withheld.
7. Where it becomes apparent to you at a meeting of the County Council (or Committee, sub-Committee, Joint Committee or Joint Sub-Committee of the County Council) that you have a Disclosable Pecuniary Interest in a matter which is to be or is being considered at the meeting that is not included on the register of interests then;
  - (i) you must disclose the interest to the meeting,
  - (ii) unless the interest is the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

8. Where you are present at a meeting of the County Council (or Committee, sub-Committee, Joint Committee or Joint Sub-Committee of the County Council) and you have a Disclosable Pecuniary Interest in a matter which is to be or is being considered at the meeting then
  - (i) you may not participate in any discussion of the matter at the meeting, and
  - (ii) you may not participate in any vote taken on the matter at the meeting, unless you have a written dispensation from the County Council in respect of either or both (i) or (ii) above.
- 9 The County Council's Standing Orders require that if you have a Disclosable Pecuniary Interest in a matter under discussion at a meeting of the County Council (or Committee, sub-Committee, Joint Committee or Joint Sub-Committee of the County Council) you must notify the Chairman that you have a Disclosable Pecuniary Interest in the matter and the nature of the interest, and leave the meeting room until consideration of the item in question is concluded.
10. Section 34 of the Localism Act sets out a number of offences relating to the notification and disclosure of Disclosable Pecuniary Interests, participating in matters in which you have a Disclosable Pecuniary Interest and knowingly or recklessly providing false or misleading information in relation to your Disclosable Pecuniary Interests. All of these offences are subject to criminal penalties which include a fine of up to £5000 and disqualification from being a Councillor for up to 5 years.

### **Gifts and Hospitality**

11. The acceptance, or offering of, gifts and hospitality by members is not merely an administrative issue; it reflects directly upon the public perception of members and of the authority and may have criminal offence implications.
12. It may be entirely appropriate to accept an offer, or to make one, but you must give consideration to the appropriateness of your actions together with how that action may be perceived by someone looking on.
13. A particular concern to bear in mind is that you should do nothing which might be considered to place yourself – or others within the authority - under any financial or other obligation to outside individuals or organisations.
14. You should note that, in respect of both the giving and receiving of gifts and hospitality, there are possible criminal offences under the Bribery Act 2010 with penalties including imprisonment of up to 10 years.
15. If you receive, or refuse the offer of, any gifts or hospitality worth over £25 in connection with your role as a member of the County Council then you will need to complete the relevant form:

<https://int.staffordshire.gov.uk/scc/giftshospitality/>

16. Should you require it, advice and assistance is available from Member and Democratic Services or the Monitoring Officer.

### **Planning Committee Members' Guidance Protocol**

17. In addition to this Members' Code of Conduct there is further guidance for members of the Planning Committee. The aim of the Guidance Protocol is to ensure that in the planning process there are no grounds for suggesting that a decision of the Planning Committee has been unfair, biased, partial or not well founded in any way.

<http://www.staffordshire.gov.uk/yourcouncil/committeesold/standards/complaining/complaints.aspx>

### **Complaints**

18. If a member of the public is unhappy about the way that a member has behaved, they may complain to the Monitoring Officer of Staffordshire County Council.

<http://www.staffordshire.gov.uk/yourcouncil/committeesold/standards/complaining/complaints.aspx>