

DRAFT CODE OF CONDUCT

The Stratford-on-Avon District Council Code of Conduct

Introduction

Members of Stratford-on-Avon District Council are the elected representatives of the people within the District and they take decisions on their behalf. The purpose of this code of conduct is to set out the standards of conduct expected of members when carrying out their duties and to demonstrate to the public the standards of conduct they can expect from their elected representatives.

This code applies to members of the Council whenever they are carrying out their official duties as an elected representative of Stratford-on-Avon District Council. Although, in line with the Localism Act 2011 this code only applies to members when they are carrying out their official duties, nevertheless the Council expects its members to uphold high standards of conduct at all times in order to uphold the reputation of the Council and the office to which they have been elected.

All holders of public office must uphold the seven principles of public life and these principles underpin and inform the Stratford-on-Avon District Council code of conduct. The seven principles are:

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 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.

The code of conduct

Behaviour

1. Do not treat others with disrespect.
2. Do not use your position as a member of the Council for personal financial gain.
3. Do not use your position as a member of the Council improperly to confer an advantage or disadvantage on yourself or any other person.

4. Do not place yourself under any financial obligation to any person or organisation who might attempt to influence you.
5. Do not misuse Council resources.
6. Do not disclose confidential information.
7. Do not bring Stratford-on-Avon District Council or the role of councillor into disrepute.

Interests

Registration of interests

8. Within 28 days of this Code being adopted by your authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Registerable Interests).
9. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer.

Disclosable Pecuniary Interests

10. Where a matter arises at a meeting which relates to an interest in Appendix A, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Other registerable interests

11. Where a matter arises at a meeting which relates to an interest in Appendix B, you must declare the interest. , You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Non-registerable interests

12. Where a matter arises at a meeting which relates to your financial interest (and is not a Disclosable Pecuniary Interest) or a financial interest of a relative or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
13. Where a matter arises at a meeting which affects your own financial interest or a financial interest of a friend, relative, close associate or body covered by Appendix B you must disclose the interest.
14. Where the matter affects the financial interest to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest you must not vote on the matter unless granted a dispensation. You may speak on the matter

only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Related documents

The following documents also provide guidance on the standards of conduct expected of members and can assist in the interpretation of this code of conduct. These documents can be found in the Council's constitution.

- The Rules of Procedure that set out the arrangements for dealing with an alleged breach of this code.
- The Council's planning code of conduct deals specifically with ...
- The Council's social media code for members and officers sets out appropriate behaviour when undertaking Council business through social media.
- The Council's member/officer protocol sets out how members and officers should work together.
- The Council's code relating to the use of Council resources
- The Council's code relating to gifts and hospitality

Code Appendix A

Interests described in the table below.

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 the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her 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 made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the 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 the Council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge)—
	(a) the landlord is the Council; and

	(b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
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 Council; 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 member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'director' includes a member of the committee of management of an industrial and provident society.

*'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.

Code Appendix B

- (i) any body of which the member is in a position of general control or management and to which they are appointed or nominated by the Council;
- (ii) any body —
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which the member of the Council is a member or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of £30 which the member has received by virtue of his or her office.