

CHESTERFIELD BOROUGH COUNCIL CODE OF CONDUCT FOR MEMBERS



Adopted 13th June 2012 – Effective from 1st July 2012

- 1 As a member or co-opted member of Chesterfield Borough Council (“the Council”), I 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.
- 2 In accordance with the Localism Act 2011 (“the 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 Council:

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.

- 3 The Act further provides for registration and disclosure of interests and for the Council this will be done as follows:

Registering and Declaring Pecuniary and Non-Pecuniary Interests

(1) I must, within 28 days of taking office as a member or co-opted member, notify to the Monitoring Officer any disclosable pecuniary interest as defined by regulations made by the Secretary of State. I must do this where the pecuniary interest is, that of any relevant person, namely:

- (a) mine
- (b) my spouse or civil partner,
- (c) somebody with whom I am living with as a husband or wife, or
- (d) somebody with whom I am living with as if we were civil partners.

These categories of disclosable pecuniary interests are set out at Schedule 1 below.

(2) I must, within 28 days of taking office as a member or co-opted member, notify the monitoring officer of any non-pecuniary interest.

These categories of non-pecuniary interests are set out at Schedule 2 below.

(3) If an interest has not been entered onto the Register of Interests, then I must disclose the interest to any meeting of the Council at which I am present, where I have a disclosable interest in any matter being considered.

- (4) Following any disclosure of an interest not on the Register of Interests, or the subject of pending notification, I must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
 - (5) Unless a dispensation has been granted, I may not participate in any discussion of, vote on, or discharge any function related to any matter in which I have a pecuniary interest as defined by regulations made by the Secretary of State. I must observe the restrictions the Council places on my involvement in matters where I have a pecuniary or non-pecuniary interest.
- 4 As a Member of the Council, my conduct will in particular address the statutory principles of the Code of Conduct by:
- (1) Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.
 - (2) Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
 - (3) Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the borough or the good governance of the Council in a proper manner.
 - (4) 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/co-opted member of this Council.
 - (5) 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.
 - (6) Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
 - (7) Contributing to making this Council'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.

- (8) Behaving in accordance with all our legal obligations, alongside any requirements contained within Council's policies, protocols and procedures, including on the use of the Council's resources.
- (9) Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- (10) Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- (11) Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Council.

SCHEDULE 1

Categories of Disclosable Pecuniary Interests

- (1) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (2) Any payment or provision of any other financial benefit (other than from the relevant Council) made or provided within the relevant period in respect of any expenses incurred by me in carrying out duties as a member, or towards my 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.

- (3) Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) 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.
- (4) Any beneficial interest in land which is within the area of the Council.
- (5) Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
- (6) Any tenancy where (to my knowledge) -
 - (a) the landlord is the Council; and
 - (b) the tenant is a body in which the relevant person has a beneficial interest.
- (7) Any beneficial interest in securities of a body where -
 - (a) that body (to my 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

“relevant person” is defined in the Act and is set out in paragraph 3(1) of this Code of Conduct.

SCHEDULE 2

Categories of Non-Pecuniary Interests

- (1) Any membership of any body to which I am appointed or nominated by the Council.

- (2) Any gift or hospitality with a value in excess of £50 which I have accepted as a member from any person or body other than the Council.