

## **PART 5.1 - MEMBERS' CODE OF CONDUCT**

As a Member or co-opted Member of *Swale Borough 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.

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.

The Act further provides for registration and disclosure of interests and in *Swale Borough Council* this will be done as follows:

### **Registering and declaring pecuniary and non-pecuniary interests**

I must, within 28 days of taking office as a Member or co-opted Member, notify my authority's Monitoring Officer of any disclosable pecuniary interest as defined by

regulations made by the Secretary of State, where the pecuniary interest is mine, my spouse's or civil partner's, or is the pecuniary interest of somebody with whom I am living with as a husband or wife, or as if we were civil partners.

In addition, I must, within 28 days of taking office as a Member or co-opted Member, notify my Authority's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which my authority has decided should be included in the register.

If an interest has not been entered onto the Authority's register, I must disclose the interest to any meeting of the Authority at which I am present, where I have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.<sup>1</sup>

Following any disclosure of an interest not on the Authority's register or the subject of pending notification, I must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless 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. Additionally, I must observe the restrictions my Authority places on my involvement in matters where I have a pecuniary or non-pecuniary interest as defined by my Authority.

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<sup>1</sup> A 'sensitive interest' is described in the Localism Act 2011 as a Member or co-opted Member of an authority having an interest, and the nature of the interest being such that the Member or co-opted Member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the Member or co-opted Member, or a person connected with the Member or co-opted Member, being subject to violence or intimidation.

The following sets out the disclosable pecuniary interests I am required to register under the Code of Conduct, The Localism Act and the SI No. 1464 The Relevant Authorities (Disclosable Pecuniary Interests Regulations 2012:

<i>Subject</i>	<i>Prescribed description</i>
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 M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 <sup>(2)</sup> .
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 M'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 M's knowledge) has a place of business or land in the area of the relevant authority;

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<sup>(2)</sup> 1992 c. 52.

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.

The following sets out disclosable non-pecuniary interests which my authority has decided should be included in the register.

<i>Subject</i>	<i>Description</i>
Appointments and nominations by the Authority	Name the outside body and the position you are appointed or nominated to e.g. member, trustee, director, observer etc. and name the Authority which appointed you e.g. Swale Borough Council.
Bodies which exercise functions of a public nature	Name the body and say what position you hold e.g. Councillor XYZ Parish Council, Governor ABC School etc.
Bodies which influence public opinion or policy (including any political party or trade union)	Name the body and say what position you hold e.g. secretary or member of the ABC for Action Group, or member of ABC Trade Union

As a Member of *Swale Borough 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 Authority 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 authority.
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 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
8. Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority'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 authority.