

Public Document Pack

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21 October 2022

Standards Committee

A meeting of the committee will be held at **2.15 pm** on **Monday, 31 October 2022** at **County Hall, Chichester, PO19 1RQ**.

Tony Kershaw
Director of Law and Assurance

Agenda

1. **Declarations of Interest**

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such as an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt please contact Democratic Services before the meeting.

2. **Minutes of the last meeting of the Committee** (Pages 3 - 6)

The Committee is asked to agree the minutes of the meeting held on 27 June 2022 (cream paper).

3. **Urgent Matters**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances.

4. **Code of Conduct** (Pages 7 - 38)

Report by the Director of Law and Assurance.

The report sets out a proposed new West Sussex Code of Conduct, based on the Local Government Association's Model Code. The Committee is asked to consider the draft for recommendation to the Council for approval in December 2022.

5. **Whistleblowing Policy**

The Committee is invited to note that the Director of Law and Assurance has received two referrals via this Policy since the last meeting of the Committee,

which are currently being investigated. A full report will be made when the matters are concluded in due course.

No background papers.

Contact: Charles Gauntlett 033 022 22524

6. **Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 pm on 19 June 2023 at County Hall, Chichester.

To all members of the Standards Committee

Standards Committee

27 June 2022 – At a meeting of the Standards Committee held at 2.15 pm at County Hall, Chichester, PO19 1RQ.

Present: Cllr Bradbury (Chairman)

Cllr Wickremaratchi, Cllr Burrett, Cllr Cherry, Cllr Johnson, Cllr A Jupp, Cllr Kenyon and Cllr Lord.

Apologies were received from Cllr Sparkes and Mr Cooper (Independent Person)

Also in attendance: Mr Donaldson (Independent Person)

Part I

1. Declarations of Interest

- 1.1 In accordance with the Code of Conduct, Cllr Bradbury declared a personal interest as Chairman of the Mid Sussex District Council Standards Committee, in the items on National Standards Updates and the Standards Committee Annual Report.
- 1.2 In accordance with the Code of Conduct, Cllr Burrett declared a personal interest as a member of Crawley Borough Council in the item on National Standards Updates.

2. Minutes of the last meeting of the Committee

- 2.1 Resolved – That the minutes of the meeting of the Committee held on 29 November 2021 be approved as a correct record and that they be signed by the Chairman.

3. Annual Complaints and Compliments Report

- 3.1 The Committee received a report by the Director of Place Services and Assistant Director (Communities) (copy appended to the signed minutes).
- 3.2 The report was introduced by David Tominey, Complaints Manager, who advised that the increase in overall complaints levels was mostly down to three factors: a large-scale reassessment of adult social care support, which had resulted in some customers having to make higher levels of contributions; local well-organised social media campaigns to complain about certain roadworks; and education and skills. He reported that Ombudsman case levels for the Council remained stable. He was pleased to report that there was now more timely reporting of complaints throughout the organisation.
- 3.3 He highlighted a revision to section 2.2 on pages 9 to 10 the report, to remove a reference to 2020 figures, now reading: 'Nineteen payments were recorded as paid or offered to complainants as financial remedies following complaints made in 2021, up from

eighteen payments in 2020. The total decreased from £12,548.66 in 2020 to £10,340 in 2021. A breakdown of the nineteen offers of financial remedy can be found in appendix a of this report.'

- 3.4 The Committee supported the draft annual report and emphasised that it is vital for residents to be kept informed of progress of dealing with complaints. It also asked that the Highways Service remind all contractors of the need to include basic information at the site of all roadworks, including the nature of the works and a contact number. The following changes to the draft report were requested:
- A reference to the impact of Covid-19 causing pressures on the workforce should be added at the beginning as context.
 - Adults Services information to be added to the first stage response bar chart on page 3.
 - Correction of percentages on page 6.
 - Improving the wording on page 26 on the criteria for allowing vehicle cross over timescale to make it clear that extra bureaucracy was not being added.
- 3.5 The Committee also asked the Chairman to write to the Leader to check that all Cabinet Members receive regular updates on complaints monitoring from their directors.
- 3.6 Resolved – That, subject to the comments in minute 3.4 above, that the draft Annual Complaints and Compliments report be supported.

4. National Standards Updates

- 4.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes). The report set out recent Government updates on standards matters, including responding to the recommendations from the Committee for Standards in Public Life on ethical standards and creating a new category of disqualification for standing for election, in the case of people who had received a civil injunction for sexual misconduct.
- 4.2 The report was introduced by the Director of Law and Assurance, who advised that the Local Government Association (LGA) had issued a model Code of Conduct. Now it was clear that the Government does not intend to issue a national model, it was appropriate for the Council to consider whether it should adopt the LGA model code, noting that most other local authorities in West Sussex had now done so.
- 4.3 The Committee welcomed the updates and considered that there would be benefits in the County Council adopting the LGA model code to ensure greater consistency, as long as specific provisions in the current West Sussex code were not lost as a result. The Director of Law and Assurance cited examples of the West Sussex code on predetermination and bias which are not in the LGA model code, but could be retained through an appendix to the model code.

4.4 The Committee asked for further work to be done to bring a suggested new Code of Conduct to the next meeting, with a clear comparison with the current West Sussex Code.

4.5 Resolved –

- (1) That the Government's response to the recommendations of the Committee for Standards in Public Life on local government ethical standards be noted.
- (2) That the changes in legislation around disqualification for office be noted.
- (3) That a report be submitted to the next meeting of the Committee with a suggested new Code of Conduct based on the LGA model code, with a clear comparison with the current West Sussex code.

5. Standards Committee Annual Report 2021/22

5.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes), which set out a proposed annual report on the Committee's activities during 2021/22, for submission to the County Council in July 2022.

5.2 The Committee supported the proposed report. In response to a question about the lack of referrals via the Whistleblowing Policy, the Director of Law and Assurance confirmed that the revised Policy had been publicised to all staff via standard communications and that the senior contact officers in the document had been reminded of their role. The contact officers have been proactive in helping complainants to consider different options for progressing a matter, including informal routes to resolution, so nothing had progressed to the formal Whistleblowing Policy during the last year.

5.3 Resolved – That the draft annual report be approved for submission to the County Council on 15 July 2022.

6. Whistleblowing Policy

6.1 The Committee noted that the Director of Law and Assurance has not received any referrals via this Policy since the last meeting of the Committee.

7. Date of Next Meeting

7.1 The Committee noted that the next meeting is due to be held on 31 October 2022.

The meeting ended at 3.35 pm

Agenda Item 2

Chairman

Standards Committee**October 2022****Code of Conduct****Report by Director of Law and Assurance****Electoral division: Not applicable**

Summary

The Committee requested that a draft County Council Code of Conduct be produced, based on the Local Government Association's Model, but keeping any bespoke advice in the current Code. A draft is attached at Appendix 2 for consideration.

Recommendations

- (1) To decide whether to endorse the draft West Sussex County Council Code of Conduct at appendix 2 for approval by the County Council in December 2022.
 - (2) If the above is agreed then, to ask all councillors to sign up to the new Code of Conduct, if approved in December 2022.
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Proposal**1 Background and context**

- 1.1 The Localism Act 2011 abolished a national code of conduct for councillors but required all councils to establish a locally agreed code of conduct, which must include the Act's pecuniary interest provisions.
- 1.2 In 2020, the Local Government Association published a Model Code of Conduct which it commended to councils for adoption. This claims to take into account best practice and learning from the standards system from 2011. This Council decided at that time to continue with its Code which was seen as having worked effectively since its adoption and was not sufficiently different in substance to the proposed Model Code.
- 1.3 The Standards Committee noted more recently that most other councils in West Sussex have adopted the Model Code or have adapted it and the Committee asked for a draft to be prepared that is based on the model code but including any bespoke rules and guidance in the current West Sussex version.
- 1.4 The Council's current Code of Conduct is attached at Appendix 1. The main difference is the inclusion in the Model Code of commentary on the Code's provisions.

2 Proposals

- 2.1 The version largely based on the LGA Model Code is attached at Appendix 2. The Model Code wording is shown in standard type. Appendix 3 of the Model Code is omitted as it is aimed at the LGA itself.
- 2.2 Some text in the Model Code is struck through where it is clearly of no relevance to the County Council. There is text at the beginning which serves as a preamble and introduction to the Code. Parts of this text are in square brackets and it is proposed that these parts are not included in the Code for recommendation to the Council as they do not directly contribute to or form any part of the Code itself.
- 2.3 In Appendix 2 of the draft Code, interests are set out in detail. It is here that parts of the current West Sussex Code are recommended for inclusion, including retaining the current wording for personal and prejudicial interests, advice on predetermination and on the effects of prejudicial interests in scrutiny committees. It is recommended that these sections be retained. They are shown in bold type.
- 2.4 Table 3 of Appendix 2 lists common exclusions to interests, which also features in the current West Sussex Code. This is also recommended for inclusion for certainty, although a reference to housing is not included as the County Council is not a housing authority.
- 2.5 If the Committee supports the adoption of the new Code, some existing sections will need to be renumbered, which is shown at the end of the new draft Code.
- 2.6 The Committee is invited to consider whether the draft new Code of Conduct should be supported to replace the current Code which is attached for comparison. If approved the Committee is asked to recommend it to the County Council for adoption in December 2022.
- 2.7 If the new Code of Conduct is approved, it is recommended that all councillors be asked to sign it in December 2022 or as soon after this as practicable.

3 Consultation, engagement and advice

- 3.1 Not applicable.

4 Finance

- 4.1 There are no financial implications arising in relation to this report.

5 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
That the County Council uses a different Code to that of other councils, leading to uncertainty for councillors and the public.	The new Code of Conduct will bring the County Council into line with district and borough councils, reducing the scope for uncertainty.

6 Policy alignment and compliance

- 6.1 The Code of Conduct forms one element of the Council's range of systems to reduce crime, to ensure compliance with the public sector equality duty and with the expectations of the rights of individuals within the Human Rights Act.

Tony Kershaw

Director of Law and Assurance

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Appendices

1. Current Code of Conduct
2. Proposed West Sussex Code of Conduct

Background papers – None.

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Part 5 Section 1

Code of Conduct

Part 1

General provisions

Introduction and interpretation

1.

- (1) This Code applies to **you** as a member of the County Council ('the authority'). It is your personal responsibility to comply with it. You should read this Code together with the general principles of public life on which it is based and which are set out at in Part 4 of the Code.
- (2) In this Code:

 'meeting' means any meeting of:
 - (a) the authority, the executive, any committees, sub-committee, joint committee, area or local committee;
 - (b) members in formal or informal meetings with other members and/or with officers relating to the business of the authority;
 'member' includes a co-opted member and an appointed member.
- (3) If you need guidance on any aspect of this Code you should seek it from the Monitoring Officer or Deputy Monitoring Officer.

Scope and offences

2.

- (1) You must comply with this Code whenever you act or appear to act in your official capacity, namely when you:
 - (a) conduct the business of the authority (including the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of the authority,
- (2) Where you act as a representative of the authority:
 - (a) on another authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

- (3) It is a criminal offence to fail, without reasonable excuse, to notify the authority's Monitoring Officer of a disclosable pecuniary interest (as defined in paragraph 4(1), to fail to disclose such an interest at a relevant meeting (where it is not registered or notified), to take part in discussions or votes at meetings, or to take a decision where you have a disclosable pecuniary interest. It is also an offence knowingly or recklessly to provide false or misleading information about pecuniary interests to the authority's Monitoring Officer.
- (4) Anyone may make a formal complaint to the Monitoring Officer about member conduct or an alleged breach of Standing Orders by a member, if matters cannot be resolved informally. Complaints can be made in relation to any of the codes of conduct included within Part 5 of the Constitution. Complaints must be made in writing to the Monitoring Officer by email or by post to County Hall, West Street, Chichester PO19 1RQ. The Monitoring Officer will refer the complaint to the Standards Committee, which will decide whether or not to investigate the complaint. The procedures for local investigation and determination are set out in the terms of reference for the Standards Committee Investigation in Part 3 of the Constitution. The Monitoring Officer will also consider whether to take any action following criticism of a member in an Ombudsman or audit report.

General obligations

3.

- (1) You must treat others with respect.
- (2) You must not do anything which may cause your authority to breach any of the equality duties (as set out in the Equality Act 2010);
- (3) You must not bully any person;
- (4) You must not intimidate or attempt to intimidate any person who is or is likely to be a complainant or a witness, or involved in any investigation or proceedings about a complaint that a member (including yourself) has failed to comply with his or her authority's code of conduct;
- (5) You must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
- (6) 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, unless:
 - (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 for the purpose of obtaining professional advice and the recipient agrees not to disclose the information to any other person; or
 - (iv) the disclosure is in the public interest, made in good faith and in compliance with the reasonable requirements of the authority¹;
- (b) prevent another person from gaining access to information to which that person is entitled by law.
- (7) You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
- (8) You 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
- (9) You must, when using or authorising the use by others of the resources of your authority:
 - (i) act in accordance with your authority's reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes).
- (10) You must have regard to the County Council's Code of Practice on Publicity and to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- (11) When reaching decisions on any matter you must have regard to any relevant advice provided to you by the authority's Chief Finance Officer or the authority's Monitoring Officer, where that officer is acting pursuant to his or her statutory duties.
- (12) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

[¹ Note 'in compliance with the reasonable requirements of the authority' means that a member should consult the Chief Executive (as Head of Paid Service), the Director of Law and Assurance (as Monitoring Officer) or the Director of Finance and Support Services (as Chief Financial Officer) before taking a decision on whether or not to disclose confidential information.]

Part 2

Interests

Disclosable pecuniary interests

4.

- (1) You have a disclosable pecuniary interest in any business of the authority where it relates to or is likely to affect, in relation to you, your spouse, civil partner or a person living with you as if spouse or civil partner ('the relevant person')
- (i) any employment, office, trade, profession or vocation carried on for profit or gain;
 - (ii) any payment or provision of any other financial benefit (other than from the authority) made or provided within the preceding 12 months in respect of any expenses incurred by you in 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(a);
 - (iii) any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the authority under which goods or services are to be provided or works are to be executed and which has not been fully discharged.
 - (iv) any beneficial interest in land which is within the area of the authority;
 - (v) any licence (alone or jointly with others) to occupy land in the area of the authority for a month or longer;
 - (vi) any tenancy where (to your knowledge) the landlord is the authority and the tenant is a body in which the relevant person has a beneficial interest;
 - (vii) any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of the relevant authority; and

either:

- (a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- (b) 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.

(certain words and expressions used in this list are defined in Regulations)

- (2) You have an interest which is a disclosable pecuniary interest as defined by section 30 of the Localism Act 2011 in any business of your authority where it relates to or is likely to affect anything listed in paragraph 4(1) but any interest which your spouse or partner may have is only treated as your interest if you are aware that your spouse or partner has the interest.
- (3) Unless registered or notified in accordance with paragraph 10 any such interest must be disclosed at the start of any meeting at which business relevant to the interest may be discussed or considered. When such an interest arises you must not, unless you have received a dispensation from the Monitoring Officer, take part in any discussion or vote in relation to such business and you must leave the room whilst the business is discussed.

Personal interests

5.

- (1) You have a personal interest in any business of your authority where
 - (a) it relates to or is likely to affect:
 - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (ii) any body of which you are a member or in a position of general control or management:
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);
 - (iii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £50 (see Part 6 below for advice);

OR

- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a person described in subparagraph (2) to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of your electoral division;

- (2) In sub-paragraph (1)(b), a relevant person is:
- (a) a member of your family or any person with whom you have a close association;
 - (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

6.

- (1) Subject to sub-paragraphs (2) to (5), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent, but only where you are aware or ought reasonably to be aware of the interest.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 5(1)(a)(i) or 5(1)(a)(ii)(aa), you need only disclose that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 5(1)(a)(iii), you need not disclose that interest if it was registered more than three years before the date of the meeting.
- (4) Where you have a personal interest but, by virtue of paragraph 11, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (5) Where you have a personal interest in any business of your authority and you have made an executive decision (as defined in regulations made under the Local Government Act 2000) in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

Prejudicial interests

7.

- (1) Subject to sub-paragraph (2), where you have a personal interest in any business of the authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business:
 - (a) does not affect your financial position or the financial position of a person or body described in paragraph 5;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 4; or
 - (c) relates to the functions of the authority in respect of:
 - (i) housing, where you are a tenant of the authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; or
 - (vi) setting council tax or a precept.
- (3) The determining of any approval, consent, licence, permission or registration as referred to in paragraph 10(2)(b) shall include the amendment, modification, or variation of any such approval, consent, licence, permission or registration or any condition, limitation or term to which it is subject or the revoking of any approval, consent, licence, permission or registration.
- (4) An important principle of decision-making is that members must come to each decision without having previously closed their minds to the arguments. While members may well wish to express strong views on behalf of their constituents and, in some cases, may have been elected on a particular local issue, it is important for members not to create the impression that they have made up their mind beforehand

to vote in a particular way regardless of the arguments and advice of officers and regardless of the interests of the whole of the West Sussex community. If a member gives the impression that their mind is already made up, they should declare a prejudicial interest and leave the room.

- (5) Examples for paragraph 4 above would be that there should be no difficulty in members saying:
- "This is outrageous - this proposal doesn't meet our requirements to"
 - "This flatly contradicts existing County Council policy"
 - "I will take this up on your behalf"
 - "There are better alternatives, which I will pursue"
- Members are able to attend local meetings and site visits to gather evidence and hear views expressed. Officers will endeavour to attend in particularly controversial cases.

But difficulties could arise if members were to say, for example:

- "I will never vote for/against these proposals"
- "I was elected to oppose/support this proposition and I am bound to do so."

Interests arising in relation to overview and scrutiny committees

8.

- (1) In addition to any other interest which the member may have, a member of a Scrutiny Committee shall declare a personal interest as defined in the Code of Conduct in respect of any matter in which he or she has had prior involvement, as a member of an executive task and finish group or non-executive; provided:
- (a) that an adviser to a cabinet member who has advised a cabinet member whose decisions or recommendations are being reviewed by that scrutiny committee may be asked to support the Cabinet Member in responding to the scrutiny committee.
 - (b) that membership of an executive task and finish group, shall only constitute a prejudicial interest where the scrutiny committee is reviewing the recommendations of the task and finish group, and
 - (c) that a member of a scrutiny committee who is a member of an executive task and finish group which has reported to a cabinet member whose decisions or recommendations are being reviewed by that scrutiny committee and therefore has a prejudicial interest may be asked to support the Cabinet Member in responding to the Scrutiny Committee. In any event the member concerned will not be entitled to vote on that item.

- (2) You also have a prejudicial interest in any business before an overview and scrutiny committee of the authority (or of a sub-committee of such a committee) where:
 - (a) that business relates to a decision made (whether implemented or not) or action taken by the authority's executive or another of the authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

9.

- (1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of the authority then, unless you have obtained a dispensation from the Monitoring Officer:
 - (a) you must withdraw from the room or chamber where a meeting considering the business is being held:
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 - (b) You must not participate in any vote or exercise any executive function in relation to that business; and
 - (c) You must not participate in any discussion about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose.

Part 3

Registration of Members' Interests

Registration of members' interests

10.

- (1) Subject to paragraph 11, you must, within 28 days of:
 - (a) this Code coming into force after being approved by the authority; or
 - (b) your election or appointment to office (where that is later), register in the authority's register of members' interests
 - (i) details of your personal interests where they fall within a category mentioned in paragraph 5(1)(a), by providing written notification to the authority's Monitoring Officer; and
 - (ii) disclosable pecuniary interests as defined in paragraph 4.
- (2) You must, within 28 days of becoming aware of any new personal or pecuniary interest or a change to any such interest registered under paragraph (1), register details of that new interest or change by written notification to the authority's Monitoring Officer.

Sensitive information

11.

- (1) Where you consider that the information relating to any of your personal or pecuniary interests is sensitive information, and your authority's Monitoring Officer agrees, you need not include that information when registering that interest, or a change to that interest.
- (2) You must, within 28 days of becoming aware of circumstances which mean that information excluded under paragraph (1) is no longer sensitive, notify the Monitoring Officer so that the information is included in your authority's register of members' interests.
- (3) In this Code, 'sensitive information' means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or any person may be subjected to violence or intimidation.

Part 4

The General Principles of Public Life

Selflessness

1. Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Integrity

2. Members should not place themselves in situations where their integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

3. Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

4. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness

5. Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Honesty

6. Members should not place themselves in situations where their honesty may be questioned, should not behave dishonestly and should on all occasions avoid the appearance of such behaviour.

Leadership

7. Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

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Code of Conduct

The role of councillor across is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. [We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors].

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

[Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.]

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

[Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct. The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.]

1. Definitions

For the purposes of this Code of Conduct, a councillor means a member or co-opted member of a local authority ~~or a directly elected mayor~~. A co-opted member is defined in the Localism Act 2011 Section 27(4) as a person who is not a member of the authority but who:

- a) is a member of any committee or sub-committee of the authority or
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority and who is entitled to vote on any

question that falls to be decided at any meeting of that committee or sub-committee”.

[For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.]

2. Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

3. General principles of councillor conduct

Everyone in public office at all levels, all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers should uphold the Seven Principles of Public Life, also known as the Nolan Principles. Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority’s requirements and in the public interest.

4. Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- You misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. ~~Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer~~

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken. Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equality and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers

in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a) given to me in confidence by anyone
- b) acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it
 - ii. I am required by law to do so
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal 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 local authority and
 - 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to

discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

- 6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

- 7.1 I do not misuse council resources
- 7.2 I will, when using the resources of the local authority or authorising their use by others:
- a) act in accordance with the local authority's requirements and
 - b) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct as a Councillor:

- 8.1 I undertake Code of Conduct training provided by my local authority.
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

- 9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interests. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011. Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life The principles are:

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. 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 in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. 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.

5. 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.

6. Honesty

Holders of public office should be truthful.

7. 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.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or 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.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests - *Prejudicial*

6. Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but

otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests - *Prejudicial*

7. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which affects –
 - a) your own financial interest or well-being;
 - b) a financial interest or well-being of a relative or close associate; or
 - c) a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9. Where a matter (referred to in paragraph 8 above) affects the financial interest or well-being:
 - a) to a greater extent than it affects the financial interests of the majority of inhabitants of the electoral division affected by the decision and;
 - b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

This will be seen as a prejudicial interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

8. Keeping an Open Mind

11. An important principle of decision-making is that members must come to each decision without having previously closed their minds to the arguments. While members may well wish to express strong

views on behalf of their constituents and, in some cases, may have been elected on a particular local issue, it is important for members not to create the impression that they have made up their mind beforehand to vote in a particular way regardless of the arguments and advice of officers and regardless of the interests of the whole of the West Sussex community. If a member gives the impression that their mind is already made up, they should declare a prejudicial interest and leave the room.

12. There should be no difficulty in members saying:

- ***"This proposal doesn't meet our requirements"***
- ***"This flatly contradicts existing County Council policy"***
- ***"I will take this up on your behalf"***
- ***"There are better alternatives, which I will pursue"***

13. Members are able to attend local meetings and site visits to gather evidence and hear views expressed but it is advisable always to do so in the company of others. Officers should attend with members wherever possible.

14. But difficulties could arise if members were to say, for example:

- ***"I will never vote for/against these proposals"***
- ***"I was elected to oppose/support this proposition and I am bound to do so."***

9. Interests arising in relation to overview and scrutiny committees

15. In addition to any other interest which the member may have, a member of a Scrutiny Committee shall declare a personal interest as defined in the Code of Conduct in respect of any matter in which he or she has had prior involvement, as a member of an executive task and finish group, provided:

(a) that an adviser to a cabinet member who has advised a cabinet member whose decisions or recommendations are being reviewed by that scrutiny committee may be asked to support the Cabinet Member in responding to the scrutiny committee.

(b) that membership of an executive task and finish group, shall only constitute a prejudicial interest where the scrutiny committee is reviewing the recommendations of the task and finish group, and

(c) that a member of a scrutiny committee who is a member of an executive task and finish group which has reported to a cabinet member whose decisions or recommendations are being reviewed by that scrutiny committee and therefore has a prejudicial interest may be asked to support the Cabinet Member in responding to the Scrutiny Committee. In any event the member concerned will not be entitled to vote on that item.

16. You also have a prejudicial interest in any business before an overview and scrutiny committee of the authority (or of a sub-committee of such a committee) where:

- (a) that business relates to a decision made (whether implemented or not) or action taken by the authority's executive or another of the authority's committees, sub-committees, joint committees or joint sub-committees; and**
- (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.**

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

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 councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, 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 councillor or his/her spouse or civil partner or the person with whom the councillor 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 and Property	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 councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	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 councillor's

Subject	Description
	knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor 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 councillor'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 councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were * '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.

Table 2: Other Registrable Interests

You must register as an Other Registerable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Table 3: Non declarable interests

You do not have a declarable interest if a decision relates to the functions of the authority in respect of:

- (i) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;***
- (ii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to, such pay;***

(iii) an allowance, payment or indemnity given to members;

(iv) any ceremonial honour given to members; or

(v) setting council tax or a precept.

Other Sections of the Current Code of Conduct to be Retained

Title of Section	Current Numbering	Revised Numbering
Guidance on Hospitality and Gifts	Part 5, Section 1, Part 5	Part 5, Section 1, Appendix C
IT Provision and Usage Policy	Part 5, Section 1, Part 6	Part 5, Section 1, Appendix D
Member Officer Relations Protocol	Part 5, Section 2	Unchanged
Code of Practice on Probity in Planning and Rights of Way	Part 5, Section 3	Unchanged
Code of Practice on Publicity	Part 5, Section 4	Unchanged

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