



North Tyneside Council

Thursday, 28 October 2021

Wednesday, 3 November 2021 0.01 Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY **commencing at 6.00 pm.**

Agenda Item	Page
1. Apologies for Absence To receive apologies for absence.	
2. Appointment of Substitute Members To be notified of the appointment of any Substitute Members.	
3. Declarations of Interest and Dispensations You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest. You are also invited to disclose any dispensations in relation to any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda. Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.	
4. Minutes To confirm the minutes of the Standards Committee meeting held on 10 June 2021.	5 - 6
5. Review of the Code of Conduct for Members and Co-opted Members of the Authority	7 - 62

Members of the public are entitled to attend this meeting and receive information about it. North Tyneside Council wants to make it easier for you to get hold of the information you need. We are able to provide our documents in alternative formats including Braille, audiotape, large print and alternative languages.

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6. **Standards Committee Action Plan/Work Programme 2021/22** **63 - 66**

To consider the Standards Committee Action Plan/Work Programme for 2021/22.

Circulation overleaf ...

Members of the Standards Committee

Councillor Frank Lott (Chair)
Councillor Lewis Bartoli
Councillor Debbie Cox
Councillor Janet Hunter
Councillor Matthew Thirlaway

Councillor Wendy Lott (Deputy Chair)
Councillor Brian Burdis
Councillor Eddie Darke
Councillor Pat Oliver

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Standards Committee

10 June 2021

Present: Councillor F Lott (Chair)
Councillors B Burdis, D Cox, E Darke, Janet Hunter, W Lott, P
Oliver, M Thirlaway

SC11/06/21 Apologies for Absence

Apologies were received from:

Ms S Gardner, Dr S Green and Mr G Clark, Independent Persons

SC12/06/21 Appointment of Substitute Members

There were no substitute members.

SC13/06/21 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

SC14/06/21 Minutes

It was noted that four members of the Committee had volunteered to join the Code of Conduct Sub-group and a first meeting of the group would be arranged in the near future.

Resolved:

That the minutes of the previous Standards Committee meeting held on 8 April 2021 be confirmed and signed by the Chair.

SC15/06/21 Standards Committee Action Plan/Work Programme 2021-22

The Committee considered the report which set out a work programme for the year ahead.

Cllr Lott indicated his intention to visit neighbouring authorities to observe their Standards Committees to gain a wider understanding.

Resolved: That the work programme as set out in the report be adopted.

SC16/06/21 Ethical Governance and Standards

Cllr Lott gave a short presentation setting out his experiences of ethical governance and standards during his time as Chair of the Planning Committee. He outlined some of the changes he introduced to improve standards and increase transparency and visibility for the public. These included additional training and information for members on specific matters related to planning, observations of planning committee in other authorities, improved communication around planning decisions, the reintroduction of the weekly planning list circulated to ward members and physical changes to the committee layout.

Resolved: That the information be noted.

SC17/06/21 Ethical Governance and Standards – Regional Approach

It was noted that this item had been covered during the discussion of the work programme, with an initial intention of observing Standards Committee meetings in neighbouring authorities.

Signed by: -----

Date: -----

Cllr F Lott, Chair of the Standards Committee

North Tyneside Council Report to Standards Committee Date: 3 November 2021

ITEM

Title: Review of the Code of Conduct for Members and Co-opted Members of the Authority

Report from Service Area: Law and Governance

Report Author: Bryn Roberts, Head of Law and Governance (Tel: 643 5339) and Monitoring Officer

Wards affected: All

1.1 Purpose:

To provide a report on the review of the Authority Code of Conduct for Members and Co-opted Members of the Authority as a result of the publication of the Local Government Association's publication of its Model Code Councillor Code of Conduct, and to set out the proposed amendments to the Authority's Code of Conduct following the review.

1.2 Recommendation(s):

1. Consideration be given by the Committee to revising the Code of Conduct for Members and Co-opted Members of the Authority as set out in Appendix 3 of the report;
2. Any revision to the Code of Conduct agreed by the Committee be referred to the Constitutional Task Group with a recommendation that the revision of the Code of Conduct be accepted by the Constitutional Task Group and referred to full Council for approval; and
3. A Member Working Group undertake a review of the Local Arrangements for Dealing with Allegations of Breaches of the Code of Conduct for Members and Co-opted Members of the Authority and report back to the Committee in January 2022.

1.3 Information

- 1.3.1 Under section 28 of the Localism Act 2011, the Authority must have in place "arrangements" under which allegations that an elected or co-opted Member of the Authority has failed to comply with the Authority's Code of Conduct can be considered and decisions taken on such allegations. The Authority's current Code of Conduct was adopted by full Council on 4 July 2012 and is appended to the report as Appendix 1.

- 1.3.2 In December 2020 the Local Government Association developed and published a Model Councillor Code of Conduct following consultation. The LGA's Model Code of Conduct was published in response to a recommendation from the Committee of Standards in Public Life. Guidance to the Model Code of Conduct has also been published by the LGA and the Code of Conduct should be read alongside the guidance. The LGA's Model Councillor Code of Conduct is appended to the report as Appendix 2.
- 1.3.3 It was agreed by the Committee on 8 April 2021 that a Member Working Group should be established to consider the LGA's Model Code of Conduct against the Authority's current Code of Conduct and to make recommendations as to whether or not any amendments should be made to the Authority's Code of Conduct. It was further agreed that any proposed amendments to the Authority's Code of Conduct would be referred to the Constitution Task Group for its consideration.
- 1.3.3 The Member Working Group met on 5 August 2021 and 28 October 2021 to consider in depth the differences between the LGA Model Councillor Code of Conduct and the Authority's Code of Conduct. After comparing the two Codes of Conduct, the Member Working Group proposes that the Authority's Code of Conduct for Members and Co-opted Members be revised to the extent set out in the proposed Code of Conduct appended to the report at Appendix 3 and explained below.

Revision of the Current Code of Conduct

- 1.3.5 The amendments made to the Code of Conduct are as follows: -
- a) A new "Definitions" section is included in the Code of Conduct to define what is meant by "member", "co-opted member" and "local authority" for the purposes of the Code.
 - b) A new "Purpose of the Code of Conduct" section has been included in the Code, which explains in broad terms what the purpose of the Code is and what it is designed to achieve.
 - c) A new "General principles of member conduct" section has been added to the Code emphasising the need for Members to uphold the seven Principles of Public Life (also known as the "Nolan Principles") and what conduct is acceptable and expected of Members when acting in their capacity as a Member.
 - d) A new "Application of the Code of Conduct" section has been included in the Code to make it clear when the Code of Conduct applies and in what sort of settings the Code will apply.

Part 1 – General Conduct

This section sets out Members' obligations and the minimum standards of conduct expected of them. The section also provides a link to the LGA's Guidance on the "Model Councillor Code of Conduct" which it is recommended should be read in conjunction with the Authority's proposed Code of Conduct which is largely based on the LGA's Model Code of Conduct.

- e) Respect – The need to treat others with respect is included in the current Code of Conduct.

The proposed Code of Conduct includes a definition of what "respect" means in terms of Members behaviour and the behaviour of members of the public towards Members.

- f) Bullying, harassment, and discrimination – The current Code of Conduct refers to bullying, intimidation and improper influence. It does not refer to harassment or discrimination in the context of “bullying”.

The proposed Code of Conduct includes a definition of “bullying”, and “harassment” and deals with discrimination and equality considerations under the Equality Act 2010.

- g) Impartiality of officers of the Authority – The current Code of Conduct deals with the impartiality of officers.

The proposed Code of Conduct explains what this aspect of the Code means and what Members can and cannot do to undermine the neutrality of officers.

- h) Confidentiality and access to information – The current Code of Conduct includes a requirement for members not to disclose information given in confidence or information which a Member ought reasonably to be aware is of a confidential nature.

The proposed Code of Conduct adds to the current Code by stating that Members must not improperly use knowledge gained solely as a result of their role as a member for the advancement of themselves, their friends, their family members, their employer, or their business interests. The proposed Code of Conduct also makes it clear that there will be times when discussions, documents, and other information relating to, or held by the Authority, must be treated in a confidential manner and cannot be disclosed or discussed with others not entitled to this information.

The proposed Code of Conduct also prohibits a Member from preventing a person getting information that they are entitled to by law.

- i) Disrepute – The current Code of Conduct refers to Members not acting in a way that would be regarded as bringing the Authority or the office of Member into disrepute.

The proposed Code of Conduct gives some narrative as to what is meant about bringing the Authority/office of Member into disrepute and explains that Members behaving in a certain manner can bring the Authority/office of Member into disrepute.

- j) Use of Position – This type of conduct is included in the current Code of Conduct.

The Proposed Code of Conduct explains that Members should not take advantage of opportunities to further their own or other’s interest at the expense of others.

- k) Use of the Authority’s resources and facilities – This issue is included in the current Code of Conduct

The Proposed Code of Conduct reinforces the requirements for the use of the Authority’s resources and that they cannot be used for political purposes and lists the resources that may be available to Members from time to time.

- l) Complying with the Code of Conduct – The current Code of Conduct, surprisingly, does not require a Member to comply with the Code of Conduct.

The proposed Code of Conduct will require Members to comply with the Code of Conduct, to undertake training on the Code of Conduct to co-operate with any investigation of a complaint and to comply with any sanction imposed on them following a finding that the Code of Conduct has been breached.

- m) Interests – The current Code of Conduct deals with the need to declare interests, consisting of disclosable pecuniary interests, other registerable interests and non-registerable interests but is not listed in the “General Conduct” section of the Code.

The proposed Code of Conduct includes in the “General Conduct” section the need for Members to register and declare interests as part of their “General Conduct”. The proposed Code of Conduct as with the current Code, requires Members to declare Disclosable Pecuniary Interests in accordance with the Localism Act 2011 and highlights that a failure to do so is a criminal offence.

- n) Gifts and hospitality – The current Code of Conduct does not refer to the acceptance of gifts or hospitality by Members in the “General Conduct” section.

The proposed Code of Conduct will include gifts and hospitality in the General Section and specifies that Members should not ordinarily accept gifts or hospitality that brings them personal gain. On occasions when gifts or hospitality are accepted, Members must ensure that their receipt is publicly registered.

- o) Scrutiny of Decisions – The current Code of Conduct excludes a Member from being part of the Overview, Scrutiny and Policy Development Committee reviewing a decision taken by that Member, save when the Committee requires the attendance of the Member before it.

The proposed Code of Conduct will include the same exclusion.

This requirement goes over and above what is included in the LGA Model Councillor Code of Conduct.

- p) Safeguarding – The current Code of Conduct requires Members to report any suspicion, intelligence/information that they have in relation to safeguarding issues concerning children or vulnerable adults, including any potential or actual sexual exploitation to the Authority and where appropriate the Police.

The proposed Code of Conduct will include such a requirement.

The inclusion of this requirement goes over and above the requirements included in the LGA Model Code of Conduct.

Part 2 – Registration of Interests

The proposed Code of Conduct adds to what is already included in the current Code of Conduct. It sets out clearly the legal duty placed on Members to disclose “registerable personal interests” which include **Disclosable Pecuniary Interests** and **other registerable interests**.

The proposed Code of Conduct makes it clear that the duty to disclose registerable personal interests applies equally to newly elected Members, re-elected Members and newly appointed/re-appointed office holders. The proposed Code of Conduct in particular makes it very clear that Disclosable Pecuniary Interests must be notified in writing to the Monitoring Officer within 28 days of election/re-election, appointment/re-appointment. As with the existing Code of Conduct a failure register Disclosable Pecuniary Interests within the 28-day period is a criminal offence under the Localism Act 2011.

The proposed Code of Conduct also emphasises that it is an offence to provide false or misleading information in relation to Disclosable Pecuniary Interests or to provide information recklessly as to whether the information is true and not misleading.

The proposed Code of Conduct also makes it clear that a Member must notify the Monitoring Officer of any new Disclosable Pecuniary Interest or a change to an existing Disclosable Pecuniary Interest as well as notifying the Monitoring officer of any new other registerable interest or change to such an interest.

The Proposed Code of Conduct also points out that declaring Disclosable Pecuniary Interests to the Monitoring Officer does not obviate the need to provide the same information, if required to do so under any other legislative framework or vice versa. An example of this would be donations of over £50.00 received by a Member during an election campaign needing to be disclosed to the Returning Officer in a Candidate Spending Return under election legislation, as well as such information needing to be included as a Disclosable Pecuniary Interest as “Sponsorship” which includes election expenses received in a previous 12 month period.

Part 3 Disclosure of Non-Registerable Interests

The proposed Code of Conduct follows the existing Code of Conduct save that it adds to the “persons” whose wellbeing, or financial position must be considered when an item of business falls to be determined by a Member.

The proposed Code of Conduct adds to the “persons” currently listed in paragraph 16 of the existing Code of Conduct by adding to that list a body appearing in a Member’s Register of Interest in Annex 3 of the Code of Conduct – Other Registerable Interests.

The proposed Code of Conduct continues to require a Member to disclose a non-registerable interest to a meeting before consideration of the item begins.

Part 4 – Non-Participation in Authority Business

The proposed Code of Conduct follows Part 4 of the existing Code of Conduct insofar as when a Member should not participate in a meeting of the Authority.

The only addition in the proposed Code of Conduct is an example of a single decision-maker not exercising their decision-making powers when the criteria set out in paragraph 18 of the proposed Code of Conduct (and the existing Code of Conduct) are met. The example given is a Cabinet member not exercising their delegated authority when the criteria in paragraph 18 are met.

There is a further warning at this point of the proposed Code of Conduct about a failure to declare a Disclosable Pecuniary Interest when considering an item of business is a criminal offence, unless a Member has been granted a dispensation by the Committee.

Annex 1 to Code of Conduct

This Annex is the Seven Principles of Public Life (the Nolan Principles).

The existing Code of Conduct does not set out the correct narrative for each of the Nolan Principles. Annex 1 of the proposed Code of Conduct sets out the Nolan Principles in full, with the correct narrative for each Principle included in the Annex.

Annex 2 to Code of Conduct

This Annex relates to the Disclosable Pecuniary Interests that must be disclosed to the Monitoring Officer with any changes thereto also being duly notified in the requisite 28 days period.

The Annex in the proposed Code of Conduct is written in the first person rather than in the third person as is currently the case with the Annex attached to the current Code of Conduct.

As the interests listed in Annex 2 are set by Regulations, naturally the interests listed in Annex 2 of the proposed Code of Conduct remain the same as Annex 2 of the current Code of Conduct.

Annex 3 to the Code of Conduct

This Annex relates to Other Registerable Interests and the proposed Code of Conduct follows the existing Annex 3 to the current Code of Conduct.

Further Considerations

- 1.3.6 The LGA on publishing its Model Councillor Code of Conduct indicated that it would review the Code annually. Any changes made to the LGA Model Code of Conduct will need to be considered by the Authority to determine if any revision needs to be made to the Authority's Code of Conduct.
- 1.3.7 As stated above, the LGA has published a guidance to the Model Code of Conduct. The guidance deal with, amongst other things the following: -
- The submission of Complaints
 - The initial assessment of complaints
 - The assessment criteria to be applied when assessing complaints
 - Informal resolution of complaints
 - The role of Monitoring Officer
 - Investigations
 - The hearing process
 - Making a finding
 - Sanctions
 - Publicising the findings
- 1.3.8 Given the extent of the LGA guidance it would seem to be an appropriate time for the Authority's "Local Arrangements" to be reviewed by a Member Working Group to ascertain if any changes need to be made to the Arrangements. Once the review has been completed, a report could be brought back to the Committee for its consideration and a decision taken on whether any changes to the Local Arrangements are considered appropriate.

1.4 Appendices:

Appendix 1 – The Current Code of Conduct for Members and Co-opted members of the Authority

Appendix 2 - The Local Government Association Model Councillor Code of Conduct

Appendix 3 - The Proposed Code of Conduct for Members and Co-opted Members of the Authority

1.5 Contact officers:

Bryn Roberts, Head of Law and Governance and Monitoring Officer (0191) 643 5339

John Barton, Lawyer - Legal Services (0191) 643 5354

1.6 Background information:

- The Localism Act 2011.
- The Local Government Association's Guidance on its Model Councillor Code of Conduct.

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North Tyneside Council

Code of Conduct for Elected Members and Co-opted Members

North Tyneside Council (“the Authority”) has adopted the following code which has effect from 4 July 2012 and which sets out the conduct that is expected of elected and co-opted members of the Authority when they are acting in that capacity.

This means the code applies whenever you (a) conduct the business of the Authority (including the business of your office as an elected councillor or co-opted member) or (b) act, claim to act or give the impression you are acting as a representative of the Authority.

‘Co-opted member’ means any person who is a member of any committee or sub-committee of the Authority with a right to vote but who is not one of its elected members.

The code is intended to be consistent with Nolan’s Seven Principles of Public Life, and should be read in the light of those principles, namely that Authority Members will act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Those Principles are not part of this Code but are set out in full at Annex 1 for information.

Part 1 - General Conduct

1. You must treat others with respect, including Authority officers and other elected members.
2. You must not bully any person (including specifically any Authority employee) and you must not intimidate or improperly influence, or attempt to intimidate or improperly influence, any person who is involved in any complaint about any alleged breach of this code of conduct.
3. You must not do anything which compromises or is likely to compromise the impartiality of anyone who works for or on behalf of the Authority.
4. You must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority, or your office as a member of the Authority, into disrepute.
5. 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 any advantage or disadvantage.
6. You must comply with any Protocol adopted by the Authority which seeks to regulate the conduct of its elected members or co-opted members and which the Authority has specifically declared should fall within the

provisions of this code of conduct and which is listed in Annex 4 to this Code.

7. When using or authorising the use by others of the resources of the Authority, you must act in accordance with the Authority's reasonable requirements (as set out in such protocol as it may adopt from time to time for these purposes) and must ensure they are not used for party political purposes.
8. You must not prevent, or attempt to prevent, another person from gaining access to information to which they are entitled by law.
9. You must not disclose information which is given to you in confidence, or information which you believe or ought reasonably to be aware is of a confidential nature, unless:
 - (a) You have the consent of a person authorised to give it; or
 - (b) You are required by law to do so; or
 - (c) The disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
 - (d) The disclosure is reasonable and in the public interest and made in good faith.
10. Where you have been involved in making any decision by the Authority which is subsequently subject to scrutiny by an Overview, Scrutiny and Policy Development committee of the Authority, you must not take part in that scrutiny process except to the extent you may be invited by the committee to give evidence to, or otherwise assist, it. In this paragraph, 'scrutiny' means the formal examination of a policy or decision previously approved or taken by or on behalf of the Authority in order to reach a view as to its merits or effectiveness.
11. You must not do anything that would cause you to breach any equality laws. For example, you must not make sexist and/or racist remarks.
12. You must report any suspicion you have or any intelligence/information you have received on any safeguarding issue regarding children or vulnerable adults, including potential or actual sexual exploitation, to the Authority and where appropriate the Police.

Part 2 - Registration of interests

13. You must register in the Authority's Register of Members Interests information about your registerable personal interests. In this code of conduct 'your registerable personal interests' means:
 - (a) any Disclosable Pecuniary Interest as set out in Annex 2;
 - or
 - (b) any other interest held by you as set out in Annex 3.

You must register information about your registerable personal interests by giving written notice to the Monitoring Officer, who maintains the Register, within 28 days of:

- your appointment as a member of the Authority; and
- any change taking place in your registerable personal interests.

(Note: Failure without reasonable excuse to register a Disclosable Pecuniary Interest is a criminal offence under section 34 Localism Act 2011 as well as being a breach of this code.)

14. Where you think that disclosure of the details of any of your registerable personal interests could lead to you, or a person connected with you, being subject to violence or intimidation, the Monitoring Officer may at your request make a note on the Register that you have a personal interest, details of which are withheld.

Part 3 – Non-registerable interests

15. You will have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described in paragraph 16 to a greater extent than most inhabitants of the area affected by the decision.

16. The persons referred to in paragraph 15 are:

- (a) a member of your family;
- (b) any person with whom you have a close association;
- (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

(Note:

- (a) “A member of your family” means: your partner (i.e. your spouse, civil partner or anyone with whom you live in a similar capacity); your parent or parent-in-law; any child, stepchild or sibling of you or your partner; your grandparent, grandchild, aunt, uncle, nephew or niece; and the partners of any of those people.
- (b) You have a “close association” with someone if your relationship is such that a reasonable member of the public might think you would be prepared to favour or disadvantage that person when deciding a matter which affects them).

17. When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that you have a non-

registerable interest in an item of business (as defined in paragraph 15) you must disclose that interest to the meeting before consideration of that item begins or (if later) when you become aware of the interest.

Part 4 - Non-Participation in Authority Business

18. When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out in paragraph 19 are satisfied in relation to any matter to be considered, or being considered at that meeting, you must :
 - (a) Declare that fact to the meeting;
 - (b) Not participate (or further participate) in any discussion of the matter at the meeting;
 - (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and
 - (d) Leave the room whilst the matter is being discussed.

19. The criteria for the purposes of paragraph 18 are that:
 - (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; and either
 - (b) The matter will affect the financial position of yourself or one of the persons or bodies referred to in paragraph 16 or in any of your register entries; or
 - (c) The matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to in paragraph 16 or in any of your register entries.

20. If an Authority function can be discharged by you as a member acting alone and you are aware you have a registerable or non-registerable personal interest in any matter to be dealt with by you in that way which meets the criteria set out in paragraph 19, you shall not deal with that matter in any way (except to enable it to be dealt with by someone else).

(Note: Failure, without reasonable excuse, to comply with paragraphs 18 to 20 in relation to a Disclosable Pecuniary Interest is a criminal offence under section 34 Localism Act 2011 as well as being a breach of this code.)

21. Paragraphs 18 to 20 do not apply if (i) you have a relevant dispensation under section 33 of the Localism Act 2011 or (ii) the matter in question relates to any of the following functions of the Authority:
 - (a) housing, where you are a Council tenant provided the matter does not relate particularly to your tenancy or lease;
 - (b) school meals or school transport, where you are a parent or guardian of a child in full-time education or a parent governor of a school, unless the matter relates particularly to the school your child attends;

- (c) statutory sick pay where you are in receipt of, or entitled to receipt of, such pay;
- (d) an allowance, payment or indemnity given to members;
- (e) any ceremonial honour given to members; and
- (f) setting council tax or a precept under the Local Government Finance Act 1992.

Annex 1 to Code of Conduct

Nolan's Seven Principles of Public Life

Selflessness

Holders of public office should take decisions 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 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.

Annex 2 to Code of Conduct

Disclosable Pecuniary Interests

(as defined by Regulations made by the Secretary of State under section 30 Localism Act 2011)

Please Note: The following interests are Disclosable Pecuniary Interests if they are an interest of either (a) yourself, or (b) your spouse or civil partner, or (c) a person with whom you are living as husband and wife, or (d) a person with whom you are living as if you were civil partners (all of whom are referred to as “relevant persons”):-

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 relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out your duties as a member, or towards your election expenses.

This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts - Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the 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 Authority.

Licences - Any licence (alone or jointly with others) to occupy land in the area of the Authority for a month or longer.

Corporate tenancies - Any tenancy where (to your knowledge):

- (a) the landlord is the 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 your knowledge) has a place of business or land in the area of the Authority; 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.

Note: In the above descriptions, the following words have the following meanings –

“*body in which the relevant person has a beneficial interest*” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“*director*” includes a member of the committee of management of an industrial and provident society;

“*land*” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“*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.

Annex 3 to Code of Conduct

Other Registerable Personal Interests

The other interests which you must register under paragraph 11(b) of the code are:

1. Any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Authority;
2. Any body which (i) exercises functions of a public nature or (ii) has 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);
3. Any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Authority.

Note: These mean only your interests and not those of your spouse or civil partner

Annex 4 to Code of Conduct

Associated Protocols

The Authority has adopted the following Protocols which are intended to regulate the conduct of its elected members or co-opted members and which the Authority has specifically declared should fall within the provisions of this code of conduct pursuant to paragraph 6 of the code:

[None]

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Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors 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.

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.

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.

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.

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, intimidating 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 equalities 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/it's 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 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 interest. 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:

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 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.

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.

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

6. Where a matter arises at a meeting which **directly relates** to 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

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, close associate; or
 - c. a body included in those you need to disclose 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 **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward 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

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 a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

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. [Any unpaid directorship.]
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

	<p>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 —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'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.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(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.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* '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

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none"> a) any body of which you are in general control or management and to which you are nominated or appointed by your authority b) any body <ul style="list-style-type: none"> (i) exercising functions of a public nature (ii) any body 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)
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Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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North Tyneside Council

Code of Conduct for Elected Members and Co-opted Members

North Tyneside Council (“the Authority”) has adopted the following Code of Conduct which has effect from ??? 2021 and which sets out the conduct that is expected of elected and co-opted members of the Authority when they are acting in that capacity.

Definitions

For the purposes of this Code of Conduct, a “member” means an elected member or co-opted member of the Authority and the 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” also includes the fire and rescue authority, police authority, joint authority, and combined authority.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist members in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against them. It is also to protect members, the public, fellow members, officers, and the reputation of the Authority. It sets out general principles of conduct expected of all members and their specific obligations in relation to standards of conduct. The Authority 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 members and local government.

General principles of member conduct

Everyone in public office at all levels who serve the public or deliver public services, including members and officers of the Authority should uphold the **Seven Principles of Public Life**, also known as the 'Nolan Principles' (see Annex 1 to the Code of Conduct). Building on these principles, the following general principles have been developed specifically for the role of members.

In accordance with the public trust placed in them, when acting in their capacity as a member a member should, on all occasions:

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

When undertaking the role of member, a member should:

- Act impartially and exercise their responsibilities in the interests of the local community
- Not improperly seek to confer an advantage, or disadvantage, on any person
- Avoid conflicts of interest
- Exercise reasonable care and diligence; and
- Ensure that public resources are used prudently in accordance with the Authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to members as soon as they sign their declaration of acceptance of the office of councillor or attend their first meeting as a co-opted member of the Authority and continues to apply for as long as they remain a member of the Authority.

This means the Code of Conduct applies whenever a member (a) conducts the business of the Authority (including the business of the office of an elected member or co-opted member) or (b) act, claim to act or give the impression of acting as a representative of the Authority.

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

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

Members are expected to uphold high standards of conduct and show leadership at all times when acting as a member.

The Authority's Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and members are encouraged to seek advice from the Monitoring Officer on any matter that may relate to the Code of Conduct.

Members are encouraged to read the supporting guidance produced by the Local Government Association on the Model Councillor Code of Conduct on which this Code of Conduct is largely based. The link to the guidance is here: <https://local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct>

Part 1 - General conduct

This section sets out members' obligations, which are the minimum standards of conduct required of members. Should member conduct fall short of these standards, a complaint may be made against members, which may result in action being taken.

1. Respect

As a member:

- 1.1 You must treat other members and members of the public with respect.
- 1.2 You must treat officers of the Authority, 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 member, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. Whilst greater allowance may be given for robust political debate between members, bearing in mind the right to freedom of expression, members should not, however, subject individuals, groups of people or organisations to personal abuse.

In contact with the public, members should treat the public politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in members. In return, members have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening members are entitled to stop any conversation or interaction in person or online and report them to the Monitoring Officer, the relevant social media provider or the police. This also applies to fellow members, where action could then be taken under this Code of Conduct, and local authority employees, where concerns should be raised in line with the Authority's Protocol on Member/Officer Relations in Part 8.6 of the Authority's Constitution.

2. Bullying, harassment, and discrimination

As a member:

- 2.1 You must not bully any person.
- 2.2 You must not harass any person.
- 2.3 You must promote equalities
- 2.4 You must 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 telephone 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. Members have a central role to play in ensuring that equality issues are integral to the 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 Authority

As a member:

- 3.1 You must not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Authority.

Officers work for the Authority as a whole and must be politically neutral whilst at work (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. Members 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, members 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 exempt information

As a member:

4.1 You must not disclose information:

- a) given to you in confidence by anyone
- b) acquired by you which you believe, or ought reasonably to believe, is of a confidential nature, unless
 - i. you have received the consent of a person authorised to give it;
 - ii. you are required by law to do so;
 - iii. the disclosure is made to a third party for the purposes 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:
 - a. reasonable and in the public interest; and
 - b. made in good faith and in compliance with the reasonable requirements of the Authority; and
 - c. you have consulted with the Monitoring Officer prior to its release.

- 4.2 You must not use knowledge gained solely as a result of your role as a member for the advancement of yourself, your friends, your family members, your employer, or your business interests.
- 4.3 You must not prevent anyone from getting information that they are entitled to by law.

The Authority must work openly and transparently, and its proceedings and printed materials open to the public, except in certain legally defined circumstances. Members 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 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 member:

- 5.1 You must not do anything to bring your role or the Authority into disrepute.

Members are trusted to make decisions on behalf of their community and their actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. Members should be aware that their actions might have an adverse impact on them, other members and/or the Authority and may lower the public's confidence in their or the Authority's ability to discharge their/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the Authority into disrepute.

Members are able to hold the Authority and fellow members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Authority whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a member:

- 6.1 You must not use, or attempt to use, your position improperly to the advantage or disadvantage of yourself or anyone else.

Members of the Authority are provided with certain opportunities, responsibilities, and privileges, and make choices all the time that will impact others. Members should not take advantage of these opportunities to further their own or others' private interests or to disadvantage anyone unfairly.

7. Use of the Authority's resources and facilities

As a member:

- 7.1 You must not misuse the Authority's resources.
- 7.2 You must when using the Authority's resources or authorising their use by others: -
- a. Act in accordance with the 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 Authority or of the office to which you have been elected or appointed.

Members are provided with resources and facilities by the Authority to assist with the carrying out of their duties and may include: -

- office support
- stationary
- equipment such as telephones and computers
- transport
- access and use of the Authority's buildings and rooms.

8. Complying with the Code of Conduct

As a member:

- 8.1 You must undertake Code of Conduct Training provided by the Authority.
- 8.2 You must cooperate with any Code of Conduct investigation and/or determination.
- 8.3 You must not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

You must comply with any sanction imposed on you following a finding that you have breached the Code of Conduct.

It is extremely important for Members to demonstrate high standards, and for their actions to be open to scrutiny and for members not to undermine public trust in the Authority or its governance. If members do not understand or are concerned about the Authority's processes in handling a complaint, they should raise those concerns with the Authority's Monitoring Officer.

9. Interests

As a member:

- 9.1 You must register and disclose your 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.

Members need to register their interests so that the public, officers and fellow members know which of their interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects members by allowing them to demonstrate openness and a willingness to be held accountable. Members are personally responsible for deciding whether or not they should disclose an interest in a meeting, but it can be helpful for members 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 members 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.

Members should note that failure to register or disclose a Disclosable Pecuniary Interest as set out in Annex 2 of the Code of Conduct is a criminal offence under the Localism Act 2011.

Parts 2 and 3 of the Code of Conduct set out the detailed provisions on registering and disclosing interests. If in any doubt members should always seek advice from the Authority's Monitoring Officer.

10. Gifts and hospitality

As a member:

- 10.1 You must 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 your part to show favour from persons seeking to acquire, develop or do business with the Authority or from persons who may apply to the Authority for any permission, licence or other significant advantage.
- 10.2 You must 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 You must register with the Monitoring Officer any significant gift or hospitality that you have been offered but have refused to accept.

In order to protect the position of members and the reputation of the Authority, members should exercise caution in accepting any gifts or hospitality which are (or which members reasonably believe to be) offered to them because they are a member. 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 members could accept it but must ensure it is publicly registered. However, members do not need to register gifts and hospitality which are not related to their role as a member, such as Christmas gifts from their friends and family. It is also important to note that it is appropriate for members to accept normal expenses and hospitality associated with their duties as a member. If members are unsure, contact your Monitoring Officer for guidance.

11. Scrutiny of decisions taken

As a member:

11.1 You must not take part in the scrutiny process of a decision being reviewed by the Overview, Scrutiny and Policy Development Committee (or Sub-Committee) when you were involved in the decision that is being reviewed by the Overview, Scrutiny and Policy Development Committee (or sub-committee).

11.2 You must attend before the Overview, Scrutiny and Policy Development Committee (or sub-committee) if required to do so and to otherwise assist it.

“Scrutiny” means the formal examination of a policy or decision previously approved or taken by, or on behalf, of the Authority in order to reach a view as to its merits or effectiveness.

12. Safeguarding

As a member:

12.1 You must report any suspicion you have or any intelligence/information you have received on any safeguarding issue regarding children or vulnerable adults, including potential or actual sexual exploitation, to the Authority and where appropriate to the Police.

Safeguarding children, young people and vulnerable adults is everyone’s business in North Tyneside including members.

Part 2 - Registration of interests

13. Within 28 days of becoming a member, your re-election, or appointment/re-appointment to office you must register with the Authority's Monitoring Officer your registerable personal interests so that they can be recorded in the Authority's Register of Members' Interests. In the Code of Conduct your "registerable personal interests" means: -
- (a) any Disclosable Pecuniary Interest as set out in Annex 2 of the Code of Conduct; **or**
 - (b) other registerable interests held by you as set out in Annex 3 of the Code of Conduct.

You must ensure that your Register of Interests is kept up-to-date and within 28 days of becoming aware of any new Disclosable Pecuniary Interest, or of any change to such an interest, or any new other registerable interest, or any change thereto, you must notify the Monitoring officer of that change in writing.

NOTE: Failure without reasonable excuse to register a Disclosable Pecuniary Interest within the 28-day period is a criminal offence under section 34 Localism Act 2011 as well as being a breach of the Code of Conduct.

It is also a criminal offence under section 34 of the Localism Act 2011 to knowingly provide information relating to a Disclosable Pecuniary Interest that is false or misleading or is provided recklessly as to whether the information is true and not misleading as well as being a breach of the Code of Conduct.

The requirements placed upon you by the Localism Act 2011 are in addition to any other legislative requirement to disclosure specified information e.g. election expenses. It may be the case that the same information has to be disclosed more than once so that the information can appear in different locations.

14. Where you think that disclosure of the details of any of your registerable personal interests could lead to you, or a person connected with you, being subject to violence or intimidation, the Monitoring Officer may at your request make a note on the

Register that you have a personal interest, details of which are withheld. This is known as a “sensitive interest”.

Part 3 – Disclosure of Non-registerable interests

15. You will have a non-registerable personal interest when you attend a meeting of the Authority and you are, or ought reasonably to be aware, that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your wellbeing, or financial position, or the wellbeing or financial position of a person described in paragraph 16 to a greater extent than most inhabitants of the area affected by the decision.
16. The persons referred to in paragraph 15 are:
- (a) a member of your family;
 - (b) any person with whom you have a close association;
 - (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder; and
 - (d) a body included under Other Registrable Interests in Annex 3 of the Code of Conduct.

NOTE:

- (a) “A member of your family” means: your partner (i.e. your spouse, civil partner, or anyone with whom you live in a similar capacity); your parent or parent-in-law; any child, stepchild or sibling of you or your partner; your grandparent, grandchild, aunt, uncle, nephew, or niece; and the partners of any of those people.
 - (b) You have a “close association” with someone if your relationship is such that a reasonable member of the public might think you would be prepared to favour or disadvantage that person when deciding a matter which affects them).
 - (c) “Authority” in this Code of Conduct means Council, Cabinet, or one of their Committees, Sub-Committees, working groups, Boards, or other decision-making bodies, and all references to Authority should be read as such, unless the context indicates otherwise.
17. When you attend a meeting of the Authority, and you are aware that you have a non-registerable interest in an item of business (as defined in paragraph 15) you must disclose that interest to the meeting before consideration of that item begins or (if later) when you become aware of the interest.

Part 4 - Non-Participation in Authority Business

18. When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out in paragraph 19 are satisfied in relation to any matter to be considered, or being considered at that meeting, you must: -
- (a) Declare that fact to the meeting;
 - (b) Not participate (or further participate) in any discussion of the matter at the meeting;
 - (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and
 - (d) Leave the room whilst the matter is being discussed.
19. The criteria for the purposes of paragraph 18 are that:
- (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either**
 - (b) The matter will affect the financial position of yourself or one of the persons or bodies referred to in paragraph 16 or in any of your register entries; **or**
 - (c) The matter concerns a request for any permission, licence, consent, or registration sought by yourself or any of the persons referred to in paragraph 16 or in any of your register entries.
20. If an Authority function can be discharged by you as a member acting alone (e.g. as a Cabinet member exercising an executive function) and you are aware that you have a registerable or non-registerable personal interest in any matter to be dealt with by you in that way which meets the criteria set out in paragraph 19, you shall not deal with that matter in any way (except to enable it to be dealt with by someone else).

NOTE: Failure, without reasonable excuse, to comply with paragraphs 18 to 20 in relation to a Disclosable Pecuniary Interest is a criminal offence under section 34 Localism Act 2011 as well as being a breach of this Code of Conduct.

21. Paragraphs 18 to 20 do not apply if (i) you have a relevant dispensation under section 33 of the Localism Act 2011 or (ii) the matter in question relates to any of the following functions of the Authority:
- (a) housing, where you are a Council tenant provided the matter does not relate particularly to your tenancy or lease;
 - (b) school meals or school transport, where you are a parent or guardian of a child in full-time education or a parent governor of a school, unless the matter relates particularly to the school your child attends;
 - (c) statutory sick pay where you are in receipt of, or entitled to receipt of, such pay;
 - (d) an allowance, payment or indemnity given to members;
 - (e) any ceremonial honour given to members; and
 - (f) setting council tax or a precept under the Local Government Finance Act 1992.

Annex 1 to Code of Conduct

Nolan's Seven Principles of Public Life

The 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 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.

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.

Annex 2 to Code of Conduct

Disclosable Pecuniary Interests

(As specified by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012)

Please Note: The following interests are Disclosable Pecuniary Interests if they are an interest of either (a) yourself, or (b) your spouse or civil partner, or (c) a person with whom you are living as husband and wife, or (d) a person with whom you are living as if you were civil partners (all of whom are referred to as “relevant persons”): -

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 Authority) made to you during the previous 12-month period for expenses incurred by you in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts - Any contract made between you, your spouse or civil partner or the person with whom you are living as if they were your spouse/civil partner (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 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 and property - Any beneficial interest in land which is within the area of the Authority.

Licences - Any licence (alone or jointly with others) to occupy land in the area of the Authority for a month or longer.

Corporate tenancies - Any tenancy where (to your knowledge): -

- (a) the landlord is the Authority; and
- (b) the tenant is a body that you, or your spouse or civil partner or the person with whom you are living as if they were your spouse/ civil partner 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 your knowledge) has a place of business or land in the area of the Authority; and
- (b) either—
 - 1. the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - 2. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or the person with whom you are living as if they were spouse/civil partner have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Note: In the above descriptions, the following words have the following meanings –

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“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.

Annex 3 to Code of Conduct

Other Registerable Interests

The other interests which you must register under paragraph 13(b) of the Code of Conduct are:

1. Any unpaid directorships
2. Any body of which you are a member or in a position of general control or management and to which you are nominated or appointed by the Authority;
3. Any body which
 - i. exercises 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;
4. Any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Authority.

Note: These mean only your interests and not those of your spouse or civil partner

North Tyneside Council Report to Standards Committee Date: 3 November 2021

Report from Service

Area: Law and Governance

Report Author: Bryn Roberts – Head of Law and Governance (Tel: 643 5339)

Wards affected: All

1.1 Purpose:

To advise the Committee of the action plan/work programme of the Committee for the year up to 31 March 2022.

1.2 Recommendation(s):

The Committee is requested to consider and note this report.

1.3 Information

1.3.1 The Standards Committee's Action Plan up to 31 March 2022

This Action Plan is monitored by the Committee at each meeting and the progress of the identified actions will be reported in the Committee's Annual Report to Council at the end of the municipal year.

The Standards Committee is responsible for the Authority's statutory duty to promote and maintain high standards of conduct by the Elected Mayor, Councillors and Co-opted Members.

Action	Why	By When	Progress/Action
Establish the working group agreed at the April meeting by June 2021 to review the Code of Conduct against the LGA model Code of Conduct, and consider any changes to be made.	To ensure that the Authority's Code of Conduct remains fit for purpose and up to date.	June 2021	The Working Group has met twice and is due to report recommendations on amending the Code of Conduct to the Standards Committee.
The working group to report the outcome to		November 2021	

Standards Committee by November 2021.			
To extend a meeting invitation to a number of guests and to seek topics of conversation from those guests, including the Elected Mayor, the Chief Executive, Senior Leadership Team, Group Leaders, the Chair and Deputy Chair of Council and the Chairs of the Overview and Scrutiny Committee and the Planning Committee and other Regulatory Committees.	To develop a dialogue between the Committee, and members and appropriate Officers relating to ethical governance and ethical standards.	Ongoing	Cllr F Lott provided his views to June meeting of the Committee on Ethical Governance and Standards issues relating to his time as Chair of Planning Committee.
The Chair has indicated an intention to attend Standards Committee meetings at neighbouring authorities.	To provide an opportunity to understand ethical governance and standards issues in other Authorities and aid best practice.	By 31 March 2022	Neighbouring authorities contacted about future meeting dates.
To invite Chairs of Standards Committees from other Authorities in the region to attend Committee meetings.	To provide an opportunity to understand ethical governance and standards issues in other Authorities.	Ongoing	
To provide training for the Committee on relevant ethical standards issues.	Training on local assessment, the Code of Conduct and other relevant matters/legislation.	Ongoing.	
To review training available to all Council Members on ethical governance, ethical standards issues including arrangements with respect to the Code	To ensure all members receive information on ethical governance, ethical standards to minimise risk of unwitting breaches of the Code of Conduct.	By May 2022	

of Conduct; granting of dispensations, the use of Social Media and declaring interests.			
Continue production of Annual Standards Committee Report	Presentation of Annual Report of the work of the Committee during the previous 12 months.	By end of each municipal year.	

1.4 Appendices:

None.

1.5 Contact officers:

John Barton, Law and Governance

(0191) 643 5354

1.6 Background information:

None

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