

2025

Killinghall Parish Council Policy: Councillor Code of Conduct



Adopted: October 2025

Review Cycle: 4 Years

Review Due: September 2029

1. Foreword:

The ethical conduct of elected representatives is foundational to the legitimacy, efficacy, and resilience of local governance. This Code of Conduct, adopted by Killinghall Parish Council, operationalises the Seven Principles of Public Life and aligns with the statutory architecture established by the Localism Act 2011. It articulates both normative commitments and procedural obligations designed to safeguard public trust, ensure procedural fairness, and sustain institutional credibility.

Councillors occupy a distinctive role within the democratic ecosystem: they exercise discretionary authority, adjudicate competing public interests, and act as the primary interface between the council and the electorate. The comportment of councillors, whether in formal deliberation, constituency engagement, or digital communication, materially influences perceptions of impartiality, accountability, and legitimacy. Accordingly, this Code privileges standards that promote transparency, protect the impartiality of officers, and guard against misuse of position or public resources.

This document adapts the Local Government Association's Model Councillor Code of Conduct to the contextual realities of parish governance and supplements it with statutory references and sector guidance to facilitate consistent interpretation and application. It is neither a mere compendium of prohibitions nor a ceremonial statement of intent; it is an instrument for ethical adjudication, capacity building, and sustained institutional improvement.

The council endorses a reflective practice approach to public decision-making that we summarise as Think Deeper: deliberate engagement that combines rigorous factual appraisal, conscientious appraisal of conflicts of interest, and principled attention to equality and proportionality. Think Deeper requires councillors to pause for structured reflection when confronted with complex or contested matters, to seek and weigh relevant evidence, and to document the reasoning that underpins executive or committee decisions.

Adoption of this Code affirms Killinghall Parish Council's commitment to high standards of conduct, to the cultivation of a deliberative civic culture, and to the protection of public interest. Councillors are expected to internalise these standards, to participate in requisite training, and to apply the Think Deeper approach as an operational norm in decision-making and community engagement.

2. 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)¹ as “a person who is not a member of the authority but who:

is a member of any committee or sub-committee of the authority, or:

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 fails 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 authorities².

3. Purpose of the Code of Conduct:

This Code is designed to assist you, as a councillor, in modelling the behaviour expected of public office holders. It provides a personal check and balance, outlines conduct that may lead to complaints or sanctions, and supports a culture of civility, respect, and transparency.

The Code protects councillors, the public, council officers, and the reputation of Killinghall Parish Council. It sets out both general principles and specific obligations. The Local Government Association encourages the use of support, training, and mediation before formal action is taken.³

The fundamental aim is to uphold public confidence in the role of councillors and the integrity of local government.

Councillors are expected to act as role models for ethical conduct, even in challenging or politically charged situations. The Code is not intended to stifle debate or passion - it is designed to ensure that such debate is respectful, inclusive, and grounded in public service.⁴

¹ Localism Act 2011, Section 27(4): Definition of co-opted member.

² LGA Guidance (2022), “Definitions and Scope” – clarifies applicability across tiers of local government.

³ LGA Guidance (2022), “Complying with the Code” – emphasis on training and mediation.

⁴ Committee on Standards in Public Life, “Seven Principles of Public Life” (Nolan Principles).

4. General Principles of Councillor Conduct:

The Seven Principles of Public Life (also known as the Nolan Principles) outline the ethical standards expected of all public office holders. These principles apply to councillor's, officers, ministers, civil servants, and those delivering publicly funded services across all tiers of government.⁵

While not enforceable rules, the Nolan Principles underpin the standards that councillors should uphold and form the ethical foundation of this Code. They guide interpretation and reinforce the public trust placed in elected representatives.⁶

Building on these principles, the following standards have been developed specifically for the role of councillor at Killinghall Parish Council.

These principles apply across all forms of communication and conduct—whether in meetings, emails, social media, or informal interactions. Councillors are expected to uphold these standards even when under pressure, in disagreement, or facing criticism.

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

- 4.1.1 I act with integrity and honesty.
- 4.1.2 I act lawfully.
- 4.1.3 I treat all people fairly and with respect.
- 4.1.4 I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- 4.1.5 I impartially exercise my responsibilities in the interests of the local community.
- 4.1.6 I do not improperly seek to confer an advantage, or disadvantage, on any person.
- 4.1.7 I avoid conflicts of interest.
- 4.1.8 I exercise reasonable care and diligence.
- 4.1.9 I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.⁷

These principles are not just aspirational—they are the ethical compass by which councillors navigate public life. At Killinghall Parish Council, they serve as a constant reminder that integrity, fairness, and diligence are not optional extras but essential qualities of elected service. Whether in formal meetings or informal exchanges, councillors are expected to uphold these standards with consistency and care, ensuring public trust is earned and sustained.

⁵ Committee on Standards in Public Life, "Seven Principles of Public Life" (1995). Incorporated into the Localism Act 2011, Section 28.

⁶ LGA Guidance (2022), Part 2 – General Principles of Councillor Conduct.

⁷ The Seven Principles of Public Life (Nolan Committee, 1995) underpin councillor conduct.

5. 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 continue to apply to you until you cease to be a councillor ⁸.

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

- 5.1.1 you misuse your position as a councillor
- 5.1.2 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:

- 5.1.3 at face-to-face meetings
- 5.1.4 at online or telephone meetings
- 5.1.5 in written communication
- 5.1.6 in verbal communication
- 5.1.7 in non-verbal communication
- 5.1.8 in electronic and social media communication, posts, statements, and comments

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

The Code applies not only to formal council settings but also to informal interactions, community events, and digital platforms. Even when using personal accounts or speaking outside meetings, councillors must be mindful of how their conduct may be perceived in relation to their public role.⁹

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct. Parish councillors are encouraged to seek advice from the Clerk, who may refer matters to the Monitoring Officer where appropriate.¹⁰

Councillors are always public figures. Whether speaking at a community event or posting on personal social media, their conduct may reflect on the council. This Code encourages mindfulness, integrity, and leadership across all settings.

⁸ Localism Act 2011, Section 27(2): Duty to promote and maintain high standards of conduct.

⁹ LGA Guidance (2022), Part 1 – Application of the Code: “The Code applies to all forms of communication and interaction.”

¹⁰ Localism Act 2011, Section 27(2)–(3) for Monitoring Officer responsibilities.

6. Standards of Councillor Conduct:

As a councillor, you are expected to uphold the highest standards of conduct in public life. This section sets out the minimum obligations required of you under this Code.¹¹

Should your conduct fall short of these standards, a complaint may be made against you. This may result in investigation and, where appropriate, action under the council's complaints procedure or referral to the Monitoring Officer.¹²

Guidance is provided throughout this Code to explain the purpose of each obligation and how it should be followed in practice.

These standards are not merely procedural—they reflect the principles of public life, including integrity, accountability, and respect. Councillors are expected to model these values in all aspects of their role, whether in formal meetings, community engagement, or digital communication.^{13 14}

These standards are not simply a response to misconduct—they are a proactive commitment to public service. Councillors are expected to embody these values in every decision, interaction, and representation they undertake.

7. General Conduct:

7.1 Respect:

As a councillor:

- 7.1.1 I treat other councillors and members of the public with respect.
- 7.1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect for the role they play.¹⁵

Respect is not passive politeness, it is an active demonstration of courtesy, civility, and professionalism in all interactions. Councillors are expected to challenge ideas robustly but never attack individuals. This applies equally to written, verbal, and online communication.¹⁶

Debate and disagreement are part of a healthy democracy. You may express, challenge, criticise, and disagree with views, ideas, opinions, and policies in a robust but civil manner. However, personal attacks, offensive behaviour, or disrespectful conduct undermine public trust and the integrity of the council.

In your contact with the public, you should treat all individuals with courtesy. If members of the public behave abusively, intimidate, or threaten you, you are entitled to end the interaction and report the incident to the local authority, relevant social media provider, or the police.¹⁷

¹¹ Localism Act 2011, Section 27(1): Duty to promote and maintain high standards of conduct.

¹² LGA Model Code of Conduct (2025), Part 3 – Breaches and Complaints.

¹³ The Seven Principles of Public Life (Nolan Principles): Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership.

¹⁴ Localism Act 2011, Section 27(3) for the duty to promote and maintain high standards of conduct.

¹⁵ LGA Model Councillor Code of Conduct (2025), Section 7.1 – Respect.

¹⁶ Seven Principles of Public Life (Nolan Principles): Leadership, Integrity, Respect.

¹⁷ LGA Guidance (2025), "Handling Abuse and Intimidation" Toolkit.

This expectation of respectful conduct also applies to interactions with fellow councillors and council employees. Concerns about councillor behaviour may be addressed under this Code, while concerns about officer conduct should be raised in accordance with the council’s councillor–officer protocol.¹⁸

7.2 Bullying, Harassment and Discrimination:

As a councillor:

- 7.2.1 I do not bully any person
- 7.2.2 I do not harass any person.
- 7.2.3 I promote equalities and do not discriminate unlawfully against any person.¹⁹

Councillors are expected to foster a culture of respect, inclusion, and safety. Bullying, harassment, and discrimination not only breach this Code—they undermine public trust and the integrity of the council. These behaviors may occur in person, online, or through written or verbal communication, and may not always be immediately visible.²⁰

Bullying is defined by the Advisory, Conciliation and Arbitration Service (ACAS) as offensive, intimidating, malicious or insulting behaviour, and an abuse or misuse of power that undermines, humiliates, or injures the recipient. It may be a regular pattern or a one-off incident, and can occur face-to-face, on social media, in emails or phone calls, or at work-related events.²¹

Harassment, as defined by the Protection from Harassment Act 1997, is conduct that causes alarm or distress or fear of violence, and must occur on at least two occasions. It includes repeated unwanted contact or communication that could reasonably be expected to cause distress or fear.²²

Unlawful discrimination occurs when someone is treated unfairly due to a protected characteristic under the Equality Act 2010. These characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.²³

The Equality Act 2010 places specific duties on local authorities. Councillors play a central role in ensuring that equality issues are embedded in the council’s performance and strategic aims, and that there is a strong public commitment to equality across all services.²⁴

¹⁸ NALC Legal Topic Note 9E – Councillor–Officer Protocol.

¹⁹ LGA Model Councillor Code of Conduct (2025), Section 7.2 – Bullying, Harassment and Discrimination.

²⁰ LGA Guidance (2025), “Councillor Safety and Civility in Public Life” Toolkit.

²¹ ACAS Guidance – Bullying and Harassment at Work

²² Protection from Harassment Act 1997, Section 1

²³ Equality Act 2010, Part 2 – Protected Characteristics.

²⁴ Equality Act 2010, Section 149 – Public Sector Equality Duty.

7.3 Impartiality of Officers of the Council:

As a councillor:

- 7.3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.²⁵

Councillors are elected representatives who volunteer their time to serve the community. They do not work for the local authority and are not responsible for directing officers in their professional duties. Officers, by contrast, are employees of the council and must remain politically neutral, unless formally appointed as political assistants.²⁶ Their advice and actions are grounded in professional judgment, statutory obligations, and council policy.²⁷

Councillors may question officers to understand their reasoning, seek clarification on reports, or challenge recommendations. However, they must not attempt to coerce, persuade, or unduly influence officers to alter their advice or actions in a way that compromises impartiality or professional integrity.²⁸ This principle applies equally to contractors, volunteers, and third-party service providers working on behalf of the council. Councillor–officer relationships should be conducted with mutual respect and in accordance with the council’s adopted protocol.²⁹

7.4 Confidentiality and Access to Information:

As a councillor:

- 7.4.1 I do not disclose information:
- 7.4.1.1 given to me in confidence by anyone
 - 7.4.1.2 acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - 7.4.1.3 I have received the consent of a person authorised to give it;
 - 7.4.1.4 I am required by law to do so;
 - 7.4.1.5 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
- 7.4.2 The disclosure is:
- 7.4.2.1 reasonable and in the public interest; and

²⁵ LGA Model Councillor Code of Conduct (2025), Section 7.3

²⁶ NALC Governance Toolkit for Parish Councils (2024), p. 18

²⁷ Local Government Act 1972, Section 112

²⁸ LGA Guidance: Respecting Officer Advice (2025)

²⁹ NALC Legal Topic Note 9E – Councillor–Officer Protocol

- 7.4.2.2 made in good faith and in compliance with the reasonable requirements of the local authority; and
- 7.4.2.3 I consulted the Monitoring Officer prior to its release.³⁰
- 7.4.2.4 I do not improperly use knowledge gained solely because of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.³¹
- 7.4.2.5 I do not prevent anyone from getting information that they are entitled to by law.³²

Councillors are unpaid volunteers who serve the public interest and are entrusted with sensitive information in the course of their duties. While transparency is a cornerstone of local government, certain information—such as personal data, legal advice, or details of ongoing negotiations—must be treated as confidential under law.³³

Disclosure must be lawful, proportionate, and aligned with the council’s governance framework. Councillors must not use confidential information for personal gain, nor obstruct lawful access to information by residents, auditors, or other statutory bodies.³⁴ All disclosures should be considered in consultation with the Monitoring Officer and in accordance with the council’s adopted policies on data protection and Freedom of Information.³⁵

7.5 Disrepute as a Councillor:

As a councillor:

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

As a councillor, you are entrusted to make decisions on behalf of your community. Your actions and behaviour are subject to greater scrutiny than those of ordinary members of the public. You should be mindful that your conduct may adversely affect your reputation, that of fellow councillors, and the standing of the local authority itself—potentially undermining public confidence in your ability, or the authority’s ability, to discharge its functions.

Dishonest or deceitful behaviour, for example, may bring the local authority into disrepute.

You are entitled to hold the local authority and fellow councillors to account, and to constructively challenge decisions and processes. However, this must be done in a manner that upholds the principles of this Code of Conduct.³⁶

³⁰ LGA Model Councillor Code of Conduct (2025), Section 7.4 – Confidentiality and Access to Information

³¹ Committee on Standards in Public Life – Seven Principles of Public Life: Integrity and Selflessness

³² Freedom of Information Act 2000 – Section 1: General right of access to information held by public authorities

³³ UK GDPR and Data Protection Act 2018 – Article 5: Principles relating to processing of personal data

³⁴ NALC Legal Topic Note 40 – Local Councils and Information Law

³⁵ Killinghall Parish Council – Data Protection & FOI Policy (2025), Section 3.2: Handling Confidential Information

³⁶ Local Government Association Model Councillor Code of Conduct (2020), para. 5.1: “You must not bring your role or local authority into disrepute.

7.6 Use of position as a Councillor:

As a councillor:

- 7.6.1 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 opportunities, responsibilities, and privileges. The choices you make may impact others, and you are expected to exercise your role with integrity and fairness. You must not use your position to further your own or others' private interests, nor to disadvantage anyone unfairly.³⁷

You are expected to act in the public interest and make decisions impartially, avoiding any suggestion of bias or personal gain. Misusing your position—whether through influence, access, or authority—undermines trust in the council and may breach other aspects of this Code, including the principles of objectivity and integrity.

7.7 Use of local authority resources and facilities:

- 7.7.1 As a councillor:
- 7.7.2 I do not misuse council resources.
- 7.7.3 I will, when using the resources of the local or authorising their use by others:
- 7.7.4 act in accordance with the local authority's requirements; and
- 7.7.5 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:

- 7.7.6 office support
- 7.7.7 stationery
- 7.7.8 equipment such as phones and computers
- 7.7.9 Transport
- 7.7.10 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.³⁸

You are expected to exercise transparency and fairness when using council resources, ensuring that your actions uphold public trust and comply with both this Code and the authority's operational guidance.

³⁷ See [Local Government Association Model Councillor Code of Conduct (2020)]

³⁸ Local Government Association Model Councillor Code of Conduct (2020)

7.8 Complying with the Code of Conduct:

As a councillor:

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

As a councillor, you are expected to uphold high standards of conduct and to demonstrate a commitment to transparency, fairness, and accountability. Your actions should be open to scrutiny and must not undermine public trust in the local authority or its governance. If you are unsure about the council's procedures for handling complaints, or have concerns about an investigation, you should raise these with the Monitoring Officer at the earliest opportunity.³⁹

7.9 Protecting your Reputation and the Reputation of the Local Authority:

7.9.1 Interests

As a councillor:

- 7.9.1.1 I register and disclose my interests.

Under Section 29 of the Localism Act 2011⁴⁰, the Monitoring Officer is required to establish and maintain a register of members' interests. I ensure my interests are recorded in this register so that the public, council staff, and fellow councillors are aware of any matters that may give rise to a conflict.

The register is a public document and serves as a safeguard for transparency and accountability. By registering my interests, I demonstrate openness and a commitment to ethical decision-making. This helps maintain public confidence in the integrity of local governance.

Your Proper Officer is responsible for deciding whether an interest should be declared at a meeting. However, it is recognized, the value of early advice and welcome input from others if a potential conflict might arise. I understand that public awareness of councillor's interests is essential to ensuring that decision-making is seen as fair, open, and honest.

I acknowledge that failing to register or declare a disclosable pecuniary interest, as set out in Table 1⁴¹, is a criminal offence under the Localism Act 2011⁴²

³⁹ See Local Government Association Model Councillor Code of Conduct (2020), para. 5.4.

⁴⁰ Section 29, Localism Act 2011: Requires the Monitoring Officer to maintain a register of interests for elected members of the authority.

⁴¹ Table 1: Disclosable Pecuniary Interests as defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

⁴² Section 34, Localism Act 2011: Sets out the criminal offence for failing to register or declare a disclosable pecuniary interest.

In accordance with Section 106 of the Local Government Finance Act 1992, any councillor with unpaid council tax of more than two months is prohibited from voting on the council's budget or precept. Councillors affected must disclose this restriction at the start of the meeting.⁴³

Appendix B sets out the detailed provisions on registering and declaring interest. If I am unsure whether an interest should be declared, I seek advice from the Monitoring Officer.

7.10 Gifts and Hospitality as a Councillor:

As a councillor:

- 7.10.1 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.
- 7.10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of receipt.
- 7.10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

To protect both my position and the reputation of the local authority, I exercise caution when offered any gift or hospitality that appears to be linked to my role as a councillor. The presumption should always be to decline significant gifts or hospitality. However, if refusal would cause genuine offence or be culturally inappropriate, I may accept the offer but must ensure it is transparently registered.

I do not need to register gifts or hospitality that are clearly unrelated to my role, for example, personal gifts from friends or family. It is also appropriate to accept normal expenses and hospitality directly associated with my duties as a councillor, such as refreshments at official meetings or travel covered by the authority.

If I am unsure whether registration is required, I seek advice from the Monitoring Officer.

⁴³ Section 106, Local Government Finance Act 1992: Prohibits councillors in council tax arrears from voting on budget/precept decisions and requires disclosure at the meeting.

8. Appendices:

Appendix A - The Seven Principles of Public Life⁴⁴

These principles, originally set out by the Committee on Standards in Public Life (1995), underpin the ethical framework for all public office holders. Killinghall Parish Council adopts them as a guiding standard for member conduct, decision-making, and community leadership.

The principles are:

1. Selflessness

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

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

3. Objectivity

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

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

These principles are not merely aspirational—they form the ethical bedrock of Killinghall's governance. Councillors are expected to embody them in all interactions, decisions, and representations, both within and beyond council proceedings.

⁴⁴ Committee on Standards in Public Life, "The Seven Principles of Public Life," 1995.

Appendix B - - Registering Interests

This appendix outlines the statutory requirements for registering and disclosing interests, in accordance with the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012⁴⁵. It supports transparency, accountability, and public confidence in council decision-making

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"⁴⁶. 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 councillor⁴⁷, 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 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 dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.**

⁴⁵ Localism Act 2011, Part 1, Chapter 7

⁴⁶ The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012/1464)

⁴⁷ Localism Act 2011, Section 32(2)

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.

Where a matter arises at a meeting which affects –

- 8. your own financial interest or well-being.**
- 9. a financial interest or well-being of a relative, close associate; or**
- 10. a body included in those you need to disclose under Other Registrable Interests as set out in Table 2**

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

Where a matter (referred to in paragraph 8 above) affects your financial interest or well-being:

- 11. to a greater extent than it affects the financial interests of most inhabitants of the ward affected by the decision and;**
- 12. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest**
- 13. 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.

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 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 — under which goods or services are to be provided, or works are to be executed; and which has not been fully discharged.

Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge) the landlord is the council; and The tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— that body (to the councillor's knowledge) has a place of business or land in the area of the council; and either—) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or 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 spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

‘director’ includes a member of the management committee of an industrial and provident society.

‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- 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 of which you are a member or in a position of general control or management
 - (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)

Appendix C - The Committee on Standards in Public Life

This appendix summarises the recommendations of the Committee on Standards in Public Life and the associated best practice guidance published in 2019. These recommendations, if implemented by Government, may require amendments to this Code and related governance documents.

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](#)⁴⁸. If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- 1. Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies**⁴⁹
- 2. The introduction of sanctions**
- 3. An appeals process through the Local Government Ombudsman**
- 4. Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012**⁵⁰
- 5. Updates to the Local Government Transparency Code**⁵¹
- 6. Changes to the role and responsibilities of the Independent Person**
- 7. 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.

⁴⁸ Committee on Standards in Public Life, "Local Government Ethical Standards" (2019)

⁴⁹ Localism Act 2011, Part 1, Chapter 7

⁵⁰ The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012/1464)

⁵¹ Local Government Transparency Code 2015 (as updated)

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 decides 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 by 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 remains "fit for purpose"."