

**LOCAL GOVERNMENT ASSOCIATION
MODEL CODE OF CONDUCT 2021
APPROVED 3RD 12.2020 UPDATED 19TH JANUARY AND 17TH MAY 2021

SELLINDGE PARISH COUNCIL**

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 behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors.

We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations. Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

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

Introduction

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

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

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.

The Purpose of the 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

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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.

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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.

General Conduct

1. Respect

As a councillor;

- a) I Treat other councillors and members of the public with respect.**
- b) I treat local authority employees, employees and representative 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, criticize and disagree with views, ideas, opinions and policies in a robust and civil manner. You should not, however subject individuals, groups or 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 expectations and confidence in councillors.

In return, you have the right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This applies to fellow councillors, where action could 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;

- a) I do not bully any person.**
- b) I do not harass any person**
- c) I promote equalities and do not discriminate unlawfully against person**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power though means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a pattern of regular 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 be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as a 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 attempt 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 some-one 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.

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The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play 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:

I do not compromise, or attempt to compromise the impartiality of any 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 content of a report that they have written. However, you must not try to 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:

I do not disclose information:

- a) **Given to me in confidence by anyone**
- b) **Acquired by me which I believe, or ought to 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 contacted the monitoring officer prior to its release.**

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 member, my employer or my business interests.

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

Local authorities must work open 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 to ongoing negotiations.

5. Disrepute

As a councillor:

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

As a councillor, you are trusted to make decision on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You

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should be aware that your actions might have an adverse effect on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

6. Use of position

As a councillor:

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 advantages 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:

- a) **I do not misuse council resources**
- b) **I will, when using the resources of the local authority or authorising their use by others**
- c) **Act in accordance with the local authority's requirements: and ensure that such resources are not used for political purposes unless that use could 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
- Stationary
- Equipment such as phones or 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 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:

- a. **I undertake Code of Conduct Training provided by my local authority.**
- b. **I co-operate with any code of Conduct investigation and/or determination**
- c. **I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
- d. **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 and the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

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9. Interests

As a councillor

I register and disclose my interests.

Section 29 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 interest might give rise to a conflict of interest. The register is a public document that can be consulted when (or less and willingness issue arises. The register also protects you by allowing you to demonstrate open 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 the decision 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 is a criminal offence under the Localism Act 2011

10. Gifts and hospitality

As a councillor

- a) I Do not accept gifts or hospitality, irrespective of value, which could give rise to real or substantive personal gain or 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 permissions, licence or other significant advantage.**
- b) I register with the monitoring officer any significant gift or hospitality with an estimated value of at least £50.00 within twenty-eight days of its receipt.**
- c) 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 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 should accept it but must ensure it is publicly registered. However, you do not need to register gifts or hospitality which are not related to your role as a councillor, such as Christmas gifts from friends and family. (It is also important to note that it is appropriate to accept normal expenses associated with your duties as councillor. If unsure, do contact your Monitoring Officer for guidance.

Date prepared	Name	Review date	Adopted
October 2025	L Hedley	November PC 2025	Deferred
19 th November	L Hedley	PC meeting December 2025	Inquire meeting
February 2026			10 th February