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# Thornhaugh Parish Council - Code of Conduct

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# 1. BACKGROUND

## 1.1. Definitions

For the purposes of this Code of Conduct, a “councillor” means an elected member or co-opted member of a the Thornhaugh Parish Council and/or a member of any committee or sub-committee of the Parish Council, or a volunteer working on behalf of the Thornhaugh Parish Council.

The Thornhaugh Parish Councillor Code of Conduct dovetails with the Peterborough City Council’s Code of Conduct dated August 2021, version 009.

## 1.2. Purpose of the Code of Conduct

The Thornhaugh Parish Council Code of Conduct is intended to promote high standards of behaviour amongst the elected and co-opted members of the council. It is intended 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 and fellow councillors. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of elected councillor, co-opted councillor, sub-committee member or volunteer.

## 1.3. Principles of Public Life

The Code is underpinned by the following principles of public life, which should be borne in mind, when interpreting the meaning of the Code:

i. **Selflessness**

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

ii. **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 declare and resolve any interests and relationships.

iii. **Objectivity**

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

iv. **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.

v. **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.

vi. **Honesty**

Holders of public office should be truthful.

vii. **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.

## **2. GENERAL PRINCIPLES & APPLICATION**

### **2.1. General principles of Councillor Conduct**

The following general principles have been developed specifically for the role of Thornhaugh Parish Councillor and volunteers.

In accordance with the public trust placed in them, on all occasions they will:

- 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 councillor.

In undertaking the role they will:

- Impartially exercise my responsibilities in the interests of the local community;
- To 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 my local authority's requirements and in the public interest.

### **2.2. Application of the Code of Conduct**

This Code of Conduct applies at the earlier of either the signing of the declaration of acceptance to the office of Parish Councillor or attendance at the first meeting as a co-opted member and continues to apply until you cease to be 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.

Councillors are expected to uphold high standards of conduct and show leadership at all times when acting as a Parish Council representative.

The Monitoring Officer at Peterborough City Council 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. Parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

### 3. STANDARDS OF COUNCILLOR CONDUCT

This section sets out the minimum standards of conduct required of a councillor. Conduct falling short of these standards, may be subject to a complaint, which may result in action being taken. Guidance is included to help explain the reasons for the obligations and how they should be followed.

#### 3.1. GENERAL CONDUCT

##### 3.1.1. RESPECT

**Parish Councillors will treat other councillors and members of the public with respect.**

The public and fellow Councillors should be treated politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, Councillors have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening Councillors are entitled to stop any conversation or interaction in person or online and report this to the local authority, the relevant social media provider or the police.

##### 3.1.2. BULLYING, HARASSMENT AND DISCRIMINATION

**Councillors will not:**

- **Bully any person; and/or**
- **Harass any person.**

**Councillors will promote equality and will not discriminate unlawfully against any person at any time and particularly at Full Council Meetings.**

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.

### **3.1.3. IMPARTIALITY OF OFFICERS OF THE COUNCIL**

**Councillors will not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Councillors must be politically neutral. 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.

### **3.1.4. CONFIDENTIALITY AND ACCESS TO INFORMATION**

**Councillors will not disclose information:**

- **given in confidence by anyone;**
- **believed, or ought reasonably to be aware, is of a confidential nature, unless:**
  - **consent of a person authorised is given;**
  - **required by law to do so;**
  - **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**
  - **the disclosure is:**
    - **reasonable and in the public interest; and**
    - **made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - **I have consulted the Monitoring Officer prior to its release.**

Councillors will not improperly use knowledge gained solely as a result of being a councillor for the advancement of themselves, their friends or family, an employer or business interest.

### **3.1.5. DISREPUTE**

**Councillors will not bring their role or Parish Council into disrepute.**

Councillors are trusted to make decisions on behalf of the community and their actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. Councillors should be aware that your actions might have an adverse impact on themselves, other councillors and/or the Parish Council and may lower the public's confidence in the Council's ability to discharge its functions.

### **3.1.6. USE OF POSITION**

**Councillors will not use, or attempt to use, their position improperly to their personal or anyone else's advantage/disadvantage.**

The role of a Parish Councillor may provide them with certain opportunities, responsibilities, privileges and choices which will impact others. However, Councillors should not take advantage of these opportunities to further their own or others' private interests or to disadvantage anyone unfairly.

## **4. COMPLYING WITH THE CODE OF CONDUCT**

It is extremely important that councillors demonstrate high standards, and have their actions open to scrutiny and do not undermine public trust in the local authority or its governance

## **5. INTERESTS**

**Councillors register and disclose their 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. Councillors are required to register their interests so that the public, local authority employees and fellow councillors know which 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 provides protection by demonstrating openness and a willingness to be held accountable.

Councillors are personally responsible for deciding whether or not there is likely to be a conflict of interest, and a standard agenda item is included at all meetings, details of which will be contained in the minutes of the meeting and open to public scrutiny. Failure to declare a conflict of interest is a reportable event. The Monitoring Officer at Peterborough City Council and the City Council Code of Conduct (available on their website) provides further details relating to conflict declaration and penalties.

## **6. GIFTS AND HOSPITALITY**

This Policy sets out guidance for elected members, co-opted members and independent members ("Members") on the principles governing the acceptance of gifts and hospitality.

Members are likely to be offered gifts or hospitality during the course of conducting Council business. This raises an initial question of deciding whether or not to accept. The acceptance of a gift or hospitality potentially creates a risk to the integrity and reputation of the Member as well as the Council itself. The overriding objective is to ensure transparency in the dealings of the Council, which in turn is a safeguard against this and any associated allegations of misconduct.

The fundamental principle is that Councillors should not do anything that might give rise to the inference that they have or may have been influenced by a gift or hospitality, to show bias for or against anybody or any organisation in carrying out their duties. Members are therefore strongly advised to be cautious and should consult other Thornhaugh Parish Councillors and/or the Peterborough City Council Monitoring Officer if they are in any doubt.

## 6.1 GENERAL PRINCIPLES

In deciding whether it is proper to accept any gift or hospitality, Councillors should apply the following principles. Even if it would normally be appropriate to accept a small gift or hospitality, Councillors should not do so if it would be in breach of one or more of these principles:

- Never accept a gift or hospitality as an inducement or reward for anything done as a Councillor.
- Not be influenced by the offer, prospect of an offer, or the non-offer of any inducement or reward for discharging Parish Council duties in a particular manner.
- Only accept a gift or hospitality if there is a commensurate benefit to the Council.
- The only proper reason for accepting any gift or hospitality is that there is a commensurate benefit for the Council that would not have been available but for the acceptance of that gift or hospitality.
- Never accept a gift or hospitality if acceptance might be open to misinterpretation.
- The appearance of impropriety can be just as damaging to the Parish Council and a Councillor as actual impropriety. Never accept a gift or hospitality that puts you under an improper obligation.
- Councillors should never solicit a gift or hospitality and Councillors should also take care to avoid giving any indication that they might be open to any such improper offer.

In general, all gifts and hospitality to individual Councillors should be refused. However, as general guidance, the following small gifts worth under an individual value of £50 or accumulative value of £100 (from a single source) over the course of a municipal year may occasionally be accepted (provided that they do not conflict with the General Principles):

- gifts of only token value given on the conclusion of an official courtesy visit, for example, a visiting delegation.
- Gifts e.g. a box of chocolates or flowers of a value less than £25 provided they are given as a genuine show of appreciation of work undertaken but should never be accepted if it may give rise to an appearance of influence or reward.
- Offers of hospitality should always be approached with caution and offers of hospitality where any suggestion of improper influence is possible must be refused.

## 7. RELATED DOCUMENTS

Along with related documents available from the Peterborough City Council, including its own Code of Conduct, there are Thornhaugh Parish Council Policies and Procedure documents relating to Financial Management, Conduct of Business Outside of meetings, GDPR and Conflicts of Interest.