

Penistone Town Council

MEMBERS CODE OF CONDUCT

This Code applies to you as a Member or Co-opted Member of Penistone Town Council when you act in your role as a member or as a member of any other body to which you have been appointed by the Council, and it is your responsibility to comply with the provisions of this Code.

- “Meeting“ means any meeting of the Council, or its Committees,
- “Pecuniary interest“ means any interest which affects your financial position whether favourably or adversely;
- “Non-pecuniary interest" means any interest which affects your personal wellbeing.

IN EITHER CASE this also includes the position or wellbeing if affected to the best of your knowledge of:

Any body of which you are a member or in a position of general control or management;

A member of your family or any other person with whom you are closely acquainted;

Any person or body who employs or has appointed you or such persons, any firm in which you or they are a partner, or any company of which you or they are directors;

Any person or body in whom you or such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000.

General Conduct

As a Member or Co-opted Member of Penistone Town Council you are committed to behave in a manner which is consistent with the following principles:-

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Respect
- Leadership by example.

You should conduct yourself in a manner which is consistent with the Council’s duty to promote and maintain high standards of conduct of Members.

You must act only in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for

yourself, your family, or those with whom you are closely associated.

You should treat others with respect.

You should make all decisions on merit and be as open as possible about your decisions, and should be prepared to give proper reasons for those decisions.

You must not place yourself under a financial or other obligation to any outside individuals or organisations that might seek to influence you in the performance of your official duties.

When using or authorising the use by others of the resources of the Council you must ensure that those resources are not used improperly for political purposes and you must have regard to any Code of Publicity made under the Local Government Act 1986.

You should not disclose information given to you in confidence by anyone or information which you reasonably believe or ought reasonably to be aware is of a confidential nature:

UNLESS you have the consent of the person authorised to give it or you are required by law to do so or the disclosure is reasonable and in the public interest.

Dignity at Work

The Council is committed to creating and maintaining a positive working environment where all elected members and employees are treated with dignity, respect and are free from any form of harassment, bullying intimidation and victimisation. You should behave in accordance with the Code in all situations where you act as a Councillor, or are perceived as acting as a Councillor, including representing the Council on official business and when using social media, through verbal or written comments, including ones made online.

Disclosure of Interests and Participation

If you have any pecuniary or non-pecuniary interest in any matter at any meeting of the Authority or any meeting with officers at which you are present you must disclose that interest and give sufficient details of it so that the nature of your interest is clearly understood.

Unless a dispensation has been granted you should not take part in or vote on any item of business at any meeting of the Authority where your interest is a “disclosable pecuniary interest” which you are required to register in accordance with regulations made by the Secretary of State as listed in Schedule 1 to this Code, and you should withdraw from the meeting during the consideration of that item.

Registration of Interests

You must within 28 days of taking office as a Member or Co-opted Member notify the Executive Director Core Services for entry on the Council’s Register of Members’ Interests

any “disclosable pecuniary interest” as defined in regulations made by the Secretary of State, as listed in Schedule 1 to this Code, where that interest is yours, that of your spouse or civil partner, or that of somebody with whom you are living as husband and wife or as if you were civil partners. Your interests and those of your spouse / partner are subject to inspection by the public and will be published on the Council’s website.

In addition you must, within the same time periods, notify the Executive Director Core Services of any pecuniary or non-pecuniary interest which the Council has decided should be included in the Register of Members’ Interests as listed in Schedule 2 to this Code.

You must also notify the Executive Director Core Services within 28 days of any such interest arising for the first time. In addition, you must review your Register of Interests at least every 12 months, on the receipt of a request to do so from the Monitoring Officer or his staff.

You must register with the Executive Director Core Services within 28 days of receipt details of any gifts or hospitality which you have accepted as a member from any person or body other than the Authority, the value of which exceeds £25, using the form available from Members’ Services. This information is subject to inspection by the public and will be published on the Council’s website.

Schedule 1 – “Disclosable Pecuniary Interests”

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 the member in carrying out duties as a member, or towards the election expenses of the member.

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

Contracts

Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:-
under which goods or services are to be provided or works are to be executed;

and

which has not been fully discharged.

Land

Any beneficial interest in land which is within the area of the relevant authority.

This includes your home.

Licences

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

Corporate Tenancies

Any tenancy where (to the member's knowledge):-

the landlord is the relevant authority; and

the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities of a body where:-

that body (to the member's knowledge) has a place of business or land in the area of the relevant authority; 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 relevant person has a beneficial interest exceeds one hundredth of that total issued share capital of that class.

Other Interests required to be registered

Membership of any Body:-

to which you are appointed or nominated by the Authority.

or exercising functions of a public nature, including membership of a School Governing Body.

or dedicated to charitable purposes.

or one of whose principal purposes includes the influence of public opinion or policy (including any political party and trade union).

Membership of a private club or society.

Membership of any organisation which promotes secrecy amongst its membership.

Arrangements for handling ethical standards complaints by Barnsley MBC

The Executive Director Core Services as Monitoring Officer should initially consider any complaint received and determine whether the complaint warrants any specific consideration by members. This will allow trivial or vexatious complaints to be filtered out at an early stage.

The Executive Director Core Services shall consult the Independent Person as appropriate. Where it is considered that the complaint warrants further consideration by members the Executive Director Core Services shall arrange for an officer or some other person if appropriate to carry out a further investigation and to produce a report of their findings.

The Executive Director Core Services shall inform the member who is the subject of the complaint of the nature of the complaint and that it is subject to investigation. That report shall be considered by a Panel of three members selected from the membership of the Appeals and Awards Regulatory Board by the Executive Director Core Services in consultation with the Chair of the Board.

The Panel shall contain at least one member who is not a member of the same Political Group as the member who is the subject of the complaint.

In the event that the complaint relates to a Town Councillor, a Town Council representative appointed by the Council shall be invited to attend the Panel on an advisory basis but such representative shall not be entitled to vote.

The Panel shall consider the report and consider whether any further action is appropriate. In the event that it is considered that further action may be appropriate the Panel shall arrange to hold a hearing at which the elected member who is the subject of the complaint shall be entitled to be present and to be heard.

The views of Independent Person required to be appointed under section 28 of the Localism Act 2011 shall be sought as appropriate and where sought shall be taken into

account before any decision is taken by the Panel with regard to the allegation.

In the event that the allegation is upheld the Panel shall either:-

Determine that no further action be taken.

Recommend to the Council any further appropriate action be taken in accordance with the general powers available to the Authority.

The Executive Director Core Services shall inform the member of the outcome of the complaint.