

Chigwell Parish Council

Standards of Councillor Conduct

I understand the following are my obligations, which are the minimum standards of conduct required of me as a councillor. Should my conduct fall short of these standards, a complaint may be made against me, which may result in action being taken.

General Conduct

The general conduct guidance follows below:

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, I can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. I should not, however, subject individuals, groups of people or organisations to personal attack.

In my contact with the public, I will treat them politely and courteously. I understand that rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, I have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening I am 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. I understand I 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, I understand I 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. I will work on this basis, but understand 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, I am trusted to make decisions on behalf of my community and my actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. I am aware that my actions might have an adverse impact on me, other councillors and/or my local authority and may lower the public's confidence in me or my local authority's ability to discharge my/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring my local authority into disrepute.

I am 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.

My position as a member of the local authority provides me with certain opportunities, responsibilities, and privileges, and I make choices all the time that will impact others. However, I will not take advantage of these opportunities to further my 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 authority or authorising their use by others:

- **act in accordance with the local authority's requirements; and**
- **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.**

I 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 me to help me carry out my 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 me as a councillor to demonstrate high standards, for me to have my actions open to scrutiny and for me not to undermine public trust in the local authority or its governance. If I do not understand or are concerned about the local authority's processes in handling a complaint I undertake to raise this with my Monitoring Officer.

9. 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 .

I understand I need to register my interests so that the public, local authority employees and fellow councillors know which of my 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 me by allowing me to demonstrate openness and a willingness to be held accountable. I am personally responsible for deciding whether or not I should disclose an interest in a meeting, but understand it can be helpful for me 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 me 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.

I note and understand 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, I will always seek advice from the 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 my position and the reputation of the local authority, I exercise caution in accepting any gifts or hospitality which are (or which I reasonably believe to be) offered to me because I am a councillor. My 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 I may accept it but will ensure it is publicly registered. I understand I do not need to register gifts and hospitality which are not related to my role as a councillor, such as Christmas gifts from my friends and family. I note that it is appropriate to accept normal expenses and hospitality associated with my duties as a councillor.

Name:

Signed:

Date:

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 Registrable Interests

6. Where a matter arises at a meeting which ***directly relates*** to the financial interest or wellbeing of one of your Other Registrable 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-Registrable 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*** –

- your own financial interest or well-being;
- a financial interest or well-being of a relative or close associate; or
- a financial interest or wellbeing of a body included 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 (referred to in paragraph 8 above) ***affects*** the 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.

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

<p>Employment, office, trade, profession or vocation</p>	<p>Any employment, office, trade, profession or vocation carried on for profit or gain.</p>
<p>Sponsorship</p>	<p>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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
<p>Contracts</p>	<p>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 —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</p>

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)— (a) the landlord is the council; and (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
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; 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 councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class

* '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

You must register as an Other Registrable Interest :

a) any unpaid directorships

b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority

c) any body

(i) exercising 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

Adopted at the Council meeting of: 23 May 2023

Review due: May 2024

Timetable of Review:

29 June 2022

REGISTER OF MEMBER'S INTERESTS

I,.....
(please insert full name)

as a Member or co-opted Member of

Chigwell Parish Council

give notice to the Monitoring Officer of the Epping Forest District Council of the following disclosable pecuniary interests, as required by Section 30 of the Localism Act 2011, and other interests, as required by this Council's code of conduct.

1. **Disclosable Pecuniary Interests**

* **Note:** In the notice below my spouse or partner means anyone who meets the definition in the Localism Act, i.e. my spouse or civil partner, or a person with whom I am living as husband or wife or a person with whom I am living as if we are civil partners, and I am aware that that person has the interest.

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain, including any person or company who employs or who has appointed you or your spouse/partner to receive salary, dividends and/or other benefits

Myself	My spouse or partner*

Sponsorship

Any payment or provision of any other financial benefit (other than from the Council named above) made or provided within the period of 12 months ending today in respect of any expenses incurred by me in carrying out duties as a member, or towards my 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.

Myself	My spouse or partner*

Contracts

Any contract which is made between

- me or my spouse or partner*, or
- a firm in which either of us is a partner, or
- a body corporate of which either of us is a director, or
- a body in the securities of which either of us has a beneficial interest)

and the Council named above—

- (a) under which goods or services are to be provided or works are to be executed; and
(b) which has not been fully discharged.

Myself	My spouse or partner*

Corporate tenancies

Any tenancy where (to my knowledge)—

(a) the landlord is the Council named above; and

(b) the tenant is a body in which I or my spouse or partner* has a beneficial interest.

Myself	My spouse or partner*

Securities

Any beneficial interest in securities of a body where—

(a) that body (to my knowledge) has a place of business or land in the area of the Council named above; 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 I or my spouse or partner* has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Myself	My spouse or partner*

Other Registrable Interests

I understand I must register as an Other Registrable Interest :

a) any unpaid directorships (paid directorships, including dividends, to be declared under section 1)

b) any body of which I am a member or are in a position of general control or management and to which I am nominated or appointed by your authority

c) any body

(i) exercising functions of a public nature (e.g. school governing body or another council):

(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 I am a member or in a position of general control or management

Gifts and hospitality

The interests of any person from whom I have received (in my capacity as a member/co-opted member) a gift or hospitality with an estimated value of at least £50.

- (a) Date of receipt
- (b) Details of gift
- (c) Gift Donated by
- (d) Estimated value of gift
- (e) Declaration that gift was accepted or refused

Signed

Date.....