

CODE OF CONDUCT OF HINCKLEY AND BOSWORTH BOROUGH COUNCIL

The Members' Code of Conduct is intended to promote high standards of behaviour amongst the elected and co-opted members of the Council.

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

As a Councillor you are a representative of the Council and the public and other stakeholders will form a view of Hinckley and Bosworth Borough Council as a result of your actions. As such you must conduct yourself in a manner which is consistent with the Council's duty to promote and maintain high standards of conduct of Councillors.

- (i) **Selflessness** As a public figure you serve only the public interest and should not do so in order to gain financial or other benefits for themselves, your family or your friends.
- (ii) **Integrity** You should avoid placing yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- (iii) **Objectivity** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit.
- (iv) **Accountability** You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.
- (v) **Openness** You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.
- (vi) **Honesty** You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- (vii) **Leadership** You will promote and support these principles by leadership and example.

PART 1
GENERAL PROVISIONS

1. Introduction and Interpretation

1.1 You should read this Code in conjunction with the Council Procedure Rules as detailed in the Constitution.

1.2 This Code applies to **you** as a member of Hinckley and Bosworth Borough Council.

1.3 It is **your** responsibility to comply with the provisions of this Code and ensure all obligations are met.

1.4 In this Code:

“Meeting” means any meeting of:

(a) the Authority;

(b) the Cabinet of the Authority;

(c) any of the Authority’s or its Cabinet’s committees, sub-committees, joint committees, joint sub-committees, or area committees;

1.5 **“Member”** means any person being an elected or co-opted member of the Authority and any independent person appointed by the Authority to assist with the discharge of the Code of Conduct functions.

1.6 In relation to a parish council, references to an authority's Monitoring Officer and an authority's Standards Committee shall be read, respectively, as references to the Monitoring Officer and the Standards Committee of the Borough Council which has functions in relation to the parish council for which it is responsible under Section 55(12) of the Local Government Act 2000.

2. Scope

2.1 You must comply with this Code whenever you

2.1.1 act, claim to act or give the impression you are acting as a representative of your Authority

- 2.1.2 conduct the business of your Authority (which, in this Code, includes the business of the office to which you are elected or appointed)
- 2.2 Where you act as a representative of Hinckley and Bosworth Borough Council
 - 2.2.1 on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct
 - 2.2.2 on any other body, you must, when acting for that other body, comply with this Code of Conduct except in so far as it conflicts with any other lawful obligations to which that other body may be subject.
- 2.3 in addition to having effect in relation to conduct in your official capacity, the Code also has effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.
- 2.4 Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

3. Other Obligations

In addition to the above principles, you will:-

- (a) Strive to establish respectful and courteous relationships with everyone you come into contact with as Councillors. You will also respect the political impartiality and integrity of the Council's statutory officers and its other employees.
- (b) Follow the law in relation to policies of the Council and its legal obligations.
- (c) Not to disclose or use confidential information for any other purpose other than that provided by the law.
- (d) Use those particular council resources provided for the undertaking of the Council duties in accordance with the Council's policies and not for any other purposes.

PART 2
INTERESTS

4. Disclosable Pecuniary Interests

- 4.1 Subject to Paragraph 7 (sensitive interests), you must within 28 days of
- (a) this code being adopted or
 - (b) your election or appointment (where that is later)

Notify the Monitoring Officer of any Disclosable Pecuniary Interests where such interest is

- (i) yours,
- (ii) your spouse's or civil partner's
- (iii) somebody with whom you are living as husband and wife or civil partners
- (iv) that of your family,
- (v) close associate.

and you are aware that that person has the interest

- 4.2 Subject to Paragraph 11, you must within 28 days of becoming aware of any new Disclosable Pecuniary Interest or any change to any such interest, notify the Monitoring Officer in writing of that new interest or change pursuant to Paragraph 4.1
- 4.3 You have a Disclosable Pecuniary Interest if it is of a description specified in Regulations made by the Secretary of State
- 4.4 Where such an interest exists and has or has not been entered onto the authority's register, you must disclose the interest to any meeting of the authority at which you are present, where you have a Disclosable Interest in any matter being considered and where the matter is not a 'sensitive interest' or where no dispensation has been given.
- 4.5 Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the Monitoring Officer in writing of the interest within 28 days beginning with the date of disclosure.
- 4.6 Where you have a Disclosable Pecuniary Interest you must not remain in the meeting or participate in the discussions on the matter on which you hold that Interest, unless members of the public are allowed to make representations, give evidence or answer questions about the matter.

5. Disclosable Non-Pecuniary Interests

5.1 Subject to Paragraph 7 (sensitive interests), you must within 28 days of

(a) this code being adopted or

(b) your election or appointment (where that is later)

notify the Monitoring Officer of any Disclosable Non-Pecuniary Interests.

5.2 You have a Disclosable Non-Pecuniary Interest if it is of a description specified in Regulations made by the Secretary of State

5.3 Where you have a Disclosable Non-Pecuniary Interest you may remain in the meeting, speak and vote on the matter unless to do would compromise your impartiality obligations or any other obligations set out in this Code.

6. Dispensations

6.1 Dispensations may be granted by the Monitoring Officer for one meeting only on request in writing from you.

6.2 Requests for Dispensations must be made in writing detailing what the interest is, why it is required and for what meeting.

6.3 Requests must be made 5 days prior to the meeting at which the Dispensation is required.

6.4 Dispensations will only be granted where there are reasonable grounds for doing so and where such grounds are in the public interest.

7. Sensitive Interests

7.1 A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.