

Member's Code of Conduct



Introduction

Pursuant to section 27 of the Localism Act 2011, Mid Devon District Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council including the business of the office to which they were elected or appointed or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the following seven principles:

- Selflessness:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.
- Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in performance of their official duties.
- Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- Openness:** Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protect the public interest.
- Leadership:** Holders of public office should promote and support these principles by leadership and example.

Definitions

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or subcommittee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, 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, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.
6. He/she shall not conduct themselves in a manner or behave in such a way so as to bring their office or the Council into disrepute

Registration of interests

7. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register all interests which fall within the categories set out in Appendices A and B.
8. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register any interests in Appendices A and B.
9. A member shall register any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
10. A member need only declare on the public register of interests the existence but not the details of any interest which the Monitoring Officer agrees is a

'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

Declaration of interests

11. Where a matter arises at a meeting which relates to an interest in Appendix A (a Disclosable Pecuniary Interest) the member shall not participate in the discussion or vote on the matter. The member must declare that they have an interest and shall withdraw from the room at the commencement of the consideration of that business.
12. Where a matter arises at a meeting which relates to an interest in Appendix A (a Disclosable Pecuniary Interest) which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. The member must declare that they have an interest and shall withdraw from the room at the commencement of the consideration of that business.
13. Where a matter arises at a meeting which relates to an interest in Appendix B (a Personal Interest), the member can participate in the discussion and vote on the matter but must declare that they have a Personal Interest.
14. In relation to points 11, 12 and 13, the member only has to declare the nature of his/her interest if it is not already entered in the member's Register of Interests or if he/she has not notified the Monitoring Officer of it. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

Dispensations

15. Dispensations can be granted where it is considered that:
 - a) Without the dispensation, the number of persons who could not take part due to their disclosable pecuniary interest would be so great as to impede the transaction of the business;
 - b) Without the dispensation, the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
 - c) Granting the dispensation is in the interests of persons living in the authority's area;
 - d) Without the dispensation, each executive member would be prohibited from participating in any particular business to be transacted by the authority's executive as they would have a disclosable pecuniary interest ; or
 - e) It is otherwise appropriate to grant a dispensation
16. The request for dispensation must be put in writing and must specify the reason for the dispensation and the period for which it has effect. The period specified may not exceed four years."