



CODE OF CONDUCT

Adopted by Wincanton Town Council on 23rd September 2019, Minute 0668

Based on the Model Code of Conduct produced by National Association of Local Councils (NALC)

1. PUBLIC DUTY AND PRIVATE INTERESTS

The Code of Conduct applies to elected members and co-opted members of Wincanton Town Council.

The Code of Conduct has been adopted by Wincanton Town Council to promote and maintain high standards of behaviour by its elected and co-opted members, and is based on the principles of:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

When acting in your capacity as a member or co-opted member of Wincanton Town Council the following obligations will apply:

- You must behave in such a way that a reasonable person would regard as respectful.
- You must make all choices, when carrying out your public duties, on merit and in the public interest and have reasonable regard to any relevant advice provided by an officer of the Town Council.
- You must be accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

- You must be as open as possible about your decisions and actions and those of the Town Council and be prepared to give reasons for those decisions and actions in accordance with statutory requirements and those imposed by the Town Council or contained within its Standing Orders.
- You must declare private interests, whether disclosable or personal, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as per the procedures set out in this document.
- You must not disclose information given to you in confidence by anyone or information acquired by you except where you have the consent by the person authorised to give it, you are required to do so by law, the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person, or the disclosure is in the public interest, made in good faith and compliance with the requirements of the Town Council.
- You must not prevent another person from gaining access to information to which that person is entitled to by law.
- You must not breach the Town Council's Standing Orders or the Communications Policy in respect of restrictions on councillor activities and relations with the press/media and social media.
- You must not act in a way which a reasonable person would regard as bullying or intimidation, misuse of power or authority which attempts to undermine or coerce others which may cause them to suffer from stress or fear.
- You must not use Town Council resources improperly or for political purposes (including party political purposes).
- You must not do anything which may cause the Town Council to breach a statutory duty or any of the equality enactments (as defined in the Equality Act 2010 section 149).
- You must not seek to improperly confer an advantage or disadvantage on any person or gain financial or other material benefits for yourself, a member of your family or close associate.
- You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- Remember that whilst you may be strongly influenced by the views of others, it is your responsibility alone to decide what view to take on any question which members have to decide.

- Remember do nothing as a member which you could not justify to the public.
- Remember that the reputation of the Town Council depends on your conduct and what the public believes about your conduct.
- Remember that it is not enough to avoid actual impropriety, you should always avoid any occasion for suspicion or appearance of improper conduct.
- Remember that it is your responsibility to comply with the provisions of this Code of Conduct.

2. REGISTER OF INTERESTS

You must within 28 days of the Code of Conduct being adopted by Wincanton Town Council or a member's election or the co-opted member's appointment; they must register with South Somerset District Council Monitoring Officer the interests which fall within the categories set out in Table 1.

Within 28 days of re-election of a member or a re-appointment of a co-opted member, they must re-register with South Somerset District Council Monitoring Officer any interests as set out in Table 1.

A member must register with South Somerset District Council Monitoring Officer any change to interests or new interests listed in Table 1 within 28 days of being aware.

A member only needs to declare the existence but not the details of any interests which South Somerset District Council Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead to the member or person connected with the member to be subject to violence or intimidation.

3. DECLARATION OF INTERESTS AT MEETINGS

Where a matter arises at a meeting which relates to an interest in Table 1, the member shall not participate in a discussion or vote on the matter. A member must declare that their interest is if it is not already entered in the member's register of interests or if they have not notified the Monitoring Officer of the interest.

Where a matter arises at a meeting which relates to an interest in Table 1 which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If

it is a sensitive interest, which has not already been disclosed to the Monitoring Officer, the member shall disclose that interest but not the nature of it.

Where a matter arises at a meeting which relates to an interest in Table 2, the member shall not vote on a matter. They may speak on the matter only if members of the public are also allowed to speak at the meeting.

A member must declare an interest in Table 1 if it has not already been entered on their register of interests or has not been notified to the Monitoring Officer or if they speak on the matter. If a member holds an interest in Table 2 which is a sensitive interest not already disclosed to the Monitoring Officer, the member shall declare the interest but not the nature of the interest.

Where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Table 1), the member shall disclose the nature of the interest and not vote on the matter. The member may speak on the matter only if members of the public are also allowed to speak at the meeting. If it's a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

4. DISPENSATIONS

On a written request made to the Town Clerk, the Town Council may grant a member a dispensation to participation in a discussion and vote on a matter at the meeting even if the member has an interest in Table 1 and 2, if the Town Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Town Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

TABLE 1 DISCLOSABLE PECUNIARY INTERESTS

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her 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.
Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member 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 a person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council - (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners 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 member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive an income.
Licences	Any licence (alone or jointly with others) held by a member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge) - (a) the landlord is the Council; and (b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners of or a director* of has a beneficial interest in the securities* of..
Securities	Any beneficial interest held by a member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners in securities* of a body where - (a) that body (to the member'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; (ii) if the share capital of that body is more than one class, the total nominal value of the shares of any one class in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has 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

PERSONAL AND OTHER INTERESTS

An interest which relates to or is likely to affect:

(i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;

(ii) any body –

(a) exercising functions of a public nature;

(b) directed to charitable purposes; or

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

of which the member of the Council is a member or in a position of general control of management;

(iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.