



## CODE OF CONDUCT

### **Introduction**

This Code applies to you as a Member of this Board when you act in your role as a Member and it is your responsibility to comply with the provisions of this Code.

You are a representative of this Board and the public will view you as such, therefore your actions impact on how the Board as a whole is viewed and your action can have both positive and negative impacts on the Board.

This Code is based upon the “Nolan Principles – the seven principles of public life” which are set out below:

### **The Seven Principles of Public Life**

#### Selflessness

Board Members 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

Board Members should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

#### Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, Board Members should make choices on merit.

#### Accountability

Board Members are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

#### Openness

Board Members should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

#### Honesty

Board Members 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 protects the public interest.

#### Leadership

Board Members should promote and support these principles by leadership and example.

## **Interpretation**

In this Code "meeting" means any meeting of:

- a) the Board;
- b) any of the Board's Delivery Group or sub-groups;

whether or not the press and public are excluded from the meeting in question by virtue of a resolution of members.

'Member' - a Board Member.

## **Scope**

1.1. You must comply with this Code whenever you:

- (a) conduct the business of the Board; or
- (b) act, claim to act or give the impression you are acting as a representative of the Board; or
- (c) act as a representative of the Board.

and references to your official capacity are construed accordingly.

1.2 This Code does not have effect in relation to your conduct other than where it is in your official capacity.

## **General Obligations**

2. When acting in your role as a Member of the Board:

- 2.1 **Do** treat others with respect.
- 2.2 **Do not** conduct yourself in a manner which is contrary to the Board's duty to promote and maintain high standards of conduct by members.
- 2.3 **Do not** bully any person.
- 2.4 **Do not** intimidate or attempt to intimidate any person who is or is likely to be: -
  - (a) a complainant;
  - (b) a witness;
  - (c) involved in the administration of any investigation or proceedings, in relation to an allegation that a Board member (including yourself) has failed to comply with his or her Board's Code of Conduct; or
  - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Board.

- 2.5 **Do not** disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
- (a) you have the consent of a person authorised to give it;
  - (b) you are required by law to do so;
  - (c) 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
  - (d) the disclosure is:
    - (i) reasonable and in the public interest; and
    - (ii) made in good faith and in compliance with the reasonable requirements of the Board; and

2.6 **Do not** prevent another person from gaining access to information to which that person is entitled by law.

2.7 **Do not** conduct yourself in a manner which could reasonably be regarded as bringing the Board into disrepute.

2.8 **Do not** improperly use knowledge gained solely as a result of your role as a board member for the advancement of yourself, your friends, your family members, your employer or your business interests.

3. When using or authorising the use by others of the resources of the Board:

3.1 **Do** act in accordance with the Board 's reasonable requirements;

3.2 **Do** make sure that such resources are not used improperly for political purposes (including party political purposes); and

4.1 Where you have been involved in campaigning in a political role on an issue which does not impact on your personal and/or professional life you should not be prohibited from participating in a decision in your political role as board member,

however **do not** place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your role.

4.2 When making a decision, **do** consider the matter with an open mind and on the contents before the meeting at which the decision is to be taken. When reaching decisions on any matter you must have regard to any relevant advice provided to you by:

- (a) Ashfield District Council's Chief Finance Officer; or
- (b) Ashfield District Council's Monitoring Officer, where that officer is acting pursuant to his or her statutory duties.

## **Interests**

- 5. As a board member, your role, may, at times, overlap with your personal and/or professional life and interests, however, when performing your role as a board member, **do** act solely in terms of the public interest and **do not** act in a manner to gain financial or other material benefits for yourself, your family, your friends, your employer or in relation to your business interests.

## **Disclosable Personal Interests**

- 6. You have a Disclosable Personal Interest where you are a member of any body which is a private club or society, such as the Freemasons, a recreational club, working men's club or private investment club.
- 7. You must publically disclose the Disclosable Personal Interest on the Register of Interests and make a verbal declaration of the existence and nature of that Interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent (unless the interest is a sensitive interest in which event you do not need to disclose the nature of the interest).

## **Non Disclosable Pecuniary/Other Interests**

- 8. You have a "Non Disclosable Pecuniary Interest" or "Other Interest" in an item of business of the Authority where:
  - (a) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you, or a member of your family, or a person with whom you have a close association to a greater extent than it would affect the majority of the District administrative area; or
  - (b) it relates to or is likely to affect any of the interests listed in Appendix A to this Code, but in respect of a member of your family (other than your spouse, civil partner or person with whom you are living as spouse or civil partner) or a person with whom you have a close association.
- 9. You are required to declare and register any gifts and hospitality accepted in excess of an estimated value of £50.00 (Fifty Pounds). You are required to declare gifts/hospitality over this amount but which were declined.

## Registration of Interests

10. Within 28 days of this Code being adopted by the Board, or your election as a Member (where that is later), you must register all interests which fall within the category of Disclosable Personal Interests.
11. Upon your re-election as a board member, you must within 28 days, re-register any interests within the category of Disclosable Personal Interests.
12. You must register any change to a Disclosable Personal Interest or new interest within 28 days of becoming aware of it.
13. You need only declare any interest you believe to be a “sensitive interest”. A sensitive interest is one which, if disclosed on the public register, could lead to you or a person connected with you being subject to violence or intimidation.

## Sanctions

16. If you are found to have been in breach of this Code the Board may impose one or more of the following sanctions:
  - (a) Censure or reprimand the member;
  - (b) Publish its findings in respect of the member’s conduct;
  - (c) Recommend to the Chair that he/she be removed from any or all sub-groups
  - (d) Recommend to the Chair that the member be removed from the Board, or removed from the Delivery Group;
  - (e) Recommend to the Board that the member be replaced as Chair or Vice-Chair

Agreed at AGM/Board Meeting on 26<sup>th</sup> February 2020

Signature of Chair, Martin Rigley.....  
Date: 26/02/2020

