

Martham Parish Council
in association with
Great Yarmouth Borough Council

Members' Code of Conduct Introduction to the Code

This Code of Conduct is a key part of the Authority's discharge of its statutory duty to promote and maintain high standards of conduct by its members and co-opted members. It is very much focused upon the principles of conduct in public life of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership and it is the intention of the Authority that the Code be used exclusively in that context and not for any other purpose. It sets an objective, non political and high standard whose purpose is to remind members of the Authority of the behaviour expected of them in public life and to set out clearly the key principles against which their conduct will be measured.

The Code also contains provisions for registration and declaration of interests the breach of which will now attract potential criminal sanctions.

Great Yarmouth Borough Council will establish a Standards Committee to hear breaches of the Code and decide on sanctions against members found to be in default. Working closely with the Council's Monitoring Officer and Independent Person the Standards Committee will oversee a straightforward and robust regime dealing only with substantial ethics and standards issues and filtering out the inconsequential, trivial and vexatious. The Code will deal in broad common sense principles and neither it nor the supporting arrangements are intended to be over-technical or over-procedural. To return to the wording of the statute the Code is the Authority's public statement on the promotion and maintenance of high standards of conduct in public life.

Every member and co-opted member of the Council must sign an undertaking to observe the Code in the terms set out below.

The Code

As a member or co-opted member of Martham Parish Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

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 the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for benefits 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 that 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 protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

As a Member of Martham Parish Council my conduct will in particular address the statutory principles of the Code by:

- Championing the needs of residents — the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the Parish nor the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents
- Contributing to making this authority's decision-making process as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it.
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

1. Registration and Disclosure of Disclosable Pecuniary Interests

- 1.1 I will notify the Monitoring Officer within 28 days of taking office of a Disclosable Pecuniary Interests by completing a Register form
- 1.2 I If I subsequently become aware of any new Disclosable Pecuniary Interest I will provide details to the Monitoring Officer as soon as possible.
- 1.3 If I am present at a council meeting (including a committee meeting and I have a Disclosable Pecuniary Interest in any matter to be considered I will declare that I have a Disclosable Pecuniary Interest (and the reason why) and leave the room while the matter is considered.

2. Disclosure of Personal Interests.

- 2.1 If I have a personal interest in any matter being considered at a council meeting (including a committee meeting) when it is not a Disclosable Pecuniary Interest but a decision on it is likely to affect:-
 - 2.1.1 my well being or financial position
 - 2.1.2 or that of my family or close friends
 - 2.1.3 or that of a club or society in which I have a management role
 - 2.1.4 or that of another public body of which I am a member to a greater extent than others in my ward.
- 2.2 I will declare a personal interest (and the reasons for it) at the meet in question but before the matter is discussed. Having declared a personal interest I can speak and vote on the matter.

ARRANGEMENTS FOR DEALING WITH STANDARDS' ALLEGATIONS

1. The following arrangements constitute Great Yarmouth Borough Council's adopted procedure for dealing with complaints that a member has failed to comply with this Code of Conduct.
2. The Council will appoint a Standards Committee of 5 members plus 2 co-opted Parish Council members. Its terms of reference are:-
 - The promotion and maintenance of high standards of conduct by the members and co-opted members of the Authority (and Parish Councils within the Borough).
 - To deal with any ancillary matters relating to Standards and Conduct including replying to consultations, training etc.
 - To assist when called upon to do so in deciding whether a Standards complaint should be referred for investigation
 - To determine appeals by complainants under paragraphs 6 and 8 below.
 - To hear and determine standards complaints made against the authority's members and co-opted members (and members of Parish Councils within the Borough).
 - To impose in relation to members of the Authority such sanctions as they think fit in relation to matters found to be breaches of the Code. (To make recommendations to Parish Councils in relation to matters found to be breaches of the Code by members of Parish Councils.)
 - To hear and determine applications for dispensations under Section 33 of the Act.
 - To consider and determine applications made to the Committee for exemption from political restriction in respect of any post within the Authority by the holder of that post.
3. A complaint must be made in the first instance to the Council's Monitoring Officer at nplaw, County Hall, Martineau Lane, Norwich NR1 2DH
4. A complaint must be made on the council's model complaint form (to be provided by the Monitoring Officer) or, if submitted in any other way, must contain all the information required by that form.
5. The Monitoring Officer will consider the complaint against the council's adopted criteria for deciding whether a complaint should be referred for formal investigation or some other action. The Monitoring Officer will consult the council's "Independent Person" before making a decision. Any functions of the Monitoring Officer in this may be delegated to the Deputy Monitoring Officer and the Monitoring Officer, the Deputy Monitoring Officer and the Independent Person may consult or seek the input of an Independent Person from another authority as appropriate.
6. If the Monitoring Officer decides not to refer the complaint for investigation or for some other action then the matter is closed subject to the complainant having a right of appeal to the Standards Committee. The Monitoring Officer will give a summary of the reasons for his decision.
7. If the Monitoring Officer decides that the complaint requires investigation the Monitoring Officer will appoint a person to investigate and to report back to him, The Monitoring Officer will then consider the conclusion of the investigator's report and will consult the Independent Person.
8. If the conclusion of the investigation is that there has been no breach of the Code and the Monitoring Officer considers that that is a reasonable conclusion then the Monitoring Officer will write to the complainant and the member concerned to inform them that there will be no further action. Again the complainant has a right of appeal to the Standards Committee.

9. If the investigation concludes that there is evidence of a breach of the Code then the Monitoring Officer will convene a meeting of the Council's Standards Committee or a sub committee of the Standards Committee to hear the matter.
10. The procedure at the hearing will be determined by the Monitoring Officer.
11. If the hearing concludes that there has been no breach of the Code then the matter is resolved. There is no provision for appeal or review of that decision by the council or any other person.
12. If the hearing concludes that there has been a breach of the Code the committee will consider whether and what sanction it might be appropriate to impose on the member found to be in default. These are as follows:-
 - a) Censure or reprimand.
 - b) Report to full Council.
 - c) Recommendation to the Council to remove the member from membership of Committees or Sub-Committees.
 - d) Recommendation to the Council to remove the member from any position (including Leader) of the Executive.
 - e) Require the member to undergo training in Ethics and Standards.
 - f) Recommendation to the Council to remove the member from external nominations or appointments.
 - g) Withdrawal of facilities or services from the member including access to Council premises and/or IT facilities.

(In relation to a breach of the Code by a member of a Parish Council, the Committee will make a recommendation to the Parish Council as to whether and what sanction it might be appropriate to impose.)

13. Where the hearing determines to impose sanctions the member in question has a right of appeal to the Council's Appeals Committee.
14. The Monitoring Officer will determine the time limits and procedure under paragraphs 6, 8 and 13.