

TICKHILL TOWN COUNCIL

Code of Conduct

Introduction

Pursuant to section 27 of the Localism Act 2011, Tickhill Town 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 principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

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 sub-committee 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 purports to act, claims to act or gives the impression of acting as a representative of the Council, he/she can only do so with the authority of the council and 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.

Registration of interests

6. Members must, at or by their first Council meeting after election or by co-option complete the "Register of Members' Disclosable Pecuniary Interest" form and hand it to the Town Clerk. Members must thereafter declare any pecuniary interests or interests that fall within the categories set out in Appendices A and B when asked by the Chairman at each Council Meeting.

TICKHILL TOWN COUNCIL

7. A member shall register with the Town Clerk any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it or when asked by the Chairman at the next meeting they attend.
8. A member need only declare the existence but not the details of any interest which the Town Clerk 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 at meetings

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Town Clerk of it.
11. Where a matter arises at a meeting which relates to an interest in Appendix A 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 Town Clerk, the member shall disclose he/she has an interest but not the nature of it.
12. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
13. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Town Clerk of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Town Clerk, he/she shall declare the interest but not the nature of the interest.
14. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

TICKHILL TOWN COUNCIL

Dispensations

15. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the 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 Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Social Media

1. Social Media is a powerful tool, and is a quick way of communicating with local people. There is a significant sector of society that uses Social Media frequently as a source of information and comment.
2. There are also a number of difficulties with social media. It is instant, so comments can be posted in haste which cannot be retracted. Written comments do not always give the correct tone – for example humour can be misunderstood. Third party involvement and comment also cannot be controlled.

Councillors

3. The use of Social Media by Councillors needs to be considered in the context of the Code of Conduct which states the following:

“When a member of the Council purports to act, claims to act or gives the impression of acting as a representative of the Council, he/she can only do so with the authority of the council and he/she has the following obligations.

 - a. He/she shall behave in such a way that a reasonable person would regard as respectful.
 - b. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
 - c. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
 - d. He/she shall use the resources of the Council in accordance with its requirements.
 - e. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.”
4. It should be noted however that:
 - a. The Code of Conduct does not cover any comments being made in a personal capacity. However Councillors will be known locally and members of the public may interpret comments as Council rather than personal comment.
 - b. Comments can be made through personal or closed sites. However these comments can be put in the public domain by third parties.
 - c. The Code of Conduct does not prevent Councillors making reasonable comments criticising the activities of the Council. However as Councillors there are a variety of other ways that this can be done (e.g. through the Clerk, Council, Chairman/Mayor etc) and the appropriate forum for debate is Council meetings.
 - d. The Council should not and would not wish to control any reasonable comments made by Councillors relating to personal or non-Council matters.

TICKHILL TOWN COUNCIL

5. In the light of the above the following policy protocol for Councillors is proposed where they are commenting on Council issues, or matters which may be seen to be Council issues:
 - a. Any use of Social Media should be considered in the light of the Code of Conduct, regardless of the intended audience.
 - b. Social Media should primarily be used to promote the activities of the Council, and deal with factual issues.
 - c. Social Media should not be used to criticise policies or activities of the Council where there are alternative routes for these issues to be addressed or debated
6. Any complaint regarding the breach of this policy would need to be dealt with through the existing Standards procedures.

Council

7. This covers use of Social Media by the Council acting in a formal capacity through the Town Clerk as authorised by the Council.
8. The Yorkshire Local Council Association recommends that Councils do not proactively use social media to communicate with parishioners. At the moment the Council makes little use of Social Media except that it reports on the Tickhill Community Forum site on Facebook when the Council Website has been updated.

18th June 2016

TICKHILL TOWN COUNCIL

Appendix A

Interests described in the table below.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
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 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 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 income.
Licences	Any licence (alone or jointly with others) 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 is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest 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; or
	(ii) if the share capital of that body is of 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.

TICKHILL TOWN COUNCIL

Appendix B

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 or 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.