

Appendix 1 – Existing code with amendments to Part 2



Members' Code of Conduct

Peterborough City Council

The Members' Code of Conduct is intended to promote high standards of behaviour amongst the elected and co-opted members of the council.

The Code is underpinned by the following principles of public life, which should be borne in mind, when interpreting the meaning of the Code:

- i. **Selflessness**
Holders of public office should act solely in terms of the public interest.
- ii. **Integrity**
Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- iii. **Objectivity**
Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- iv. **Accountability**
Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- v. **Openness**
Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- vi. **Honesty**
Holders of public office should be truthful.
- vii. **Leadership**
Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

PART 1 GENERAL PROVISIONS

1. Introduction and Interpretation

1.1. This Code applies to **you** as a member of Peterborough City Council ("PCC"). It is **your** responsibility to comply with the provisions of this Code.

1.2. In this code –

"Member"

means any person being an elected or co-opted member of the PCC and any independent person appointed by PCC to assist with the discharge of the ethical standards functions.

"Meeting"

means any meeting of

- a) PCC;
- b) The executive of PCC (including the making of decisions by cabinet members);
- c) Any of PCC's committees, executive committees, sub-committees, joint committees, joint sub-committees, or area committees;
- d) Any of PCC's advisory groups and executive boards

"Pending Notification"

means the interest has been notified to the Council's Borough Solicitor, but has not been entered in the Register;

"Register"

means the register of Member's and co-opted Member's interests, maintained by the Monitoring Officer

"Relevant Authority"

includes any county council in England, a district council, a London borough council, a parish council and the Greater London Authority.

2. **Scope**

- 2.1. **You must** comply with this Code whenever you act, claim to act or give the impression you are acting as a Member of PCC.
- 2.2. Where you act as a representative of PCC:
- (a) on another Relevant Authority, **you must**, when acting for that other authority, comply with that other authority's code of conduct or;
 - (b) on any other body, **you must**, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. **General Obligations**

- 3.1. **You must** treat others with respect.
- 3.2. **You must not:**
- (a) do anything which may cause PCC to breach the Equality Act 2010
 - (b) bully any person
 - (c) intimidate or attempt to intimidate any person who is or is likely to be:
 - (i) a complainant;
 - (ii) a witness; or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with this code of conduct
 - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, PCC

4. **You must not:**

- 4.1. 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 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 PCC; or
- 4.2. prevent another person from gaining access to information to which that person is entitled by law.
- 5. **You must** not conduct yourself in a manner which could reasonably be regarded as bringing your office or PCC into disrepute.
- 6. **You must:**
 - 6.1. not use or attempt to use your position as a member improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage; and
 - 6.2. when using or authorising the use by others of the resources of PCC:
 - (a) act in accordance with PCC's reasonable requirements;
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - 6.3. have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.
- 7. **You must:**
 - 7.1 when reaching decisions on any matter, have regard to any relevant advice provided by:
 - (a) PCC's chief finance officer; or
 - (b) PCC's monitoring officer,where that officer is acting pursuant to their statutory duties.
 - 7.2 give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by PCC.

**PART 2
INTERESTS**

8. Disclosable Pecuniary Interests

8.1. Disclosable pecuniary interests are specified in the table below:

Subject	Prescribed 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 PCC) for any expenses incurred by you in carrying out your duties as a member, or towards your 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 with PCC: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. This includes a contract between PCC and any body in which you, or a person specified in paragraph 8.2(b) below, has a beneficial interest
Land	Any beneficial interest in land which is within PCC’s area
Licences	Any licence (alone or jointly with others) to occupy land in the PCC’s area for a month or longer.
Corporate Tenancies	Any tenancy where (to your knowledge): (a) the landlord is PCC; and (b) the tenant is a body in which you, or a person listed in paragraph 8.2(b) below, has a beneficial interest

Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to your knowledge) has a place of business or land in PCC’s area; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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 person in paragraph 8.2 (below) has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>
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8.2 You must declare an interest if:

- (a) it is your interest, or
- (b) it is an interest of:
 - (i) your spouse or civil partner;
 - (ii) a person with whom you are living as husband and wife, or
 - (iii) a person with whom you are living as if you were civil partners

and you are aware that that other person has the interest.

9. Other Disclosable Interests

- 9.1. You must declare the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £100.
- 9.2. ***“You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships.”***

10. Registration of Disclosable Pecuniary Interests and Other Interests

- 10.1. Subject to paragraph 12 below (sensitive interests), you must, within 28 days of:
 - (a) this Code being adopted or applied by PCC; or
 - (b) your election or appointment (where that is later)

notify the Monitoring Officer in writing of any disclosable pecuniary interests and other interests you have at that time.

10.2. Subject to paragraph 12 below (sensitive interests) you must, within 28 days of becoming aware of any new disclosable pecuniary or other interest or any change to any such interest, notify the Monitoring Officer in writing of that new pecuniary interest or change.

11. Disclosable Pecuniary Interests in Matters Considered at Meetings or by a Single Member

11.1. If you attend a meeting and are aware that you have a disclosable pecuniary interest in any matter to be considered at that meeting:

- (a) if the interest is not entered in the register of members' interests you must disclose to the meeting the fact that you have a disclosable pecuniary or other interest in that matter
- (b) if you have not already done so, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure, and
- (c) whether the interest is registered or not you must not unless you have obtained a dispensation from the Monitoring Officer to participate, or participate further, in any discussion of the matter at the meeting
- (d) whether the interest is registered or not you must not, unless you have obtained a dispensation from the Audit Committee participate in any vote, or further vote, taken on the matter at the meeting.

11.2 Single Member Action

If you are empowered to discharge functions acting alone, and are aware that you have a disclosable pecuniary interest or other interest in any matter being dealt with, you must not take any steps, or any further steps, in relation to the matter (except for the purposes of enabling the matter to be dealt with otherwise than by you).

If the Disclosable Pecuniary Interest is not entered in the Register and is not subject to a Pending Notification, you must notify the Monitoring Officer of the Disclosable Pecuniary Interest before the end of 28 days, beginning with the date of when you became aware of the matter

12. Sensitive Interests

12.1. Where you consider (and the Monitoring Officer agrees) that the nature of a disclosable pecuniary or other interest is such that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code and

the details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

PART 3 RELATED DOCUMENTS

The following documents also provide guidance on the Standards of Conduct expected of members and can assist in the interpretation of this Code of Conduct. These documents can be found in the Council's Constitution.

1. The Audit Committee Rules of Procedure set out the arrangements for dealing with an alleged breach of this Code
2. PCC's Planning Code of Conduct deals specifically with the Code of Conduct within the remit of the Planning and Environmental Protection Committee
3. PCC's Social Media Code for members and officers sets out appropriate behaviour when undertaking Council business through social media
4. PCC's Member/Officer Protocol sets out how members and officers should work together
5. The procedures under which registration and declaration of interests, gifts and hospitality are to be made are set out in the Gifts and Hospitality Policy.

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