

## The Code of Conduct for Community Councillors

Councillors are subject to the:

- THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) (WALES) ORDER 2008
- THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) (WALES) (AMENDMENT) ORDER 2016

### **OVERVIEW**

The Councillors agree to observe this code of conduct and its principles and to act openly and honourably in the public interest.

Councillors should never bring the council into disrepute.

Councillors must :

- Not disclose confidential information.
- Report possible criminal behaviour by another member or employee.
- Not use council resources improperly including for political or private purposes.
- Make decisions on the merits of the case and in the public interest.
- Avoid accepting unofficial gifts, hospitality and other benefits and services.
- Show respect and consideration for others.
- Not use bullying behaviour or harass another person.
- Show due regard for the principle of equality.
- Use objectivity in decision making.

This code of conduct is to be reviewed at each AGM and members must confirm that they will observe the code in all dealings for the year ahead.

## **The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016**

### **Background**

The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 amends existing subordinate legislation made under Part III of the Local Government Act 2000, consequential upon provisions in the Local Government (Democracy) (Wales) Act 2013 ("the 2013 Act"). The Order comes into force on 1st April, 2016.

### **Relevant Issues and Options**

The Order amends the Model Code of Conduct. The main amendments are as follows:

- The 2013 Act transferred responsibility for maintaining the Register of Interests of Members of Community Councils from the Monitoring Officer of the Principal Local Authority for the area to the 'Proper Officer' of each Community Council with effect from 1st May, 2015. A number of consequential amendments are made to the Model Code to reflect this change.
- The Model Code is also amended to clarify that, in terms of the Register of Members' Interests, any interest disclosed for the first time must be entered in the Register. This is not a change of policy, but clarifies the original intention. The exemption for Community Councillors from the requirement to register certain financial and other interests up front is maintained.
- The obligation on a Member to report a potential breach of the Code of Conduct to the Public Services Ombudsman for Wales is now omitted from the Code. However, there continues to be the obligation to report such matters to the Monitoring Officer.
- Paragraph 18.3.1(K) of the Code is now omitted. This is to overcome unintended difficulties in the practical application of this paragraph in relation to participation in business relating to constituency interests. Nevertheless, a Member participating in the consideration of a Ward matter is still under an obligation to act objectively and in the wider public interest in accordance with paragraph 18.2.9 of the Code. For ease of reference Paragraph 18.3.1 (K) required a member to regard himself/herself as having a personal interest in any business of its authority if:..... "a member of the public might reasonably perceive a conflict between your role in taking a decision, upon that business, on behalf of your authority as a whole and your role in representing the interests of constituents in your ward or electoral division".

### **Background Documents**

The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016.