

'Co-opted member' means any person who is a member of any committee or sub-committee of the Council but is not one of its elected members.

## **1. Application**

This Code of Conduct applies to you whenever you are acting in your capacity as a member of Nottingham City Council, including:

- 1.1 at formal meetings of the Council, its Committees and Sub-Committees, the Executive Board and its Committees and Sub-Committees;
- 1.2 when acting as a representative of the Council;
- 1.3 in making any decision as a Portfolio Holder or a Ward Councillor;
- 1.4 in discharging your functions as a Ward Councillor;
- 1.5 at briefing meetings with colleagues;
- 1.6 at site visits; and
- 1.7 when corresponding with the Council other than in a private capacity.

## **2. Principles**

The principles underpinning this Code of Conduct are that you will act with:

Selflessness  
Integrity  
Objectivity  
Accountability  
Openness  
Honesty  
Leadership  
Respect for others  
A commitment to uphold the law

## **3. General Conduct**

You must:

- 3.1 provide leadership to the Council and the communities within its area, by personal example;
- 3.2 respect others and not bully any person;
- 3.3 recognise that colleagues (other than political assistants) are employed by and serve the whole Council;
- 3.4 respect the confidentiality of information which you receive as a member:
  - (a) not disclosing confidential information to third parties unless required to do so by law or where there is a clear and over-riding public interest in doing so; and

- (b) not obstructing third parties' legal rights of access to information;
- 3.5 not misconduct yourself in a manner which is likely to bring the Council into disrepute;
- 3.6 use your position as a member in the public interest and not for personal advantage;
- 3.7 accord with the Council's reasonable rules on the use of public resources for private and political purposes;
- 3.8 exercise your own independent judgement, taking decisions for good and substantial reasons:
  - (a) attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups;
  - (b) paying due regard to the advice of colleagues, and in particular to the advice of the statutory officers; and
  - (c) stating the reasons for your decisions where those reasons are not otherwise apparent;
- 3.9 account for your actions, particularly by supporting the Council's scrutiny function; and
- 3.10 ensure that, as far as within your powers, the Council acts within the law.

#### **4. Disclosable Pecuniary Interests**

You must:

- 4.1 comply with the statutory requirements to register, disclose and withdraw from participating in any matter in which you have a Disclosable Pecuniary Interest;
- 4.2 ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your Disclosable Pecuniary Interests;
- 4.3 verbally declare the existence and nature of any Disclosable Pecuniary Interest at any meeting you attend where an item of business which affects or relates to the subject matter of that interest is to be considered, at or before that item of business is considered or as soon as you are aware of the interest;
- 4.4 'Meeting' means any meeting organised by or on behalf of the Council, including:
  - (a) any meeting of the Council, or a Committee or Sub-Committee of Council;
  - (b) any meeting of the Executive Board and any of its Committees or Sub-Committees;
  - (c) in taking a decision as a Ward Councillor or as a Leader or a Portfolio Holder;
  - (d) at any briefing by colleagues; and
  - (e) at any site visit to do with business of the Council;
- 4.5 unless you have the benefit of a current and relevant dispensation in relation to the matter being considered you must:
  - (a) not participate, or participate further, in any discussions of the matter at the meeting;
  - (b) not participate in any vote, or further vote, taken on the matter at the meeting;

- and
  - (c) remove yourself from the meeting while any discussion or vote takes place on the matter;
- 4.6 where you are able to discharge a function of the Council acting alone and you are aware that you have a Disclosable Pecuniary Interest in a matter being dealt with, or to be dealt with, by you in the course of discharging that function, you must:
  - (a) not take any steps, or further steps, in relation to the matter (except for the purpose of enabling someone other than you to deal with the matter); and
  - (b) notify the Monitoring Officer (in writing) of that Disclosable Pecuniary Interest within 28 days of becoming aware of the interest if the interest is not already entered in the register and has not already been notified to the Monitoring Officer.

## **5. Other Interests**

- 5.1 In addition to the requirements of Paragraph 4, if you attend a meeting where any item of business is to be considered and you are aware that you have an 'Other Interest' in that item, you must verbally declare the existence and nature of that interest at or before that item of business is considered or as soon as you are aware of the interest;
- 5.2 you have an "Other Interest" in an item of business of the authority if it not a Disclosable Pecuniary Interest, and:
  - (a) you are, or ought reasonably to be, aware that a decision in relation to an item of business to be transacted might reasonably be regarded as affecting your wellbeing or financial position, or the wellbeing or financial position of 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 Council Tax payers, ratepayers or inhabitants of your ward or the Council's administrative area, or
  - (b) it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code in respect of a member of your family (other than a 'relevant person'\*) or a person with whom you have a close association, or
  - (c) a reasonable member of the public, with knowledge of all the circumstances, would consider that you have an interest which would prejudice your judgement if you were involved in making any decision on that item of business;

\* your spouse or civil partner, a person you are living with as husband or wife, or a person you are living with as if are civil partners.

- 5.3 you are not required to notify the Monitoring Officer of 'Other Interests' for inclusion in the register. However, you are required to declare that interest and act in accordance with paragraphs 4.5 or 4.6 above.

## **6. Sensitive Interests**

- 6.1 You must notify the Monitoring Officer of the details of sensitive interests but these details will not be included in any published version of the register;
- 6.2 if you have a sensitive interest you are required to declare that you have an interest to meetings (as required by paragraph 4.3 and 5.3 of this Code) but the detail of the

interest need not be declared.

## **7. Gifts and Hospitality**

- 7.1 You must, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the Council within 28 days of receipt;
- 7.2 the Monitoring Officer will place your notification on a public register of gifts and hospitality;
- 7.3 this duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Council for this purpose.

## **8. Disclosure and Barring Service Checks**

- 8.1 You shall co-operate fully with any Disclosure and Barring Service checks (at whatever level) required under Council policies and practices or as required or requested by an appropriate officer of the Council (being the Corporate Director for Children and Adults and the Monitoring Officer). Any Councillor:
  - (a) who has not complied with the requirement to have a DBS check within one month of being elected; or
  - (b) who fails to maintain a valid DBS check; or
  - (c) whose check discloses matters which may present a risk to children and vulnerable adults (in the opinion of the Corporate Director for Children and Adults and the Monitoring Officer);is disbarred from all offices and membership of committees, sub committees, panels or outside bodies.

## **9. Safeguarding**

- 9.1 Notwithstanding the generality of the previous provisions of this Code, you will comply with the following requirements specific to Council functions concerning children, young people and vulnerable and elderly adults;
- 9.2 you must, at all times, act in your office with particular regard to, and supporting, the duties of the Council with respect to children, young people and vulnerable and elderly adults;
- 9.3 you must not obstruct, nor seek to obstruct the effective performance of the Council's functions concerning children, young people and vulnerable and elderly adults nor, improperly, seek to influence the outcome of any decision taken, or to be taken, in relation to children, young people, or vulnerable or elderly adults, nor seek preferential treatment for any such person;
- 9.4 you must carry out, or attend any training events or courses designated by the Corporate Director for Children and Adults as mandatory for Councillors and co-opted members.