

Medway Council

Code of Conduct

You are a member or co-opted member of Medway Council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member –

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties. You should comply with the notification requirements for gifts and hospitality set out below.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts, or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.

You must declare any Disclosable Pecuniary Interests as required by law. You must also take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring Disclosable Pecuniary Interests in a manner conforming with the procedures set out below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Disclosable Pecuniary Interests

“**DPI**” means those disclosable pecuniary interests of a description specified in regulations made by the Secretary of State (as amended from time to time) as set out in Schedule One to this Code and where either it is:

- (a) your interest or
- (b) an interest of your spouse or civil partner, a person with whom you are living as husband and wife, or a person with whom you are living as if you were civil partners and provided you are aware that the other person has the interest

1. Registering and declaring Disclosable Pecuniary Interests

You must

- (a) within 28 days of taking office as a member or co-opted member, notify Medway Council’s Monitoring Officer of any DPI
- (b) where a DPI has not been entered onto Medway Council’s register, disclose the DPI to any meeting of Medway Council or its committees or sub-committees joint committees or joint sub-committee (including a meeting of the executive or a committee of the executive) at which you are present where you have a DPI in any matter being considered and where the DPI is not a ‘sensitive interest’.¹
- (c) following any disclosure of a DPI which is not on Medway Council’s register nor the subject of pending notification, notify the Monitoring Officer of the DPI within 28 days beginning with the date of disclosure.
- (d) where you are discharging a function of Medway Council (acting alone) and a DPI has not been entered onto Medway Council’s register and is not the subject of a pending notification, notify the Monitoring Officer of the DPI within 28 days of becoming aware that you have a DPI in any matter to be dealt with, or being dealt with, in discharging that function.

2. Participation in Meetings or Decision Making

- (a) Unless dispensation has been granted, you may not participate in any discussion of or vote onto any matter in which you have a DPI.
- (b) Where you are discharging a function of the authority (acting alone) and you have a DPI in any matter to be dealt with or being dealt with by you in the course of discharging that function you must not take any steps or further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with by someone else).

¹ A ‘sensitive interest’ is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority’s monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

Failure, without reasonable excuse, to comply with the above provisions as to notification and disclosure of DPIs and participation in a matter in which you have a DPI is a criminal offence in accordance with section 34 of the Localism Act 2011.

3. Further notification and participation requirements

In addition, Medway Council requires the following notification and participation procedures to be followed by Members. Failure to comply with these procedures will not be a criminal offence but will be a breach of this Code:

- (a) You shall within 28 days of adoption of this Code notify Medway Council's Monitoring Officer of any DPI
- (b) Unless dispensation has been granted, you must leave the room during any discussion of or vote on any matter in which you have a DPI.

Gifts and Hospitality

- (1) You must, before the end of 28 days beginning with the day of receipt/acceptance, notify the Monitoring Officer of any gift, benefit or hospitality with an estimated value of £100 or more, or a series of gifts, benefits and hospitality from the same or an associated source, with an estimated cumulative value of £100 or more, which are received and accepted by you (in any one calendar year). You must also register the source of the gift, benefit or hospitality.
- (2) The Monitoring Officer will keep a Register of Gifts and Hospitality, which shall be available for inspection on request by members of the public.

MEDWAY COUNCIL'S CODE OF CONDUCT
SCHEDULE ONE

Interest	Description
Employment, office, trade, profession or vacation	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 relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. 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 which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: (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 relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge): (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where: (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.