SECTION B

MEMBERS CODE OF CONDUCT

Lincolnshire County Council Members' Code of Conduct

PREAMBLE

The activities of all in public life should be guided by the 7 principles of Public Life, also known as the Nolan Principles. These are set out below

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. 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.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. 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.

5. 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.

6. Honesty

Holders of public office should be truthful.

7. 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.

The County Council has adopted this Code of Conduct setting out the expected behaviours required of its members and added members, acknowledging that they have a shared commitment to representing the community and working constructively and in a spirit of mutual respect and co-operation with each other, Council staff and partner organisations to secure better social, economic and environmental outcomes for all.

As the Nolan Principles are the standards expected of all in public life the Code is closely based on but not identical to the Nolan Principles. In particular compliance with the Code does not in itself guarantee that member conduct is consistent with the Nolan Principles. The Code does not therefore detract from the need for members always to have regard to the Principles in guiding their conduct

In accordance with the Localism Act provisions, when acting in their capacity as Councillors, all Councillors must be committed to behaving in a manner that ~~is consistent~~complies with the ~~(Lincolnshire County Council Values Statement and Good Practice Guide to Meeting the Values of the Authority and to the)~~ following ~~principles~~ Code~~to achieve best value for Lincolnshire residents and maintain public confidence in the Council~~.

THE CODE

SELFLESSNESS:

Councillors must act solely in terms of the public interest. ~~They~~ This means they must not act in order to gain financial or other material benefits for themselves, their family, or their friends. They must not use their position improperly to confer an advantage or disadvantage on any person.

INTEGRITY

Councillors must not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Councillors must comply with the Gifts and Hospitality Protocol in Part 5 of the Constitution

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, Councillors must make choices on merit.

ACCOUNTABILITY

Councillors are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

This means Councillors will co-operate with the Monitoring Officer or Local Hearing Panel in the course of consideration, investigation or determination of any complaint brought under this Code of Conduct.

OPENNESS:

Councillors must act and ~~be as open as possible about all the decisions and actions that they take~~take decisions in an open and transparent manner~~. They must give reasons for their decisions and restrict information~~ Information ~~only when~~should not be withheld from the ~~wider~~ public ~~interest clearly demands~~unless there are clear and lawful reasons for doing so.

A councillor must not, without the consent of the Council or as required by law, disclose information which is

- contained within an exempt or confidential report within the meaning of the Local Government Act 1972; or
- which is otherwise confidential to the Council or shared with the Councillor under conditions of confidentiality

Councillors must not disclose any information given to them under conditions of confidentiality by any other person except to the extent that such disclosure is permitted by law – e.g. due to overriding public interest.

HONESTY:

Councillors have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

This means Councillors~~:-~~ will comply with the law relating to disclosable pecuniary interests

Councillors should be aware that the requirement to resolve conflicts arising in a way that protects the public interest may on occasion require them to disclose interests other than disclosable pecuniary interests and to take no part in debates or votes which engage those interests.

RESPECT:

Councillors must at all times show respect to each other, staff and members of the public and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government. Councillors may not always agree with the political views of their member colleagues, but they respect the right for those views to be held.

This means in particular that Councillors will not bully or harass any person. This means, for example, that they will not:-

- use offensive intimidating malicious or insulting behaviour or abuse or misuse power to undermine, humiliate, criticise unfairly or injure any person; or
- be guilty of unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

Section D3 of Part 5 of the Constitution – Protocol on Harassment Intimidation and Unacceptable Behaviour gives more detail on these behaviours and applies between members and officers.

LEADERSHIP: Councillors promote and support these principles by leadership and example.

NOTE ON SOCIAL MEDIA

Councillors should note that this Code of Conduct governs their activities on social media in the same way that it governs other activities and councillors should be mindful that the ease of use and very public nature of social media may carry additional risks of breaches of the Code.

NOTE ON PLANNING DEVELOPMENT CONTROL

Section D4 of Part 5 of the Constitution – Planning Development Control Process sets out supplementary requirements in relation to Planning which shall form part of this Code of Conduct.

NOTE ON DISCLOSABLE PECUNIARY INTERESTS

The Localism Act 2011 further provides for registration and disclosure of interests and in Lincolnshire County Council this will be done as follows:

On taking up office a member or added member must, within 28 days of becoming such, notify the Monitoring Officer of any ‘disclosable pecuniary interests’, as prescribed by the Secretary of State.

On re-election or re-appointments, a member or added member must, within 28 days, notify the Monitoring Officer as if for the first time of any ‘disclosable pecuniary interests' whether or not such 'disclosable pecuniary interests' were already included in his or her previous register of interests.

If a member or added member is aware that they have a ‘disclosable pecuniary interest’ in a matter they must not participate in any discussion or vote on the matter at a meeting and if present at the meeting must leave the room during discussion of the matter.

If a member or added member is aware of a ‘disclosable pecuniary interest’ in a matter under consideration at a meeting but such an interest is not already on the Council’s register of interests or in the process of entry onto the register having been notified to the Monitoring Officer, the member or added member must disclose the ‘disclosable pecuniary interest’ to the meeting and register it within 28 days of the meeting at which it was first disclosed.

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