

**WEST LANCASHIRE BOROUGH COUNCIL (AND PARISHES)
MEMBERS' CODE OF CONDUCT**

1. You are a Member or Co-opted Member and hence you shall have regard to the principles set out in the attached Annex.
- 2.1 You must comply with this Code whenever you act in your capacity as a Member or Co-opted Member.
- 2.2 Where you act as a representative of the Council on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or 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.
- 3.1 You must treat others with respect
- 3.2 You must not do anything which may cause the Council to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006; bully any person; intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.
- 4.1 You must not 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 you have the consent of a person authorised to give it; you are required by law to do so; 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 the disclosure is reasonable and in the public interest; and made in good faith and in compliance with the reasonable requirements of the Council.
- 4.2 You must not 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 the Council into disrepute.
- 6.1 You must 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.
- 6.2 You must act in accordance with all legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures.

- 6.3 You must, when using or authorising the use by others of Council resources (i) act in accordance with the Council's reasonable requirements; (ii) ensure that such resources are not used improperly for political purposes (including party political purposes).
- 6.4 You must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986
- 7.1 When reaching decisions on any matter you must have regard to any relevant advice provided to you by the Council's chief finance officer; or monitoring officer where that officer is acting pursuant to his or her statutory duties.
- 7.2 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

8. Registering and declaring pecuniary and non-pecuniary interests

- 8.1 You must, within 28 days of taking office as a member or co-opted member, notify the Council's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the disclosable pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.
- 8.2 In addition, you must, within 28 days of taking office as a member or co-opted member, notify the Council's monitoring officer of any pecuniary or non-pecuniary interest which the Council has decided should be included in its register.
- 8.3 If an interest has not been entered onto the Council's register, then the member must disclose the interest to any meeting of the Council at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest' *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.*
- 8.4 Following any disclosure of an interest not on the Council's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
- 8.5 Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a disclosable pecuniary interest as defined by regulations made by the Secretary of State.

8.6 Additionally, you must observe the restrictions the Council places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by the Council.

9. **Interests other than Pecuniary Interests**

To be added following the making of the Regulations.

10. In this Code “disclosable pecuniary interest” has the meaning given by Regulations made by the Secretary of State under the Localism Act 2011 and “meeting” means any meeting of the Council, the Cabinet, any of the Council’s or Cabinet’s committees, sub-committees, joint committees, joint sub-committees, or area committees.

ANNEX

PRINCIPLES

Selflessness

Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity

Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

Members should make decisions on merit, including when making appointments, awarding contractors, or recommending individuals for rewards or benefits.

Accountability

Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness

Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Leadership

Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.