



South Downs National Park Authority

MEMBER CODE OF CONDUCT

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Responsibility	Monitoring Officer
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Member Code of Conduct

This Code is adopted pursuant to the Authority's statutory duty to promote and maintain high standards of conduct by members and co-opted members of the Authority. It applies to all members and co-opted members, when acting in their role as a member or co-opted member of the Authority.

This Code is not intended to be an exhaustive list of all the obligations placed on members and co-opted members of this Authority. It is your responsibility to comply with the following provisions of this Code as well as other legal obligations beyond the scope of this Code.

This Code is based on and consistent with the following principles which, although not forming part of the obligations of the Code, you should have regard to as they will help you to comply with the Code:

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should 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.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office 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.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

Part I: General obligations of members and co-opted members

1. You should at all times act in good faith and in the best interests of the Authority. You should deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively.
2. You should behave in accordance with the Authority's policies, schemes, protocols and procedures including the procedures for handling complaints against Members and any processes arising from any such complaints.
3. You must comply with any statutory or administrative requirements relating to your office.
4. You must treat others with respect.
5. You must uphold the law including by not doing anything which may cause the Authority to breach Equalities Legislation.
6. You should promote an inclusive and diverse culture in the Authority and your actions should help create an environment where different perspectives and backgrounds are encouraged and valued.
7. You must not bully any person.
8. You must not intimidate, or try to intimidate, anyone who has complained about you or who may be involved with a complaint about you.
9. You will treat all officers employed by the Authority with courtesy and respect and not ask or encourage officers to act in a way that would conflict with the Officer Code of Conduct. You must not do anything which compromises the impartiality of the Authority's Officers.
10. You must not misuse information gained in the course of performing your role as a Member of the Authority for personal gain or political purposes.
11. You must not disclose confidential information or information provided in confidence except in limited circumstances permitted by law and any such disclosure should only take place following consultation with the Authority's Monitoring Officer.
12. You must not prevent a person from gaining access to information to which they are entitled.
13. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or Authority into disrepute.
14. Where any personal social media accounts used by you make reference or link to your public role, you should take care to ensure that it is clear in what capacity you are acting.
15. 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.
16. You must, when using or authorising the use by others of the resources of the Authority, act in accordance with the Authority's reasonable requirements. You must ensure that the Authority's resources and public funds are safeguarded and are not misused including for personal gain or for political purposes.
17. You must have regard to the Code of Recommended Practice on Local Authority Publicity.

18. When reaching decisions, you must have regard to relevant advice from the Authority's Officers, give reasons for decisions and ensure that the Authority uses its resources efficiently, economically and effectively.
19. You must exercise independent judgement and not compromise your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties.
20. You must exercise proper discretion on matters directly related to the work of the Authority and recognise that certain political activities may be incompatible with your role as an Authority Member. In your role as an Authority Member you should be even handed in all dealings with political parties.
21. You should promote an open, transparent and safe working environment within the Authority where individuals feel able to speak up and raise concerns, and complaints procedures are clearly communicated.

Part 2: Registration and Disclosure of Interests

22. You must, within 28 calendar days of becoming a member or co-opted member, notify the Authority's Monitoring Officer of any **disclosable pecuniary interest** as set out in Part 3 of the Code, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of a person with whom you are living as if you are a married couple or civil partners, and where you are aware that that other person has that interest.
23. Where a **disclosable pecuniary interest** has not been entered in the Register of Interests, and it is a disclosable pecuniary interest in any matter being considered at a meeting of the Authority, committee or sub-committee at which you are present, you must disclose the interest to the meeting, except where the matter is a 'sensitive interest'.¹ Where the interest is a 'sensitive interest', you must disclose merely *the fact that you have a disclosable pecuniary interest in the matter concerned*.
24. Where you have a **disclosable pecuniary interest** in any matter being considered at a meeting of the Authority, committee or sub-committee, you must not participate in discussion of, or vote on, that matter, and must withdraw from the room where the meeting is being held, unless you have obtained a dispensation from the Appointments, Management and Standards Committee. However, this does not prevent you from making representations on the matter to the meeting, in accordance with the Authority's public speaking procedures, provided that you withdraw from the room when those representations are concluded and before any discussion or vote takes place.
25. Following any disclosure of a **disclosable pecuniary interest** not on the Authority's Register of Interests maintained by the Authority's Monitoring Officer, nor the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.
26. You must never seek or canvass **gifts or hospitality**. You are required, within 28 days to notify the Chief Executive or his delegate in writing of any offer and/or receipt of any gifts or hospitality. Where the offer of a gift or hospitality is accepted this will be recorded on the Authority's appropriate register. You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring your office or the Authority into disrepute for example,

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.

where a gift or hospitality might reasonably appear to compromise your personal judgement or integrity or place you under an improper obligation.

27. Without prejudice to the requirements set out above, you must, in addition notify the Authority's Monitoring Officer of any **personal interest**, you consider it appropriate to be entered on the Register of Interests. You have a personal interest in any business of the Authority where a decision in relation to it might reasonably be regarded as affecting the **well-being or financial position of yourself, a member of your family or person with whom you have a close association, to a greater extent than the majority of inhabitants of the South Downs National Park**. You must disclose a personal interest at a meeting of the Authority, committee or sub-committee, where you consider that interest to be relevant to an item of business being considered at that meeting. The disclosure shall be made at the commencement of the meeting or when the interest becomes apparent and shall be recorded in the minutes of the meeting.
28. Disclosure of a **personal interest** does not necessarily affect your ability to participate in discussion or vote on the relevant item. This will depend upon your individual circumstances. If the personal interest amounts to a disclosable pecuniary interest, the provisions above apply. If the personal interest is financial in nature, but does not amount to a disclosable pecuniary interest, you should not participate in the business being considered, you should leave the room after exercising any right to speak which a member of the public would have (should you wish to do so). In respect of all other personal interests, you will need to consider whether the nature of the interest is such that it may, or may be perceived to, conflict with your public duties (with regard to the latter you should ask yourself whether a member of the public, acting reasonably, would consider that the interest might influence your judgement of the public interest). If you consider, having taken advice in appropriate circumstances, that you should not participate in the business being considered, you should leave the room after exercising any right to speak which a member of the public would have (should you wish to do so).
29. You are required to disclose a "**public service interest**" at a meeting of the Authority, committee or sub-committee where you consider that interest to be relevant to an item of business being considered at that meeting. The disclosure shall be made at the commencement of the meeting, or when the interest becomes apparent, and shall be recorded in the minutes of the meeting. A "Public service interest" is a form of **personal interest** involving membership of any of the following: a public or charitable body, a body to which you have been appointed by the Authority, any political party, trade union or other body one of whose principal purposes is to influence public opinion or policy. Disclosure of a public service interest does not normally affect your ability to participate in discussion or vote on the relevant item, but this will depend on the individual circumstances and advice should be sought where the nature of the interest is such that it could amount to a disclosable pecuniary interest or a personal interest that is financial in nature or may, or may be perceived to, conflict with your public duties.

Part 3: Disclosable Pecuniary Interests

- I. The terms below have the meanings given—

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of [a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014, other than a society registered as a credit union];

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of the Authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

2. The pecuniary interests which are specified for the purposes of Chapter 7 of Part I of the Act are the interests specified in the second column of the Schedule below:

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	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.

Adopted by the South Downs National Park Authority

Date: 24 March 2016