

Comparative Table of Principles and General Conduct Obligations

LGA Model Councillor Code of Conduct	SDNPA Member Code of Conduct
General Principles	General Obligations
I act with integrity and honesty	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
I act lawfully	You must uphold the law including by not doing anything which may cause the Authority to breach Equalities Legislation
I treat all persons fairly and with respect	<p>You must treat others with respect</p> <p>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.</p> <p>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</p>
I lead by example and act in a way that secures public confidence in the role of councillor	You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or Authority into disrepute
I impartially exercise my responsibilities in the interests of the local community	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
I do not improperly seek to confer an advantage, or disadvantage, on any person	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
I avoid conflicts of interest	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

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I exercise reasonable care and diligence	<p>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</p> <p>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</p>
I ensure that public resources are used prudently in accordance with my local authority’s requirements and in the public interest	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.

Standards of Councillor Conduct – General conduct (guidance highlighted in green)	General Obligations
<p>Respect</p> <p>As a councillor:</p> <p>1.1 I treat other councillors and members of the public with respect.</p> <p>1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.</p> <p>Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.</p> <p>In your contact with the public, you should treat them politely and courteously. Rude and</p>	<p>You must treat others with respect</p> <p>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.</p> <p>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</p>

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<p>offensive behaviour lowers the public’s expectations and confidence in councillors.</p> <p>In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority’s councillor-officer protocol</p>	
<p>Bullying, harassment and discrimination</p> <p>As a councillor:</p> <p>2.1 I do not bully any person. 2.2 I do not harass any person. 2.3 I promote equalities and do not discriminate unlawfully against any person.</p> <p>The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.</p> <p>The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and Page 5 of 16 Approved 3rd 12.2020 Updated 19 January and 17 May 2021 contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.</p>	<p>You must not bully any person.</p> <p>You must not intimidate, or try to intimidate, anyone who has complained about you or who may be involved with a complaint about you.</p> <p>You must uphold the law including by not doing anything which may cause the Authority to breach Equalities Legislation.</p> <p>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.</p>

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<p>Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.</p>	
<p>Impartiality of officers of the council</p> <p>As a councillor: 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.</p> <p>Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.</p>	<p>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.</p>
<p>Confidentiality and access to information</p> <p>As a councillor: 4.1 I do not disclose information:</p> <ul style="list-style-type: none"> a. given to me in confidence by anyone b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless 	<p>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.</p> <p>You must not misuse information gained in the course of performing your role as a Member of</p>

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<p>i. I have received the consent of a person authorised to give it;</p> <p>ii. I am required by law to do so;</p> <p>iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or</p> <p>iv. the disclosure is:</p> <ol style="list-style-type: none"> 1. reasonable and in the public interest; and 2. made in good faith and in compliance with the reasonable requirements of the local authority; and 3. I have consulted the Monitoring Officer prior to its release. <p>4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.</p> <p>4.3 I do not prevent anyone from getting information that they are entitled to by law.</p> <p>Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.</p>	<p>the Authority for personal gain or political purposes.</p> <p>You must not prevent a person from gaining access to information to which they are entitled.</p>
<p>Disrepute</p> <p>As a councillor:</p> <p>5.1 I do not bring my role or local authority into disrepute.</p>	<p>You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or Authority into disrepute.</p>

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<p>As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public’s confidence in your or your local authority’s ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.</p> <p>You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.</p>	
<p>Use of position</p> <p>As a councillor: 6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.</p> <p>Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others’ private interests or to disadvantage anyone unfairly.</p>	<p>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.</p>
<p>Use of local authority resources and facilities</p> <p>As a councillor: 7.1 I do not misuse council resources.</p> <p>7.2 I will, when using the resources of the local authority or authorising their use by others:</p> <p>a. act in accordance with the local authority's requirements; and</p> <p>b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or</p>	<p>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.</p>

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<p>be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.</p> <p>You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • office support • stationery • equipment such as phones, and computers • transport • access and use of local authority buildings and rooms. <p>These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority’s own policies regarding their use.</p>	
<p>Complying with the Code of Conduct</p> <p>As a Councillor:</p> <p>8.1 I undertake Code of Conduct training provided by my local authority.</p> <p>8.2 I cooperate with any Code of Conduct investigation and/or determination.</p> <p>8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.</p> <p>8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.</p> <p>It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority’s processes</p>	<p>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.</p> <p>You must not intimidate, or try to intimidate, anyone who has complained about you or who may be involved with a complaint about you.</p>

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<p>in handling a complaint you should raise this with your Monitoring Officer.</p>	
<p>Protecting your reputation and the reputation of the local authority</p> <p>Interests</p> <p>As a councillor: 9.1 I register and disclose my interests.</p> <p>Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .</p> <p>You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.</p> <p>You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.</p> <p>Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.</p>	<p>You must comply with any statutory or administrative requirements relating to your office.</p> <p>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.</p>

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<p>Gifts and hospitality</p> <p>As a councillor:</p> <p>10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.</p> <p>10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.</p> <p>10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.</p> <p>In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.</p>	<p>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, where a gift or hospitality might reasonably appear to compromise your personal judgement or integrity or place you under an improper obligation.</p>

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