



*Alison Stuart
Head of Legal and
Democratic Services*

MEETING : STANDARDS SUB-COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 30 JANUARY 2019
TIME : 10.00 AM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE SUB-COMMITTEE

Councillors P Boylan, B Deering, T Stowe

**CONTACT OFFICER:
PETER MANNINGS
01279 502174
peter.mannings@eastherts.gov.uk**

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Public Attendance

East Herts Council welcomes public attendance at its meetings and will provide a reasonable number of agendas for viewing at the meeting. Please note that there is seating for 27 members of the public and space for a further 30 standing in the Council Chamber on a “first come first served” basis. When the Council anticipates a large attendance, an additional 30 members of the public can be accommodated in Room 27 (standing room only), again on a “first come, first served” basis, to view the meeting via webcast.

If you think a meeting you plan to attend could be very busy, you can check if the extra space will be available by emailing democraticservices@eastherts.gov.uk or calling the Council on 01279 655261 and asking to speak to Democratic Services.

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

AGENDA

1. Appointment of Chairman

To appoint a Chairman for this meeting.

2. Apologies

To receive any apologies for absence.

3. Chairman's Announcements

To receive any Chairman's announcements.

4. Declarations of Interest

5. Minutes - 26 June 2018 (Pages 7 - 10)

To approve as a correct record the Minutes of the meeting held on 26 June 2018.

6. Exclusion of the Press and Public

To move that under Section 100 (A) (4) of the Local Government Act 1972 the press and public be excluded from the meeting during the discussion of item 7 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 12A of the said Act:

It is for the Sub-Committee to determine whether or not this item should be considered in public and the report made available for public information. Until a decision is taken, please regard the report as confidential.

7. Complaint of failure to observe the Code of Conduct - Former Ware Town Councillor Jeanette Taylor (Pages 11 - 206)

8. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE
STANDARDS SUB-COMMITTEE HELD IN
THE ROOM 27, WALLFIELDS, HERTFORD
ON TUESDAY 26 JUNE 2018, AT 3.00 PM

PRESENT: Councillor B Deering (Chairman)
Councillors P Boylan and T Stowe

ALSO PRESENT:

Councillor D Andrews

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Alison Stuart	- Head of Legal and Democratic Services

ALSO IN ATTENDANCE:

Mr Nicholas Moss - Independent Person

1 APPOINTMENT OF CHAIRMAN

It was moved by Councillor P Boylan and seconded by Councillor T Stowe that Councillor B Deering be appointed Chairman of the Sub-Committee for the meeting.

RESOLVED – that Councillor B Deering be appointed Chairman of the Sub-Committee for the meeting.

2 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised of a change in membership of the Sub-Committee in that Councillor T Stowe had replaced Councillor C Woodward.

3 MINUTES - 14 FEBRUARY 2017

RESOLVED – that the Minutes of the meeting held on 14 February 2017 be approved as a correct record and signed by the Chairman.

4 EXCLUSION OF THE PRESS AND PUBLIC

With the Chairman's permission, Councillor D Andrews raised a point of order in that he considered that this Sub-Committee hearing should be heard in public due to the considerable interest in the code of conduct complaints.

Councillor T Stowe proposed and Councillor P Boylan seconded, a motion that the press and public be excluded from the meeting pursuant to Section 100(A) (4) of the Local Government Act 1972 during consideration of the business referred to in Minute 5 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the press and public be excluded from the meeting pursuant to Section

100(A) (4) of the Local Government Act 1972 during consideration of the business referred to in Minute 5 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

5 CODE OF CONDUCT COMPLAINTS

The Head of Legal and Democratic Services and Monitoring Officer submitted a report updating the Sub-Committee and providing clarity to Members on the reasons the matters remained outstanding. The Head sought recommendations from the Sub-Committee on the progression of two code of conduct complaints.

Councillor P Boylan commented on the code of complaint regarding Councillor 1 and the mediation approach that had been adopted. Members proceeded to discuss the case at length whilst receiving information and advice from the Monitoring Officer and the Independent Person.

The Sub-Committee resolved that the Monitoring Officer should write to the Investigator to seek an updated version of his report. Members agreed that the Sub-Committee should meet again within four weeks to consider the Investigator's updated report once this had been received.

The Sub-Committee noted the Investigator's final conclusion in respect of a breach of the Code of Conduct. Members considered information and advice

from the Monitoring Officer and the Independent Person.

The Sub-Committee resolved that the case regarding Councillor 2 should proceed to be considered at a full hearing of the Standards Sub-Committee on the basis that there had been a breach of the Members' Code of Conduct.

RESOLVED – that (A) in respect of Councillor 1, the Monitoring Officer write to the Investigator on the basis that the process of amicable resolution had fallen through and to seek an updated version of his report;

(B) a further meeting within 4 weeks be held to consider the Investigator's updated report once received in respect of the complaint regarding Councillor 1; and

(C) the complaint in respect of Councillor 2 should proceed to be considered at a full hearing of the Standards Sub-Committee.

The meeting closed at 4.10 pm

Chairman
Date

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Complaints Procedure

1.0 Context

- 1.1 These “Arrangements” set out how you may make a complaint that an elected or co-opted Member of this authority (or of a Town or Parish council within its area) has failed to comply with the Councillors’ Code of Conduct, and sets out how the authority will deal with allegations of a failure to comply with the Councillors’ Code of Conduct.
- 1.2 Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a Member or co-opted Member of the authority (or of a Town or Parish council within the authority’s area), or of a Committee or Sub-Committee of the authority, has failed to comply with Code of Conduct can be investigated and decisions made on such allegations.
- 1.3 Such arrangements must provide for the authority to appoint at least 1 Independent Person, whose views must be sought by the authority before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the authority at any other stage, or by a Member (or a Member or co-opted Member of a Town or Parish council) against whom an allegation has been made.

2.0 The Code of Conduct

- 2.1 The Council has adopted a Code of Conduct for Councillors, which is available for inspection on the authority’s website and on request from Reception at the Council Offices.
- 2.2 Each Town and Parish Council is also required to adopt a Code of Conduct. If you wish to inspect a Town or Parish Council’s Code of Conduct, you should inspect any website operated by the Town or Parish Council and request the Town or Parish Clerk to allow you to inspect the Town or Parish Council’s Code of Conduct.

3.0 Making a complaint

- 3.1 If you wish to make a complaint, please write or email to:

The Monitoring Officer, Head of Legal and Democratic Services,
committee.services@eastherts.gov.uk or East Herts District
Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

- 3.2 The Monitoring Officer is a senior officer of the authority who has statutory responsibility for maintaining the register of Members’ interests and who is responsible for administering the system in respect of complaints of Member misconduct.

- 3.3 In order to ensure that the Council has all the information which we need to be able to process your complaint, please complete and send us the complaint form, which can be downloaded from the authority's website, next to the Code of Conduct, and is available on request from the Reception at the Council Offices.
- 3.4 Please provide the Council with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form. The Monitoring Officer will consider your request and if granted we will not disclose your name and address to the Member against whom you make the complaint, without your prior consent.
- 3.5 The authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.
- 3.6 The Monitoring Officer will acknowledge receipt of your complaint within 5 working days of receiving it, and will keep you informed of the progress of your complaint.
- 3.7 The Complaints Procedure Flowchart is annexed at Appendix 1 for your assistance. The Council will endeavour to deal with a complaint within 3 months.

4.0 Will your complaint be investigated?

- 4.1 Where the Monitoring Officer requires additional information in order to come to a decision, he/she may come back to you for such information, and may request information from the Member against whom your complaint is directed. Where your complaint relates to a Town or Parish Councillor, the Monitoring Officer may also inform the Parish Council of your complaint and seek the views of the Town or Parish Council before submitting it to the Sub-Committee.
- 4.2 In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the Member accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the authority. Where the Member or the authority make a reasonable offer of informal resolution, but you are not willing to accept the offer, Monitoring Officer will take account of this in deciding whether the complaint merits further investigation.
- 4.3 If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police or other regulatory agencies.

5.0 How is the investigation conducted?

5.1 If the Monitoring Officer decides that a complaint merits further investigation, he may appoint an Investigating Officer, who may be another senior officer of the authority, an officer of another authority or an external investigator. The Investigating Officer will decide whether he needs to meet or speak to you to understand the nature of your complaint and so that you can explain your understanding of events and suggest what documents the Investigating Officer needs to see, and who he needs to interview.

5.2 The Investigating Officer will normally write to the Member against whom you have complained and provide him/her with a copy of your complaint, and ask the Member to provide his/her explanation of events, and to identify what documents he needs to see and who he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the complaint to the Member might prejudice the investigation, the Monitoring Officer can delete your name and from the papers given to the Member, or delay notifying the Member until the investigation has progressed sufficiently.

5.3 At the end of his/her investigation, the Investigating Officer will produce a draft report (“the Investigation Report”) and will send copies of that draft report, in confidence, to you and to the Member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration.

5.4 Having received and taken account of any comments which you may make on the draft Investigation Report. Where an Investigating Officer has been appointed the Investigating Officer will send his/her final report to the Monitoring Officer.

6.0 What happens if the Investigating Officer or Monitoring Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

6.1 If an Investigating Officer has been appointed the Monitoring Officer will review the Investigating Officer’s report and, if he is satisfied that the Investigating Officer’s report is sufficient, the Monitoring Officer will write to you and to the Member concerned and to the Town or Parish Council, where your complaint relates to a Parish Councillor, notifying you that he is satisfied that no further action is required, and give you both a copy of the Investigation Final Report. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he may ask the Investigating Officer to reconsider his/her report.

7.0 What happens if the Investigating Officer or Monitoring Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

7.1 The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for a hearing before the Standards Hearing Sub-Committee or, after consulting the Independent Person, seek local resolution.

7.1.1 Informal Resolution

The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and with you as complainant and seek to agree what you may consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the Member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the authority. If the Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Audit and Governance Committee and the Town or Parish Council for information, but will take no further action.

7.1.2 Hearing

In cases where the Monitoring Officer refers a complaint for a hearing. This will be dealt with by the Standards Hearing Sub-Committee. This is a public hearing before a panel of three Council Members.

The Monitoring Officer will conduct a "pre-hearing process", requiring the member to give his/her response to the Investigating Officer's report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing, and give pre hearing directions to help the hearing stage move forward smoothly.

At the hearing, the Investigating Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the Member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Sub-Committee. The Member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Sub-Committee as

to why he/she considers that he/she did not fail to comply with the Code of Conduct.

The Sub-Committee, with the benefit of any advice from the Independent Person and/or the Monitoring Officer, may conclude that the Member did not fail to comply with the Code of Conduct, and dismiss the complaint. If the Sub-Committee concludes that the member did fail to comply with the Code of Conduct, the Chair will inform the member of this finding and the Committee will then consider what action, if any, the Committee should take as a result of the member's failure to comply with the Code of Conduct. In doing this, the Committee will give the member an opportunity to make representations to the Committee and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter

The Council has agreed a procedure for the hearings, which is attached as Appendix one to these arrangements.

8.0 What action can the Standards Sub-Committee take where a Member has failed to comply with the Code of Conduct?

8.1 The Sub-Committee may decide to take action in respect of individual Members as may be necessary to promote and maintain high standards of conduct. Accordingly the Sub-Committee may consider:-

- 8.2 i. A formal letter to the Councillor found to have breached the code;
- ii. Formal censure by motion;
- iii. Publish its findings that a member has broken the code of conduct in respect of the member's conduct;
- iv. Report its findings to the Authority [or to the Parish Council] for information;
Advise the member's Group Leader of the finding;
Instruct the Monitoring Officer to [or recommend that the Parish Council] arrange training for the member;
Withdraw [or recommend to the Parish Council that it withdraws] facilities provided to the member by the Council, such as a computer, website and/or email and Internet access
- v. Issue a press release or other appropriate publicity;

8.3 The Sub-Committee has no power to suspend or disqualify the Member or to withdraw Members' or special responsibility allowances.

9.0 What happens at the end of the hearing?

9.1 At the end of the hearing, the Chairman will state the decision of the Standards Hearing Sub-Committee as to whether the Member failed to comply with the Code of Conduct and as to any actions which the Sub-Committee resolves to take.

- 9.2 The Monitoring Officer will prepare a formal decision notice in consultation with the Chairman of the Sub Committee, and send a copy to you, to the Member and to the Town or Parish Council, making that decision notice available for public inspection.

10.0 Who are the Standards Hearing Sub-Committee?

It is a Sub-Committee comprising three Members of the Council's Audit and Governance Committee.

10.1

The Independent Person is invited to attend all meetings of the Committee and his/her views are sought and taken into consideration before the Committee takes any decision on whether the member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

10.2

- 10.3 The Independent Person is invited to attend all meetings of the Sub-Committee and their views are sought and taken into consideration before the Sub-Committee takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

11.0 Who is the Independent Person?

- 11.1 The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post, and is appointed by a positive vote from a majority of all the Members of Council.

- 11.2 A person cannot be "independent" if he/she:

11.2.1 Is, or has been within the past 5 years, a member, co-opted member or officer of the authority;

11.2.2 *(Is or has been within the past 5 years, a member, co-opted member or officer of a parish council within the authority's area), or*

11.2.3 Is a relative or close friend, of a person within paragraph 11.2.1 or 11.2.2 above. For this purpose, a "relative" means:

11.2.3.1 Spouse or civil partner;

11.2.3.2 Living with the other person as husband and wife or as if they were civil partners;

11.2.3.3 Grandparent of the other person;

11.2.3.4 A lineal descendent of a grandparent of the other person;

11.2.3.5 A parent, sibling or child of a person

within paragraphs 11.2.3.1 or 11.2.3.2; or

11.2.3.6 A spouse or civil partner of a person within paragraphs 11.2.3.3, 11.2.3.4 or 11.2.3.5; or

11.2.3.7 Living with a person within paragraphs 11.2.3.3, 11.2.3.4 or 11.2.3.5 as husband and wife or as if they were civil partners.

12.0 Revision of these arrangements

The Council may by resolution agree to amend these arrangements, and has delegated to the Chairman of the Sub-Committee the right to depart from these arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

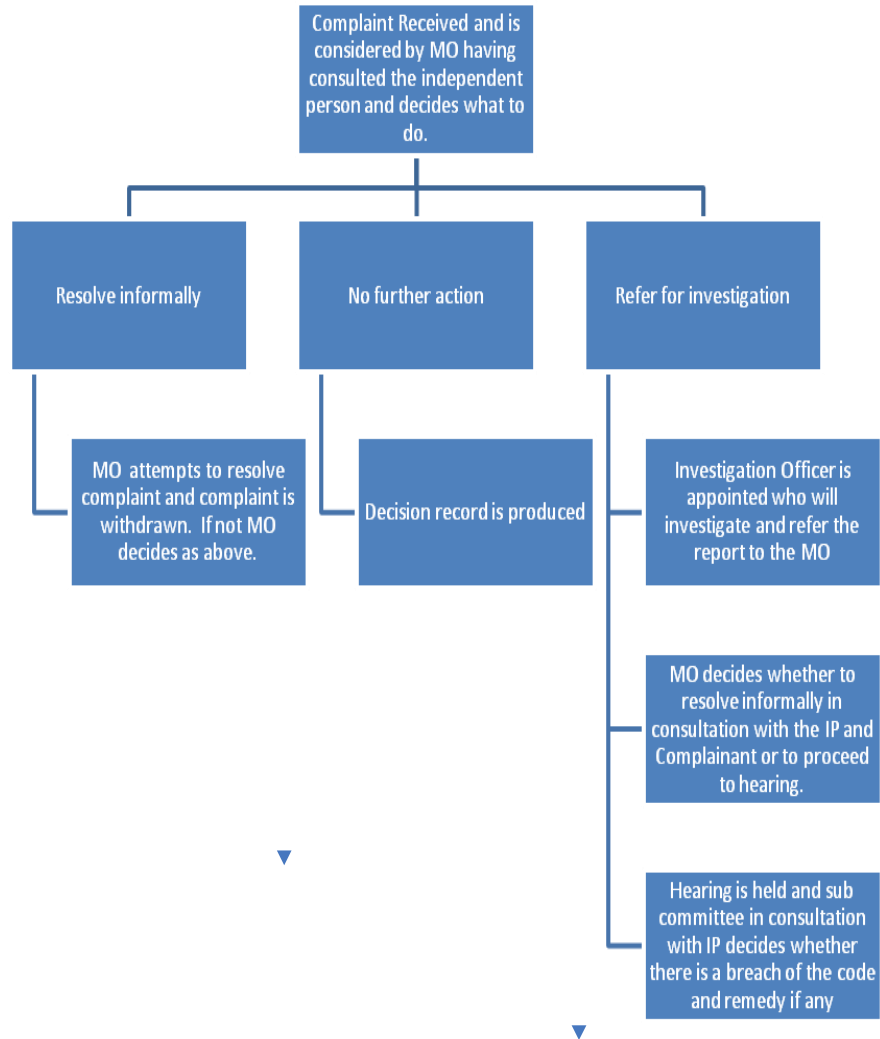
13.0 Appeals

13.1 There is no right of appeal for you as complainant or for the Member against a decision of the Monitoring Officer or of the Sub-Committee.

13.2 If you feel that the authority has failed to deal with your complaint properly, you can make a complaint to the Local Government Ombudsman.

APPENDIX 1

Complaints Procedure Flowchart



APPENDIX 2

STANDARDS COMPLAINTS ASSESSMENT CRITERIA

Complaints which would not normally be referred for investigation

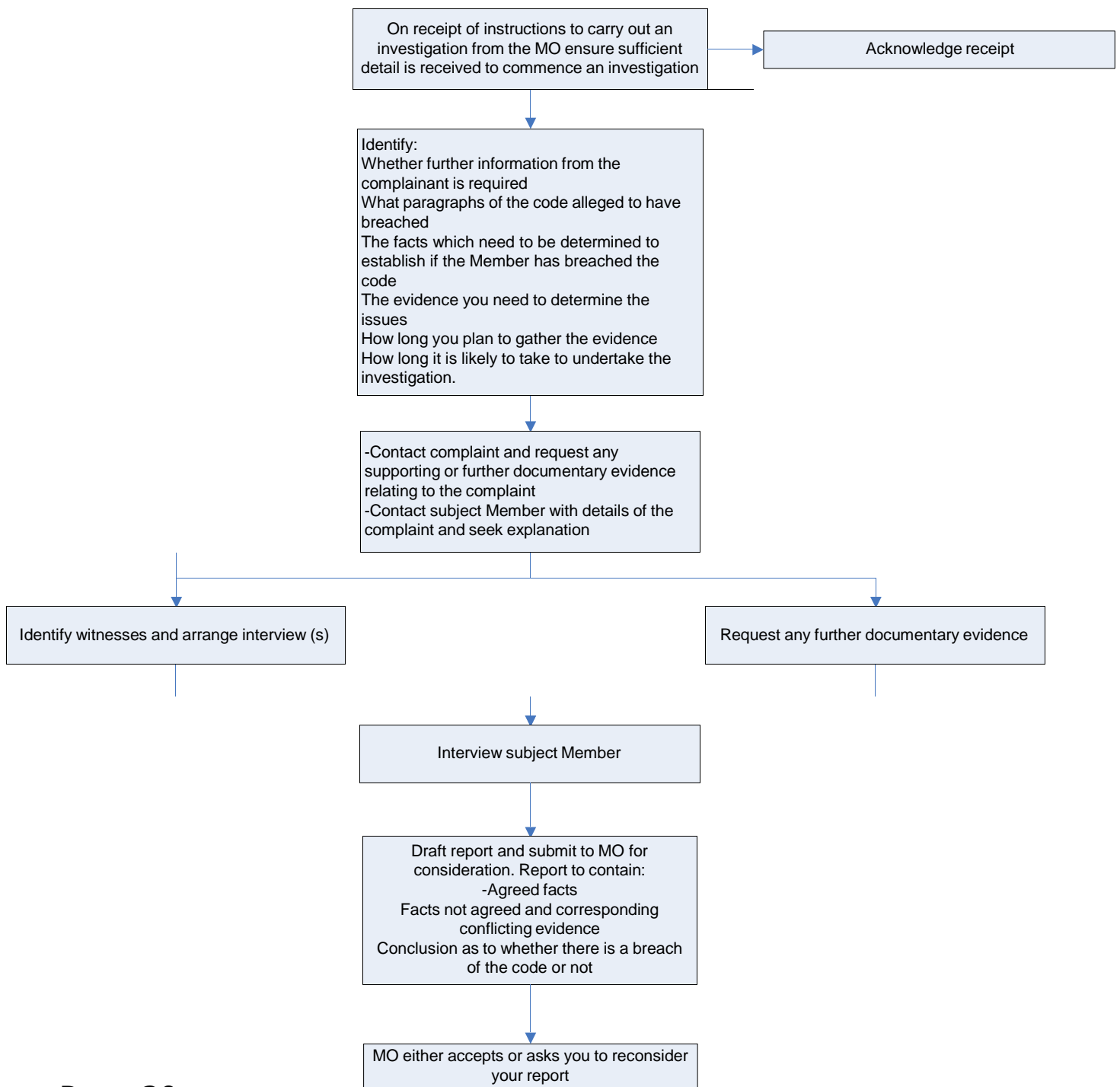
1. The complaint is not considered sufficiently serious to warrant investigation; or
2. The complaint appears to be simply motivated by malice or is “tit-for-tat”; or
3. The complaint appears to be politically motivated; or
4. It appears that there can be no breach of the Code of Conduct; for example, that it relates to the Councillor’s private life or is about dissatisfaction with a Council decision; or
5. it is about someone who is no longer a Councillor
5. There is insufficient information available for a referral; or
6. The complaint has not been received within 3 months of the alleged misconduct unless there are exceptional circumstances e.g. allegation of bullying, harassment etc.
7. The matter occurred so long ago that it would be difficult for a fair investigation to be carried out; or
8. The same, or similar, complaint has already been investigated and there is nothing further to be gained by seeking the sanctions available to the Council; or
9. It is an anonymous complaint, unless it includes sufficient documentary evidence to show a significant breach of the Code of Conduct.
10. Where the Member complained of has apologised and/or admitted making an error and the matter would not warrant a more serious sanction

APPENDIX 3

STANDARDS COMPLAINTS INVESTIGATION PROCEDURE

You should maintain a written record to demonstrate what was considered at the start of each investigation and plan how you intend to carry out the investigation, the paragraphs of the code that may have been breached, the facts you need to determine to establish, the evidence you will need, how you plan to gather the evidence and how long it will take to conclude your investigation. Remember there is no provision in the Localism Act 2011 for co-operation with your investigation.

A written Investigation Report will need to be prepared for consideration by the Council's Monitoring Officer.



Appendix 4

Complaints Standards Sub-Committee Procedure

**Item
No**
1

Procedure

Quorum

- 1.1. Three Members must be present throughout the hearing to form a quorum.

The Sub-Committee shall elect a Chairman for the meeting

2

Opening

- 2.1 The Chairman explains the procedure for the hearing and reminds all parties to turn off mobile phones.
- 2.2 The Chairman asks all present to introduce themselves
- 2.3 The Councillor will be asked whether they wish to briefly outline their position

3

The Complaint

- 3.1 The Investigating Officer shall be invited to present their report including any documentary evidence or other material (and to call witnesses as required by the Investigating Officer). This report and documentary evidence must be based on the complaint made to the Council – no new points will be allowed.
- 3.2 The Councillor against whom the complaint has been made (or their representative) may question the Investigating Officer upon the content of their report and any witnesses called by the Investigating Officer. (This is the Councillor's opportunity to ask questions arising from the Investigator's report and not to make a statement)

4

The Councillor's case

- 4.1 The Councillor against whom the complaint has been made (or their representative) may present their case (and call any witnesses as required by the Councillor or their representative)

	4.2	The Investigating Officer may question the Councillor and/or any witnesses
	4.3	Members of the Sub-Committee may question the Member and/or any witnesses
5	<u>Summing Up</u>	
	5.1	The Investigating Officer may sum up the Complaint
	5.2	The Member (or their representative) may sum up their case.

6 **Decision**

- 6.1 Members of the Sub-Committee will deliberate in private to consider the complaint in consultation with the Independent Person prior to reaching a decision. The sub-committee can request that the Monitoring Officer joins them to advise them on procedure and law. If they do so the sub-committee chairman will explain the nature of the advice sought in public when the sub-committee returns.
- 6.2 Upon the Sub-Committee's return the Chairman will announce the Sub-Committee's decision in the following terms:-
 - 6.2.1 The Sub-Committee decides that the Member has failed to follow the Code of Conduct or
 - 6.2.2 The Sub-Committee decides that the Member has not failed to follow the Code of Conduct
 - 6.2.3 The Sub-Committee will give reasons for their decision
- 6.3 If the Sub-Committee decides that the Member has failed to follow the Code of Conduct the Panel will consider any representations from the Investigator and/or the Member as to:
 - 6.3.1 Whether any action should be taken and
 - 6.3.2 What form any action should take

The Sub-Committee will then deliberate in private to consider what action if any should be taken in consultation with the Independent Person. The sub-committee can request that the Monitoring Officer joins them to advise them on procedure and law. If they do so the sub-committee chairman will explain the nature of the advice sought in public when the sub-committee returns.

- 6.5 On the Sub-Committee's return the Chairman will announce the Sub-Committee's decision (in relation to a Parish Councillor a recommendation to the Parish Council)
- 6.6 The Sub-Committee will consider whether it should make any recommendations to the Council or in relation to a Parish Councillor to the Parish Council with a view to promoting high standards of conduct among Members.

WARE TOWN COUNCIL

Code of Conduct

As a member or co-opted member of Ware Town Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

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.

The Act further provides for registration and disclosure of interests and in Ware Town Council this will be done as follows:

INTERESTS

1 General

A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:

- (a) must not participate in any discussion of the matter at the meeting;
- (b) must not participate in any vote taken on the matter at the meeting;
- (c) must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
- (d) if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
- (e) must leave the room while any discussion or voting takes place.

2 Register of interests

Any interests notified to the Monitoring Officer will be included in the register of interests.

A copy of the register will be available for public inspection and will be published on the authority's website.

3 Sensitive interests

Where you consider that disclosure of the details an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are

made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.

OTHER

As a Member of Ware Town Council, my conduct will in particular address the statutory principles of the code of conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the Authority's area or the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it

- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

Adopted at a meeting of Ware Town Council on 2 July 2012

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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