



## **Salesbury Parish Council's Councillor Code of Conduct**

(Based on Local Government Association Model Code of Conduct 2020)

### **Overview**

The role of Councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as Councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual Councillor affects the reputation of all Councillors. We want the role of Councillor to be one that is open, accessible and encourages individuals from a range of ages, backgrounds and circumstances to put themselves forward to become Councillors.

As Councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a Councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

### **Introduction**

The Local Government Association (LGA) developed a Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. We have used their template to develop this document.

All Councils are required to have a local Councillor Code of Conduct.

Salesbury Parish Council will undertake a regular review of this Code to ensure it continues to be fit- for- purpose, incorporating advances in technology, social media and changes in legislation.

### **Definitions**

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of Salesbury Parish Council.

A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who;

a) is a member of any committee or sub-committee of the authority, or;

b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority; and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes County Councils, District/Borough Councils, London Borough Councils, Parish Councils, Town Councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

## **Purpose of the Code of Conduct**

The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

This Code of Conduct is to assist Councillors in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against them. It is also to protect the public, fellow Councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and their specific obligations in relation to standards of conduct.

In line with the LGA, Salesbury Parish Council will, where practicable, use support, training and mediation prior to action being taken using the Code.

## **General principles of Councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles. (See Appendix A)

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

Table 1: Nolan Principles for Councillors

In accordance with the public trust placed in me as a Councillor, on all occasions:

- I act with integrity and honesty;
- I act lawfully;
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of Councillor.

In undertaking my role as a Councillor:

- I exercise my responsibilities impartially in the interests of the local community;
- I do not improperly seek to confer an advantage, or disadvantage, on any person;
- I avoid conflicts of interest;
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority’s requirements and in the public interest.

## **The Following Sections Are Aimed At Salesbury Parish Councillors**

### **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you misuse your position as a Councillor or your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings;
- at online or telephone meetings;
- in written communication;
- in verbal communication;
- in non-verbal communication; and
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

You are encouraged to seek advice from the Clerk on any matters that may relate to the Code of Conduct. The Clerk may subsequently refer matters to Ribble Valley Borough Council Monitoring Officer, who has statutory responsibility for the implementation of the Code of Conduct.

### **Standards of Councillor conduct**

This section sets out the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

## **General Conduct**

### **1. Respect**

As a Councillor:

- 1.1 I treat other Councillors and members of the public with respect.
- 1.2 I treat Salesbury Parish Council employees, contractors, local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect for both the individual and for the role they play.

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.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors. 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, correspondence or interaction with them, (whether in person, by mail, telephone, online or other digital means) and report the matter to both the Chair and Clerk of Salesbury Parish Council. Where appropriate, Salesbury Parish Council will support you to report the matter to an appropriate local authority, the relevant social media provider and/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).

## **2. Bullying, harassment and discrimination**

As a Councillor:

- 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.

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 mail, emails or phone calls; happen in the workplace or at work social events and may not always be obvious or noticed by others.

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 contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

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. (see also Appendix D)

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.

### **3. Impartiality of Council officers**

As a Councillor:

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of Salesbury Parish Council or any other local authority.

Officers working for Salesbury Parish Council or any other local authority must be politically neutral (unless they are political assistants). They must 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.

### **4. Confidentiality and access to information**

As a Councillor:

- 4.1 I do not disclose any information:

- 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;
  - i. I have received the consent of a person authorised to give it; or
  - ii. I am required by law to do so; or
  - iii. the disclosure is made to a third party for the sole purpose of obtaining professional legal advice, provided that the third party agrees not to disclose the information to any other person; or
  - iv. the disclosure is:
    - a. reasonable and in the public interest; and
    - b. made in good faith and in compliance with the reasonable requirements of the local authority; and
    - c. I have consulted the Clerk prior to its release.

- 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.

- 4.3 I do not prevent anyone from getting information that they are entitled to by law.

Salesbury Parish Council works openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should also work on this basis, however there will be times when it is required by law that discussions, documents and other information relating to or held by Salesbury Parish Council must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

### **5. Disrepute**

As a Councillor:

- 5.1 I do not bring my role or Salesbury Parish Council into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community. 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 Salesbury Parish Council and may lower the public's confidence in your or Salesbury Parish Council's ability to discharge your/its functions.

You are able to hold both Salesbury Parish Council 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.

## **6. Use of position**

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.

Your position as a member of Salesbury Parish Council 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.

## **7. Use of Salesbury Parish Council & other local authority resources and facilities**

As a Councillor:

7.1 I do not misuse Council resources.

7.2 I will, when using Council resources or authorising their use by others, act in accordance with the Council's requirements and ensure that such resources are not used for political purposes.

You may be provided with resources and facilities by Salesbury Parish Council to assist you in carrying out your duties as a Councillor, such as office support, stationery, equipment such as phones, and computers, transport and/or access and use of local authority buildings and rooms.

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.

## **8. Complying with the Code of Conduct**

As a Councillor:

8.1 I undertake any Code of Conduct training provided by Salesbury Parish Council or Ribble Valley Borough Council.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

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.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

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 Salesbury Parish Council or its governance. If you do not understand or are concerned about Salesbury Parish Council's processes in handling a complaint you should raise this with the Chair or Clerk.

## **9. Interests**

As a Councillor:

9.1 I register and disclose my interests.

In accordance with Section 29 of the Localism Act 2011 the Clerk will maintain a 'Register of interests' of members of Salesbury Parish Council.

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.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from the Clerk.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Appendix B Table 1, is a criminal offence under the Localism Act 2011.

## **10. Gifts and hospitality**

As a Councillor:

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 Salesbury Parish Council, Ribbles Valley Borough Council or Lancashire County Council or from persons who may apply to these authorities for any permission, licence or other significant advantage.

10.2 I register with the Clerk any gift or hospitality with an estimated value of at least £20 within 28 days of its receipt.

10.3 I register with the Clerk any significant gift or hospitality that I have been offered but have refused to or am yet to accept.

In order to protect your position and the reputation of Salesbury Parish Council, you should exercise caution in accepting any gifts or hospitality which are or which you or anyone else could reasonably believe to be offered to you because you are a Councillor. The presumption should always be not to accept gifts or hospitality. It is understood there may be times when such a refusal may be

difficult e.g. if it is seen as rude not to accept, in which case you could accept but must ensure the gift or hospitality is publicly registered as soon as possible.

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 whether or not to accept and/or register a gift or hospitality, you must contact your Clerk for guidance.

Date of Document 25/01/2021

## **REVIEWS**

**January 22** – deferred to May 2022

### **May 22**

- Minor changes to ensure gender neutral terminology
- Minor changes to formatting and correction of typos

### **February 2025**

- Minor changes to formatting in line with other policies
- Respect 1.2 – inclusion of contractors
- Complying with Code of Conduct 8.2 – inclusion of RVBC

This policy should be reviewed on an annual basis or when LGA changes their template



## **APPENDIX A**

### **THE SEVEN PRINCIPLES OF PUBLIC LIFE (NOLAN PRINCIPLES)**

The principles are:

#### **Selflessness**

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

#### **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 disclose and resolve any interests and relationships.

#### **Objectivity**

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

#### **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.

#### **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.

#### **Honesty**

Holders of public office should be truthful.

#### **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.

## APPENDIX B

### **REGISTERING INTERESTS**

Within 28 days of becoming a member or of your re-election or re-appointment to office, you must register with the Clerk the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012".

You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

#### Definitions

"**Disclosable** Pecuniary Interest" means an interest of yourself or of your partner (if you are aware of your partner's interest) within the descriptions set out in Table 1 below.

"**Partner**" means a spouse or civil partner, or a person with whom you are living as husband, wife or civil partner, regardless of sex or gender.

A "**Sensitive Interest**" is as an interest which, if disclosed, could lead to you, or a person connected with you, being subject to violence or intimidation.

#### General

1. You must ensure that your register of interests is kept up-to-date and must notify the Clerk within 28 days of becoming aware of any new interest or of any change to a registered interest.

2. Where you have a 'sensitive interest' you must notify the Clerk with the reason(s) why you believe it is a sensitive interest. If the Clerk agrees they will withhold the interest from the public register.

#### **Non-participation in case of disclosable pecuniary interest**

3. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1 (below); you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

In limited circumstances a dispensation may be granted to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

4. Where you have a Disclosable Pecuniary Interest on a matter to be considered or is being considered by you as part of a sub-committee, working party or when executing a delegated power, you must notify the Clerk of the interest and must not take further steps in the matter apart from arranging for someone else to deal with the matter

#### **Disclosure of Other Registerable Interests**

5. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests as set out in Table 2 (below), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting, but otherwise you must not take part in any

discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

### **Disclosure of Non-Registerable Interests**

6. Where a matter arises at a meeting which directly relates to your financial interest or well-being (but is not a Disclosable Pecuniary Interest as set out in Table 1) or to the financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting, but otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

7. Where a matter arises at a meeting which affects
- a. your own financial interest and/or well-being; **or**
  - b. a financial interest and/or well-being of a friend, relative or close associate; **or**
  - c. a body included in those you need to disclose under Disclosable Pecuniary Interests (as set out in Table 1)

then you must disclose the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following tests should be applied.

8. Where a matter affects your financial interest or well-being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the parish ; **and**
  - b. a reasonable member of the public, knowing all the facts, would believe that the matter would affect your view of the wider public interest

then you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

9. Where you have a personal interest in any business of Salesbury Parish Council and you have made an executive decision in relation to that business, you must make sure that a written statement of that decision is made as soon as possible and passed to the Clerk.

The statement should record:

- your name;
- the date on which the decision was made;
- details of the decision;
- the reason why the decision could not be passed to another Councillor or group of Councillors; and
- the existence and nature of your interest.

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the

Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

<b>Subject</b>	<b>Description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. Any unpaid directorship.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses. 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 made between the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council (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 and Property	Any beneficial interest in land which is within the area of the Council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer
Corporate tenancies	Any tenancy where (to the Councillor's knowledge)— (a) the landlord is the Council; and (b) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the Councillor's knowledge) has a place of business or land in the area of the Council; and (b) either—

	<p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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 Councillor, or his/ her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>
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\* 'director' includes a member of the committee of management of an industrial and provident society.

\* '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.

## **Table 2: Other Registerable Interests**

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
  - (i) exercising functions of a public nature
  - (ii) any body directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

## APPENDIX C

### **The Committee on Standards in Public Life (published by LGA)**

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on Local Government Ethical Standards. If the Government chooses to implement any of report's recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring Councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by Councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both Councillors and the public, in a prominent position on a Council's website and available in Council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation of an allegation and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the

Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish Councillor towards a Clerk should be made by the Chair or by the parish Council, rather than the Clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish Councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

## **APPENDIX D**

### **Definitions of Protected Characteristics taken from the Equality Act 2010**

#### **Disability**

A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

#### **Gender reassignment**

The process of transitioning from one gender to another.

#### **Marriage and civil partnership**

Marriage is a union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

#### **Pregnancy and maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

#### **Race**

Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

#### **Religion and belief**

Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

#### **Sex**

A man or a woman.

#### **Sexual orientation**

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

#### **Further information available from**

UK Government Legislation -

<https://www.legislation.gov.uk/ukpga/2010/15/section/4>

Equality & Human Rights Commission -

<https://www.equalityhumanrights.com/en>

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