



CODE OF CONDUCT

Adopted by Full Council 25th September 2024 Revision Date: September 2027

FOR MEMBERS AND CO-OPTED MEMBERS OF THE MILLOM TOWN COUNCIL

1. Millom Town Council ("The Council") has adopted the following code dealing with the conduct that is expected of members and co-opted members of the Council ("Members") when they are acting in that capacity as required by section 27 of the Localism Act 2011 ("the Act").
2. The Council has a statutory duty under the Act to promote and maintain high standards of conduct by Members and the Code sets out the standards that the Council expects Members to observe.
3. The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.
4. The code is intended to be consistent with the seven principles as attached to this code and applies whenever a person is acting in his/her capacity as a Member of the Council or co-opted member in the conduct of the Council's business or acting as a representative of the Council.
5. When acting in your capacity as a member
 - (1) You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend, a close associate, an employer or a business carried on by you.
 - (2) You must not place yourself under a financial or other obligation to outside individuals or organisations that may influence you in the performance of your official duties.
 - (3) Unless legal issues are involved, you must not disclose any information given to you as a member in breach of any confidence.
 - (4) You must not bring your office or your Council into disrepute.
 - (5) You must treat others with respect and promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability. You

should respect the impartiality and integrity of the Council's statutory officers and its other employees.

- (6) When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits on merit.
- (7) You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
- (8) You must be as open as possible about your decisions and actions and the decisions and actions of your Council and should be prepared to give reasons for those decisions and actions.
- (9) You must declare any private interests, both disclosable pecuniary interests and any other registrable interests, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner which conforms with the procedures set out below.
- (10) You must ensure, when using or authorising the use by others of the resources of your Council, that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Council Code of Publicity made under the Local Government Act 1986.
- (11) You must promote and support high standards of conduct when serving in your office.

Registering and declaring disclosable pecuniary and other registrable interests

- a) You must, within 28 days of taking office as a member or co-opted member, notify your Council's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partners, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners. These interests and those at (2) below are shown attached to this code.
- b) In addition, you must, within 28 days of taking office as a member or co-opted member, notify your Council's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which your Council has decided should be included in the register.
- c) If an interest has not been entered onto the Council's register, then the member must disclose the interest to any meeting of the Council at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest' as described by the Localism Act 2011.
- d) Following any disclosure of an interest not on the Council's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

- e) Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your Council.

SEVEN GENERAL PRINCIPLES OF CONDUCT

All Councillors should uphold the Seven Principles of Public Life, also known as the Nolan Principles¹. Building on these principles, the following general principles have been developed for the role of Councillor.

Selflessness

1. 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

2. 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

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

Accountability

4. 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

5. Holders of public office should be as open as possible about 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

6. 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

7. Holders of public office should promote and support these principles by leadership and by example and should act in a way that secures or preserves public confidence.

¹ Appendix I

OTHER REGISTRABLE INTERESTS

DISCLOSABLE PECUNIARY INTERESTS (as defined by regulations)

1. Details of any employment, office, trade, profession or vocation carried on for profit or gain.
2. Details of any payment or provision of any other financial benefit (other than from the relevant Council) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. (This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
3. Details of any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant 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.
4. Details of any beneficial interest in land which is within the area of the relevant Council.
5. Details of any licence (alone or jointly with others) to occupy land in the area of the relevant Council for a month or longer.
6. Details of any tenancy where (to M's knowledge) –
 - (a) The landlord is the relevant Council; and
 - (b) The tenant is a body in which the relevant person has a beneficial interest.
7. Details of any beneficial interest in securities of a body where
 - (a) That body (to M's knowledge) has a place of business or land in the area of the relevant Council; and
 - (b) Either –
 - (i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - (ii) If that share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

OTHER REGISTRABLE INTERESTS

These interests are what the Council has determined should be entered into the Council's register of interests

8. Details of any body of which you are a member, or in a position of general control or management, and to which you are appointed or nominated to by the District Council.
9. Details of any body of which you are a member, or in a position of general control or management, and which_

- (a) Exercises function of a public nature.
 - (b) Is directed towards charitable purposes; or
 - (c) Is a body which includes as one of its principal purposes influencing public opinion or policy (this includes political parties or trade unions).
10. Details of any persons from whom you have received a gift or hospitality with an estimated value of at least £50. (You must register any gifts or hospitality worth £50 or over that you receive personally in connection with your official duties).

Signed: Chair Dated: 25th September 2024

Appendix 1 – Standards of Conduct for Millom Town Councillors

Purpose of Conduct for Millom Town Councillors:

The purpose of the Standards of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, Millom Town Councillor members and employees.

General Principles of Councillor conduct:

All Councillors should uphold the Seven Principles of Public Life, also known as the 7 Nolan Principles. Building on these principles, the following general principles have been developed for the role of Millom Town Councillors.

In undertaking and understanding your role:

- You must impartially exercise your responsibilities within the interest of Millom Town Council
- Do not improperly seek to confer an advantage, or disadvantage on any person
- Avoid conflicts of interest
- Not make inappropriate comments to other members or external agencies regarding Millom Town Council as an entity or individual councillors/employees of Millom Town Council
- You will adhere to and support fully any collective decision made by the Millom Town Council even if it is not your personal view
- You will commit to attending Millom Town Council meetings except in exceptional circumstances and recognise that if you do not attend 6-consecutive meetings you will be asked to step down from the role of a Millom Town Councillor unless there are legitimate reasons for non-attendance.
- Exercise reasonable care and diligence; and
- Ensure that Millom Town Council resources are used prudently.

Applications of the Standards of Conduct Policy:

This Standards of Conduct Policy applies to you as soon as you sign your Millom Town Council Acceptance of Office form until you cease to be a councillor.

This policy applies to you when you are acting in your capacity as a Councillor of Millom Town Council which includes when your actions give the impression with knowledge of all the facts that you are acting as a Millom Town Councillor.

The policy 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
- In electronic and social media communication, posts, statements and comments.

Standards of Conduct:

You are also expected to uphold high standards of conduct at all times when acting as a Millom Town Councillor.

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

GENERAL CONDUCT:

1. RESPECT

- 1.1 As a Millom Town Council Councillor, you must treat other Councillors, employees and members of the public with respect.
- 1.2 Treat representatives of partner organisations and member councils with respect and the respect the role that 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 discussion.

As a Millom Town 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 or undermine their position.

In your contact with member councillors, you should treat them politely and courteously. Rude and offensive behaviour lowers member's expectations and confidence in Millom Town Council Councillors. In return, you have a right to expect respectful behaviour from other members of Millom Town Council. If other members or employees of Millom Town Council are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online.

2. BULLYING, HARASSMENT AND DISCRIMINATION

As a Millom Town Councillor:

- 2.1 You do not bully any person
- 2.2 You do not harass any person
- 2.3 You promise to 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 mean 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 virtual meetings, 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 be repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause 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 here 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.

3. IMPARTIALITY OF MILLOM TOWN COUNCILLOR

As a Millom Town Councillor you should:

- 3.1 Not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of Millom Town Council. Members of Millom Town Council or Employees of Millom Town Council must be neutral and impartial. They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question employees in order to understand, for example, their reasons for proposing to act in a particular way or the content of a report that they may 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 & ACCESS TO INFORMATION AS A COUNCILLOR OF MILLOM TOWN COUNCIL

4.1 Do not disclose information:

- 4.1.1 given to you in confidence by anyone
- 4.1.2 acquired by yourself which you believe, or ought reasonably to be aware, is of a confidential nature, unless:
 - a) have received the consent of a person authorised to give it
 - b) required by law to do so
 - c) 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
- 4.2 You do not improperly use knowledge gained solely as a result of your role as a Millom Town Councillor for the advancement of yourself, your friends, your family members, your employer or any business interests.
- 4.2 You do not prevent anyone from getting information that they are entitled to by law. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. DISREPUTE

As a Millom Town Councillor:

- 5.1.1 Do not bring your role of councillor into disrepute

As a Millom Town Councillor, your actions and behaviour are subject to grater scrutiny. You should be aware that your actions might have an adverse impact on you, other members of the Millom Town Council and may lower confidence in Millom Town Council. For example, your behaviour that is considered dishonest and/or deceitful can bring Millom Town Council into disrepute.

6. USE OF POSITION

As a Millom Town Councillor

- 6.1 Must not use, or attempt to use, your position improperly to the advantage or disadvantage to yourself or anyone else. Your position as a Millom Town Council Councillor provides you with certain responsibilities and you make choices all the time that will impact others. However, you should not take advantage of your role as Councillor to further your own or others' private interests or to disadvantage anyone unfairly.

7. USE OF MILLOM TOWN COUNCIL RESOURCES

As a Millom Town Councillor:

- 7.1 Do not misuse Millom Town Council's resources and will when using the resources of Millom Town Council
 - 7.2.1 Act in accordance with Millom Town Council's requirements; and
 - 7.2.2 ensure that such resources are not used for personal gain

8. COMPLYING WITH THE STANDARDS OF CONDUCT POLICY

As a Millom Town Councillor

- 8.1 undertake training provided by Millom Town Council
- 8.2 Co-operate with any Standards of Conduct investigation and/or determination
- 8.3 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 Comply with any sanction imposed on you following a finding that you have breached the Standards of Conduct Policy

It is extremely important for you as a Millom Town Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you to not to undermine trust in Millom Town Council or its governance. If you do not understand or are concerned with Millom Town Council's process in handling a complaint you should raise this with the Chair of Millom Town Council to protect your reputation and the reputation of Millom Town Council.

9. GIFTS AND HOSPITALITY

As a Millom Town Councillor

- 9.1 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 your part to show favour from persons seeking to acquire, develop or do business with Millom Town Council.

In order to protect your position and the reputation of Millom Town Council you should exercise in caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Millom Town Councillor. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Millom Town Councillor