

COPYTHORNE PARISH COUNCIL MEETING – TUESDAY NOVEMBER 8TH 2022

Agenda item 9 – To receive and approve a revised Councillors Code of Conduct

BACKGROUND

At the Personnel & Governance Advisory Committee meeting on October 17th 2022 a report was presented on the updated Code of Conduct that had been published by the Local Government Association (“LGA”) in December 2020 following a recommendation by the Committee for Standards in Public Life. NALC endorsed the new Code and withdrew its own 2018 Code of Conduct template upon which our Code of Conduct is based.

The guidance (<https://www.local.gov.uk/publications/guidance-local-governmentassociation-model-councillor-code-conduct>) to accompany the Code was issued by the LGA in July 2021 after consultation with NALC and other sector bodies.

Since development of the LGA Code of Conduct NALC has been working with One Voice Wales, SLCC and various County ALC's on a Civility and Respect Project along with a Civility and Respect Pledge. This pledge was drawn up as a response to growing concerns about the impact bullying, harassment, and intimidation is having on local (parish and town) councils, councillors, clerks and council staff.

NALC has recommended that all local councils adopt the LGA Code of Conduct.

A copy of the code is attached as Appendix A to this report.

Details of the Civility and Respect Pledge are attached as Appendix B to this report

CURRENT POSITION

At the Personnel & Governance Advisory Committee meeting on October 17th 2022 the following recommendations were approved:-

1. That the Personnel & Governance Advisory Committee recommends to Council the adoption of the LGA Code of Conduct to replace the existing Code of Conduct adopted by the Council on September 8th 2020.
2. That, subject to the approval of recommendation 1 and in turn the adoption by the Council of the LGA Code of Conduct, the Personnel & Governance Advisory Committee considers at its next meeting recommending to Council that Council adopts the Civility and Respect Pledge.

RECOMMENDATION TO COUNCIL

That Council notes the above recommendations approved by the Personnel & Governance Advisory Committee and agrees to adopt the LGA Code of Conduct (Appendix A) to replace the existing Code of Conduct adopted by the Council on September 8th 2020.

Steve Herra
Chairman, Personnel & Governance Advisory Committee
October 21st 2022

APPENDIX A

Local Government Association - Model Councillor Code of Conduct 2020

Sixteen pages follow

Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

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 behaviors 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 people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting 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) has developed this 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. It is a template for councils to adopt in whole and/or with local amendments.

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

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. 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 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 purpose of this Code 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, 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 your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

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.

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

In accordance with the public trust placed in me, 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:

- I impartially exercise my responsibilities 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.

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 are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- 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
- 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.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Standards of councillor conduct

This section sets out your obligations, which are 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 local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect 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 or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

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 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.

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 officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose 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;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

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.

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

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

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 the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

- 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 and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

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 the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

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.

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

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

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 the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

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 your re-election or re-appointment to office you must register with the Monitoring Officer 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)**.

“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 or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, 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. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), 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 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.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a 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. 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.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

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

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

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.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

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](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the 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— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
--	--

* '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 Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) 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)
- of which you are a member or in a position of general control or management

Appendix C – the Committee on Standards in Public Life

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 the 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 on 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 B

Civility & Respect Project Latest newsletter – Four Pages

Civility & Respect – One Page

CIVILITY AND RESPECT PROJECT



IN COLLABORATION WITH SLCC, NALC, OVW, COUNTY ASSOCIATIONS

ISSUE 4 | AUGUST 2022

SIGN UP TO THE CIVILITY AND RESPECT PLEDGE

It is evident the vast majority of councillors and officers want to maintain the highest standards of conduct at their council, but unfortunately there are still too many examples of poor behaviour across our sector.

In councils where councillors, the clerk, and staff work in harmony, considerable benefits are provided for the local community and there are many excellent examples of this.

Unfortunately, as we know only too well in our sector there is, and has been a problem with lack of civility and respect in some councils, leading to bullying and harassment. Although this is in the minority it is nonetheless significant and can have a serious detrimental impact on the well-being of those involved, the functionality and finances of the council, as well as the local community.

There is no place for bullying, harassment, and intimidation within our sector and signing up to the Civility and Respect Pledge is one of the ways a council can demonstrate that it is committed to standing up to poor behaviour across our sector, and to demonstrate positive changes which support civil and respectful conduct.

By signing the pledge, your council is agreeing that it will treat councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers with civility and respect in their roles, and it:

- Has put in place a training programme for councillors and staff
- Has signed up to the Code of Conduct for councillors
- Has good governance arrangements in place including staff contracts and a dignity at work policy
- Will seek professional help at early stages should civility and respect issues arise
- Will commit to calling out bullying and harassment if and when it happens
- Will continue to learn from best practice in the sector and aspire to being a role model/champion council
- Supports the continued lobbying for change in legislation to support civility and respect, including sanctions for elected members where appropriate

We invite all councils to include an agenda item to review the statements and sign up to the Civility and Respect Pledge. Click to take the pledge: [SLCC](#) | [NALC](#).

There is also an [example agenda item for the pledge to assist you](#).



WELCOME TO THE CIVILITY AND RESPECT PROJECT NEWSLETTER

PROJECT UPDATE

We have started to deliver against the objectives set out at the start of the project.

There is now a bespoke training offering to support you, enhance your skills and confidence to handle incivility, disrespect, and poor behaviour. We are also delighted to announce the launch of 'The Pledge' to help your council encourage the right behaviours, stamp out bullying, and demonstrate high standards of conduct.

We are inviting all councils to please take the pledge.



CIVILITY AND RESPECT TRAINING



One of the key aims of the project is to deliver training packages to support councillors, clerks, and employees who are experiencing difficulties with bullying and harassment. We have worked with key partners to create a brand-new series of workshops and are delighted to share the first range of this training with you. The cost for attendance will be supplemented by the project, with a 50% discount being offered until the end of 2022. If we have a high demand for places, we will schedule additional dates (the workshops are delivered virtually).

Breakthrough Communications are experts in the field of training for local councils. They have created a **suite of bespoke workshops and resource packs** for local council clerks, officers, and councillors as part of the Civility and Respect Project.



Each package comprises useful guides and custom-designed toolkits as well as access to on-demand and live virtual training events.

Separate packages have been designed for clerks/officers and councillors, click on the titles below to book your place.

****Resilience and Emotional Intelligence - What it means in practice for clerks and council officers****

Delegate fee £30

The learning content, live workshop, and toolkits will enable participants to develop a better understanding of where our behaviour comes from, consider what resilience means for us in the context of our different local council roles, and will provide an opportunity to explore role-focused scenarios and how we might respond to those different scenarios. We'll consider strategies to manage and deal with different situations effectively, and provide guidelines and suggestions, based on worked-through scenarios. We'll also lead the user through a set of exercises, input, and self-reflection, as well as providing a useful resource pack for building your own resilience and emotional intelligence.

****Leadership in Challenging Situations - Dealing with challenging situations and working with others effectively****

Delegate fee £30

The learning content, live workshop, and toolkits will enable participants to deal with a range of role-focused challenging situations, as well as exploring how we can work with others more effectively. We will consider different leadership styles and approaches in the context of your role, exploring which styles we personally 'default' to and which styles can work effectively for different situations. We will explore scenarios of challenging situations we might face, and discuss how we might deal with these effectively and appropriately. We'll also consider how to build, support, and get the most from an effective and motivated team.

****Respectful Social Media — How to deal with attacks and negative engagement****

Delegate fee £30

The learning content, live workshop, and toolkits will enable participants to explore different methods and strategies for dealing with negative attacks on social media and ways in which you can keep control of social media output. We will consider how we come across on social media as councils, as well as individually, what our personal 'digital tone of voice' sounds like, explore our use of language and its role in positive two-way communication, as well as discussing the type of content we can post on social media depending on our role. For councillors, we will provide suggested social media dos and don'ts and how to be effective on social media, whilst bearing in mind issues around the Code of Conduct. For clerks and officers will explore how the council can de-mystify the role of the council and showcase its people in order to help pre-emptively deal with negative engagement and attacks.

Personal development themed comedian, intuitive catalyst, speaker, author and communications specialist, Becky Walsh has been turning the dry world of self-development on its head with a down-to-earth, uniquely funny style for over two decades. She has created these civility and respect themed webinars to support some of the key issues faced by our sector.



****Civility and respect — Uncovering the issues for the public sector****

Delegate fee £15

Condescending comments, demeaning emails, disrupting meetings, reprimanding someone publicly, talking behind someone's back, giving someone the silent treatment, not giving credit where credit is due, rolling eyes, and being yelled at, is a regular occurrence for many councils. In this webinar, we talk about the issues we face in our council roles. We will then talk about the impact this has on the individuals involved and the organisation as a whole.

Each of the webinars will give real situation scenarios and what to do in each of them.

Councillors only session - 12 September 2022 — 1.30 pm (60 minutes)

To register a place, clerks please email sue@haptc.org.uk, copying in your councillor delegate(s).

Clerks only session - 8 September 2022 — 11am (60 minutes) **SLCC | Uncovering the issues for public sector.**

****What makes people become challenging?****

Delegate fee £15

In this webinar, we dive into human psychology, neuroscience, and power dynamics. What triggers people to behave from the worst of themselves? How as leaders can we create environments with fewer trigger situations and more safety? We will discuss real-life situations and how to turn them around when they start to get out of hand.

Each of the webinars will give real situation scenarios and what to do in each of them.

Councillors only session - 26 September 2022 — 1.30 pm (60 minutes)

To register a place, clerks please email sue@haptc.org.uk, copying in your councillor delegate(s).

Clerks only session - 22 September 2022 – 11am (60 minutes) **SLCC | What makes people become challenging?**

****Personal resilience and self-protection****

Delegate fee £15

Having a good understanding of yourself means you'll know what to do when someone tries to push your buttons. In this webinar, we discuss emotional resilience and emotional intelligence and how this applies to specific council situations.

Each of the webinars will give real situation scenarios and what to do in each of them.

Councillors only session - 3 October 2022 — 1.30 pm (60 minutes)

To register a place, clerks please email sue@haptc.org.uk, copying in your councillor delegate(s).

Clerks only session - 6 October 2022 – 11am (60 minutes) **SLCC | Personal resilience and self-protection.**

****Understanding psychopathic and narcissistic behaviour****

Delegate fee £15

Both psychopathic and narcissistic people generally lack empathy and tend to have unrealistically high opinions of themselves. They often exploit and manipulate others and can be hard to spot as they can also be superficially charming. They are also attracted to roles of power and are often found in leadership positions and in political roles. In this webinar, we learn how to spot them and how to monitor your own behaviour to lessen their impact on you and your organisation.

Each of the webinars will give real situation scenarios and what to do in each of them.

Councillors only session - 17 October 2022 — 1.30 pm (60 minutes)

To register a place, clerks please email sue@haptc.org.uk, copying in your councillor delegate(s).

Clerks only session - 20 October 2022 — 11am (60 minutes) **SLCC | Understanding psychopathic and narcissistic behaviour.**

Paul Hoey and Natalie Ainscough of Hoey Ainscough Associates Ltd are national experts in effective local governance with a particular emphasis on supporting the local standards framework for members introduced by the Localism Act 2011. They worked with the Local Government Association (LGA) to produce the latest Code of Conduct and so are uniquely placed to deliver this workshop.

Hoey Ainscough Associates Ltd
Supporting Local Governance

****The (New) Code of Conduct****

Delegate fee £15

This session is aimed at members and officers of local councils who have adopted the new Local Government Association (LGA) Code of Conduct for members (as endorsed by NALC and SLCC) or who are considering adopting it. It will look at key aspects of the code, the practical implications of working with it and look at the guidance which sits alongside it.

This is an interactive session where attendees will be invited to ask questions about any aspect of the code, as the session aims to help people understand how to effectively implement the code at a local level.

Councillors only session - 19 October 2022 — 7 pm (120 minutes)

To register a place, clerks please email sue@haptc.org.uk, copying in your councillor delegate(s).

Clerks only session - 28 September 2022 – 10am (120 minutes) **SLCC | The New Code of Conduct.**

For more information about the training available, please contact michelle.moss@nalc.gov.uk.

COMMUNITY GOVERNANCE

Develop your career, support your council and strengthen your community

In addition to the civility and respect training programme we're pleased to be able to share details of an event being run by the year six students studying the community governance degree, De Montfort University.

****Managing conflict and difficult conversations****

Delegate fee - £90

The training specifically covers conflict management; a thread of management essential to the clerking industry given the depth and breadth of communications and dealings clerks have with other people and organisations.

The event will be led by Sue Noble from www.noblelearning.co.uk, a highly experienced coach and mentor who has extensive experience in the local government sector and training staff from town and parish councils.

It will be an interactive event, enabling attendees to actively learn new coping skills and mechanisms, whilst building relationships with other professionals in the town and parish sector.

At the end of the formal training session, there will be an opportunity to network with colleagues and hear about further training opportunities, whilst sampling delicious wines from Oaken Grove.

For clerks only - 14th September 2022 | Henley Town Hall, Henley on Thames, RG9 2A | [SLCC](#) | **Managing Conflict and Difficult Conversations**.

DIGNITY AT WORK POLICY

One of the project objectives is to strengthen the governance arrangements across our sector to better support councils.

The Dignity at Work Policy is the first of a series of new or revised governance documents which are being developed by the project team.

The documents have been reviewed by a focus group made up of clerks, councillors, monitoring officers, and county associations, and approved by NALC and SLCC for use.

The Dignity at Work Policy will replace any previous Bullying and Harassment Policy. It encompasses behaviours beyond bullying and harassment, and zero tolerance, with the aim of dealing with concerns before they escalate.



It has been produced with supporting guidance because it is so important that any commitment made in the policy is applied in practice.

Wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the Civility and Respect Pledge.

Councils who have not signed up to this are requested to consider making this pledge which is based on basic behaviours and expectations of all council representatives to create workplaces that allow people to maintain their dignity at all times.

Dignity at Work Policy

**Please visit our dedicated civility and respect pages
for lots more information and support**

[SLCC](#) | Civility and Respect Project and
[NALC](#) | Civility and Respect Project



IN COLLABORATION WITH SLCC, NALC, OVW, COUNTY ASSOCIATIONS

Civility and Respect Pledge suggested agenda item:

'To pass a resolution to sign up to the civility and respect pledge'

Definition of Civility and Respect
Civility means politeness and courtesy in behaviour, speech, and in the written word.
Examples of ways in which you can show respect are by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

The National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW), believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.

By our council signing up to the civility and respect pledge we are demonstrating that our council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.

Signing up is a simple process, which requires councils to register and agree to the following statements:

Statement	Tick to agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	
Our council has committed to training councillors and staff.	
Our council has signed up to Code of Conduct for councillors	
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy.	
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Our council will commit to calling out bullying and harassment when if and when it happens.	
Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme	
Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	