

# Barnet Council

## Code of Conduct for Members & General Guidance

### Introduction and interpretation

1. (1) This Code applies to Councillors (Members) of the London Borough of Barnet and also to co-opted committee members.
- (2) It is the responsibility of Councillors and co-opted Members to comply with the provisions of this Code.

### Scope

2. (1) You must comply with this Code whenever you:
  - (a) conduct the business of Barnet Council; or
  - (b) act, claim to act or give the impression you are acting as a representative of Barnet Council; or
  - (c) act as a representative of Barnet Council.and references to your official capacity are construed accordingly.
- (2) In addition to having effect in relation to conduct in your official capacity, this Code has effect, at any other time, where conduct constitutes a criminal offence for which you have been convicted or received a Police Caution.

### General obligations

3. (1) Councillors (Members) and Co-Optees are committed to behaving in a manner that is consistent with the following principles of Public Life:

**Selflessness** — Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

**Honesty and integrity** — Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

**Objectivity** — Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

**Accountability** — Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with any scrutiny appropriate to their particular office.

**Openness** — Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

**Personal judgement** — Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

**Respect for others** — Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

**Duty to uphold the law** — Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

**Stewardship** — Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

**Leadership** — Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

(2) Do:

- (a) Follow the Code of Conduct when you are representing your authority.
- (b) Be aware of what pecuniary and non-pecuniary interests are – refer to the Monitoring Officer if you are unsure.
- (c) Keep your register of interests up-to-date.
- (d) Treat others with respect.
- (e) Register gifts and hospitality, received in your role as a Member, worth more than £25.

(3) Don't:

- (a) Bring your authority or office into disrepute.
- (b) Use the Council's resources which includes the Council's address and email address for any personal, party political or non-Council purposes.

- (c) Compromise the impartiality of people who work for your authority.
- (d) Discriminate against people on the grounds of race, gender, disability, religion or belief, sexual orientation and age.
- (e) Bully, intimidate or attempt to intimidate others.
- (f) Use your position improperly for personal gain or to advantage your friends or close associates.
- (g) Participate in meetings or be involved in decision-making where you have a pecuniary interest – except when speaking when the general public are also allowed to do so.
- (h) Disclose confidential information, other than in exceptional circumstances – refer to the Monitoring Officer if you are unsure.
- (i) Prevent anyone getting information they are entitled to.

#### **Disclosure of Pecuniary and Non-Pecuniary Interests**

4. (1) Subject to the paragraph 5 below (Sensitive Interests), you must within 28 days of this Code being adopted or election or appointment to office, and within 28 days of becoming aware of any new pecuniary or non-pecuniary interest or of any change to your registered interests, notify the Monitoring Officer on the form provided – or if only a ‘change’ in your interests then notification by email will suffice.
- (2) If a pecuniary or non-pecuniary interest arises from any business to be discussed at any committee, joint committee or partnership board meeting of the Council then you must declare this interest either at the start of the meeting or immediately before the item is discussed.
- (3) An interest to be disclosed at a meeting is either your interest or that of your husband, wife or civil partner or that of a person with whom you are living as husband or wife or as civil partners.
- (4) If you declare a pecuniary interest then you must not take part in any discussion of the matter at the meeting, and you must not vote on the matter. You need not withdraw from the meeting but any participation by yourself at the meeting in respect of the matter in which you have a pecuniary interest is a criminal offence for which you may be prosecuted as well as referred to the Standards Committee.
- (5) If you declare a non-pecuniary interest then you may remain in the meeting, you may take part in the discussion and you may vote on the matter.

### **Sensitive Interests**

5. Where you consider that disclosure of the details of an interest could lead to you or a person connected to you being subject to violence, discrimination or intimidation, and the Monitoring Officer agrees, then the Register of Interest will disclose the interest but not the details which may accordingly be withheld from publication.

### **Exemptions**

6. (1) Where you have a pecuniary interest in any business of the Council you must declare that interest but you may only speak at that meeting for the purpose of making representations, answering questions, or giving evidence relating to the business providing that the public are also allowed to attend the meeting for the same purpose.
  - (2) Dispensations are available by application to the Monitoring Officer in the limited circumstances that apply by law. If required please write to the Monitoring Officer with reasons for the application.

### **Additional voluntary provisions**

7. No Councillor shall provide or offer to provide a formal reference for any candidate for employment or promotion with the Council as to do so may be perceived as bringing an unacceptable pressure to bear on the appointing officer and any officer appointed as a result of such reference.

## REGISTER OF COUNCILLORS' INTERESTS

I, .....  
(name)

an Elected / Co-opted Member of the London Borough of Barnet do hereby give notice that I have set out below my interests which I am required to declare under the Code of Conduct for Members.

within 28 days of election to office, an Elected or Co-opted Member must register his/her pecuniary and non-pecuniary interests in a public register by providing written notification to the Monitoring Officer; you must declare your own interests on the form below and also those of your husband/wife/civil partner, which includes any person with whom you are living as husband/wife/civil partner. You do not need to name your husband/wife/civil partner.

### ***Pecuniary Interests***

#### **1. Employment, office, trade, profession or vocation:**

Your employment, office, trade, profession or vocation carried on for profit or gain, and that of your husband/wife/civil partner.

Note: "Office" includes position held as representative of the council on the management of an external organisation if an Allowance is paid which exceeds reasonable expenses.

#### **2. Sponsorship**

Any payment or provision of any other financial benefit in respect of any expenses incurred in carrying out duties or towards election expenses; this includes any payment or financial benefit from a trade union.

## Pecuniary Interests (continued)

### **3. Contracts**

Any contract which is made between you or your husband/wife/civil partner (or a body in which you or your husband/wife/civil partner has a beneficial interest) and the Council under which goods or services are to be provided or works are to be executed and which has not been fully discharged.

### **4. Land**

Any beneficial interest in land held by you or your husband/wife/civil partner which is within the area of the Council

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### **5. Licences**

Any licence (alone or jointly with others) to you or your husband/wife/civil partner to occupy land in Barnet for a month or longer.

### **6. Corporate tenancies**

Any tenancy where the landlord is the Council and the tenant is a body in which you or your husband/wife/civil partner has a beneficial interest.

### **7. Securities**

Any beneficial interest in which you or your husband/wife/civil partner has in securities of a body where:

(see over)

(a) that body has a place of business or land in the area of the City 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 you or a relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

#### **8. Personal Wellbeing**

you also have a pecuniary interest where you attend a meeting of the Council where the business concerns your personal wellbeing or financial position or that of your husband/wife/partner – to a greater extent than the majority of residents in your Ward affected by the decision.

*You will only know this when you attend a meeting of the Council and an item on the agenda affects your wellbeing or that of your husband/wife/partner, to the extent described. You must then declare a pecuniary interest at the beginning of the meeting or before the relevant item is discussed and not take part in the meeting when that agenda item is discussed.*

**Non-Pecuniary Interests**

any organisation of which you are a member or in a position of general control or management and to which you are appointed or nominated by Barnet Council.

Note: If you receive an Allowance from the organisation which exceeds your reasonable expenses then you should declare your interest under Pecuniary Interest Number 1 above.

If there is insufficient space in any of the boxes provided, please use a supplementary sheet.

This is a public document to which members of the public will have free access to during normal office hours and copies will also be published on the City Council's Website.

**Declaration**

I recognise that I will be in breach of the Council's Code of Conduct for Members if I:

- (a) omit information that ought to be given in this notice; or
- (b) provide information that is materially false or misleading; or
- (c) fail to give further notices within 28 days of any change to the information set out above in order to bring up to date the information given in this notice.

Signed .....

Dated .....

please return the signed Declaration to the Monitoring Officer

**STATUTORY REGISTER OF GIFTS OR HOSPITALITY**

**An Elected or Co-opted Member must, within 28 days of receiving any gift or hospitality over the value of £25, provide written notification to the Council’s Monitoring Officer of the existence and nature of that gift or hospitality.**

**I,**

.....  
.....

**being an Elected / Co-opted Member of Barnet Council do hereby give notice that I have received the gift or hospitality detailed below.**

**Signed .....**

**Dated .....**

**Please return the signed Notice to the Monitoring Officer**

**STATUTORY REGISTER OF GIFTS OR HOSPITALITY**

**Date upon which  
the Gift or Hospitality  
was received**

**Person / Organisation  
offering or providing  
the Gift or Hospitality**

**Brief details of Gift  
or Hospitality received**

**Estimated or actual  
value of the Gift/Hospitality**

## **DISPENSATIONS AVAILABLE**

**Circumstances in which dispensations may be granted:**

**The Standards Committee, or in urgent situations, the Chairman of the Standards Committee, may grant a dispensation to a Member in the following circumstances:**

- that so many Members of the decision making body have disclosable pecuniary interests in the matter that the meeting would be inquorate; or**
- that the representation of different political groups on the decision making body would be so upset as to alter the likely vote on the matter; or**
- that it is in the interests of persons living within Barnet; or**
- that it is otherwise considered appropriate to grant a dispensation.**