

Code of Conduct

This Code of Conduct is composed of a number of sections which together are the Code of Conduct of Trowbridge Town Council, all sections and sub-sections apply to the conduct of councillors in accordance with the Localism Act 2011 and will be taken into account when any complaints regarding councillors are considered by the Monitoring Officer.

Contents

Code of Conduct - Part A:

Purpose

Application of the Code

The Principles

Standards of Councillor Conduct

- 1. Respect**
- 2. Bullying, harassment and discrimination**
- 3. Impartiality of officers of the council**
- 4. Confidentiality and access to information**
- 5. Disrepute**
- 6. Use of position**
- 7. Use of council resources and facilities**
- 8. Complying with the Code of Conduct**

Code of Conduct - Part B:

Registering & Declaring Pecuniary & Non-Pecuniary Interests

- 1. Statutory Interests**
- 2. Additional Interests**

Gifts & Hospitality

Code of Conduct - Part C:

Member/Officer Protocol

Code of Conduct – Part A:

Purpose

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, council 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 fundamental aim of the Code is to create and maintain public confidence in the role of councillor and in local government.

Application of the Code

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

This Code of Conduct applies 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.

Wiltshire Council's Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct and you are encouraged to seek advice from the Town Clerk on any matters that may relate to the Code of Conduct, they may refer matters to the Monitoring Officer.

The Principles

You are a Member or co-opted Member of Trowbridge Town Council and hence you shall have regard to the following **Seven Principles of Public Life**. These, also known as the Nolan Principles, apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services.

- 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 declare 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 question their own behaviour and challenge poor behaviour wherever it occurs.

The Principles are interpreted in further detail at Trowbridge Town Council as follows:

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements of leadership and example. Accordingly, when acting in your capacity as a Member or co-opted Member:

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 or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

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, impartially, fairly and on merit, using the best evidence and without discrimination and bias.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of Trowbridge Town Council, and should be prepared to give reasons for those decisions and actions.

You must be honest and truthful, ensuring that at all times you do not misrepresent the democratic decisions and actions of the council and you do not say or otherwise publish information that could denigrate councillors, officers, the council, or otherwise bring the council into disrepute. You may not edit or assist or support others to edit, any film, recording or photographs of the proceedings of the Council and its committees in a way that could lead to misinterpretation of the proceedings. This includes editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being photographed, recorded or filmed or supporting and assisting any others to do so. If a councillor publishes anything on social media which is inaccurate and untruthful or otherwise seeks to portray the actions of the council in a way which fails to provide correct and accurate information, it is not acceptable under this Code of Conduct for them or anyone else to base any defence upon such material being the 'cut and thrust of political debate' or similar.

You must, when using or authorising the use by others of the resources of Trowbridge Town Council, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You should demonstrate leadership including actively promoting and robustly supporting the Seven Principles of Public Life and be willing to examine and questions your own behaviour and challenge poor behaviour wherever it occurs.

You must be professional in all your dealings and treat all those with whom you come into contact, with consideration and respect. Working relationships, including with officers and other councillors should be proper and appropriate. Harassing, bullying or other inappropriate or discriminating behaviour, wherever it takes place, is not consistent with the Code and will not be tolerated.

You shall never undertake any action which would cause significant damage to the reputation and integrity of Trowbridge Town Council as a whole, or of its Members generally.

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.

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat council employees, employees and representatives of partner organisations and those volunteering for the council 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. However, you should not 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 council, the relevant social media provider or the police. This also applies to fellow councillors, where action could be taken under the Councillor Code of Conduct, and employees, where concerns should be raised in line with the member/officer protocol (Part C).

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 council'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 council.

Officers work for the council as a whole and must be politically neutral. 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; reasonable and in the public interest; made in good faith; in compliance with the reasonable requirements of the council; and 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.

Councils 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 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 council 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 council and may lower the public's confidence in your or your council's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your council into disrepute.

You are able to hold the 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 the 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 council resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the council or authorising their use by others:
a. act in accordance with the council'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 council or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the council 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 council 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 council'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 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 the council or its governance. If you do not understand or are concerned about the council's processes in handling a complaint you should raise this with your Monitoring Officer.

Code of Conduct - Part B:

Registering & Declaring Pecuniary & Non-Pecuniary Interests

I. Statutory Interests

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of local councillors. When acting in your capacity as a Member or co-opted Member; you must declare any private interests, both pecuniary and non-pecuniary, 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 conforming with the procedures set out below.

You must, within 28 days of taking office as a member or co-opted member, notify Wiltshire 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 partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify Wiltshire Council's Monitoring Officer* of any disclosable pecuniary or non-pecuniary interests which Trowbridge Town Council has decided should be included in the register. You should note that failure to register or disclose a disclosable pecuniary interest is a criminal offence under the Localism Act 2011.

If an interest has not been entered onto the register you must disclose the interest to any meeting of Trowbridge Town Council at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest. Following any disclosure of an interest which is not on the register or the subject of pending notification, you must notify Wiltshire Council's Monitoring Officer* of the interest within 28 days beginning with the date of disclosure.

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 disclosable pecuniary interest as defined by regulations made by the Secretary of State.

You must not participate in a discussion or vote in a matter to be considered at a meeting if you have any interest, whether registered or not, if a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision making in relation to that matter.

If you have any doubts about whether you are required to declare an interest, you are advised to declare it to avoid further questions arising about the possibility of an interest.

**This information will be published on Wiltshire Council's web-site ([Councillors Interests](#)) and can be undertaken by the Town Clerk on your behalf if you pass the information to the Town Clerk.*

2. Additional Interests

Additionally, you must observe the restrictions Trowbridge Town Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by Trowbridge Town Council. (see Standing Order 12.4)

Additional 'Part B' non-pecuniary interests which are required to be disclosed to a meeting but do not exclude Members from participating, unless the member feels that it would be appropriate for them to voluntarily leave the room during the item under consideration.

- a) any body of which the councillor is a member or in a position of general control or management and to which the councillor is appointed or nominated by the Council;
- b) any body exercising functions of a public nature of which the councillor is a member or in a position of general control or management;
- c) any body directed to charitable purposes of which the councillor is a member or in a position of general control or management;
- d) any body one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which the councillor is a member or in a position of general control or management.

Gifts & Hospitality

As a councillor:

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 council or from persons who may apply to the council for any permission, licence or other significant advantage.

I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

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 council, 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.

Code of Conduct - Part C:

Member/Officer Protocol

1 INTRODUCTION AND PRINCIPLES

- 1.1 This Protocol is to guide Members and Officers of the Council in their relations with one another to ensure the smooth running of the Council and to satisfy the ethical standards required.
- 1.2 Given the variety and complexity of such relations this Protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts will serve as a guide to dealing with other circumstances.
- 1.3 This Protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the Protocol is followed, it should ensure that Members receive objective and impartial advice and that Officers are protected from accusations of bias and any undue influence from Members.
- 1.4 It seeks to build upon the principles underlying the Code of Conduct. The shared object of the Code is to enhance and maintain the integrity (real and perceived) of local government and the Code, therefore demands very high standards of personal conduct.
- 1.5 This Protocol is part of the Code of Conduct and the Employee Interests and Integrity Procedure. A breach of the provisions of this Protocol may also constitute a breach of the Code of Conduct and may constitute a breach of the Employee Interests and Integrity Procedure.
- 1.6 This Protocol should be read in conjunction with any guidance issued by the Monitoring Officer of Wiltshire Council.

2 THE RELATIONSHIP: GENERAL POINTS

- 2.1 Whilst both Councillors and Officers are servants of the public and they are indispensable to one another, the responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Councillors are responsible for setting policy. Officers are responsible to the Council. Their job is to give advice to Councillors and the Council, and to carry out the Council's work under the direction and control of the Council and its various bodies.
- 2.2 At the heart of this Protocol, is the importance of mutual respect. Member/Officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.
- 2.3 Members must respect the impartiality and integrity of all the Council's Officers. Similarly, all Officers must respect the role of Members as elected representatives.
- 2.4 Inappropriate relationships can be inferred from language. To protect Members and Officers, Officers should address Members at formal meetings as Councillor xxx and Mr or Madam Mayor save where circumstances clearly indicate that a level of informality is appropriate. Similarly, when addressing Officers at formal meetings of the Council, Members should address Officers by their post title.
- 2.5 A Member should not raise matters relating to the conduct or capability of an Officer in a manner that is incompatible with this Protocol. An Officer has limited means of responding to criticisms in public. If a Member feels they have not been treated with proper respect, courtesy or has any concern about the conduct or capability of an Officer, they should raise the matter with the Town Clerk or the Mayor. Any action taken against an Officer in respect of a complaint, will be in accordance with the provisions of the Council's Disciplinary Rules and Procedures.
- 2.6 An Officer should not raise with a Member matters relating to the conduct or capability of another Officer or to the internal management of a Department in a manner that is incompatible with the overall objectives of this Protocol.
- 2.7 Where an officer feels that they have not been properly treated with respect and courtesy by a Member, they should raise the matter with the Town Clerk. In these circumstances the Town Clerk will take appropriate action by approaching the Member and/or Group Leader or by referring the matter to the Monitoring Officer as a complaint.

3 ROLES OF MEMBERS AND OFFICERS

3.1 Members have four main roles :

- Determining the policy of the Council and giving it political leadership
- Monitoring and reviewing the performance of the Council in implementing that policy and delivering services
- Representing the Council externally
- Acting as advocates on behalf of their constituents and the wider community

3.2 Officers have the following main roles:

- Initiating policy recommendations
- Implementing agreed policy, managing and providing the services and being accountable for the efficiency and effectiveness of the services provided
- Providing professional advice to the Council, its various bodies and individual members
- Ensuring the Council always acts in a lawful manner
- Ensuring the Town Council's finances are robust and managed correctly.

4. THE RELATIONSHIP : OFFICER SUPPORT TO MEMBERS : GENERAL POINTS

4.1 Officers are responsible for day-to-day managerial and operational decisions within the Council and will provide support to all Councillors in their various roles.

4.2 In giving such advice to Members and in preparing and presenting reports, it is the responsibility of the Officer to express their professional views and make recommendations. Members should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view because of their wish to express a contrary view.

4.3 The Town Clerk has certain statutory roles which need to be understood and respected by all Members. Members must respect these statutory obligations, must not obstruct the Town Clerk and other Officers in the discharge of their responsibilities and must not victimise them for discharging their responsibilities.

4.4 The following key principles reflect the way in which Officers generally relate to Members:

- All Officers are employed by, and accountable to, the council as a whole
- Support from Officers is needed for all of the council's functions
- Day to day managerial and operational decisions should remain the responsibility of the Town Clerk and other Officers and
- All Officers will be provided with training and development to help them support the various Member roles effectively.

4.5 Finally, it must be remembered that Officers within the Town Council are accountable to their line manager and ultimately the Town Clerk and that whilst Officers should always seek to assist a Member, they must not, in so doing, go beyond the bounds of whatever council they have been given by their line manager or the Town Clerk.

5 RELATIONSHIPS BETWEEN MEMBERS AT COMMITTEES AND OFFICERS AT MEETINGS OF THE COUNCIL

5.1 Reports should always contain a recommendation unless the issue is clearly one where political judgement is required. They will also always include the name of the Officer. Members should raise issues with that Officer prior to the meeting if at all possible.

5.2 Chairs and Members shall give Officers the opportunity to present any report and give any advice the Officer considers it is advisable to give.

5.3 All Members shall seek the advice of the Town Clerk where they consider there is doubt about the power for a decision or where they consider a decision might be contrary to pre-determined policies of the Council.

5.4 Members and Officers should be mutually supportive in order to minimise any potential embarrassment to the Council. Criticism of Officers should be dealt with in private and, Officers must not be publicly critical of the Council or its policies.

6. THE RELATIONSHIP: OFFICER SUPPORT: MEMBER AND PARTY GROUPS

- 6.1 It must be recognised by all Officers and Members that in discharging their duties and responsibilities they serve the Council as a whole.
- 6.2 The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photo-copying, transport etc.) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity.

7. OFFICER RELATIONSHIPS WITH PARTY GROUPS

- 7.1 The council recognises political groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of consideration by the relevant Council body. Meetings between the Town Clerk and Chairs and/or group leaders will be held when appropriate albeit that they have no executive powers.
- 7.2 In dealings with members, in particular when giving advice to political party groups, Officers must demonstrate political impartiality and must not suppress professional advice due to political views.
- 7.3 Any particular cases of difficulty or uncertainty in this area of Officer advice to political party groups should be raised with the Town Clerk who will then discuss them with the relevant group leader(s).

8. MEMBERS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

- 8.1 Members may ask for information pursuant to their legal rights. This right extends to such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of a department's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the relevant Officer.
- 8.2 As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by the common law.
- 8.3 Members have a statutory right in inspect any Council document which contains material relating to any business which is to be transacted by the Council. The right applies irrespective of whether the Member is a member of the meeting concerned and extends not only to reports which are to be submitted to the meeting, but also to any relevant background papers.
- 8.4 The common law rights of Members remain intact, are much broader and are based on the principle that any Member has a prima facie right to inspect Council documents so far as their access to the document is reasonably necessary to enable the Member properly to perform their duties as a Member of the Council. This principle is commonly referred to as the 'need to know' principle.
- 8.5 The exercise of this common law right depends therefore, upon an individual Member being able to demonstrate that they have the necessary 'need to know'. In this respect a Member has no right to 'a roving commission' to go and examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the 'need to know'. This question will initially be determined by the Town Clerk.
- 8.6 In some circumstances (e.g. a Member wishing to inspect documents relating to the business of a meeting of the Council or its bodies) a Member's 'need to know' will normally be presumed. In other circumstances (e.g. a Member wishing to inspect documents which contain personal information about third parties) the Member will normally be expected to justify the request in specific terms.
- 8.7 Whilst the term 'Council document' is very broad and includes for example, any document produced with Council resources, it is accepted by convention that a Member of one party group will not have a 'need to know' and therefore, a right to inspect, a document which forms part of the internal workings of another party group.
- 8.8 Further and more detailed advice regarding Members rights to inspect Council documents may be obtained from the Town Clerk.
- 8.9 Any Council information provided to a Member must only be used by Members for the purpose for which it was provided, i.e. in connection with the proper performance of the Member's duties as a Member of the Council. Therefore, for example, early drafts of Committee reports/ briefing papers are not suitable for public disclosure and should not be used other than for the purpose for which they were supplied.

9. CORRESPONDENCE

- 9.1 Correspondence between an individual Member and an Officer should not normally be copied (by the Officer) to any other Member. Where exceptionally it is necessary to copy the correspondence to another Member, this should be made clear to the original Member. In other words, a system of 'blind copies' should not be employed.
- 9.2 Official letters on behalf of the Council should normally be sent in the name of the appropriate Officer, rather than in the name of a Member. Letters which, for example, create legal obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.

10. PUBLICITY AND PRESS RELEASES

- 10.1 Local councils are accountable to their electorate. Accountability requires local understanding by the Council explaining its objectives and policies to the electors and taxpayers. Local councils increasingly use publicity to inform the community and to encourage public participation. Every Council needs to tell the public about the services it provides. Good, effective publicity aimed to improve public awareness of a Council's activities is, in the words of the Government, to be welcomed.
- 10.2 Publicity is, however, a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential, therefore, to ensure that local council decisions on publicity are properly made in accordance with clear principles of good practice. The government has issued a Code of Recommended Practice on Local Authority Publicity. The Code develops the conventions that should apply to all publicity at public expense and which traditionally have applied in both central and local government. It requires that all local councils shall have regard to the provisions of any such Code in coming to any decision on publicity.
- 10.3 Officers and Members of the Council will, therefore, in making decisions on publicity, take account of the provisions of this Code. If in doubt, Officers and/or Members should initially seek advice from the Town Clerk. Particular care should be paid to any such publicity used by the Council around the time of an election. Particular advice will be given on this by the Town Clerk.

11. MEMBERS IN THEIR WARD ROLE AND OFFICERS

- 11.1 Whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the Ward or Wards affected will as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the Ward Members will be notified at the outset of the exercise.
- 11.2 Should Members or local residents convene a local meeting, Officer attendance will be at the direction of the Council or at the discretion of the Town Clerk and will take account of the purpose of the meeting.
- 11.3 In all circumstances, the role of Officers at such meetings is to provide information on the topic under consideration and any decision making process which might be relevant, but not to offer or share judgements. Officers will seek to assist in the effective engagement of the community but will be mindful at all times of the integrity of the formal decision making process.
- 11.4 Members attending local consultation meetings, which may on occasion give rise to heated debate, should be mindful of the restrictions on the responses available to Officers and both Officers and Members should act at all times in accordance with this Code of Conduct.

12. CONCLUSION

- 12.1 Mutual understanding and openness on these sort of sensitive issues and basic respect are the greatest safeguard of the integrity of the Council, its Members and Officers.
- 12.2 Questions of interpretation of this Protocol will be determined by the Town Clerk.
- 12.3 Copies of the Protocol will be issued to all Members, upon election, and all line managers.

Presented to the Council on 20th September 2022 for consideration.

Which RESOLVED to APPROVE.

To come into effect immediately.

To be reconsidered at each Annual Meeting of the Council.

Signed Cllr. , Mayor.

Signed Lance Allan, Town Clerk.