

Town and Community Council Training 26th January 2016



WLGA • CLILC

Ethics and Standards

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Ethical Governance

Effective local government requires high standards of conduct to ensure that there is public confidence in everything we do



The Ethical Framework

The Nolan Committee in 1997 - origins of the ethical framework for Standards in Public Life

As a Member you must have regard to these principles :

Selflessness

Honesty

Integrity and Propriety

Duty to uphold the law

Stewardship

Objectivity in Decision making

Equality and respect

Openness

Accountability

Leadership



Code of Conduct

- Unless you sign your Declaration of Acceptance and give a written undertaking to observe the Code of Conduct you cannot be a member
- If you fail to undertake or observe you can be suspended from office
- Applies to all members in Wales



The Code Applies to You Whenever You Are ...

- “Official” meeting
- Any meeting where members or officers of the authority are present
- Acting, claiming to act or giving the impression you are a representative of the authority
- Acting as a representative of the authority
- In an official capacity



It Applies In Your Private Life If:

- You conduct yourself in a manner likely to bring your office or authority into disrepute or
- You use or attempt to use your position to gain advantage or avoid disadvantage for yourself or others or
- You misuse your authority's resources



General Rules you Need to Follow Under the Code

- Equality, respect and consideration
- Do not compromise the impartiality of officers
- Do not disclose confidential information
- Do not prevent access to information



General Rules you Need to Follow Under the Code

- Do not bring your office or authority into disrepute
- You must report breaches of the code
- Do not make vexatious complaints
- You must cooperate with investigations



General Rules you Need to Follow Under the Code

- Reach decisions objectively
- Consider advice that officers give you
- Comply with the law and your authority's rules regarding expenses
- Do not accept any gifts or hospitality that would place you under an obligation or seem to do so
- £10 for registration



Personal Interests

Personal interests arise in three ways:

- List specified in paragraph 10(2)a
- Ward business
- Well-being or financial position of someone with whom you live or close personal associate



Who is ' a Close Personal Associate'

Not just your best friend but your worst enemy....

- Close friends
- Colleagues with whom you have strong connections
- Business associates
- Close relatives
- Or someone with whom you have been in dispute

- But not casual acquaintances, distant relatives or people who you come into contact with through your work.



What Do You Do If You Have a Personal Interest ?

- You must declare it verbally at meetings
- You must declare it when making written or verbal representations outside of a meeting
- You must complete a declaration of interests form
- BUT you are entitled to take part in discussions and vote unless it is a prejudicial interest



Personal and Prejudicial Interests

- Personal interests which a member of the public would regard as **likely** to influence your opinion or your ability to be objective



What Do You Do If You Have A Personal and Prejudicial Interest?

You must leave the meeting during the discussion

You must not exercise delegated powers

You must not seek to influence the decision

You must not make written or verbal representations

UNLESS

The Standards Committee has granted you a dispensation

The public have a right to speak or provide evidence (but you must leave after you have spoken)



What Happens If You Breach the Code?

- Complaints are made to the Ombudsman
- If justified he refers them to the standard's committee or to the Adjudication Panel for Wales
- Range of sanctions from no action through suspension to disqualification for 5 years
- Even if you are suspended you are still subject to the Code!



Where to Find Further Information

- If in doubt ask the Monitoring Officer:
Gareth Owens - 01352 702344
gareth.legal@flintshire.gov.uk OR
Deputy Monitoring Officer:
Matthew Georgiou – 01352 702330
matthew.georgiou@flintshire.gov.uk
- Guidance from the Public Service Ombudsman for Wales <http://www.ombudsman-wales.org.uk/>