

# Town and Community Council Training 26<sup>th</sup> January 2016



WLGA • CLILC

## Ethics and Standards

**Gareth Owens**

**Monitoring Officer**

**Matthew Georgiou**

**Deputy Monitoring Officer**





# 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](mailto:gareth.legal@flintshire.gov.uk) OR  
Deputy Monitoring Officer:  
Matthew Georgiou – 01352 702330  
[matthew.georgiou@flintshire.gov.uk](mailto:matthew.georgiou@flintshire.gov.uk)
- Guidance from the Public Service Ombudsman for Wales <http://www.ombudsman-wales.org.uk/>