

# ***BINEGAR PARISH COUNCIL***

## Councillors' conduct and conflicts of interest

### **1. Councillors' conduct**

- 1.1 The public expects councillors to measure up to the *Principles of Public Life*. They should show leadership and integrity, be selfless, objective, accountable, open and honest.
- 1.2 That means leading by example with the *Principles*; being under no obligations that might influence their work; acting solely in the public interest; taking decisions impartially, based on evidence and merit; agreeing to personal scrutiny to ensure public accountability; taking decisions in an open and transparent way; and being truthful.
- 1.3 To assure parishioners that they are putting the public interest first, councillors must register any financial interests that might conflict with their role on the Council.
- 1.4 Mendip District Council's *Monitoring Officer* holds the registers. They are public documents for anyone to inspect on the District and Parish Council websites.

### **2. Registering financial interests**

- 2.1 By law, councillors must register all their financial interests (called *disclosable pecuniary interests* in law). The appendix lists these.
- 2.2 Councillors must register interests within 28 days of election or appointment. At the meeting after an election, the Clerk will collect and submit registration forms.
- 2.3 After that, each councillor must register any change of circumstances within 28 days.
- 2.4 Failure to register or declare a financial interest can be a criminal offence (see appendix).

### **3. Declaring interests at meetings**

- 3.1 At each meeting, councillors must declare any interest that may be relevant to an agenda item.
- 3.2 Councillors must disclose any financial interest (registered or yet to be registered).
- 3.3 Councillors must also disclose any personal interest that may conflict with an agenda item. The appendix describes these interests.
- 3.4 A councillor who discloses a conflict of interest may not take part in a discussion or vote on the matter and must leave the room for the duration of the agenda item.

### **4. Complaints**

- 4.1 Anyone may complain to Mendip's *Monitoring Officer* about a breach of this policy. The *Monitoring Officer* investigates allegations according to Mendip's procedures and may refer allegations of criminal conduct to the police.

## Appendix – Financial and other interests

### 1. Financial interests

- 1.1 Councillors must register the following financial interests. They must include interests of their spouses or civil partners or anyone they live with as husband and wife or civil partner.
- Any employment, office, trade, profession or vocation carried on for profit or gain.
  - Any sponsorship from any external body (for example, a trades union)
  - Any contract with the Council
  - Any beneficial interest in land, houses or other property that lie in the Parish
  - Any licence to occupy land in the Parish for a month or longer
  - Any tenancy from the Parish Council
  - Any shares in a body with a place of business or land in the Parish

### Criminal sanctions

- 1.2 It is a criminal offence if a councillor fails, without reasonable excuse, to comply with the requirements set out in this policy to register or declare financial interests.
- 1.3 It is also a criminal offence to take part in business at meetings, or act alone on behalf of the Council, when prevented from doing so by a conflict caused by financial interests.
- 1.4 An offence is punishable by a fine and an order disqualifying the person from Parish Council membership for up to five years.

### 2. Personal interests

- 2.1 There is a personal interest if an observer might think that it affects the well-being or financial position of a councillor (or someone close) more so than most other parishioners.
- 2.2 Someone close means a family member or person with whom the councillor has a close association.
- 2.3 A close association will arise from regular contact over time with someone who is more than an acquaintance. The person may be a friend, business associate or social contact. It is someone who a fair-minded parishioner could think the councillor might favour (or disadvantage where there is hostility) when considering the matter in question.