

PART F
COUNCILLORS

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COUNCILLORS**

CODE OF CONDUCT FOR MEMBERS

1. Introduction

- 1.1 All councils are required to have a local Councillor Code of Conduct. Newark & Sherwood District Council has adopted this Code of Conduct pursuant to Section 27 of the Localism Act 2011 to promote and maintain high standards of behaviour by its Members and Co-Opted Members whenever they conduct the business of the Council including the business of the office to which they were elected or appointed or when they claim to act or give the impression of acting as a representative of the Council.
- 1.2 The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that councillors can be held accountable and all adopt the behaviours and responsibilities associated with the role. Conduct of individual councillors affects the reputation of the Council as a whole.
- 1.3 Councillors represent local residents, work to develop better services and deliver local change. The public have high expectations of councillors to take decisions fairly, openly and transparently. Councillors have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct and by challenging behaviour which falls below expectations.
- 1.4 Importantly, councillors should be able to undertake their role without being intimidated, abused, bullied or threatened by anyone, including the general public.
- 1.5 This Code is designed to protect the democratic role of councillors, encourage good conduct and safeguard the public's trust in local government, it is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership ("The Nolan Principles").

2. Definitions

- 2.1 For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of the Authority. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the Authority but who:
 - a) is a member of any committee or sub-committee of the Authority, or;
 - b) is a member of, and represents the Authority on, any joint committee or joint sub- committee of the Authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

3. Purpose of the Code of Conduct

- 3.1 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, local authority 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.

4. General Principles of Councillor Conduct

- 4.1 Everyone in public office at all levels, all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers, should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.
- 4.2 Building on these principles, the following general principles have been developed specifically for the role of councillor.
- 4.3 In accordance with the public trust placed in you, on all occasions you **MUST**:
- ✓ act with integrity and honesty;
 - ✓ act lawfully;
 - ✓ treat all persons fairly and with respect; and
 - ✓ lead by example and act in a way that secures public confidence in the role of councillor.
- 4.4 In undertaking your role you **SHOULD**:
- ✓ impartially exercise your responsibilities in the interests of the local community;
 - ✓ exercise your independent judgement, taking decisions for good and substantial reasons;
 - ✓ account for your actions, particularly by supporting the authority’s scrutiny function;
 - ✓ not improperly seek to confer an advantage, or disadvantage, on any person;
 - ✓ avoid conflicts of interest;
 - ✓ exercise reasonable care and diligence;
 - ✓ ensure that public resources are used prudently in accordance with the Council’s requirements and in the public interest; and
 - ✓ ensure that the authority acts within the law.

5. Application of the Code of Conduct

- 5.1 This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.
- 5.2 This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:
- ✓ 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

6. Standards of Councillor Conduct

- 6.1 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.
- 6.2 Guidance is included to help explain the reasons for the obligations and how they should be followed.

7. General Conduct

1. Respect

As a Councillor you should:

- 1.1 treat other councillors and members of the public with respect.
- 1.2 treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority 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. You should not, however, 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 local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the Council's councillor- officer protocol.

2. Bullying, Harassment and Discrimination

As a councillor you should:

- 2.1 not bully any person.
- 2.2 not harass 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 local authority'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 you should:

- 3.1 not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). 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 you should:

- 4.1 not disclose information:
 - a. given to you in confidence by anyone
 - b. acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. you have received the consent of a person authorised to give it;
 - ii. you are 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:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. you have consulted the Monitoring Officer prior to its release.
- 4.2 not improperly use knowledge gained solely as a result of your role as a councillor for the advancement of yourself, your friends, your family members, your employer or your business interests.
- 4.3 not prevent anyone from getting information that they are entitled to by law.

Local authorities 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 local authority 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 you should:

- 5.1 not bring your role or the local authority 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 local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority 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 you should:

- 6.1 not use, or attempt to use, your position improperly to the advantage or disadvantage of yourself or anyone else.

Your position as a member of the local authority 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 Local Authority Resources and Facilities

As a Councillor you should:

- 7.1 not misuse council resources.
- 7.2 when using the resources of the local or authorising their use by others:
- a. act in accordance with the local authority'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 local authority or of the office to which you have been elected or appointed.

You may be provided with resources and facilities by the local authority 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 local authority 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 policies regarding their use.

8. Complying with the Code of Conduct

As a councillor you should:

- 8.1 undertake Code of Conduct training provided by the Council.
- 8.2 cooperate with any Code of Conduct investigation and/or determination.
- 8.3 not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- 8.4 comply with any sanction imposed on you following a finding that you have breached the Code of Conduct.

Protecting your reputation and the reputation of the local authority

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 local authority 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 the Monitoring Officer.

9. Interests

As a councillor you should:

- 9.1 register and disclose your interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the Council.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can

be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011. Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from the Monitoring Officer.

10. Gifts and Hospitality

As a councillor you should:

- 10.1 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 your part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- 10.2 register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.
- 10.3 register with the Monitoring Officer any significant gift or hospitality that you have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, 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 the Monitoring Officer for guidance.

APPENDICES

**APPENDIX A
The Seven Principles of Public Life**

The principles are:

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 disclose 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 challenge poor behaviour wherever it occurs.

**APPENDIX B
Registering Interests**

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“Disclosable pecuniary interest” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must make a verbal declaration of the existence and nature of the interest at or before the consideration of the item of business. You must not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests (*Personal Interests*)

5. Where a matter arises at a meeting which ***directly relates*** to one of your Other Registerable Interests (as set out in Table 2), you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which ***directly relates*** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business as soon as the interest becomes apparent. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

7. Where a matter arises at a meeting which ***affects***:
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in **Table 1**you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

8. Where a matter ***affects*** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.

Corporate Tenancies	Any tenancy where (to the councillor’s knowledge): (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where: (a) that body (to the councillor’s knowledge) has a place of business or land in the area of the 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 the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* ‘director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interest

<p>You must register as an Other Registrable Interest:</p> <ul style="list-style-type: none"> a) any unpaid directorships; b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any body <ul style="list-style-type: none"> (i) exercising functions of a public nature (ii) any body directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) <p>of which you are a member or in a position of general control or management.</p>
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PROTOCOL ON MEMBER/OFFICER RELATIONS

1. PURPOSE AND SCOPE

- 1.1 The purpose of this protocol is to guide members and officers of the Council in their relationships with one another. The Protocol is not prescriptive or comprehensive but supports and reflects the Codes of Conduct for officers and members contained within the Constitution.
- 1.2 The Protocol applies to all members and officers when acting in their official capacity.
- 1.3 A breach of this Protocol by members may constitute a Code of Conduct breach. A breach of this Protocol by officers may constitute a disciplinary matter.
- 1.4 The Council as an employer has a duty of care to protect employees from harm and regard has been had to the Council's Dignity at Work, Health and Safety Policies and other relevant Employee policies when developing this protocol.

2. PRINCIPLES OF EFFECTIVE MEMBER-OFFICER RELATIONS

- 2.1 Members and officers are public office holders and as such the Seven Principles of Public Life (Nolan Principles) apply to both. These principles are that members and officers act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership. This Protocol provides clear expectations around consistent behaviour which supports mutual respect and trust between members and officers and supports strong ethical conduct which is the overarching principle of member-officer relations.
- 2.2 Mutual respect and trust is the cornerstone to effective member-officer relations. Mutual respect and trust is a two-way street requiring active commitment from both members and officers to maintain healthy, professional working relationships. Trust has to be earned and maintained by both parties through consistent, respectful behaviour. Trust enables open, constructive dialogue. Members can feel confident that officers will provide honest, impartial advice and officers can trust that members will use that advice responsibly.
- 2.3 Constructive challenge is a vital part of this relationship: members have a responsibility to scrutinise recommendations and advice objectively, in support of transparency and accountability. Where it applies to their actions or advice, it is important that officers recognise that constructive challenge is not personal, but a legitimate and necessary aspect of good governance and continuous improvement.
- 2.4 When members and officers work together respectfully, it reflects positively on the authority. The public is more likely to trust an authority that demonstrates professionalism, unity and integrity in its internal relationships.

- 2.5 A breakdown in trust between members and officers can seriously undermine the effectiveness of the authority. When trust erodes, officers may hesitate to offer honest advice, fearing criticism. Members may disregard professional advice, leading to decisions which do not consider all potential implications (with a risk of unlawfulness). Operational boundaries can be blurred, causing inefficiencies, confusion and confrontation over respective roles. Public meetings can become arenas for confrontation, where officers feel personally challenged rather than having their advice or implementation constructively examined. Public confidence in the authority can suffer, especially if internal tensions become visible, damaging its reputation. Morale among officers may decline, resulting in disengagement and higher turnover. Ultimately, without mutual trust and respect, the authority's ability to govern effectively and serve its community is compromised.

3. ROLES AND RESPONSIBILITIES

- 3.1 Members are elected by the public to represent their local communities. Their role is primarily strategic and political, and includes:
- deciding the authority's priorities, approving overarching budgets and setting the authority's high level strategic direction
 - acting as advocates for residents, raising concerns and ensuring local voices are heard
 - holding the executive and officers to account through scrutiny committees and other governance mechanisms
 - involvement in senior officer appointments/ dismissals as set out in the constitution.

Some members, especially those in executive or committee roles, also make decisions on services, policies and/or applications.

- 3.2 Officers are employed to provide expert professional advice, implement decisions, and manage day-to-day operations. Their role is operational and administrative, and includes:
- supporting members by providing clear, accurate and professional, legal, and technical advice
 - implementing the decisions made by members and ensuring services are delivered effectively
 - day to day staff management, leading teams and overseeing budget, staff, performance standards and service delivery
 - ensuring the authority operates within legal and regulatory frameworks
 - providing information to members which they need to perform their roles.
- 3.3 Some officers also have specific responsibilities which are set out in legislation. For example, by law every local authority must appoint a Head of Paid Service (Chief Executive), a Monitoring Officer and a Section 151 Officer (Chief Finance Officer), each of whom have specific statutory duties to support lawful, ethical and financially sound decision-making. Regard must be had to the advice provided by or on behalf of these officers.

- 3.4 Both members and officers should respect the boundaries of their own roles. Members must not involve themselves in operational matters and officers must not engage in political activity in the authority. Senior officers in what are known as ‘politically restricted posts’ are barred by law from engaging in any political activity and should demonstrate a higher level of impartiality.

4. MEMBER/OFFICER RELATIONSHIPS

- 4.1 It is important that there are close working relationships between members and officers, particularly where officers are providing advice to Committee Chairs, Portfolio Holders or the Leader of the Council. Such relationships should however maintain professionalism and not become so close or appear to become so close that impartiality of the officer or Member is brought into question.
- 4.2 Where there is a close personal relationship between an officer and a member this should be reported to the Monitoring officer and the Chief Executive and can be recorded if appropriate in the relevant Register of Interests with appropriate mitigatory measure put in place to ensure impartiality.

5. BEHAVIOURS

Below are some other examples of acceptable and unacceptable Member/officer behaviours.

Table 1: Acceptable member behaviour

Do	Don't
Treat all officers with dignity, respect and courtesy.	Personally attack or undermine officers.
Ask officers for advice on matters relevant to their role as member.	Ask officers to change professional advice.
Have regard to evidence and professional advice provided by officers when making decisions (but may accept or reject recommendations at formal meetings).	Attempt to bypass council processes or improperly influence decisions.
Provide political leadership and make timely decisions.	Get involved in day-to-day management or pressure officers making delegated decisions.
Act with integrity and maintain appropriate confidentiality.	Instruct officers to act unlawfully or improperly.

Do	Don't
Declare personal interests relevant to council business.	Participate in processes or decisions involving relatives, friends or close associates.
Respect officers' free (i.e. non-Council) time.	

Table 2: Acceptable officer behaviour

Do	Don't
Treat all members with dignity, respect, and courtesy.	Form friendships or close relationships with members or appear to hold such relationships through conduct, for example visiting members home addresses for meetings.
Serve the Council as a whole, working to the instructions of their senior officers and alert to issues which are, or are likely to be contentious or politically sensitive.	-
Provide professional, clear and accurate impartial advice on policy, make recommendations and ensure operational delivery.	Let personal or political opinions interfere with service delivery or advice.
Follow procedures for member enquiries efficiently and within agreed timescales and keep members fully informed about significant issues which affect their wards.	Conceal information that should be disclosed to members.
Act with integrity and maintain appropriate confidentiality.	Seek to improperly influence members or disclose member information improperly.
Respect members' free (i.e. non-Council) time.	-

6 ADVICE TO PARTY GROUPS

- 6.1 Officers may be called upon to give advice to political party groups. The support provided by such Officers can take many forms, ranging from a briefing meeting with a chair or spokesman prior to a committee meeting, to a presentation to a full party group meeting. Such support is available to all party groups.

- 6.2 Certain points must however be clearly understood by all those participating in this type of process, members and officers alike. In particular:-
- (a) Officer support in these circumstances must not extend beyond providing information and objective advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business. Officers are not expected to be present at meetings, or parts of meetings, when matters of party business are to be discussed.
 - (b) party group meetings, whilst they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not therefore rank as Council decisions and it is essential that they are not interpreted or acted upon as such; and
 - (c) similarly, where Officers provide information and advice to a party group meeting in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the relevant Council decision making body when the matter in questions is considered.
- 6.3 Special care needs to be exercised whenever officers are involved in providing information and advice to a party group meeting which includes persons who are not members of the Council. Such persons will not be bound by the Code of Conduct for Members adopted by the Council (in particular, the provisions concerning the declaration of interests and confidentiality) and for this and other reasons officers may not be able to provide the same level of information and advice as they would to a Councillors only meeting. The Senior Council Member at the Group meeting should inform the Officer(s) if any non-members of the Council are present.

7 COMMUNICATION

- 7.1 Communication between members and officers should be respectful and professional at all times.
- 7.2 Officers should respond to members within appropriate timeframes and having regard to any specific statutory or corporate response times.
- 7.3 Officers should ensure members are aware of local issues to ensure they can effectively carry out their roles
- 7.4 All media relations must be conducted in accordance with the Council's agreed procedures and the rules on Local Authority Publicity.
- 7.5 Both officers and members must ensure compliance with Data Protection legislation, access to Information Rules (as set out in the Constitution) and confidentiality requirements when communicating with each other and should only communicate using appropriate channels.

7.6 Members and officers should have regard to the Social Media Protocols and guidance.

8 WHAT IF THINGS GO WRONG?

8.1 If a member is dissatisfied with the conduct, behaviour or performance of an officer they should raise the matter privately with the relevant Director or Business Manager and not in a public forum. Other parties (including other members) should not be cc'd into correspondence relating to the conduct of an officer. If a member's concern relate to the conduct of a Director, the concern should be raised with the Chief Executive. If the concern relates to the conduct of the Chief Executive then the concern should be raised with the Monitoring Officer and Business Manager responsible for Human Resources.

8.2 If an employee is unhappy with the conduct or behaviour of a Councillor they should raise the matter in the first instance with their Director and the Monitoring Officer who will consider what action should be taken.

8.3 Complaints in relation to the conduct of members and officers should be confidential.

8.4 Not all concerns raised about conduct will amount to a Code of Conduct issue or a disciplinary matter. Many concerns raised can be addressed informally between parties, however where there is evidence of misconduct by members or officers the appropriate processes will be followed.

8.5 As an employer the Council will take all reasonable steps to provide a safe, healthy and fair working environment in which employees are treated with dignity and respect, and in which unacceptable behaviour is not tolerated.

PROTOCOL FOR MEMBERS ON HOSPITALITY AND GIFTS

1.0 Introduction

- 1.1 This guidance is supplementary to the requirements of the Code of Conduct. The Code governs the ethical standards required of members. Specifically, it seeks to ensure that the public role of members is not prejudiced by inappropriate behaviour or association. Members may be offered gifts or hospitality and it is important that such offers are considered critically. This guidance is intended to assist in determining how to respond to such offers.

2.0 Principles

- 2.1 People or bodies may have ongoing contractual relationships with the Council. Equally, people or bodies may need planning permission or other consent from the Council to conduct their affairs. They could seek to secure a sympathetic response from Council Members by the making of gifts. Equally whether or not the intention to secure an advantage is present, an outsider might suspect that an improper advantage is being sought from a member. It is essential that members should give critical consideration to the offer of gifts or hospitality in that light.
- 2.2 There are few hard and fast rules governing the acceptance of gifts and hospitality. Clearly if the offer is corrupt, there are criminal implications. Moreover, the Code of Conduct requires any member receiving any gift or hospitality over the value of £25 in his or her capacity as a Member to notify the Monitoring Officer of the existence and nature of that gift or hospitality within twenty-eight days of receiving it. Details are entered in a register maintained by the Monitoring Officer, which is open to public inspection.
- 2.3 Members are personally responsible for all decisions connected with the acceptance of gifts or hospitality and for avoiding the risk of damage to public confidence in the authority.
- 2.4 Members should therefore treat all offers of gifts or hospitality with caution, with a view to not only avoiding impropriety but also any suggestion of impropriety. Members should give the same consideration to offers made to members of their family or friends, which could be viewed as securing an indirect benefit to themselves.
- 2.5 Although all offers should be treated with caution, there will be occasions where not to accept reasonable gifts or hospitality would prejudice the regular conduct of the Council's business or give offence to persons or bodies of significance to the Council. This is most obviously seen in the context of overseas civic twinning arrangements and similar events where courtesies demand the exchange of reasonable gifts and hospitality and where special arrangements (detailed later) are in place. Equally, it is reasonable to expect business meetings to be accompanied by modest refreshment should the nature and duration of the meeting demand it. An example would be the provision of a working lunch.

2.6 It is important that the offer and receipt of gifts and hospitality takes place in an open manner. Such openness will serve to remove suspicion and provide accountability. It will also deter the making of inappropriate offers.

3.0 General Guidance

3.1 Whether to accept the offer of a gift or hospitality should be considered in the light of the above principles and the guidance issued pursuant to the Bribery Act 2010.

3.2 Members should never accept a gift or hospitality as an inducement or reward for taking any particular action or for refraining from taking any particular course of action.

3.3 Members should never accept a gift or hospitality if acceptance may be open to misinterpretation.

3.4 Members should never solicit a gift or hospitality in an individual capacity (however this shall not prevent them from seeking grants, sponsorship or other benefits on behalf of the district or the community of their ward area).

3.5 Receiving civic hospitality provided by another public authority is acceptable.

3.6 Receiving tickets for sporting, cultural and entertainment events sponsored by the authority would normally be acceptable but will be dependent on the precise nature of the event and the value of the ticket.

3.7 Members should declare the receipt of all significant offers of gifts and hospitality to the Monitoring Officer whether or not the offer has been accepted (for the avoidance of doubt, this does not require the declaration of modest gifts of no significant value such as a diary or calendar or modest refreshments such as tea, coffee and biscuits or a working lunch) but will include offers of gifts and hospitality such as bottles of wine, even where the value is substantially below the £25 limit set out in the Code. The Monitoring Officer will keep a separate register of the receipt of gifts and hospitality as required by the formal Code i.e. over £25.

3.8 Members should be particularly alert to any relationship that the person making the offer has to the Council, i.e. whether they have a contractual relationship with the Council or whether they are likely to require a favourable decision from the Council, e.g. a planning permission, a contract or a licence.

3.9 It is acceptable to receive modest gifts on significant occasions, e.g. at Christmas where not to do so would show a lack of courtesy. An example of such a gift might be a diary or a calendar. Receipt of gifts such as a bottle of wine etc would not normally be acceptable but may, in exceptional circumstances, be dealt with under paragraph 5 "Special Arrangements". Acceptance of a gift or hospitality is more likely to be acceptable where that offer either has been or is likely to be reciprocated by the Council.

- 3.10 Accepting modest refreshment such as a working lunch, or hospitality provided as part of an official opening ceremony or similar event would be acceptable.
- 3.11 It is the responsibility of each individual member to decide whether to accept offers of gifts and hospitality. If in doubt, advice should be sought from the Monitoring Officer or Head of Paid Service. In exercising their judgement Members should have regard both to the particular circumstances and as to whether a member of the public, with knowledge of the relevant facts, would reasonably consider its acceptance to be appropriate.
- 3.12 An important criterion in exercising judgement as to what is acceptable is what interpretation those in the community or the press might reasonably put upon acceptance having full knowledge of the relevant facts.
- 3.13 Repeated offers of gifts or hospitality from one person, firm or organisation may render unacceptable what would otherwise have been acceptable.
- 3.14 Particular care should be taken where a member has any involvement in making a decision for placement of a contract or for any decision carrying value for the person or organisation offering the gift or hospitality (for example, the granting of planning permission).

4.0 Civic Gifts and Hospitality

- 4.1 It is the responsibility of the Chief Executive to ensure that hospitality for civic events is proportionate to the occasion. A guiding principle in accepting or offering hospitality is whether it is reasonable to expect the hospitality to be reciprocated at a similar level.
- 4.2 The presumption is that any gifts given to the Chair or Vice-Chair are gifts to the office of the Chair and so belong to the Council. The Chief Executive is the final arbiter of whether such gifts belong to the Council or to the individual occupying the office of Chair. In exercising such judgement, the Chief Executive shall have particular regard as to whether the gifts were given to the office holder in a personal or in an official capacity and the value of such gifts.
- 4.3 The Chief Executive will maintain a record of all gifts to the office of Chair. All gifts in excess of a value of £25 will be declared to the Monitoring Officer for entry in the register.
- 4.4 For the avoidance of doubt, the above provisions shall not apply to any gifts donated for the purpose of any raffle or similar fund-raising events organised by the Chair for the purposes of the Chair's charity.

5.0 Special Arrangements

- 5.1 If a Member receives a gift where the donor is unknown, where it is impracticable to return the gift to the person or organisation making the gift, or where the Member reasonably considers that to return it would cause undue offence, in circumstances where it would otherwise be inappropriate to accept the gift, the Member should deal with the gift in accordance with the procedure set out below.
- 5.2 The Member must, as soon as practicable after receipt of the gift pass it to the Chief Executive or Monitoring Officer to be donated to the Chair's Charity. The Chief Executive or Monitoring Officer shall write to the person or organisation making the gift, if known, thanking them on behalf of the Member for the gift and informing them that it has been donated to the Chair's Charity Fund.

SOCIAL MEDIA PROTOCOL FOR MEMBERS

1. Purpose of this Protocol

- 1.1 Effective communication is at the heart of success for any councillor. Over recent years social media has transformed how elected representatives communicate with their communities. There are many key benefits to using social media as a councillor and it is recognised that there is a range of ability and frequency of use of social media as a communication tool by councillors. Using social media, in particular highly used platforms like Facebook enables Councillors to engage regularly with many residents across all age groups and demographics including residents who are much less likely to read leaflets or attend council meetings.
- 1.2 This Protocol is intended to provide guidance and support for councillors in utilising social media and complements the general rules under the Code of Conduct for Members. This Protocol provides advice on how to stay safe and secure online, how to use social media sensibly and responsibly, in line with corporate policy. The Protocol sets out the potential risks and benefits of social media usage and gives some practical tips to ensure councillors don't fall foul of any legal or security issues.

2. What is Social Media?

- 2.1 Social media is the term to describe websites and online tools which allow people to interact with each other by sharing information, opinions, knowledge and interests. This could, for example, be blogs, and postings on a wide range of social media platforms including (but not limited to) Facebook, Facebook messenger, LinkedIn, Snap-chat, Instagram, WhatsApp, Youtube, TikTok, Reddit, Discord etc.
- 2.2 Used well, social media can enable councillors to provide up to date information to residents and communities in a cost-effective way. It can help them:
 - i. Promote the work they are doing to a variety of audiences.
 - ii. Promote the work of the council to a variety of audiences.
 - iii. Engage with residents, businesses and community groups.
 - iv. Listen to conversations and issues going on in their local area.
- 2.3 There are many social media platforms available to use and different social media platforms enable councillors to communicate with different members of the community in different ways. Some platforms are focused on images and engagements with the images or streaming images for example YouTube, TikTok, Snapchat and Instagram, other are focussed around massaging such as Whatsapp or facebook messenger. Facebook and Linked-in are social networking sites and Facebook remains one of the widest reaching platforms for councillors and it is recommended as the best place to start with social media.

- 2.4 As a councillor, you need to use your time effectively – you're a busy person! The Local Government Association advice is to start by prioritising one key social media platform and become confident and impactful on it before deciding to move on to others.

3. Keeping You Safe

- 3.1 Make sure if you are using social media that you use secure log in details, don't use your councillor email for example as this may be well known. You may wish to set up two-factor authentication (2FA) which requires a password and second form of identification when signing into social media platforms in order to enhance security and protect your privacy.
- 3.2 Make sure you maintain a divide between your personal and family life and your public profile. If you post material to your Councillor page, even if it is private, you could be seen to be acting as a Councillor and the Code of Conduct will apply.
- 3.3 Ensure appropriate privacy settings are applied to whichever platform you choose to use.
- 3.4 Be aware that Councillors are personally responsible for any content they publish on any form. It is highly recommended that you don't post or share anything online that you would not be comfortable saying or sharing in a public meeting.
- 3.5 Content on social media is available for a long time. Even if you delete it, someone could have easily screen shot it or used it elsewhere. As a councillor you need to think carefully about what and how much content you put in the public domain.
- 3.6 Don't share your personal details online such as your phone number or personal photos with family members or friends. Whilst you might be comfortable being in the public glare consider whether your family, friends, work colleagues or neighbours would be as comfortable.
- 3.7 As with emails you need to be alert to phishing scams, cons or malicious software.
- 3.8 Beware of those who seek to use social media in a negative or abusive way, sometimes referred to as "trolls". The best advice is not to respond to such individuals and consider deleting or hiding their comments.
- 3.9 Do not be afraid to block followers or individuals who are persistently abusive to you. You should also consider reporting such conduct to the police. Similarly, where offensive content is posted by others, you should delete it and report it.

4. Responsibilities of Councillors

4.1 There's a golden rule for using social media, which is: if you are unsure about posting something, stop and ask for advice first before doing anything else. The Council's Communications team and/or Legal team can offer advice and support.

Social media works in the public domain. Once something is published it is 'out there' for everyone to see and very easily it can:

- go viral,
- be altered or changed without your consent,
- be taken out of context or
- be shared around the world.

Using social media as an elected (or co-opted) member of a council is very different from using it as someone who isn't. Councillors have additional responsibilities because of their position.

4.2 Councillors are personally responsible for the social media content they create, publish and share. Being a councillor will not prevent someone else pursuing legal action following the publication of an untrue statement. In such a situation, it is likely that you will be held personally liable. No indemnity from the Council will be available. This could include 'liking' or sharing someone else's content publicly as this could be viewed as endorsement.

4.3 Councillors should be mindful of the difference between fact and opinion. They also play a central role in preventing the spread of disinformation. Think twice before you press 'share'. If using Artificial Intelligence in the creation of posts care should be taken to still ensure that the contents are accurate and in context.

4.4 As a Councillor you are a representation of your office and your Council. Care should be taken when posting about Council business to ensure it is an accurate account and does not risk bringing your office or the Council into disrepute.

4.5 Be careful about your "friends" on social media, you shouldn't request or accept a Council employee or contractor providing services to the council as a "friend" on a social networking site where this suggests close personal association. For the avoidance of doubt, this does not apply to sites which are intended as a neutral, professional connections registry (such as LinkedIn.) As a Councillor you need to be aware of the perception of bias or special treatment.

4.6 As a Councillor you are in a position of authority. When posting comments on social media you must ensure they are respectful and that the platform is not used in any way to attack, insult, abuse, defame or otherwise make negative, offensive or discriminatory comments about council staff, service users, their family or friends, colleagues, other professionals, other organisations, or the council.

- 4.7 Safeguarding issues are paramount because social media sites are often misused by offenders. Safeguarding is everyone's business – if you have any concerns about other site users, you have a responsibility to report these.
- 4.8 Be careful not to give the impression your personal website or social media account is an official District Council website or account, for example by misleading use of the Council's logo. It is however acceptable to share the Council's public social media content through your own social media account/s.
- 4.9 On social media, councillors should also keep in mind their responsibility in relation to confidential information, copyright, data protection, the pre-election period and exempt reports.
- 4.10 Councillors are still subject to the Code of Conduct on social media where there is an explicit link between the content posted and council business or your role as councillor. As a general rule, councillors should demonstrate good conduct at all times and so should act as though their public engagement on social media falls in scope of the Code of Conduct.
- 4.11 When posting to social media you should remember that:
- you are an elected representative of your council.
 - what you post can affect the reputation of your council.
 - your council is a corporate decision-making body – you can't, independently, make decisions for the council on social media.
 - some issues and communications are best left to your council's official social media channels, which are usually managed by officers.
 - having a single voice or message can be critical in some situations – for example, in the event of major flooding.
 - you don't have to respond to or comment on everything on social media – and sometimes it's best not to.
- Think before you press 'publish'! There is a simple test. If you would be reluctant to say something face-to-face to a group of strangers in the street, then you probably shouldn't say it on social media.

5. Relevant Elements of the Members' Code of Conduct:

- 5.1 Where you are posting on a Councillor social media platform or sometimes even if you are posting on a private platform about Council business, the Code of Conduct will be engaged. The following sections of the Code are relevant:
- 5.2 You must treat others with respect - do not use social media to make personal attacks or indulge in rude, disrespectful or offensive comments.
- 5.3 You must comply with equality laws – do not publish anything that might be seen as discriminatory against any protected characteristic.

- 5.4 You must not bully or harass anyone – do not say anything, particularly if it is part of a series of similar comments about a person or on a theme that might be construed as bullying or intimidation.
- 5.5 You must not bring your office or the council into disrepute – you should not publish anything that could reasonably be perceived as reflecting badly upon or lowering the reputation of you or the Council.
- 5.6 You must not disclose confidential information - you must not, in your use of social media, just as in any other circumstances, disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature. Inadvertent leaks of the council's confidential information are more likely to take place when a councillor is using social media, rather than, say, when they are carefully drafting a letter for publication in the local paper. This may be because of the more immediate, conversational, off- the cuff nature of much social media communication. Members must be careful to apply exactly the same standards to their social media communications as they would to statements made in a more formal context.

6. General

- 6.1. The Council wishes to encourage Members' use of technology including social media for effective communication. This guidance is intended to help Members use social media in a way that avoids legal and reputational risk. Councillors are required to engage with any training provided by the Council on use of social media.

7. Advice

The Council endorses the [Local Government Association's Social media guidance for councillors](#) and requires all Councillors to use it if they choose to engage on social media. the guidance has been incorporated into this document. Further guidance can also be accessed.

The Communications Team and the Legal Team are happy to help Members by providing additional advice and guidance as appropriate.

MEMBERS ALLOWANCES SCHEME

MEMBERS ALLOWANCE SCHEME 2025/26

The basic Members’ allowance is £5,750
Special Responsibility Allowances are as follows:

Leader of the Council	21,692.00
Deputy Leader of the Council	12,239.00
Leader of Main Opposition Group	9,329.00
Leaders of Minority Opposition Groups	1,085.00
Cabinet Members with Portfolios	9,329.00
Chair of Policy & Performance Improvement Committee	9,329.00
Vice-Chair of Policy & Performance Improvement Committee	2,332.00
Chair of Planning Committee	9,329.00
Vice–Chair of Planning Committee	2,332.00
Chair of Licensing Committee	3,808.00
Vice–Chair of Licensing	949.00
Chair of Audit & Accounts Committee	5,423.00
Vice-Chair of Audit & Accounts Committee	1,356.00
Chair of Governance, General Purposes & LGR Committee	5,423.00
Vice-Chair of Governance, General Purposes & LGR Committee	1,356.00

1. For the purposes of qualifying for a Main Opposition Group Leader or Minority Opposition Group special responsibility allowance a political group on the Council needs to comprise of at least four Members. The Main Opposition Group is the largest Group for which no Member is a Cabinet Member with Portfolio, Leader or Deputy Leader. A Minority Opposition Group is any other Group.
2. A childcare allowance of an hourly rate up to a maximum level of the National Living Wage will be payable for costs actually incurred, or more in exceptional circumstances at the discretion of the Section 151 Officer provided that it is evidenced based.
3. An elderly/other care allowance is payable at the hourly rate charged by Nottinghamshire County Council Social Services for a Home Help Carer.
4. In the event of any part year entitlement due to elections, suspension or changes in special responsibility, payments will be subject to a daily calculation of entitlement.

5. The travel and subsistence expenses for Members be the same as the casual user rate and subsistence scheme for officers.

Further notes on travel expenses are detailed below:

- i. Members may claim for travel expenses for attending physical group meetings which are convened for district council business and held at Castle House or elsewhere in the district.
 - ii. Members can claim travel expenses for attending Castle House on council business when appropriate and meetings cannot be facilitated remotely.
 - iii. An allowance of £15 per month to be paid automatically to all Members of the Planning Committee, excluding the Chair and Vice-Chair.
6. Any Member may, by way of notice in writing, forgo all or part of any allowances.
7. The Basic Allowance and Special Responsibility Allowances are indexed to the annual percentage salary increase for local government staff (at spinal column 45) to be implemented from the start of the municipal year for which it is applicable.

This scheme came into effect on 19 May 2026

Notes: The following annual payments are made outside of the Members' Allowances Scheme:

Council's Appointed Independent Persons	£1,500
Chair of the Council	£3,360
Vice-Chair of the Council	£670