

Agenda

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Standards Committee

Special Meeting: Local Hearing Panel

This meeting will be held on:

Date: **Wednesday 27 August 2025**

Time: **6.00 pm**

Place: **Long Room - Oxford Town Hall**

For further information please contact:

Hannah Carmody-Brown, Committee & Member Services Officer

☎ 01865 252784

✉ standards@oxford.gov.uk

Members of the public can attend to observe this meeting and.

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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All public papers are available from the calendar link to this meeting once published

Committee Membership

Councillors: Membership 7: Quorum 3: substitutes are permitted.

Councillor Dr Christopher Snowton

Councillor Lizzy Diggins

Councillor Dr Max Morris

Andrew Mills-Hicks

Independent Person non-voting

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

Agenda

	Pages
1 Election of Chair	
To elect a Chair for the duration of the meeting.	
2 Apologies for Absence	
3 Declarations of Interest	
4 Matters exempt or part exempt from publication and exclusion of the public	
If the Panel wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding agenda items it will be necessary for the Panel to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. (The Access to Information Procedure Rules – Section 15 of the Council’s Constitution – sets out the conditions under which the public can be excluded from meetings of the Council).	
5 Local Hearing Panel	1 - 102
For the Committee to determine an outcome based on the documentation provided, and matters discussed within the meeting.	

Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". The matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Agenda Item 5

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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ANNEX 2

Procedure for dealing with code of conduct complaints against councillors



1. The Code of Conduct

The Localism Act 2011 requires all local authorities to adopt a code of conduct setting out the standards of behaviour expected from local councillors.

Oxford City Council has adopted a code of conduct for members, which is available for inspection on the [council's website](#) and on request from the Monitoring Officer: standards@oxford.gov.uk.

Each of the parish councils in Oxford may adopt their own Code of Conduct and a copy of their Code of Conduct should be found on the relevant parish council website.

The Localism Act 2011 also requires local authorities to have in place "arrangements" under which allegations that an elected or co-opted member of the district or parish council has failed to comply with the relevant Code of Conduct can be investigated and decisions made on such allegations.

These arrangements set out:

1. how to make a complaint about the conduct of an elected or co-opted member of Oxford City Council or of the following parish councils: Blackbird Leys PC; Old Marston PC; Littlemore PC; Risinghurst & Sandhills PC
2. how the Council will deal with such complaints

Decisions reached by the Monitoring Officer under this complaints process will be reported to the next scheduled meeting of the Standards Committee for noting.

2. Making a complaint

Complaints must be submitted in writing to Oxford City Council's Monitoring Officer using the [Code of Conduct complaint form](#). When complete, your form should be sent to the Monitoring Officer by post or email (preferred).

By post: Monitoring Officer (SA 3.8), Oxford City Council St Aldate's Chambers, 109-113 St Aldates, Oxford, OX1 1DS

Email: standards@oxford.gov.uk

The Monitoring Officer will not normally consider a complaint unless it is in writing and a complaint form has been received. This is to ensure that all of the relevant information is provided and, where necessary, consent to share information has been obtained so that the complaint can be processed.

If you do not have access to the internet or have difficulty completing the form please contact 01865 252402 for assistance.

Where a complaint is made against more than one councillor, a separate complaint form must be completed in respect of each councillor.

If you are making the complaint on behalf of a number of individuals, please nominate one person as the single point of contact to whom all correspondence will be addressed.

3. The complaint process

The Monitoring Officer will acknowledge receipt of the complaint within 5 working days.

The Monitoring Officer is entitled to dismiss the complaint at the outset if:

- the Subject Councillor is no longer a councillor;
- the complaint is made anonymously;
- the same, or substantially the same issue has been the subject of a previous Code of Conduct allegation and there is nothing further to be gained;
- the complaint is essentially against the action of the council as a whole and cannot properly be directed against individual councillor(s);
- the complaint does not relate to the conduct of a councillor and is a service complaint or other matter;
- the complaint is against an officer of the Council.

If the complaint identifies criminal conduct (including a failure to register disclosable pecuniary interests) or breach of other regulations by any person, the Monitoring Officer will refer the complaint to the police or other regulatory agencies. No further action will be taken in relation to such complaints until any related criminal/regulatory investigation, proceedings or processes have been concluded.

Anonymous complaints will not normally be investigated, unless there is clear public interest in doing so and the Monitoring Officer considers that a fair investigation can be carried out.

Requests from Complainants for the Monitoring Officer to withhold their identity, so that they remain anonymous to the Subject Councillor, are not ordinarily granted. The Monitoring Officer has to balance the right of the Subject Councillor to properly understand the complaint against them and respond to it, with the rights of the Complainant. This normally means that the Subject Councillor will need to be told who is making the complaint.

All parties are encouraged to respond promptly to any correspondence in relation to the complaint. All parties will be kept updated as to how the complaint is progressing. If at any stage in the complaint process the Complainant fails to respond, the complaint may be treated as withdrawn; if

the Subject Councillor fails to respond, the complaint will be determined on the basis of the information available.

Index	
This document	gives an explanation of the complaints process
Paragraph 9	indicative timescale for each stage of the complaint process
Annex 3	flow chart detailing the complaint process
Annex 4	glossary of terms used during the complaint process
Annex 5	procedure to be followed by the Local Hearing Panel
Annex 6	Complaint form

4. Will the complaint be investigated?

The Monitoring Officer will review every complaint received and, after consultation with an Independent Person (either in person or electronically), take a decision as to the following:

- That no further action should be taken
- Refer the complaint for local resolution (which might involve an apology or training or some other form of mediation)
- Refer the complaint for investigation

This is known as the Assessment stage and its purpose is to establish if there are valid grounds to investigate the complaint. At this stage there is no consideration or decision about whether or not there has been a breach of the Code of Conduct.

When reviewing Code of Conduct complaints the Monitoring Officer, in consultation with an Independent Person(s), will have regard to the following assessment criteria:

Adequate information	<p>The Monitoring Officer must be satisfied that there is sufficient information available at the “initial test and assessment stage” to decide whether the complaint should be referred for investigation or other action.</p> <p>The Monitoring Officer may provide other information which is readily available and which may assist in the consideration of the complaint “initial test and assessment stage”. This may include details of attendees at events, copies of agendas, reports and minutes of meetings or copies of the Members’ entry in the Register of Members’ Interests. It will not include conducting interviews with witnesses.</p> <p>If insufficient information is available, the Monitoring Officer will not normally refer the complaint for investigation or other action.</p>
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Official capacity	The Monitoring Officer must be satisfied that that the Subject Member was acting in an official capacity.
Timescale	The Monitoring Officer will take into account when the events subject to the complaint took place and will not normally investigate or pursue other action if the events occurred more than 6 months prior to the complaint being submitted other than in exceptional circumstances, such as where the conduct relates to a pattern of behaviour which has recently been repeated.
Seriousness	<p>The Monitoring Officer will not normally refer a matter for investigation or other action if it is considered trivial, malicious, vexatious, politically motivated¹ or tit-for-tat.</p> <p>Where the complaint appears to relate to the “rough and tumble of political debate” and pertains to conduct between Members or Members and co-opted Members rather than between Members and the public or officers, in most instances no further action will be taken.</p>
Public interest	<p>Consideration will be given as to whether the public interest² would be served by referring a complaint for investigation or other action.</p> <ul style="list-style-type: none"> the public interest would not normally be served where, for instance, a member has died, resigned or is seriously ill. If the complaint has already been the subject of an investigation or other action relating to the Code of Conduct or the subject of an investigation by other regulatory authorities, it is unlikely that it will be referred for investigation or other action unless it is evident that the public interest will be served by further action being taken. If the complaint relates to a former Member of Oxford City Council or one of the parish councils within the city boundary who is now a Member of another authority the Monitoring Officer may refer the matter to that authority for consideration.
Multiple Complaints	A single event may give rise to similar complaints from a number of complainants. Where possible these complaints will be considered by the Monitoring Officer at the same time. Each complaint will, however, be determined separately. If an investigation is deemed to be appropriate the Monitoring Officer may decide that, in the interests of efficiency, only one complaint should go forward for investigation, with the other complainants being treated as potential witnesses in that investigation.

¹ If something is politically motivated, it is carried out in the interests of a particular government or political party or individual

² used when talking about people's rights to know the facts about a particular situation

Before reaching a decision the Monitoring Officer may request further information from the Complainant and the Subject Councillor or obtain information which is readily available such as minutes of Council meetings. If the complaint relates to a Parish Councillor the Monitoring Officer may consult the Parish Council. This will extend the timescale for dealing with the complaint.

The Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. If the Subject Councillor makes a reasonable offer to settle the complaint informally, but the Complainant is not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

The Monitoring Officer will normally reach an assessment within 20 working days of receipt of the complaint, however, in some instances this may take longer.

If the Monitoring Officer decides not to investigate the complaint he/she will explain why. That will be the end of the matter.

5. How is the investigation conducted?

If the Monitoring Officer decides that a complaint merits investigation, he/she will appoint an Investigating Officer, who may be another officer of the Council, an officer of another authority or an external investigator.

The Investigating Officer will usually need to speak to the Complainant to discuss the complaint and may need to see relevant documents or interview other witnesses. The Complainant will be able to suggest what documents and which witnesses the Investigating Officer should consider seeing.

The Investigating Officer will also normally see the Subject Councillor and provide them with the same opportunity to identify sources of evidence and witnesses.

At the end of his/her investigation, the Investigating Officer will produce a draft report and send it, in confidence, to the Complainant and to the Subject Councillor, for comment.

The Investigating Officer will consider any comments the Complainant and/or the Subject Councillor make before sending the final report to the Monitoring Officer.

6. What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will review the Investigating Officer's report and, if he/she is satisfied with the quality of the investigation undertaken and that the Investigating Officer's report is sufficient, the Monitoring Officer will write to

the Complainant and to the Subject Councillor, confirming that he/she is satisfied that no further action is required. A copy of the Investigating Officer's final report will be provided to the Subject Councillor at that time. If the case concerns a Parish councillor he/she will also send a copy to the Parish Council concerned. That will be the end of the matter.

If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he/she may ask the Investigating Officer to reconsider his/her report.

In considering the Investigating Officer's report, the Monitoring Officer may consult with an Independent Person(s) if he/she considers it appropriate to do so.

The Monitoring Officer may consider that there are "learning points" which should be shared with the Subject Councillor or the Standards Committee.

7. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will review the Investigating Officer's report and after consulting an Independent Person(s) will then either seek local resolution or send the matter for local hearing before the Standards Committee.

Local Resolution

If the Monitoring Officer thinks that the complaint can reasonably be resolved without the need for a hearing he/she will consult with an Independent Person(s) and with the Complainant and seek to agree a fair resolution. It is important though that any resolution also helps to ensure higher standards of conduct for the future. Possible local resolutions may include the Subject Councillor accepting that his/her conduct was unacceptable and offering an apology. If the Subject Councillor complies with the suggested resolution, the Monitoring Officer will report the outcome to the Standards Committee (and, where relevant, to the Parish Council for information), but will take no further action. That will be the end of the matter.

Local Hearing Panel

If the complaint is not resolved through local resolution then the Monitoring Officer will refer the Investigating Officer's report to the Standards Committee which will convene a Local Hearing Panel to determine whether or not the Code of Conduct was breached.

The Local Hearing Panel will comprise a minimum of three elected members of the Standards Committee plus an Independent Person. The Monitoring Officer will select the membership of each Local Hearing Panel.

This is not a Court process but, in order to be fair to everyone, formalities are followed so that a proper decision can be reached.

The procedure to be followed is detailed at Annex 5.

The Local Hearing Panel may conclude that the Subject Councillor did not fail to comply with the Code of Conduct, and so dismiss the complaint. That will be an end to the matter.

8. What action can the Local Hearing Panel of the Standards Committee take when a Councillor has failed to comply with the Code of Conduct?

If the Local Hearing Panel concludes that the Subject Councillor did fail to comply with the Code of Conduct, the Chair will inform the Subject Councillor of this finding and the Panel will then consider what action, if any, it should take as a result of the failure to comply with the Code of Conduct. In doing this, the Panel will give the Subject Councillor an opportunity to make representations and will consult the Independent Person(s).

The Local Hearing Panel may:

- Censure or reprimand the Subject Councillor;
- Recommend to the Subject Councillor's group leader (or in the case of un-grouped members, recommend to Council) that he/she be removed from any or all Committee or Sub-Committees of the Council;
- Recommend to the Leader of the Council that the Subject Councillor be removed from the City Executive Board, or removed from particular portfolio responsibilities;
- Recommend to Council that the Subject Councillor be replaced as Executive Leader;
- Instruct the Monitoring Officer to, or recommend that a Parish Council, arrange training for the Subject Councillor.
- Publish its findings in respect of the Subject Councillor's conduct;
- Report its findings to Council, or to a Parish Council, for information;

The Local Hearing Panel has no power to suspend or disqualify the member or to withdraw or suspend allowances or restrict access to or use of Council facilities.

Within 10 working days the Monitoring Officer will prepare a formal decision notice, in consultation with the Chair of the Local Hearing Panel, and send a copy to the Complainant, to the Subject Councillor (and to the Parish Council if appropriate).

The decision notice will be published as part of the minutes of the Local Hearing Panel meeting and will be placed on the Council's website unless the Monitoring Officer determines that it should remain confidential or it contains exempt information.

9. Timescales

The timescales quoted below are indicative. They are not guaranteed and are included here to illustrate the likely duration of the complaints process. Actual timescales may be significantly shorter or longer depending on the complexity and content of the complaint.

Stage in complaints process	Indicative timescales
Acknowledge receipt of complaint or dismissal of invalid complaints	within 5 working days of receipt of complaint
Assessment stage decision	Issued to Subject Councillor and Complainant within 25 working days of receipt of complaint
Investigation	A formal investigation normally takes around 8 - 12 weeks from the appointment of an appropriate investigator
Local Hearing Panel	within 25 working days of receipt of the final investigation report – which includes: <ul style="list-style-type: none">• 10 working days to prepare hearing papers and hold any pre-hearing meetings• 10 working days for Subject Councillor to submit a response to the Investigator's report and hearing papers• 5 working days for agenda publication
Local Hearing Panel decision	Issued to Subject Councillor and Complainant and published within 10 working days of the Local Hearing Panel meeting

10. Appeals

There is no right of appeal for the Complainant or for the Subject Councillor against a decision of the Monitoring Officer or of the Standards Committee.

However, the Monitoring Officer reports these decisions to the Council's Standards Committee so there is oversight of how these matters are dealt with.

11. Document Retention

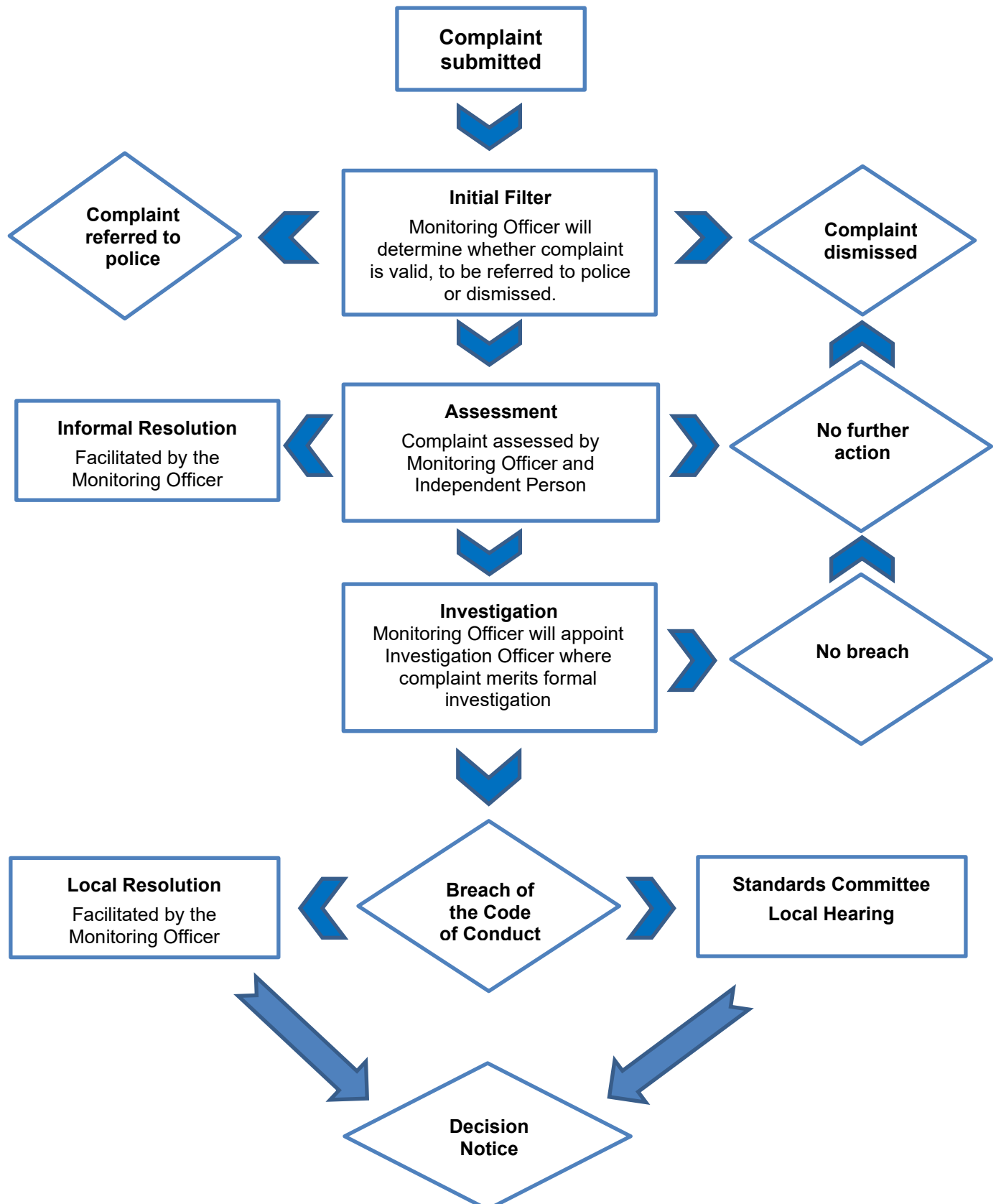
The documentation relating to a complaint will be retained for 6 years from the conclusion of the complaint, irrespective of the outcome of the complaint. Minutes of the Standards Committee will be retained in the same way as the minutes of other council decision making bodies.

12. Revision of these arrangements

The Council may by resolution agree to amend these arrangements. The Standards Committee, on the advice of the Monitoring Officer, may depart from these arrangements where it is necessary to do so in order to secure the effective and fair consideration of any matter.

ANNEX 3

Arrangements for dealing with code of conduct complaints against councillors: Flow chart



ANNEX 4

Arrangements for dealing with code of conduct complaints against councillors: Glossary of terms

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Complainant(s)	The person/people making the complaint.
Initial tests and assessment stage	A meeting or discussion between the Monitoring Officer and an Independent Person to consider a complaint against the initial tests and assessment criteria.
Local Hearing	A meeting of the Local Hearing Panel of the Standards Committee at which they consider whether the “Subject Councillor” has breached the code of conduct.
Independent person	The Council must appoint at least one Independent Person and seek that person’s views before it takes decision on a complaint that it has decided to investigate. The Independent Person’s views can also be sought by the council on any other issue in the complaints handling process. The Independent Person will also provide, on request, procedural advice to a Subject Councillor.
Investigator	The person appointed by the Monitoring Officer to undertake a formal investigation. This may involve the appointment of an investigating officer, who may be another officer of the council, an officer of another council or an external investigator.
Legal advisor	The officer responsible for providing legal advice to the Local Hearing Panel of the Standards Committee. This may be the Monitoring Officer, another legally qualified officer, or someone appointed for this purpose from outside the council.
Monitoring officer	The Monitoring Officer is a senior officer of the council who has statutory responsibility for maintaining the register of councillors’ interests and who is responsible for administering the system in respect of complaints of councillor misconduct.
Public interest	Public interest ¹ considerations are at the heart of this process. The Monitoring Officer must balance the appropriate use of public resource in dealing with complaints with the extent to which it may be in the public interest to take further action, and what that further action should be (informal resolution of a formal investigation perhaps leading to a finding of a breach of the code and sanctions being imposed).
Subject Councillor	The councillor, co-optee, or parish councillor against whom an allegation has been made.

¹ used when talking about people's rights to know the facts about a particular situation

ANNEX 5

Arrangements for dealing with code of conduct complaints against councillors: Local Hearing Panel Procedure



Introduction

Where the Monitoring Officer considers that it is in the public interest for a complaint to be considered by the Standards Committee, a Local Hearing Panel will be convened to determine whether the Subject Councillor has failed to comply with the code of conduct.

The Monitoring Officer will seek to convene the Local Hearing Panel within 25 working days of receipt of the final Investigator's report.

The Local Hearing Panel will comprise a minimum of three elected members of the Standards Committee plus an Independent Person. The Monitoring Officer will select the membership of each Local Hearing Panel.

Definitions

Complainant(s)	The person/people making the complaint.
Subject Councillor	The councillor, co-optee, or parish councillor against whom an allegation has been made.
Appointed Representative	The Subject Councillor may be represented or accompanied during the meeting by a Solicitor, Counsel or, with the permission of the Local Hearing, another person.
Local Hearing Panel	A meeting of a panel of three members of the Standards Committee at which they consider whether the "Subject Councillor" has breached the code of conduct.
Independent person	An Independent Person will be invited by the Monitoring Officer to attend a Local Hearing Panel and their views are sought and taken into consideration before the Local Hearing takes any decision on whether the Subject Councillor's conduct constitutes a failure to comply with the Code of conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.
Investigator	The person appointed by the Monitoring Officer to undertake a formal investigation. This may involve the appointment of an investigating officer, who may be another officer of the council, an officer of another council or an external investigator.
Legal advisor	The officer responsible for providing legal advice to the Local Hearing Panel. This may be the Monitoring Officer, another legally qualified officer, or someone appointed for this purpose from outside the council.

Pre-hearing processes

The Monitoring Officer will invite the Subject Councillor to give his/her response in writing to Investigator's report. This is done to establish what is likely to be agreed and what is likely to be in dispute at the hearing.

The Local Hearing Panel, taking account of the advice of the Monitoring Officer, may issue directions about the way in which the Local Hearing will be conducted, for example agreeing the number and identity of witnesses. Such directions may be given either before or at the Local Hearing Panel, and may be decided at a meeting or by correspondence involving all members of the panel. Any meeting to deal with pre-hearing process issues will be held in private without the Complainant or the Subject Councillor present.

Documentation

Local Hearing Panel meetings of the Standards Committee are subject to the normal rules for publication of council agendas and access to information.

The agenda papers for the Local Hearing Panel will include:

- Monitoring Officer report
- Complaint form and documentation
- Investigator's report
- Subject Councillor's written response
- For reference: Code of Conduct, Standards Committee Local Hearing Panel procedure

The agenda and documents will be published under the Council's rules for exempt information. Prior to the Local Hearing Panel, any documentation issued or exchanged during the process must be treated by all recipients as confidential unless and until the Local Hearing Panel agrees that the press and public should not be excluded from the meeting at which the allegations are going to be heard.

If the Local Hearing Panel agrees that the meeting should be held in public, the investigator's report will be made available to the press and public in attendance at the meeting.

Local Hearing Panel procedure

The Local Hearing Panel will follow normal committee procedures for apologies, selection of a Chair for that meeting and declarations of interest.

At the Local Hearing Panel, the Monitoring Officer or Legal Adviser will introduce the case that the Subject Councillor has failed to comply with the code of conduct.

The Investigator will present his/her report, call such witnesses as necessary (which may include the Complainant) and make representations to substantiate the conclusion that the Councillor has failed to comply with the Code of Conduct.

The Subject Councillor (or appointed representative) will then have an opportunity to give his/her evidence, to call witnesses and to make

representations about why he/she considers that he/she did not fail to comply with the code of conduct.

Normal hearing rules will apply in terms of providing opportunities to question witnesses and test evidence, subject to the principles of natural justice.

If the Subject Councillor (or appointed representative) is not present, then the Local Hearing Panel will consider whether to proceed to hear the case and make a decision in absence, or whether to adjourn the hearing to another time or date. If the Subject Councillor has indicated that the hearing should carry on without him/her this will normally happen.

The Local Hearing Panel may take legal advice from its legal advisor at any time during the meeting or while they are considering the outcome. The substance of any legal advice given to the Local Hearing Panel would be shared in the public domain with the Subject Councillor and the Investigator if they are attending the hearing.

The Local Hearing Panel will request that all persons leave the room while they consider whether or not there has been a breach of the code of conduct.

If there is no evidence of a failure to comply with the Code of Conduct

If the Local Hearing Panel concludes that the Subject Councillor did not fail to comply with the code of conduct it will dismiss the complaint and no further action will be taken.

In that event, the Local Hearing Panel may still make general recommendations to the Council or Parish Council on any remedial actions if considers necessary to address the issues raised.

If there is evidence of a failure to comply with the Code of Conduct

If the Local Hearing Panel determines that the Subject Councillor has failed to comply with the code of conduct, the Chair will inform the Subject Councillor of this finding. The Independent Person will give his/her views on the matter, which will be recorded in the minutes of the meeting. The Chair of the Local Hearing Panel will explain the reasons why any advice from the Independent Person has or has not been followed in giving its decision.

The Local Hearing Panel will then consider what action, if any, it should take as a result. The Local Hearing Panel will give the Subject Councillor an opportunity to make representations about that and will consult the Independent Person deciding what action, if any, to take.

The Local Hearing Panel will request that all persons leave the room while they consider whether or not to impose a sanction on the Subject Councillor and, if so, what the sanction should be.

Remedies

The Council has delegated to the Standards Committee powers to take action in respect of individual councillors as may be necessary to promote and maintain high standards of conduct. Accordingly the Local Hearing Panel may:

- Censure or reprimand the Subject Councillor;
- Recommend to the Subject Councillor's group leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committee or Sub-Committees of the Council;
- Recommend to the Leader of the Council that the Subject Councillor be removed from the City Executive Board, or removed from particular portfolio responsibilities;
- Recommend to Council that the Subject Councillor be replaced as Executive Leader;
- Instruct the Monitoring Officer to, or recommend that a Parish Council, arrange training for the Subject Councillor.
- Publish its findings in respect of the Subject Councillor's conduct;
- Report its findings to Council, or to a Parish Council, for information;

The Local Hearing Panel has no power to suspend or disqualify the member or to withdraw or suspend allowances or restrict access to or use of Council facilities.

Recommendations to the Council / Parish Council

The Local Hearing Panel will consider whether it should make any recommendations to the City or Parish Council with a view to promoting high standards of conduct among councillors.

The Decision

The Monitoring Officer will, within 10 working days of the Local Hearing Panel, prepare a formal decision notice, in consultation with the Chair of the Local Hearing Panel, and send a copy to the Complainant, to the Subject Councillor (and to the Parish Council if appropriate).

The decision notice will be published as part of the minutes of the Standards Committee Local Hearing Panel meeting and will be placed on the Council's website unless the Monitoring Officer determines that it should remain confidential or it contains exempt information.

The Monitoring Officer will be responsible for the implementation of the decision of the Local Hearing Panel. The findings and recommendations of the Local Hearing Panel (as implemented by the Monitoring Officer) are final.

Departure from these arrangements

The Chair of the Standards Committee or the Chair of the Local Hearing Panel has the right to depart from this procedure, in consultation with the Monitoring Officer or Legal Advisor, at any hearing where he/she considers that it is sensible to do so to deal with the case fairly and effectively.

ANNEX 6

Arrangements for dealing with code of conduct complaints against councillors: Complaint form

Please use this form if you wish to make a Code of Conduct complaint against Oxford City Councillors or Parish Councillors ¹ or co-opted members.

If you would like to discuss your concerns informally before submitting a complaint, or if you need any support in completing this form, please contact Democratic Services on 01865 252402 or email standards@oxford.gov.uk.

Please note

- Complaints can only be accepted in writing or by email
- Complaints can only be accepted in respect of a Member's conduct at a time when they were acting in their capacity as a Councillor; the Council has no jurisdiction over the conduct of a Councillor who is not either acting in their capacity as a Councillor, conducting the business of the Council or representing the Council or its views.
- The Council is unlikely to be able to keep your identity or the information you have provided confidential if you make a complaint. If you have serious concerns about disclosure of your name and a summary of your complaint, please complete section 6 on confidential information.
- An officer from the Council may contact you personally to go through the details of your complaint.

Please send the completed form together with any attachments to:

The Monitoring Officer (SA 3.8)
Law & Governance
Oxford City Council
St Aldate's Chambers
St Aldate's
Oxford
OX1 1DS

Or by e-mail to: standards@oxford.gov.uk

¹ Blackbird Leys Parish Council; Littlemore Parish Council; Old Marston Parish Council; Risinghurst and Sandhills Parish Council.

Section 1: Your details

Title:			
First name:			
Last name:			
Address:			
Daytime telephone:			
Mobile telephone:			
Email address:			
<p>Please consider the complaint I have described below and in the evidence attached. I understand and accept that my name will normally be disclosed to the Councillor and any parties involved in the complaints procedure or outside authorities required to monitor the Council's complaints procedure by law. My personal details provided on this form may also be shared with the police in the prevention or detection of crime.</p>			
Signed:		Date:	

As the complainant, please indicate the categories which best describe you:

	Member of the public
	Elected/Co-opted Member of a Council or Parish Council (please specify):
	Independent Member of the Standards Committee
	Local Authority Monitoring Officer
	Member of Parliament
	City Council employee
	Parish Council employee (please specify):
	Other (Please specify)

Section 2: Who are you complaining about?

Please give the name of the Councillor(s) or Co-opted Member(s) of Oxford City Council or Parish Council that you believe have breached the Code of Conduct:

Title	First name	Last name	Council or Parish Council

Section 3: If your complaint concerns a Member of Oxford City Council please indicate which sections of the Members' Code of Conduct have been breached?

Paragraph	Behaviour	
3	Selflessness	
4	Objectivity	
5	Accountability	
6	Openness	
7	Honesty and Integrity	
8	Leadership	
General Obligations		
9	Respect for others	
10	Bullying	
11	Impartiality	
12	Confidential information	
13	Knowledge	
14	Professional advice	
15	Council resources	
16 - 19	Registering and declaring interests	

Section 4: What are you complaining about?

Please provide us with as much information as you can about your complaint to help us decide whether or not it should be investigated. Include the date and details of the alleged misconduct, and any information that supports the allegation.

WHY are you complaining about them? - say what went on, how you felt about it and why you think it is unacceptable or inappropriate.	
WHAT did they do? If it relates to their language or behaviour write down what they actually said/did as you need to say what they did that was unacceptable to you	
WHEN did this take place? Be specific on the dates and times	
WHERE? - be specific where it all took place - give the address and also the details of the venue - was it in a meeting room/corridor/in the street/in the pub etc	
WITNESS - who else was there and heard what went on - you need to name the persons who can potentially be asked questions about the incident(s)	
OTHER -	
You can continue on a separate sheet if there is not enough space on this form.	

Section 5: Evidence (if this applies)

It is essential that you give evidence to support your complaint, otherwise the Monitoring Officer may not be able to decide if what you say should be investigated.

Please attach copies of any correspondence, documents, names and contact details of witnesses, and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please list the documents you have enclosed:

1.	
2.	
3.	
4.	
5.	
6.	

Section 6: Previous complaint

To your knowledge has a Code of Conduct complaint about this issue previously been submitted?

YES	NO
-----	----

Section 7: Possible remedy

Whilst not acknowledging that your complaint is justified and without prejudice, it would help with the assessment of your complaint to know what your desired outcome might be. If you feel able to provide this information please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

--

Section 8: Confidential information (only complete this section if you are requesting that your identity is kept anonymous)

In the interests of fairness and natural justice, we believe councillors who are complained about have a right to know who has made the complaint. We also believe that they have a right to be provided with a copy of that complaint.

Your identity will normally be disclosed to the councillor concerned unless you have good reason to request the withholding of this information. Such reasons, in exceptional circumstances, might involve one or more of the following:

Please tick the appropriate box if you consider there are grounds for keeping your complaint anonymous	
Clear risk of physical harm if identity is disclosed	
Possible consequence to employment status	
Reasonable fear of intimidation or victimisation	
Medical condition	
Please provide details of why you believe we should withhold your name and/or details of your complaint:	

The Monitoring Officer will consider the request for identity to be withheld alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Annex 7

Social media protocol for councillors



Introduction

This protocol is intended to provide general guidance and to promote greater clarity on the use of social media¹ by Oxford City councillors in both their elected and personal roles.

The use of social media poses some risks to the Council's reputation. These risks need to be managed. This protocol aims to ensure that:

- Councillors, and through them the Council, are not exposed to legal risks as a result of social media use
- the reputation of the Councillors, and through them the Council, is not damaged as a result of social media use

Social media evolves rapidly, with new sites and features launching regularly. As such, this protocol does not go into detail about how to operate different social media applications.

Different roles and blurred identities

Using social media often blurs the line between personal and official communications.

Anyone reading social media posts will not necessarily recognise when a councillor is speaking as a private individual or as an elected councillor, regardless of whether or not the post comes from a “councillor” profile.

“since the judgement of whether you are perceived to be acting as a councillor will be taken by someone else, it’s safest to assume that any online activity can be linked to your official role.”²

Similarly anyone reading social media posts will also not necessarily recognise whether the post is from an individual councillor or as a spokesperson on behalf of the Council. It is recommended that councillors add a statement along the following lines to their social media profile:

“The views I express here are mine and do not necessarily reflect the views of the council.”

Social media protocol and the Code of Conduct

When using social media in an official capacity, councillors should be aware that they will be bound by the [Code of Conduct](#). In particular, this includes (but is not limited to) the following principles:

- Treating others with respect

¹ Social media means websites and applications that enable users to create and share their own content directly or to participate in social networking. Channels include, but not limited to, Facebook, Twitter, Instagram, LinkedIn, NextDoor, TikTok and YouTube.

² Local Government Group - Connected Councillors: A guide to using social media to support local leadership. P24

- Complying with equality laws
- Not bullying or intimidating
- Not bringing the council into disrepute
- Not disclosing confidential information

Councillors serving on regulatory committees such as planning or licensing should also be mindful of the rules relating to bias and pre-determination and should be careful not to post anything on social media that might suggest that they did not have an open mind about any matter that they may be involved in determining. Any views aired on social media could be used as evidence of making a decision in advance of hearing all relevant information. The Council's decision could then be open to challenge and could be invalidated.

Responsibilities

The consequences of misusing social media can include negative publicity, regulatory attention and confidentiality and copyright concerns.

Councillors are personally responsible for the content they post on any form of social media and will need to be aware of the laws that apply to published (posted) material. This includes (but is not limited to):

- Data protection: do not post personal data of other people, including photographs, without their express permission to do so;
- Defamation: is a spoken or written expression which is deemed to harm the reputation of an individual and proved to be false;
- Copyright: do not post information or images/videos without permission;
- Harassment: it is an offence to pursue a campaign repeatedly against a person that is likely to cause alarm, harassment or distress;
- Incitement: it is an offence to incite any criminal act;
- Discrimination and 'protected characteristics': it is an offence to discriminate against anyone based on protected characteristics ([as defined in the Equality Act 2010](#));
- Malicious and obscene communications: it is an offence to post malicious or obscene communications.
- Reporting restrictions and contempt of court: there might be a legal reporting restriction on a court case. There are also rules about what any member of the public can publish which might be in contempt of court. Once somebody has been arrested or civil proceedings have started, they are protected by law from the publication of information which might mean that their trial cannot take place fairly.

Councillors should contact the Council's communications team before responding to any contact from journalists about social media posts made in an official capacity.

Councillors should not use social media on council computer equipment or digital devices to make political statements or to canvass votes; particular care should be taken during the pre-election period.

Councillors should be familiar with the following documents:

- [Oxford City Council data protection policy](#) and the [statement on the Council website](#).
- [ICT Acceptable Use Policy \(see Constitution chapter 27\)](#)
- [Code on Councillor – Officer relations \(see Constitution chapter 23\)](#)
- [Safeguarding Children, Young People and Adults with Care and Support Needs Policy & Procedures](#)

Using social media at Council meetings

Councillors should use social media sparingly, discreetly and with common sense at meetings, considering the impression this presents to others. Councillors should be mindful that regulatory committees such as planning or licensing require the councillor to alert officers to any lobbying material they have received. This would be difficult if it arrives via social media and is read by the councillor during the course of a meeting.

It is important for councillors to show that sufficient attention is being given to the discussion at the meeting. If councillors are perceived to have made a decision without having properly listened to the debate it could lead to the relevant decision coming under challenge. It could also result in code of conduct complaints of a failure to treat others with respect or of bringing the Council into disrepute.

Best practice

Set the tone

Set the tone for online conversations by being polite, accurate and transparent. Encourage constructive criticism and deliberation.

Be responsive

Remember it's a conversation. People expect to interact and to receive responses to their questions. Social media is a place to be social.

Allow disagreement

Treat differences of opinion with respect, engage in the discussion and be wary about deleting opposing views. Be mindful of "trolling" ³ and avoid being drawn in to unnecessary or unproductive arguments.

Deal with inappropriate comments

Take prompt action to remove any inappropriate or offensive comments and explain the reason that this was done. If you are uncertain about this then please contact the communications team or refer to *Oxford City Council's social media moderation policy*.

Safeguarding

Councillors have a responsibility to report any concerns about other site users.

Admit mistakes

Acknowledge and correct any mistakes. Do not just delete them. Do not alter previous posts without indicating that there has been a change.

³ Trolling as it relates to the internet, is the deliberate act of making random unsolicited and/or controversial comments on various internet forums with the intent of provoking readers into displaying emotional responses whether amusement or a specific gain

Pause before publishing

A hastily posted blog post or tweet will probably have already been read or duplicated in places on the web before it can be deleted or amended. Remember that if you wouldn't want it officially recorded in notes from a meeting or reprinted in a newspaper article, then do not post it online.

Think about following / friending

Some constituents may be uncomfortable if a councillor begins following them or sends them a friend request. Consider waiting to be followed or friended first. Online relationships with council employees need to be treated with caution. Whilst some online relationships may be valid both parties need to be sure not to compromise the impartial and professional relationship that is important between councillors and colleagues.

Protection and security

Sharing background information, such as information about family or personal interests, may be useful in helping establish a relationship with social media audiences but revealing certain details might increase the risk of identity theft or pose a security risk.

Make use of stringent privacy settings to prevent your personal social media posts being accessed by the press or public. Read the terms of service of any social media site accessed to understand their confidentiality/privacy settings.

Further information

- contact the [Communications team](#) for advice of a non-political nature on best practice for social media
- attend Social Media training sessions offered by the Communications if you need any further advice
- contact the [Monitoring Officer](#) for advice on the Code of Conduct
- contact the [Committee & Member Services team](#) for information about courses, conferences and member training relating to social media

Useful websites include:

LGIU

- [How social media can help your work as a councillor](#)
- [Social media dos and donts](#)
- [Ten basic principles of social media](#)
- [Councillors and social media](#)

Platform help centres

- [Twitter help centre](#)
- [Facebook help centre](#)

Oxford City Council

- [Oxford City Councillors' conduct](#)

Welsh Local Government Association

- [Councillors Guide to handling on line abuse](#)

Oxfordshire Councils' Councillor Code of Conduct 2022

February 2022

1.0 Introduction

The Council has a duty to promote and maintain high standards of conduct by members and co-opted members of the Council, and formally adopt a code of conduct, in accordance with the *Localism Act 2011*.

2.0 Purpose of the Code of Conduct

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. The fundamental aim of the Code is to create and maintain public confidence in the role of the Councillor and in Local Government.

3.0 Definitions

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of the local 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

- 3.1 is a member of any committee or sub-committee of the authority, or;
- 3.2 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".

4.0 General Principles of Councillor Conduct

Everyone in public office and all who serve the public or deliver public services, including Councillors and local authority officers, should uphold the Seven Principles of Public Life, also known as the Nolan Principles, (see Appendix A).

Building on these principles of selflessness, objectivity, accountability, openness, honesty and integrity and leadership, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in Councillors, on all occasions a Councillor shall:

- 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.
- impartially exercise their responsibilities in the interests of the local community
- not improperly seek to confer an advantage, or disadvantage, on any person

- avoid conflicts of interest
- exercise reasonable care and diligence; and
- ensure that public resources are used prudently in accordance with the local authority's requirements and in the public interest.

These general principles have been incorporated into the obligations of the Code of Conduct as set out below.

5.0 Application of the Code of Conduct

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.

This Code of Conduct applies to you 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 and in electronic and social media communication, posts, statements and comments.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

6.0 Standards of Councillor Conduct

This section sets out the obligations (in bold below), which are the minimum standards of conduct required of a Councillor. Should a Councillor's conduct fall short of these standards, a complaint may be made against them, which may result in action being taken.

Guidance is also included below each obligation to help explain the reasons for the obligations and how they should be followed.

6.1 Respect

A Councillor:

- 6.1.1 Shall treat everyone, including other Councillors and members of the public with respect.**
- 6.1.2 Shall 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 everyone. 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 relevant social media provider and/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 local authority's councillor- officer protocol.

6.2 Bullying, Harassment and Discrimination

A Councillor:

6.2.1 Shall not bully any person.

6.2.2 Shall not harass any person.

6.2.3 Shall promote equalities and not discriminate against any person.

Bullying is 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.

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.

Legislation 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.

6.3 Impartiality of Officers of the Council

A Councillor:

6.3.1 Shall 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, (other than political assistants where applicable). They should not be coerced or persuaded to act in a way that would undermine their neutrality. A Councillor may 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, a Councillor 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.

6.4 Confidentiality and access to information

A Councillor:

- 6.4.1 Shall not disclose information either given to them in confidence by anyone or acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature, unless**
- i. They have received the consent of a person authorised to give it; or**
 - ii. They are required by law to do so; or**
 - 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; and also made in good faith and in compliance with the reasonable requirements of the local authority and consultation with the Monitoring Officer has taken place prior to its release.**
- 6.4.2 Shall not improperly use knowledge gained solely as a result of their role as a Councillor for the advancement of themselves, their friends, family members, employer or business interests.**
- 6.4.3 Shall not prevent anyone from getting information that they are entitled to by law.**
- 6.4.4 When making decisions on behalf of, or as part of, the Council shall have due regard to any professional advice provided by the Council's Officers.**

6.5 Disrepute

A Councillor:

- 6.5.1 Shall not bring their role or 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 you or your local authority's ability to discharge your/its functions.

6.6 Use of position

A Councillor:

6.6.1 Shall not use, or attempt to use, their position improperly to the advantage or disadvantage of anyone.

A Councillor should not take advantage of opportunities, responsibilities and privileges to further their own or others' private interests or to disadvantage anyone unfairly.

6.7 Local authority Resources and Facilities

A Councillor:

6.7.1 Shall not misuse council resources.

6.7.2 Shall, when using the resources of the local authority or authorising their use by others, act in accordance with the local authority's requirements; and 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 they have been elected or appointed.

A Councillor may be provided with resources and facilities by the local authority to assist them in carrying out their duties as a Councillor. Examples may include office support, stationery, equipment such as phones, computers and transport and access and use of local authority buildings and rooms.

6.8 Compliance with the Code of Conduct

A Councillor:

6.8.1 Shall undertake Code of Conduct training as required by the local authority.

6.8.2 Shall cooperate with any Code of Conduct assessment, investigation, hearing and/or determination.

6.8.3 Shall not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

6.8.4 Shall comply with any sanction imposed on them following a finding that they have breached the Code of Conduct.

It is extremely important for a Councillor to demonstrate high standards, to have your actions open to scrutiny and not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with the Monitoring Officer.

7.0 Registering and Declaring Interests

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.

7.1 Disclosable Pecuniary Interests

A Councillor must, within 28 days of taking office as a member or co-opted member, notify the Council's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State (see Appendix B), 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 with as a husband or wife, or as if you were civil partners. Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You must disclose the interest at any meeting of the 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'. If it is a 'sensitive interest', you must disclose the fact that you have an interest but do not have to disclose the nature of it. (A sensitive interest is an interest which, in the opinion of the Monitoring Officer, if disclosed, could lead to the Councillor, or a person connected with them, being subjected to violence or intimidation.) You are personally responsible for deciding whether or not you should disclose an interest in a meeting.

Following any disclosure of an interest not on the Council's register, or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, by the Monitoring Officer, you may not participate in any discussion of, or vote on, or discharge any function related to any matter in which you have a disclosable pecuniary interest. You must withdraw from the room or chamber when the meeting discusses and votes on the matter.

Where you have a disclosable pecuniary interest on a matter to be considered or being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

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.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Appendix B is a criminal offence under the Localism Act 2011.

7.2 Other Registerable Interests

You must also register your other registerable interests with the Monitoring Officer within 28 days of taking office and ensure these are kept up to date by notifying any changes within 28

days.

Where a matter arises at a meeting which ***directly relates*** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in Appendix C), you must disclose the interest. Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing. 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.

Where you have an Other Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

7.3 Non-Registerable Interests

Where a matter arises at a meeting which ***directly relates*** to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests at 7.1 above), or the financial interest or wellbeing of a relative or close associate, you must disclose the 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.

Where a matter arises at a meeting which ***affects*** your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registrable Interests as set out at 7.2 above and appendix C 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:

Where a matter affects the 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. Otherwise you 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.

Where you have a Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

8.0 Gifts and Hospitality

A Councillor:

- 8.1 Shall 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 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.**
- 8.2 Shall register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 8.3 Shall register with the Monitoring Officer any significant gift or hospitality that they have been offered but have refused to accept.**

The presumption should always be not to accept significant gifts or hospitality but 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.

You do not need to register gifts and hospitality which are not related to your role as a Councillor.

It is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor.

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: Discloseable Pecuniary Interests

"Discloseable 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 the table 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.

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>

Contracts	<p>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 —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'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.</p>
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(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.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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 have a beneficial interest exceeds one hundredth of the total issues share capital of that class.</p>

* '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.

Appendix C: Disclosure of Other Registrable Interests
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You must register as an Other Registrable Interest:

- 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 of which you are a member or in a position of general control or management
 - (i) exercising functions of a public nature
 - (ii) 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)

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