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## AGENDA FOR THE STANDARDS COMMITTEE

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A meeting of the Standards Committee will be held in Committee Room 2, Town Hall, Upper Street, N1 2UD on, **21 November 2024 at 7.00 pm.**

Enquiries to : Philippa Green  
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Despatched : 13 November 2024

### Membership

#### **Councillors:**

Councillor Sara Hyde (Chair)  
Councillor Satnam Gill OBE  
Councillor Ruth Hayes  
Councillor Rosaline Ogunro

### Substitute Members

#### **Substitutes:**

Councillor Hannah McHugh  
Councillor Heather Staff  
Councillor Angelo Weekes

### **Independent Persons:**

Mr Robert Milne  
Mr Luke Rigg

**Quorum: is 3 Councillors**

<b>A. Formal Matters</b>	<b>Page</b>
1. Apologies for absence	
2. Declarations of Interest	
3. Minutes of the last meeting	1 - 2
<b>B. Items for decision</b>	
4. Annual Report on Standards and Member Conduct	3 - 10
5. Constitution Review - Protocol on the Member Officer Relationship	11 - 30
6. Amending the Code of Conduct for Members	31 - 50
<b>C. Urgent non-exempt items - if any</b>	
<b>D. Exclusion of the press and public</b>	
<b>E. Exempt matters - if any</b>	
<b>F. Urgent exempt matters - if any</b>	

The next meeting of the Standards Committee will be on 26 June 2025  
**Please note all committee agendas, reports and minutes are available on the council's website: [www.democracy.islington.gov.uk](http://www.democracy.islington.gov.uk)**

# Agenda Item 3

London Borough of Islington

## Standards Committee - Tuesday, 9 July 2024

Minutes of the meeting of the Standards Committee held at Committee Room 2, Town Hall, Upper Street, N1 2UD on Tuesday, 9 July 2024 at 7.00 pm.

**Present:**            **Councillors:**            Hyde (Chair), Gill, Hayes and Ogunro

**Also Present:**        **Independent Persons:**        Robert Milne and Luke Rigg

**Officers:**                    Alison Stuart, Director of Law and Governance and Monitoring Officer  
                                 Farida Hussain, Deputy Director of Legal Services and Deputy Monitoring Officer  
                                 Philippa Green, Head of Democratic Services and Governance and Clerk to the Committee

### Councillor Sara Hyde in the Chair

**1        APOLOGIES FOR ABSENCE (ITEM NO. 1)**

None.

**2        DECLARATIONS OF INTEREST (ITEM NO. 2)**

None.

**3        MINUTES OF THE LAST MEETING (ITEM NO. 3)**

That the minutes of the meeting held on 16 November 2023 be confirmed as an accurate record of the meeting and the Chair be authorised to sign them.

**4        REVIEW OF THE CODE OF CONDUCT FOR MEMBERS (ITEM NO. 4)**

The Chair introduced the item and asked members of the committee if they had any comments on the current Code of Conduct for Members.

Cllr Gill noted that the code seemed appropriate, in line with the Local Government Association model and other councils' codes.

The application of personal interests to a wider group of relatives than pecuniary interests was raised by one of the Independent Persons. It was noted that the Localism Act 2011 defined the individual relationships where pecuniary interests must be declared, and these specifically related to where a councillor would have a direct and specific financial interest. There is nothing in the Act which defines which relationships are relevant to Personal Interests and as a result, this is up to the Council to determine.

## Standards Committee - 9 July 2024

The broader range of relationships that are relevant for Personal Interests also reflects that these are generally much more publicly known than a Councillor's financial interests and it therefore makes sense to ensure that these are declared, and the Council is as transparent as possible.

It was however noted that households are very varied, and, for example, some children are living with their parents for much longer than might have been the case once and as adults are making a significant contribution to the household income and therefore, if any Councillors are in this position, the financial interests of their children were potentially relevant.

It was agreed that Cllr Hyde will liaise with the Labour Group members to obtain their views on extending the relationships covered by pecuniary interest declarations. The Head of Democratic Services and Governance will liaise with the other political groups.

### **5 REVIEW OF THE ARRANGEMENTS FOR DEALING WITH STANDARDS ALLEGATIONS (ITEM NO. 5)**

An Independent Person queried the requirement in the procedure to consult with the Independent Person for all complaints once it has been determined that a complaint met the jurisdictional tests (paragraph 3.6 page 32 of the meeting papers). It was suggested, if this was not against the Local Government Association guidance, that the wording should be updated to state that the Monitoring Officer may consult the Independent Person, rather than will. Both Independent Persons confirmed that they were willing to be consulted on all complaints, but sometimes had difficulty responding at short notice. The Monitoring Officer will review the procedure.

The Chair noted that the committee members are only made aware of the complaints received in the Annual Report and requested that a quarterly update is circulated to the committee members. The content of the requested updates was discussed, and the Monitoring Officer will review possible templates to consider how to circulate the information to committee members whilst protecting confidentiality.

MEETING CLOSED AT 7.30 pm

Chair

Resources Department  
7 Newington Barrow Way  
London N7 7EP

Report of: The Director of Law and Governance and Monitoring Officer

Meeting of: Standards Committee

Date: 21 November 2024

Ward(s): All

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## Subject: Annual Report on Member Standards and Conduct

### 1. Synopsis

- 1.1. The councillor's role is central to the council; councillors act as community leaders, ensuring that the council is focussed on its residents and communities. Councillors also set the vision for the borough and the priorities for service delivery and make significant decisions on behalf of residents, including key strategies and setting the annual budget. Councillors are also trusted by residents experiencing difficulties, to act as an advocate on their behalf.
- 1.2. To ensure that trust in the Council is maintained, it is vitally important that councillors demonstrate high standards of conduct, make well informed and appropriate decisions, engage positively in development opportunities and are held to account if their conduct fails to reach the high standards required.
- 1.3. The council has a duty to ensure that councillors understand the importance of high standards of personal conduct and proactively engage with and promote [the Seven Principles of Public Life](#) and the [Code of Conduct for Members](#) and are effectively supported in their role and equipped to undertake it successfully.
- 1.4. In accordance with the Standards Committee Terms of Reference, the Monitoring Officer is required to submit to the committee an annual report concerning standards of member conduct, including a summary of complaints received under

the Code of Conduct Complaints Procedure and their outcome. The complaints received in the municipal year 2023-24 are detailed below. This report also includes information on member training and development and declarations of interest.

## 2. Recommendations

- 2.1. To note the contents of this report.
- 2.2. To review the Member Learning and Development Strategy attached as Appendix 1.

## 3. Background

### **Member training and development**

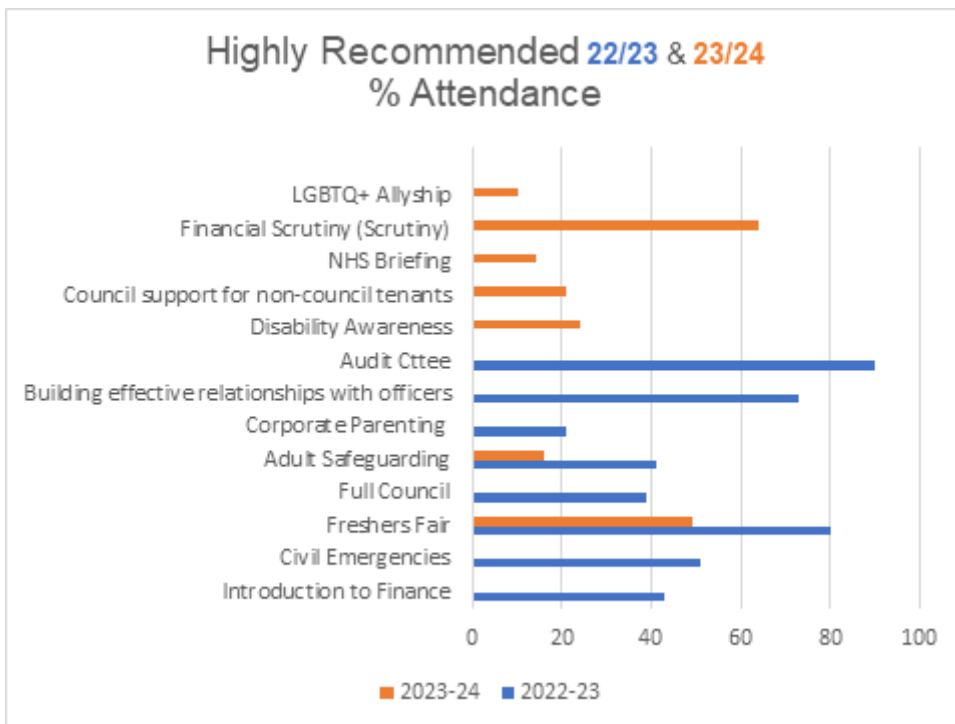
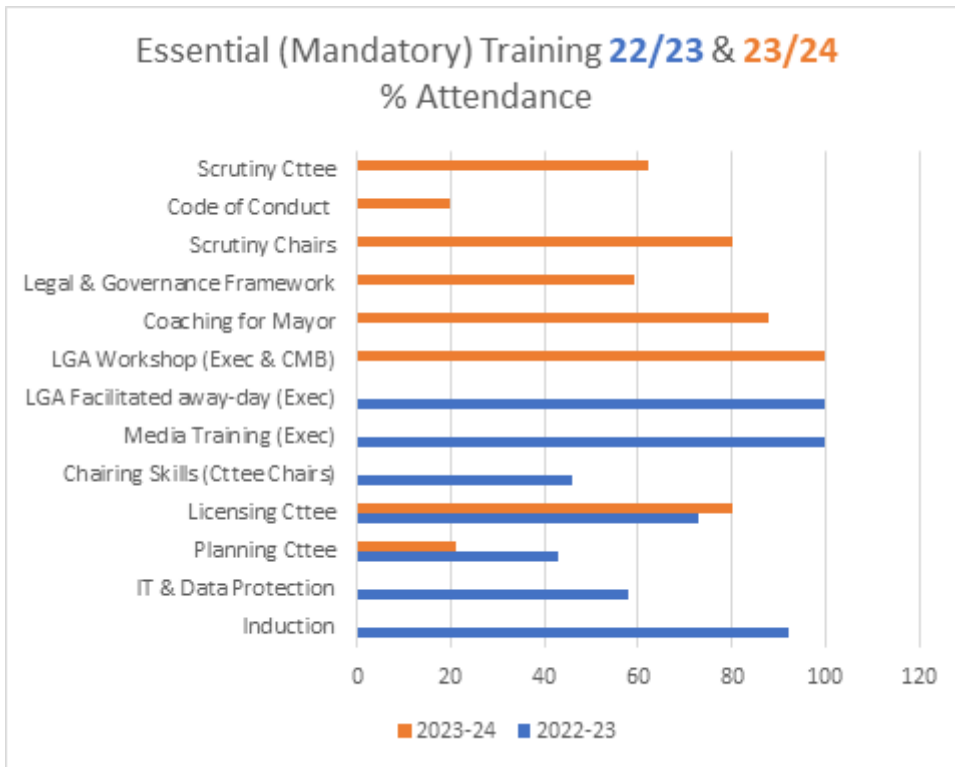
- 3.1. The Member Learning & Development Strategy 2023/26 (see Appendix 1) was approved by Audit Committee in November 2023. The Strategy's aim is to inspire and enhance the skills of the councillors in their development and growth as local leaders. The success criteria for achieving this aim are:

- Mandatory training – 100% attendance\*
- Highly Recommended training – 80% attendance
- Recommended training – 60% attendance
- 90% of members expressed overall satisfaction with the development programme

Whilst there has been great effort to ensure training is scheduled on dates or at times when there are no other council meetings taking place, we have not been able to achieve these attendance targets due to:

- Councillors have attended the training in previous years
- Previous classification of mandatory training as 'essential' training may have led to some ambiguity as to the importance of the session. Following a recommendation by Audit Committee and with the approval of the Member Learning & Development Steering Group, essential training was reclassified as mandatory training
- Other commitments taking priority

The charts below provide comparison of attendance against the previous year.



3.2. To improve engagement and attendance, the Member Learning & Development Steering Group agreed:

- to re-classify adult safeguarding and corporate parenting as mandatory training.
- to reduce the number of mandatory sessions for all councillors to a maximum of 3-5 per year, including training for regulatory committees

- to provide a copy of the annual training programme to Group leaders/offices prior to the AGM, to ensure councillors commit to attend the training associated with the appointments.

3.3. The training programme for 2023/24 focussed on core skills development including equality, diversity & inclusion issues, refresher training on governance and corporate priorities, key roles and committee appointments, community leadership and briefings on council services. The schedule is summarised below:

<b>May 2023</b>
LGA Workshop: Providing Impactful Collective Leader
Freshers Fair
Mayoral Coaching
Planning for Committee Members
Governance, Monitoring Officer and Code of Conduct
Licensing for Committee Members
<b>June 2023</b>
Unconscious Bias / Creating a diverse workforce
Housing – Damp & Mould
Chairing Scrutiny Meetings
<b>September 2023</b>
Code of Conduct – ½ hour briefing
Scrutiny for committee members
<b>October 2023</b>
Adult Safeguarding
<b>November 2023</b>
Disability Awareness
Council support for non-council tenants
<b>December 2023</b>
Update on NHS Healthcare Provision
<b>January 2024</b>
Financial Scrutiny for committee members
Budget Overview
<b>February 2024</b>
LGBTQ+ Allyship
Conflict Resolution
Register of Interests
<b>March 2024</b>
Social Media
<b>May 2024</b>
Civil Protection & Community Safety
Scrutiny for Committee Members



- 3.4. In April 2024, we conducted an annual survey of the training and development and received 16 responses. The key points from the feedback were:
- The training offer is appreciated
  - We are meeting expectations in relation to the topics being covered
  - Time is a major constraint to councillors' participation
  - Providing copies of presentations and recordings on SharePoint helps
- 3.5. A Personal Development Programme (PDP) was rolled out to all councillors in January 2024. The PDP provided a structured framework to help councillors to identify key development objectives, how they would be met, how to measure success and a target date for completion of the objectives. 15 councillors took part in the programme, including 7 Executive Members. Councillors were asked to complete a self-evaluation form prior to having a confidential meeting with the Facilitator. Following the meeting, each councillor was provided with a personal development plan and after all meetings took place, the Facilitator provided a non-attributable summary report of the discussions, including an analysis of development priorities and key recommendations.
- 3.6. The key areas identified for councillor development will be covered in future training programme. The PDP summary report proposed several key actions including that councillor development is continued and actively promoted across the organisation, councillor participation should be increased, development sessions should be offered on more than one occasion, executive team development approach adopted to build strong relationships, leadership development to be offered to councillors in non-executive roles and that the personal development plans should be reviewed and updated following the 2026 elections.
- 3.7. The training budget allocated for the year was adequate for the training and development planned. Other development activities included: Microsoft Office, LGA Annual Conference, LGA Leaders Weekend, Handling Suicidal Conversations, the LGA Black, Asian & Multi Ethnic weekender events, National Children & Adult Services Conference, Pension Fund Conference and Licensing.
- 3.8. Information about free of charge and subsidised development opportunities, provided by London Councils and the Local Government Association, was regularly circulated to Members and the political group office

### **Financial Declarations**

- 3.9. All members reviewed, confirmed and where necessary, updated, their register of interests, including their financial declarations, in March 2024. The Members Register of Interests is available on the Council's [democracy website](#).

- 3.10. The declarations of interest made at meetings, declarations regarding gifts and hospitality and the councillors' attendance record at committee meetings are also all available on the Council's [democracy website](#).

## Complaints

- 3.11. All complaints under the Members Code of Conduct are referred to the Monitoring Officer (the Director of Law and Governance). Following consideration of the complaint, the Monitoring Officer decides whether it is appropriate to seek an informal resolution. Where there is no informal resolution, the Monitoring Officer may:

- decide not to investigate further,
- decide that the matter requires investigation.
- decide to refer the decision as to whether or not there is to be an investigation to the Standards Committee.

- 1.1 A number of other complaints were received, which did not require the Standards Committee to be convened, as follows:

	Complaint	Received	Status	Outcome
1	Behaviour	03.04.2023	Complete	The complaint was rejected because the councillor was not acting in his capacity as a councillor.
2	Behaviour at a Licensing Sub-Committee meeting	30.11.2023	Complete	An apology was issued which was accepted by the complainant.
3	Behaviour	01.02.2024	Complete	No finding of breach of the Code of Conduct

## 4. Implications

### 4.9. Financial Implications

- 4.9.1. The budget for member training and development was increased to £37,500 in 2023/24 as part of the council's commitment to member training and development. The council spent £23,239 on training courses and development opportunities for councillors in the 2023/24 financial year.

#### **4.10. Legal Implications**

4.10.1. The Council has a duty to promote and maintain high standards of conduct by Members and Co-opted Members (section 27(1) Localism Act 2011). The Council has adopted a Code dealing with the conduct that is expected of Members and Co-opted Members when they are acting in that capacity (as required by section 27(2) Localism Act 2011). The Code has been revised to incorporate the LGA Model Councillor Code of Conduct 2020.

#### **4.11. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

4.11.1. There are no environmental implications arising directly from this report.

#### **4.12. Equalities Impact Assessment**

4.12.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.12.2. An Equalities Impact Assessment is not required. There are no equalities implications arising directly from this report.

## **5. Conclusion and reasons for recommendations**

5.9. Standards Committee is asked to note the content of this report to maintain an overview of member training and conduct.

**Appendices:** Appendix 1 – Member Learning and Development Strategy.

**Background papers:** None.

**Final report clearance:**

Authorised by: **Director of Law and Governance and Monitoring Officer**

Date: 13 November 2024

Report Author: Philippa Green, Head of Democratic Services and Governance

Tel: 020 7527 3184

Email: Philippa.green@islington.gov.uk

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Legal Services, Law & Governance  
222 Upper Street, London, N1 1XR

Report of: Director of Law and Governance

Meeting: Standards Committee

Meeting Date: 21 November 2024

Wards: All

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## Subject: Constitution Review – Protocol on the Member Officer Relationship

### 1. Synopsis

- 1.1. At its first meeting of the Constitution Working Group on 17 June 2024, members agreed that:
- a) The Working Group would meet bi-monthly.
  - b) The topics for the first four sessions shall be:
    - Financial Regulations
    - Procurement Rules
    - Protocol on Member/ Officer Relations
    - Engagement, Ward Structures and Ward Partnerships
  - c) The Working Group shall revisit Terms of Reference for Committees once the Corporate Resources and Economy Scrutiny Committee have completed their work on this.
  - d) The Working Group intends to present an amended Constitution to Full Council in May 2025. (However, due to the forthcoming implementation of the Procurement Act 2023 amendments to the Constitution will be in phases with the Financial Regulations and Procurement Rules, Protocol on Member/ Officer Relationship and Publicity protocol aiming to be presented to Full Council on 12 December 2024.

1.2. This report is to update the Working Group on the proposed updates to the Protocol on Member Officer Relations which are to be considered by the Standards Committee on 21 November 2024 with a recommendation to Council to adopt the revised Protocol at the next Full Council meeting on 12 December 2024.

1.3. The current Protocol was drafted in 2006 and is located in Part 6 of the council's Constitution.

1.4. The proposed amendments to the Protocol are set out in tracked changes, at **Appendix A**.

1.5. Officers from Legal Services, Democratic Services and Human Resources reviewed the Protocol in accordance with the LGA Guidance on Effective Member and Officer Relations, London Councils' Protocol on Member Officer Relations, and best practice at other local authorities including Southwark, Kensington & Chelsea, Hackney and Cumberland.

1.6. A summary of the proposed changes are as follows:

- Consistency of terminology
- Addition of Nolan Principles
- Further clarity on the respective roles of members and officers
- Addition of new sections on Scrutiny and Working Relationships

1.7. This report will be taken to the Standards Committee on 21 November 2024.

The Interested Persons' views have been sought on the revised draft Protocol.

In addition, the draft Protocol will be discussed at Standards training for members on the Code of Conduct for Members in due course.

1.8. The proposed amendments ensure that the Protocol are up to date and legally compliant.

## 2. Recommendations

2.1. To note and approve the proposed amendments to the Protocol for inclusion in the Council's Constitution with immediate effect.

## 3. Implications

### 3.1. Financial Implications

There are no financial implications arising from this report.

### 3.2. Legal Implications

3.2.1 A local authority is under a duty to prepare and keep up to date its constitution under section 9P Local Government Act 2000 as amended. The Constitution must contain:

- a. The Council's standing orders/ procedure rules.
- b. The Members' Code of Conduct
- c. Such information as the Secretary of State may direct.
- d. Such other information (if any) as the authority considers appropriate.

3.2.2. A Constitution Direction was issued by the Secretary of State in December 2000 that required around 80 matters to be included within constitutions, covering members' allowances schemes, details of procedures for meetings, details of joint arrangements with other local authorities and a description of the rights of inhabitants of the area, amongst other things. Whilst issued under Part II Local Government Act 2000, the Direction survives the re-enactment into Part 1A (section 9B et seq.) of the 2000 Act by the Localism Act 2011 (under section 17 Interpretation Act 1978).

3.2.3. Constitutions must be available for inspection at all reasonable hours by members of the public and supplied to anyone who asks for a copy on payment of a reasonable fee.

### 3.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

3.3.1. There are no environmental implications.

### 3.4. Equalities Impact Assessment

3.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

3.4.2. An Equalities Impact Assessment is not required in relation to this report.

## 4. Conclusion and reasons for recommendations

4.1. To note and approve the proposed amendments to the Protocol on Member Officer Relations.

### **Appendices:**

- Appendix A – Draft Protocol on Member Officer Relations (in tracked changes)

**Background papers:** None

**Final report clearance:**

Authorised by:

**Alison Stuart, Director of Law & Governance and Monitoring Officer**

Date:

Report Author: Sonal Mistry, Senior Lawyer (Governance)

Email: sonal.mistry@islington.gov.uk

Legal Implications Author: Sonal Mistry, Senior Lawyer (Governance)

Email: sonal.mistry@islington.gov.uk



## **DRAFT** PROTOCOL ON MEMBER/OFFICER RELATIONS

### **1. INTRODUCTION** ROLE AND PURPOSE

1.1. The relationship between ~~Councillors/members~~ ('members') and officers is an essential ingredient of the successful working of the organisation. This relationship is characterised by mutual respect and trust. ~~Members~~~~Councillors~~ and officers should feel free to speak to one another openly and honestly. Nothing in this Protocol is intended to change this relationship.

~~1.1.~~1.2. The purpose of this Protocol is rather to help ~~Members~~~~Councillors~~ and officers to perform effectively by giving guidance on their respective roles and expectations and on their relationships with each other. The Protocol also gives guidance on what to do on the rare occasions when things go wrong. All Members and officers should operate in compliance with the protocol as far as it relates to them. Responsibility for upholding the protocol rests with party Group Leaders in relation to elected Members within their Group and with the Chief Executive and Director of Law and Governance (as Monitoring Officer) in relation to staff, although all members and officers ~~individuals~~ are responsible for their own compliance with the Protocol.

~~1.2.~~1.3. The Protocol must be read and operated in the context of any relevant legislation and the Codes of Conduct for ~~M~~members and ~~staff~~Employees. If members or officers are in any doubt about issues they should seek advice from either the Chief Executive or ~~Director of Law and Governance~~Monitoring Officer.

1.4. References in this protocol to Chief Officers are to the Chief Executive, Corporate Directors, Directors, Deputy and Assistant Directors and Heads of Service and other non-administrative officers reporting directly to Corporate Directors.

~~1.3.~~1.5. The Standards Committee and the Monitoring Officer will keep the Protocol under review annually and make recommendations for changes as appropriate.

### **2. THE SEVEN PRINCIPLES OF PUBLIC LIFE (also referred to as the Nolan Principles)**

2.1. Both members and officers must observe the 'Seven Principles of Public Life' which outline the ethical standards to which those working in the public sector are expected to adhere.

2.2. The Seven Principles of Public Life are as follows:

(a) Selflessness:

Holders of public office should act solely in terms of the public interest.

(b) 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 declare and resolve any interests and relationships.

(c) Objectivity:

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

(d) 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.

(e.) 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.

(f) Honesty:

Holders of public office should be truthful.

(g) Leadership:

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

### **2.3. ROLES OF MEMBERS COUNCILLORS AND OFFICERS**

**2.3.1.** The respective roles of members**Councillors** and officers can be summarised as follows:

3.1.1. Members ~~Councillors~~ and officers are servants of the public and they are indispensable to one another b. ~~But~~ their responsibilities are distinct.

3.1.2. Members ~~Councillors~~ are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council and they are accountable to the Chief Executive. Their job is to give advice to Members ~~Councillors~~ and to the council ~~council authority~~ and to carry out the Council ~~authority~~'s work under the direction and control of the Council, the Executive and relevant committees etc. ~~Officers are accountable to the Head of Paid Service, who is the Chief Executive.~~

Mutual respect between Members ~~Councillors~~ and officers is essential to good local government.

### 3.2. . Members ~~Councillors~~

~~Councillors~~ Members have four main areas of responsibility:

- (a) determining the policy and setting strategy of the council ~~authority~~ and giving it political leadership;
- (b) ~~monitoring and reviewing~~ scrutiny of the performance of the council ~~authority~~ in implementing that policy and delivering services;
- (c) representing the council ~~authority~~ externally; and
- (d) acting as advocates on behalf of their ~~constituents~~ constituents ~~promoting and communicating the interests of the electorate within the council's decision-making processes and dealing with their constituents' day-to-day problems and concerns as they arise.~~

It is not the role of Members ~~Councillors~~ to involve themselves routinely in the day-to-day management of the Council's ~~authority's~~ services. They should not seek to give instructions to officers on operational matters. Equally, officers must remain politically neutral at all times unless there are specific exceptions as outlined in the Councils Code of Conduct for Employees.

### 3.3. 2.3 Members of the Executive, Chairs and Vice-Chairs

3.3.1. Members of the Executive and Chairs and Vice-Chairs of Scrutiny and other bodies have additional responsibilities. Although they may have different relationships and more regular contact, these ~~Councillors~~ Members must still

respect the impartiality of officers, must not ask them to undertake work of a party political nature, or to do anything which would prejudice their neutrality. This position is also enshrined in the Council's Code of Conduct for Employees which forms part of the Council's Constitution. The Code of Conduct for Employees states that employees can advise and support Members in a way which does not compromise employees' political neutrality.

3.3.2. Officers have a duty to present impartial information and to keep members of all political groups fully informed about developments of significance in relation to council activities. Care must be taken by both officers and members to ensure that officers' political neutrality is not compromised. All members must take special care to avoid and to be seen to avoid placing pressure on officers to act other than in an impartial way.

### 3.4. 2.4 Opposition Members~~Councillors~~

~~As individual Councillors, All m~~ Members~~Councillors~~ have the same rights and obligations in their relationship with officers and should be treated equally. This principle is particularly important in the context of the work of Scrutiny Committees.

### 3.5. 2.5 Officers

The role of officers is to give advice and relevant information to m~~Members~~ Councillors (objectively and impartially) and to implement the policies determined by m~~Members~~the council. Officers may themselves take decisions formally delegated to them under their areas of responsibility as outlined in the Responsibility for Functions section of the Constitution. authority. ~~Certain officers, e.g. Chief Executive, the Corporate Director of Resources and the Director of Law and Governance~~ Head of Paid Service, s151 Officer and Monitoring Officer have responsibilities in law over and above their obligations to the Council ~~authority and to individual Councillors.~~ Members~~Councillors~~ must respect these obligations, must not obstruct officers in the discharge of these responsibilities and must not victimise officers for discharging these responsibilities.

## 3. EXPECTATIONS

3.1 Members~~Councillors~~ can expect from officers:

- (a) A commitment to the council~~authority~~ as a whole, and not to any single part of it, nor to any political group or individual member~~Councillor~~;
- (b) A working partnership;

- (c) An understanding of and support for respective roles, workloads and pressures;
- (d) Reasonable and ~~T~~timely response to enquiries and complaints in accordance with agreed standards;
- (e) Professional advice, not influenced by political views ~~or~~ personal opinions or personal circumstances, which do not compromise the political neutrality of officers;
- (f) Regular, up-to-date information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold;
- (g) Awareness of and sensitivity to the political environment, including the implications for m~~M~~embers of any political group;
- ~~(h)~~ Respect, dignity and courtesy and not acting in a discriminatory way through correspondence, behaviour or speech  
~~behaviour or speech;~~
- ~~(h)~~ Relevant ~~T~~training and development in order to carry out their roles effectively;
- ~~(i)~~ Integrity, mutual support, and appropriate confidentiality and discretion;
- ~~(k)~~ (i) Not to ~~have personal issues raised with them by officers outside the agreed procedures~~ use their relationship with member Councillors to advance their personal interests or to influence decisions improperly. Officers must not influence individual members to make a decision in their favour, nor raise personal matters relating to their employment, nor make claims or allegations about other officers, except in accordance with any council procedure or in accordance with the law. Members who receive any such approach from an officer should advise the Chief Executive and Monitoring Officer immediately;
- ~~(k)~~ (k) That officers will at all times comply with the ~~relevant~~ Code of Conduct for Employees;
- ~~(m)~~ (l) Support for the role of members Councillors as the local representatives of the council authority, within the parameters of support approved by the council.

~~(a)~~ ~~(a)~~ A working partnership ~~based on~~;

~~(b)~~

~~(c)~~ ~~(a)~~ An understanding of and support for respective roles, workloads and pressures;

~~(b)~~ Political leadership and direction;

~~(d)~~ ~~(c)~~ Respect, dignity and courtesy and not acting in a discriminatory way through behaviour or speech, particularly when communicating in a public forum.;

~~(e)~~ ~~(d)~~ Integrity, mutual support and appropriate confidentiality;

~~(f)~~ ~~(e)~~ Members ~~Councillors~~ should not subject officers to bullying and harassment, apply undue pressure on officers to do anything which they are not empowered to do, or which is against the officer's professional judgment, or to undertake work outside normal duties or normal hours. ~~Not to be subject to bullying or harassment or to be put under undue pressure.~~ Members ~~Councillors~~ should have regard to the seniority and experience of officers in determining what are reasonable requests, having regard to the ~~powerful~~ relationship between members ~~Councillors~~ and officers ~~and the potential vulnerability of officers,~~ particularly at junior levels. ~~Councillors should not apply undue pressure on officers to do anything which they are not empowered to do, or which is against the officer's professional judgment, or to undertake work outside normal duties or normal hours.~~

~~(g)~~ ~~(f)~~ That members ~~Councillors~~ will not use their positions or relationships with officers to advance their personal interests or those of others or to influence decisions improperly;

~~(h)~~ ~~(g)~~ That members ~~Councillors~~ will not publicly name officers or make detrimental remarks about officers during public meetings, through correspondence, through on social media, or when speaking to the press;

~~(h)~~ That members ~~Councillors~~ will at all times comply with the ~~relevant~~ Code of Conduct for Members;

~~(i)~~ To act within policies, practices, processes and conventions established by the ~~c~~ Council;

(i) To recognise that Officers work to the instructions of their senior officers and not to individual members on operational matters;

(j)(k) Not to authorise, initiate, or certify any financial transactions or to enter into any contract, agreement or undertaking on behalf of the Council or in their role as a ~~Member without proper and lawful authority~~ member Councillor.

### 3.3 ~~Limitations upon behaviour~~ Personal familiarity

3.3.1. Maintaining confidence in the ~~The~~ distinct roles of ~~members~~ Councillors and officers necessarily imposes limitations upon behaviour. By way of illustration and not as an exclusive list:

- (a) Close personal, as opposed to working, relationships between ~~members~~ Councillors and officers can confuse these separate roles, undermine public confidence in the council, and detrimentally affect ~~get in the way of~~ the proper discharge of the ~~council's~~ authority's functions, not least in creating the perception in others that a particular ~~member~~ Councillor or officer may secure advantageous treatment;
- (b) The need to maintain the separate roles means that there are limits to the matters on which they may seek the advice of officers, both in relation to personal matters and party political issues;
- (c) Relationships with particular individuals or party groups should not be such as to create public suspicion that an ~~officer~~ employee ~~favours that~~ member Councillor or group above others. The issue of officer attendance and advice to political groups is specifically covered below.

3.3.2. It is acknowledged that some close relationships may ~~will~~ inevitably develop, particularly when officers and Executive members or Chairs of committees work closely together. It is important that those relationships between members and officers are openly declared and should never be allowed to become so close, or appear to be so close as to bring into question the officer's ability to deal impartially with other members and other party groups, nor to undermine public trust and confidence in the council. Where possible, members and officers who have close personal relationships should try to avoid coming into contact on projects and in the day-to-day business of the council. Familial relationships should be disclosed to Human Resources through the application process.

## 4. PROVISION OF INFORMATION

### 4.1 Requests for written information

(a) Members ~~Councillors~~ are free to approach the appropriate service through its Corporate Director to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as members of the council. This can range from a request for ~~should be provided with adequate-general~~ information about services or functions upon which they may be called upon to make or scrutinise decisions, to a request for specific information relating to service delivery on behalf of a ~~or which affect their~~ constituent. In the normal course of events, this information will be made routinely available by officers in the form of reports, departmental plans etc. Members are encouraged to make use of existing sources of information (except draft reports) wherever possible.

~~This paragraph does not apply to draft reports.~~

~~(a)~~(b) In addition, any member ~~Councillor~~ may ask the relevant Chief Officer (Corporate Director, Director, Deputy Director Assistant Director, Deputy Assistant Director, Head of Service or Service Manager) for factual information about a service. These requests will be met where the member ~~Councillor~~ has a legal right to the information. If that right arises under the Freedom of Information Act, the member ~~Councillor~~ shall not be required to make a formal FOI request. All such information should be provided within 10 working days of the date of receipt of the request. In circumstances where this is not practical, the ~~o~~ Officer shall write to the member ~~Councillor~~ within 10 days explaining why not and provide an alternative time scale.

~~(b)~~(c) Written information supplied to a member ~~Councillor~~ regarding the implications of current Council policies or containing statistical information about Council services shall also be copied to the relevant Executive member.

~~(e)~~(d) The Leader of the Council or Leader of any other political group that may be formed, may request the Chief Executive or the relevant Corporate Director, or other designated Chief officer to prepare reports on matters relating to the council ~~authority~~ for consideration by the group. Such requests must be reasonable and should not seek confidential information relating for instance to casework or personal details of applicants for services. Wherever possible, but subject to any overriding legal requirements, such requests will be met. However, if the officer considers that the cost of providing the information, or the nature of the request is unreasonable, the request will be referred to the Chief



~~Executive~~ Corporate Director for determination, where necessary in consultation with the Leaders of the political groups.

~~(d)~~(e) Officer reports to a political group will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the council ~~authority~~ in terms of service delivery. Reports will not deal with any political implications of the matter or any option and officers will not make any recommendation to a political group.

#### 4.2 “Briefings”

- (a) In order for them to discharge their responsibilities as Executive members, administration portfolio holders will be briefed by Chief Officers on service issues, proposals and policy development. These “briefings” are to give a steer on emerging policy and forthcoming decisions and to ensure that the work necessary for making key decisions is progressing and will be completed on time. They may also consider the implications and consequences of such decisions, make plans to obtain the views of service users, residents and communities, and assess the legal, financial and equalities considerations involved in the decision. ~~Chief Officers~~ Corporate Directors may from time to time nominate other officers to attend these meetings. These informal meetings may be on a one off or regular basis, in accordance with the requirements of the member ~~Councillor~~ concerned.
- (b) There is a statutory recognition for party groups and it is common for such groups to give preliminary consideration to matters of council business in advance of such matters being considered by the relevant decision making body. Opposition groups ~~(if any)~~ may also have nominated portfolio leads and if those leads so request, the relevant ~~Chief Officers~~ Corporate Director will make themselves available to meet with them to brief them on service issues. Any o ~~o~~ Opposition groups may, if they wish, request the Chief Executive to convene a joint meeting of the o ~~o~~ Opposition portfolio holders and Corporate Management Team ~~M o T B~~ once the Executive agenda has been published in order to brief the opposition on the matters arising from it. The L ~~L~~ Leader of any the O ~~o~~ pposition group (if any) s ~~s~~ shall give the Chief Executive at least one week’s notice of any request unless the meetings are prearranged on a standing basis.
- (c) The content of these informal briefing sessions shall remain confidential as between officers and the political group concerned, to allow the free expression of views, and officers must be careful to maintain confidentiality. While ~~the~~ information remains confidential, it must not be divulged.

#### 4.3 Media ~~“News” items~~

- (a) When an event or development occurs in the borough which has or will have a significant impact on Council service delivery or Islington residents, the Chief Executive will ensure that the Leaders of all political groups are informed as soon as possible.
- (b) Communications with the media can be an important part of a member’s workload. In general, members provide comment and views, as appropriate to their role, while officers provide factual information. If a member has any queries regarding liaison with the media, they should contact the Communications and Campaigns team.
- ~~(a)~~(c) Members are reminded that they must not use €council resources to produce or publish any material that (in whole or in part) appears to be designed to affect public support for a political party.

#### 4.4 Ward Members~~Councillors~~

- (a) Whenever a public meeting is organised by the council to consider a local issue, all members representing the ward or wards affected should, as a matter of course, be invited to attend the meeting. Similarly, whenever the council undertakes any form of consultative exercise on a local issue, the ward members should be notified at the outset of the exercise. ~~Corporate Directors, Directors, Assistant Directors and Heads of Service~~ Chief Officers will ensure that ward Councillors are given information relevant to their wards on a regular basis. As well as letting ward members know when there has been a specific situation~~incident~~ in their ward, ward members should be routinely notified about the following types of issue:

~~Public consultation events affecting their wards;~~

Proposed changes to services sited within their wards;

Proposed significant traffic management orders;

Proposed anti-social behaviour dispersal orders.

- (b) Ward members shall be invited to public events, such as openings, festivals etc, in their wards. Such invitations shall be extended on a non party political basis. The Communications and Campaigns team will advise members where possible of photo shoots taking place in their wards.

#### 4.5 Officer Attendance at Group Meetings

- (a) The political parties represented on the council hold regular group meetings. Officers do not usually advise these meetings but may be invited to give information. ~~+~~All invitations must be cleared by the Chief Executive. The Leader of the Council or Leader of any other political groups may ask the Chief Executive and ~~or~~ relevant Corporate Director, or other designated officers to give or arrange a private and confidential briefing for the party group on a matter of relevance to the council;
- (b) Any briefing offered to or requested by a party group will be offered to any other party groups. Where possible such briefings should be to all or a combination of party groups;
- (c) Officers may properly be called upon by party groups to support and contribute to such briefings, provided they maintain a stance which is politically impartial. Officers must be required to give information and advice to political groups on matters relating to the council's functions only and not matters which ~~h~~are primarily issues of party politics or political strategy . It is important that the political neutrality of officers is preserved. When engaging council officers at group meetings, party members should seek to avoid involving them in political debate. No officer of the Council shall attend or be invited to attend any political group meeting which includes non-council members. Attendance at group meetings should normally be restricted to Chief Officers;
- (d) Officers' advice to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the council. Advice will not deal with any political implications of the matter or any option and officers will not make any recommendation to a political group.

## 5. WORKING RELATIONSHIPS

5.1. Members and officers work together in the public interest and for the communities they serve, and regular contact between members and officers is necessary to ensure the efficient working of the council. Members and officers should have regard to and respect for their different roles. The level at which contact occurs will vary depending upon the nature of the service and the reason for the contact. In general, contact will be at the Chief Officer level but members may, for example, need direct contact with relatively junior employees when dealing with constituency casework or ward initiatives. Members should always bring concerns about issues affecting a department or the service they receive

as a member, directly to the attention of the relevant Corporate Director or Director and not to more junior officers.

5.2 It is essential that there is mutual trust and confidence between officers and members and relationships are built through discussions. There are various informal spaces where discussions take place. Both officers and members should utilise these informal spaces proactively to engage.

5.3~~2~~. Members should seek support on issues impacting on residents or their ward through their support teams in the first instance. Tasks that members ask officers should align with Council ambitions. If it is necessary to directly approach officers, particularly those in less senior roles, the member should ensure that the Corporate Director is made aware. Members should not seek views on policy issues or non-routine business from more junior officers. Members must not give instructions to junior officers as this may undermine the formal accountability of employees to their line manager and compromise the political impartiality of the officer concerned. Junior officers are advised to respond promptly and courteously to members' requests for information or routine enquiries, but to refer any concerns or wider policy matters to a Corporate Director or Director.

5.4. There must be mutual respect between members and officers. Officers can not respond to public comment from members. This means that members must take care to avoid public comment about individual officers and not seek to undermine their position, professionalism, or reputation by personal criticism, rudeness, abuse or ridicule. This does not prevent members from challenging issues raised in reports, actions and work of a department or section of the council, where they believe such criticism is merited or from expressing concern about the manner in which a council department has acted, or dealt with a constituent, or a service has performed generally. But the manner of such criticism should have regard to this Protocol. When officers are called to give evidence to or appear before a Scrutiny Committee, members must treat those officers courteously.

5.5. If a member has a complaint about an officer, it should be raised within six months with the appropriate Corporate Director or Director. If the complaint concerns a Director or Corporate Director, it should be raised with the relevant Corporate Director or Chief Executive as the Head of Paid Service. A complaint about the Chief Executive should be raised with the Leader, who will consider how it should be dealt with.

5.6. Members will also have contact with junior officers when visiting council offices. Relevant Chief Officers should be advised in advance of member visits to front-line services, unless the visits are of a statutory inspection nature in which case ~~other procedures~~ exemptions may apply at the discretion of the Corporate Director. Special circumstances may also warrant unannounced visits.

5.7. Members need to take particular care if their paid employment brings them into contact with officers of the council. Members must not abuse their position as elected representatives to obtain information they require in their professional capacity which would not otherwise be available to them. The Code of Conduct for Members provides that they must use their position as a member in the public interest and not for personal advantage. It may be difficult for officers to distinguish between the professional role of the members concerned and their roles as elected representatives. Such situations should be avoided wherever possible.

5.87. Officers are bound by the Code of Conduct for Employees which requires them to maintain political neutrality and be impartial so as to act without political bias in their work whether or not they are in politically restricted posts. Officers must not seek to lobby members on matters which directly concern them as employees. If members believe they have been approached by an officer in this way they should let the Chief Executive and -Monitoring Officer know immediately.

5.9. Officers who are local residents have the same rights as any other local resident, for example, to seek support from their ward member, to make representations about proposed decisions or complaints or to pursue legal action against the council. They should be clear however about the capacity in which they are acting and should be careful not to confuse their role as officers with actions they take as residents.

5.910. If an officer believes that a member may be in breach of the Code of Conduct for Members, they should inform their Corporate Director as soon as possible. who will then consider whether to seek advice from the Monitoring Officer.

## 6. SCRUTINY

6.1 The council's Scrutiny Committees have the power to require members and officers to appear before them to answer questions. ~~It is the statutory duty of M~~members and officers ~~to~~should comply with such requests. Members lead on such requests in line with Part xxx of the Constitution and officers provide technical support. It is important for the reputation of the ~~c~~Council that Scrutiny Committees use this power in a responsible and constructive manner which will assist the Committee with its work.

6.2. Members of Scrutiny Committees should, wherever possible, require attendance only at meetings that appear in the council's diary.

6.3. Corporate Directors, Directors, Deputy and Assistant Directors or Heads of Service will attend Scrutiny Committee meetings but may ask more junior officers to accompany them.

6.4. Scrutiny Committees should always bear in mind that when officers appear to answer questions their evidence should, so far as possible, be confined to questions of fact and explanation relating to policies and decisions.

6.5. Officers may explain: what the policies are; the justification and objectives of those policies as the Executive sees them; the extent to which those objectives may have been met; and how administrative factors may have affected both the choice of policy measures and the manner of their implementation.

6.6. Officers may be asked to explain and justify advice they have given to the Executive members prior to decisions being taken and they may also be asked to explain and justify decisions they themselves have taken under delegated powers.

6.7. Officers should not be drawn into discussion of the merits of alternative policies where this is politically contentious. Any comment by officers should always be consistent with the requirement to be politically impartial.

## **7. ~~5.~~ RESOLUTION PROCEDURES**

### 75.1 Procedure for officers

From time to time the relationship between members ~~Councillors~~ and officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation by an appropriate senior manager, officers can have recourse to the Corporate Director ~~Chief Executive~~, as appropriate to the circumstances. Officers also have recourse to the ~~c~~Council's Whistleblowing Procedure for certain qualifying protected disclosures or can refer the matter to the Monitoring Officer if they consider that a member ~~Councillor~~ has broken the Code of Conduct.

### 75.2 Procedure for members ~~Councillors~~

In the event that a ~~member~~~~Councillor~~ is dissatisfied with the conduct, behaviour or performance of an officer, the matter should not be raised in public or before the press, as officers have no means of responding to the same in public. The matter should be raised with the appropriate Corporate Director. Where the officer concerned is a Corporate Director, the matter should be raised with the Chief Executive. Where the employee concerned is the Chief Executive, the matter should be raised with the ~~Leader.~~~~Monitoring Officer~~~~Director of Law and Governance.~~ If the matter can not be resolved informally, it may be necessary for managers to invoke the cCouncil's disciplinary procedure. No disciplinary action in respect of the Chief Executive, the Monitoring Officer or Section 151 Officer may be taken other than in accordance with the JNC Handbook for Chief Officers. ~~Chief Executive's Handbook.~~

## **8. ~~6.~~ UNION ACTIVITIES/REPRESENTATIVES**

8.1. Officers may well belong to a trade union and/or political party. The mere fact of such membership will not of itself put an officer in breach of this protocol. However, they are nevertheless under a duty whilst carrying out their ~~c~~Council duties to abide by the ~~officers'~~Code of Conduct for Employees and treat members in a professional and impartial manner.

8.2 Those officers who are union representatives may have a number of different relationships with members. Whenever those relationships arise from their position as union representatives of ~~c~~Council staff, the provisions of this Protocol ~~code~~ will still apply.

8.3 Union representatives shall be entitled to speak to the press directly about matters on which they or the union as a whole has an interest but must be clear the capacity in which they are speaking. Officers should not speak as representatives of political parties in the councils where they work.:

## **9. STANDARDS COMMITTEE**

9.1. The function of the Standards Committee is set out in its Terms of Reference in Part 5 of the Constitution. It has a role in offering guidance on the content and working of this Protocol, although it will not arbitrate, except in considering cases relating to potential breaches of the Code of Conduct for Members.

## **10. THE PRE-ELECTION PERIOD**

10.1. Members and officers should be guided on protocol during the period before an election by specific advice issued by the Monitoring Officer, on the announcement of any election, by-election, or other relevant vote such as a referendum.

## **11. CONCLUSION**

It is hoped that, by following good practice and securing sensible and practical working relationships between members and officers, we can provide one of the cornerstones of a successful local authority and thereby enhance the delivery of high value quality services to the residents of Islington. Mutual understanding, openness and respect are the greatest safeguard of the integrity of the council, its members and officers.



Meeting:	Standards Committee
Meeting Date:	21 November 2024
Publication:	Open
Council Priority:	
Wards:	All
Report of:	Director of Law & Governance and Monitoring Officer

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## Subject: Amending the Code of Conduct for Members

### 1. Recommendations

**The Committee are asked to:**

1.1. Approve the proposed amendment to the Code of Conduct for Members at paragraph 2.1 as marked in **Appendix 1**.

### 2. Report summary

2.1. The purpose of this report is to seek approval for the amendment to the Code of Conduct for Members as marked in **Appendix 1**.

### 3. Details

3.1. The Standards Committee is responsible for:

3.1.1. Advising the council on the adoption or revision of the Code;

3.1.2. Considering whether complaints of breach of the Code should be investigated and hearing complaints which have been investigated.

3.1.3. Agreeing procedures for investigation of complaints of breach of the Code.

3.2. The system of regulation of standards of councillor conduct in England is governed by the Localism Act 2011. Local authorities are under a duty to promote and maintain high standards of conduct by their elected members and co-opted members. Every local authority must have a code of conduct for its members,

which must be consistent with the “Seven Principles of Public Life”: selflessness, honesty, integrity, objectivity, accountability, openness and leadership. The code of conduct must also make provision for the registration and disclosure of pecuniary and other interests.

3.3. The council has adopted a Code of Conduct for its members which is in Part 6 of the Constitution and is on the council’s website.

3.4. Paragraph 2.1 of the Code states as follows:

**“You must not, at any time, even when not conducting or giving the impression you are conducting the business of Islington Council, conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute”**

3.5. On review of the Code of Conduct, it was noted that paragraph 2.1 is a slight departure from the suggested wording in the Local Government Association Model Councillor Code of Conduct. Officers have therefore deleted the above paragraph and replaced it with wording that accords with the LGA Model Code.

#### 4. Other options considered and the reasons for recommending this proposal

Not applicable.

#### 5. Key impacts and risks of the proposal

Not applicable.

#### 6. Contribution to the Islington Together 2030 Plan

Not applicable

#### 7. Consultation and community engagement

Not applicable.

#### 8. Implications

##### 8.1. Financial Implications

No financial implications.

## **8.2. Legal Implications**

Section 28 Localism Act 2011 states as follows:

*“(6) A relevant authority other than a parish council must have in place –*

*(a) Arrangements under which allegations can be investigated and*

*(b) Arrangements under which decisions on allegations can be made.*

*(7) Arrangements put in place under subsection (6)(b) by a relevant authority must include provision for the appointment by the authority of at least one independent person –*

*(a) whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate, and*

*(b) whose views may be sought –*

*(i) by the authority in relation to an allegation in circumstances not within paragraph (a),*

*(ii) by a member, or co-opted member, of the authority if that person’s behaviour is the subject of an allegation, and*

*(iii) by a member, or co-opted member, of a parish council if that person’s behaviour is the subject of an allegation and the authority is the parish council’s principal authority...”*

## **8.3. Climate Change and Environmental Implications**

8.3.1. Not applicable

## **8.4. Equalities Impact Assessment**

9. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

## **Timetable for implementation**

Not applicable

**Appendices:** Appendix 1 – amended Code of Conduct for Members

**Relevant decisions / reports:**

- None

**Background papers:** None

**Report approval:**

Authorised by:

**Alison Stuart, Director of Law & Governance and Monitoring Officer**

Date: 13 November 2024

Responsible Officer: Farida Hussain, Deputy Director of Law

Email: farida.hussain@islington.gov.uk

Legal Implications Author: Sonal Mistry, Senior Lawyer (Governance)

Email: sonal.mistry@islington.gov.uk

# ISLINGTON CODE OF CONDUCT FOR MEMBERS



# Islington Code of Conduct for Members

## **Introduction:**

The councillor's role is a vital part of our democracy and it is important that councillors meet public expectations of conduct and that the role attracts individuals from a range of backgrounds and circumstances, to put themselves forward to become councillors.

Members of the public trust that councillors take decisions fairly, openly, and transparently. To ensure that trust continues, councillors must demonstrate high standards of conduct and be held accountable if their conduct fails to reach the high standards required.

Councillors should not intimidate, abuse, bully or threaten anyone and it is vitally important that they can conduct their duties without being intimidated, abused, bullied or threatened by anyone, including the general public.

All councils are required to have a Councillor Code of Conduct. This Code has been designed to protect the councillor's vital democratic role, encourage good conduct and to safeguard public trust in local government.

An allegation that a councillor has breached this Code will trigger an initial investigation and if it appears that there is some substance to the allegations, it may result in an independent investigator being appointed to carry out a full investigation and ultimately in the Standards Committee being convened. A range of sanctions are available to the Standard's Committee.

Failure to comply with those parts of this Code that relate to your register of interests may amount to a criminal offence unless the member has a reasonable excuse. A member may also commit an offence if they provide information that is false or misleading and they either know that it is false or misleading or do not take reasonable and appropriate steps to ensure that the information is correct. If found guilty of a criminal offence, the member may be disqualified from being or becoming a member of Islington or other local authorities for up to five years.

This Code sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct.

The Monitoring Officer has statutory responsibility for implementation of this Code and councillors are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct.

## Definitions:

1. References to a member or members in this Code includes all elected or co-opted members of Islington Council. 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, or;
  - c) a member appointed at any meeting;and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee"
2. References to a meeting or meetings in this Code, means any meeting of
  - (a) full Council;
  - (b) the Executive;
  - (c) any committee or sub-committee of the Council or Executive, joint committees and joint sub-committees;

## Scope / Application of this Code:

It is every councillor's individual responsibility to familiarise themselves with and abide by this Code.

~~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.~~ 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;

1. You must comply with this Code whenever:
  - (a) you conduct the business of Islington Council (including the business of the office to which you are elected or appointed); or
  - (b) you act, claim to act, or give the impression you are acting as a representative of Islington Council, or
  - (c) 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



~~2. You must not, at any time, even when not conducting or giving the impression you are conducting the business of Islington Council, conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute~~

3.2. \_\_\_\_\_ Where you act as a representative of Islington Council:

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- (b) on any other body, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. This Code applies to all forms of communication and interaction, including:

- face-to-face meetings
- online or telephone meetings
- written communication
- verbal communication
- non-verbal communication
- electronic and social media communication, posts, statements and comments.

## General principles of councillor conduct

Everyone in public office at all levels; 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.

Building on these principles, the following general principles have been developed specifically for the role of councillor:

**Selflessness** — you should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

**Integrity** — you should not place yourself in situations where your integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

**Objectivity** — you should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

**Accountability** — you should be accountable to the public for your actions and the manner in which you carry out your responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to your particular office.

**Openness** — you should be as open as possible about your actions and those of the council, and should be prepared to give reasons for those actions.

**Honesty** — you should be truthful in your council work and avoid creating situations where your honesty may be called into question

**Leadership** — you should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

To support the general principles, every councillor is required to make a commitment to comply with the following general obligations:

## **General Obligations**

To always:

- 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 my 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 my local authority's requirements and in the public interest.

## **Standards of councillor conduct:**

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.

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

### **General Conduct:**

#### **1. Respect**

- 1.1. I treat other councillors and members of the public with respect.
- 1.2. I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and I respect the role they play.

Showing 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. 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.

You should treat members of the public 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 this Code and local authority employees, where concerns should be raised in line with the Protocol on Member/Officer Relations.

#### **2. Bullying, harassment and discrimination**

- 2.1. I do not bully any person.

2.2. I do not harass any person.

2.3. I promote equalities and do not discriminate unlawfully against 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**

3.1. I do 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 a report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information**

4.1. I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
  - i. I have received the consent of a person authorised to give it;
  - ii. I am 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. I have consulted the Monitoring Officer prior to its release.
- 4.2. I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.
- 4.3. I do 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**

- 5.1. I do not bring my role or local authority into disrepute.

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 your local authority and may lower the public's confidence in you or your authority. For example, behaviour that is considered dishonest 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 this Code of Conduct.

## **6. Use of position**

- 6.1. I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself 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**

- 7.1. I do not misuse council resources.
- 7.2. I will, when using the resources of the local authority 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 I have been elected or appointed.

Resources 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. Examples of resources that may be made available to you

include:

- office support
- stationery
- equipment such as phones and computers
- transport
- access and use of local authority buildings and rooms.

## **8. Complying with the Code of Conduct**

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

It is extremely important for you as a councillor to demonstrate high standards, for your actions open to scrutiny and that you don't undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes for managing complaints, contact the Monitoring Officer for advice.

## **9. Gifts and Hospitality**

- 9.1. I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or give rise to a reasonable suspicion that I may show favour to someone seeking an advantage in relation to any business or transaction with the authority or influence someone else to do so.
- 9.2. I register any gift or hospitality with an estimated value of £25 or more, with Democratic Services / Member Support for publication on the website, within 28 days of its receipt.
- 9.3. I also register any significant gift or hospitality that I have been offered but have declined.

The acceptance of gifts and hospitality can influence whether or not you are seen to be acting in the public interest, or improperly acting for your own personal advantage or that of your family, friends or associates. You should therefore 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 a refusal may be difficult, particularly if it is seen as rudeness or cultural insensitivity. Under these circumstances, it may be appropriate to accept and declare the gift, or to accept and declare the gift on behalf of the Mayor's Charity.

Any gifts received by the Mayor's Charity will be auctioned or put into a raffle and the proceeds will go to whichever charity the Mayor has chosen to support that year. In the interests of transparency, all gifts accepted over the value of £25 donated to the Mayor's Charity should be included on your register (along with the note of the donation) and published within 28 days of receipt of the offer or invitation.

Hospitality includes, but is not limited to, drinks, meals, entertainment, overnight accommodation, travel, holidays but not lifts in a private car or taxi or light refreshment in the course of your duties as a Councillor. Unsolicited generic invitations to free or subsidised places at conferences, which are sent to numerous local authority councillors and/or officers, do not need to be declared. Any gift

estimated to be over £25 in value, loan, fee (except those for paid employment declared in your register of interests) or reward should also be declared. 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, or normal expenses and hospitality associated with your duties as a councillor.

By declaring gifts and hospitality, even where they have been declined, you are demonstrating that you apply high standards of conduct. If you have a gift or hospitality to declare, please contact Democratic Services / Member Support, who will arrange for this to be published on the website.

## **10. Decision Making**

10.1. When reaching a decision on any matter, I:

- a) have due regard for any relevant advice provided to me by the council's Chief Finance Officer, the council's Monitoring Officer and/or their deputies.
- b) have due regard for any paper or report proposing the decision, including any appendices
- c) have due regard for the assessment of the impact on residents, particularly those with protected characteristics under the Equality Act 2010.
- d) I do not pre-determine decisions prior to their formal consideration.
- e) I give reasons for my decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the council.

## **11. Attending formal meetings**

11.1. When attending a formal meeting of a committee of which I am a member, I:

- a) Will declare any relevant interest and abide by the rules relating to declarations of interest, as detailed below, such as not participating in the debate / leaving the room for the duration of the discussion, as required
- b) I do seek a dispensation prior to the meeting if I hold an interest but wish to remain present and/or participate in the debate, as per the guidance below.
- c) Follow the standing orders of any formal meetings I attend and the direction and advice of the Chair and/or the Monitoring Officer or their representative.
- d) I give reasons for my decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the council.

## **12. Declaration of Interests**

12.1. I understand that I am personally responsible for deciding whether or not to disclose an interest.

12.2. I understand that failure to disclose a Disclosable Pecuniary Interest, as set out in Table 1, below, is a criminal offence under the Localism Act 2011, for which an individual councillor may be prosecuted.

12.3. I understand that I must also disclose any Disclosable Pecuniary Interests, as set out in Table 1, below, held by my partner, spouse, civil partner and/or a person with whom I am living as husband or wife or as if we are civil partners.

- 12.4. I will register any Disclosable Pecuniary Interest within 28 days of my election, re-election or being appointed as a member, in accordance with "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012".
- 12.5. I will also register and disclose any Personal Interests which fall within the categories set out in Table 2 'Other Registerable Interests' below.
- 12.6. If, at any time, my interests change or I have a new interest, I will update my register of interests within 28 days.
- 12.7. I do review my interests annually, when requested to do so, to ensure that they remain correct.
- 12.8. I understand that if I hold a 'Sensitive Interest', which in my view, if disclosed, could lead to myself or a person connected with me to be subject to violence or intimidation, I must notify the Monitoring Officer and that the interest will be withheld from the public register, if the Monitoring Officer agrees it is sensitive.
- 12.9. If a matter arises at a meeting which directly relates to a Disclosable Pecuniary Interest held by me and included in my Register, I will disclose that I hold an interest and leave the room until the discussion and vote on the item is complete. This will be recorded in the minutes of the meeting.
- 12.10. If I wish to participate in the discussion and vote on an matter which directly relates to a Disclosable Pecuniary Interest held by me, including a Sensitive Interest, I will seek a dispensation from full Council prior to the meeting at which the item I hold an interest in will be discussed. I acknowledge that dispensations may only be granted in limited circumstances.
- 12.11. If a matter arises at a meeting which directly relates to a Sensitive Interest held by me, I will disclose that I have an interest, but not provide details of what the interest is and will leave the room until the discussion and vote on the item is complete.
- 12.12. If a matter arises at a meeting which directly relates to a Personal Interest held by me, as detailed in Table 2, Other Registerable Interests, below, I will only speak on the matter if members of the public are also allowed to speak at the meeting. Where this is not the case I will leave the room until the discussion and vote on the item is complete, unless I have been granted a dispensation by full Council prior to the meeting.
- 12.13. If a matter arises at a meeting which *directly relates* to my financial interests or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or the well-being of a relative or close associate, I will disclose the interest. I will only speak on the matter if members of the public are also allowed to speak at the meeting. Where this is not the case I will leave the room until the discussion and vote on the item is complete, unless I have been granted a dispensation by full Council prior to the meeting.

- 12.14. If a matter arises at a meeting which *affects* my financial interests or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or the well-being of a relative or close associate or an organisation or body in which I hold a Disclosable Pecuniary Interest, I will disclose the interest. If I consider that the matter affects my financial interest or well-being to a greater extent than it affects the financial interests of the majority of the ward or borough's residents and I consider that a reasonable member of the public, knowing all the facts, might believe that it would affect my view of the matter, I will only speak on the matter if members of the public are also allowed to speak at the meeting. Where this is not the case, I will leave the room until the discussion and vote on the item is complete, unless I have been granted a dispensation by full Council prior to the meeting.
- 12.15. If a matter arises at a meeting which I hold a Disclosable Pecuniary Interest in that I have not already disclosed, I will disclose the existence and details of the interest to the meeting, leave the room until the discussion and vote on the item is complete and formally notify the interest to the Monitoring Officer within 28 days of the meeting.
- 12.16. If I hold a Disclosable Pecuniary Interest in a matter which falls to me in the exercise of a function, such as an Executive decision, I will notify the Monitoring Officer of the interest and take no further steps in the matter other than arranging for it to be dealt with by someone else.
- 12.17. If I hold a personal interest in a matter which falls to me in the exercise of a function, such as an Executive decision, I will ensure that the written record of the decision includes a record of the existence and nature of my 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.

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	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.
<b>Contracts</b>	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



	<p>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>
<b>Land and Property</b>	<p>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.</p>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<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>
<b>Securities</b>	<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 has a beneficial interest exceeds one hundredth of the total issued 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.

## Table 2: Other Registerable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- 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) 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)

Your register of interests allows the public, local authority employees and fellow councillors to know which of your interests might give rise to a conflict of interest. Details of your interests will be published on the website and a copy of the register will be available for inspection at the Town Hall during working hours. Publication is a legal requirement, but it also protects you by allowing you to demonstrate openness and a willingness to be held accountable and ensures that decision making is seen by the public to be open and honest.

If an interest is not already included in your published register of interests and it relates to a matter under consideration at a meeting, you must disclose it at that start of the relevant agenda item and to the Monitoring Officer within 28 days following the meeting, but it can be helpful for you to know before this time if others think that a potential conflict might arise and to allow time to seek a dispensation if you think it warranted.

If you cease to hold an interest, you should notify the Monitoring Officer who will remove the interest from your register.

### **13. Other Conflicts of Interest**

#### 13.1. Recordable Decisions

Executive Members are sometimes consulted before a Recordable Decision is made by an officer. If you hold an interest relevant to the decision being made, you must have obtained a dispensation from the Chief Executive in respect of the conflict of interest before taking part in the consultation and the details of your interest will be published in the Recordable Decision notice. You can, alternatively, choose not to participate in the consultation or comment on the decision being made.

### **14. Dispensations**

14.1. In limited circumstances, in cases (a) and (d) below, full Council can grant a dispensation to a member to allow them to speak and/or vote in respect of an item of business at a meeting where they have a Disclosable Pecuniary Interest under this Code.

14.2. Dispensation can only be granted where the statutory grounds apply. The statutory grounds are:

- (a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,

- (b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
- (c) granting the dispensation is in the interests of persons living in the council's area,
- (d) without the dispensation each member of the authority's executive would be prohibited from participating in any particular business to be transacted by the Executive or a committee of the Executive, or
- (e) it is appropriate to grant a dispensation for some other reason.

14.3. A request for a dispensation must be submitted to the Council's Monitoring Officer in accordance with the council's procedure for dealing with Requests for Dispensations From Councillors.

14.4. If you are a member of the Executive and the meeting is a meeting of the Executive or a committee of the Executive you will also need a dispensation from the Chief Executive under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The Chief Executive has issued a general dispensation that applies where a dispensation in respect of your Discloseable Personal Interest has been granted under this section of the Code so you will not need to make a special application.

14.5. The Chief Executive may grant a dispensation to Executive members to allow them to speak and/or vote in respect of other conflicts of interest arising at a meeting of the Executive or a committee of the Executive.

### **Related documents**

The Council has adopted codes and protocols which do not form part of this Code but which deal with specific activities that Members may be required to carry out in the course of their duties' as a Councillor. You are required to comply with the latest version of these from time to time and any breach may be regarded as a breach of this Code:

- (a) The Member/Officer Protocol
- (b) Use of resources
- (c) Publicity Protocol
- (d) The Council's Use of IT policies and
- (e) The Council's Data Protection polices

### **Guidance**

If you need further advice or guidance on interpretation of this Code or to apply for a dispensation, please contact the Monitoring Officer.

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