



BRISTOL CITY COUNCIL

MEMBER CODE OF CONDUCT

In force from May 2020

Introduction

The Localism Act 2011 requires this Council to promote and maintain high standards of conduct by the Mayor, Members of the Council and Co-opted Members of the Council.

In discharging this duty, the Council is required to adopt a Code of Conduct which sets out the conduct expected of Members.

The purpose of this Code of Conduct is to assist Members in the discharge of their obligations to the Council, their local communities and the public at large by:

- a) Establishing the standards and principles of conduct expected of all Members in undertaking their duties; and
- b) Ensuring public confidence in the standards expected of all Members and in the commitment of the Council to upholding the Code through an open and transparent process.

Application

This Code of Conduct applies to you whenever you are acting in your capacity as an elected member of Bristol City Council, including –

- a) at all formal meetings, Committees and Sub-Committees
- b) when acting as a representative of Bristol City Council, for example as a Council appointee to one of the Council's companies or an outside body
- c) in taking any decision as a member of Bristol City Council
- d) in discharging your duties as a member of Bristol City Council
- e) in any interactions with members of the public in your role as a member of Bristol City Council
- f) in any interactions with Bristol City Council officers
- g) in any interactions with any of the council's wholly owned companies, joint ventures and where the council holds an interest and/or is a shareholder
- h) when corresponding with the authority and its officers other than in a private capacity
- i) when you hold yourself out as a member of Bristol City Council

Related protocols

This document should be read in conjunction with:

- a) The Member-officer protocol
- b) Good Practice Protocol for Planning
- c) Good Practice Protocol for Licensing
- d) The procedure for the investigation of complaints

As a member of Bristol City Council I will abide by this code of conduct.

1. General Conduct

As a member of Bristol City Council, I represent the City of Bristol and I have a responsibility to represent all residents and communities within the city of Bristol and to work constructively with officers, partner organisations and other members to secure better social, economic and environmental outcomes for all residents of Bristol.

Under the Localism Act 2011, when acting as a member of Bristol City Council, I have a duty to conduct myself in a manner that is consistent with the seven principles of Public Life.

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. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

2. Principles and behaviours

As a member of Bristol City Council my conduct in my role as an elected member will be underpinned by the following behaviours:

2.1 Behaving with integrity

- a) Ensuring that all my activity in my role as an elected member promotes the integrity of the role of a Member at all times and does not bring that role into disrepute, whilst recognising my legal rights and privileges, for example my right to freedom of speech.
- b) Behaving in accordance with all our legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures.

- c) Providing information requested by the Council in a timely manner to enable the Council to meet its statutory obligations.
- d) Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the Authority's area or the good governance of the authority in a proper manner.
- e) Not using my position improperly for personal gain or to seek to confer an advantage on my acquaintances or close associates. This includes exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member of this authority.

2.2 Respecting others

- a) Dealing with representations or enquiries from all residents within our communities and visitors fairly, appropriately and impartially and not discriminating against people on the grounds of age, disability, sex, marital and civil partnership status, pregnancy and maternity, race, religion or belief, sexual orientation or gender reassignment.
- b) Not bullying, harassing, intimidating or attempting to intimidate others.
- c) Valuing my colleagues and officers and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- d) Always treating people with respect, including the organisations and public you engage with and those you work alongside.
- e) Not to compromise the impartiality of people who work for the authority.
- f) Giving due regard to the professional advice of officers.

2.3 Using resources legally and appropriately

- a) Ensuring that the authority uses its resources prudently and in accordance with the law. As part of this I agree not to use the authority's resources, including my council email address and postal address, for any personal, party political or non-Council purposes.
- b) Adhering to the council's media protocol to ensure that publicity and particularly social media is used in an appropriate manner and in accordance with the legal framework within which local government operates.

2.4 Being accountable

- a) Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- b) Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding myself and other members to account but restricting access to exempt or confidential information when the wider public interest or the law requires it.
- c) In all circumstances to comply with my legal obligations in respect of exempt or confidential information, in particular not to disclose exempt or confidential information to any third party.
- d) Not to participate in meetings or be involved in decision-making where I have a disclosable pecuniary interest – except when speaking when the general public are also allowed to do so.

2.5 Being open

- a) Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- b) Championing the needs of all residents and communities across the whole area of Bristol City Council Unitary Authority and in particular to treat all the residents and communities within my ward in an equal and fair way.

2.6 Being a leader

- a) Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.
- b) Recognising that I have a leadership role within Bristol and my constituency and have a duty to enable and improve community cohesion and work with agencies to ensure communities are protected and safe.

3. Disclosable Pecuniary Interests

3.1 Disclosable Pecuniary Interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as:

- a) Employment, office, trade, profession or vocation
- b) Sponsorship
- c) Contracts
- d) Land
- e) Licences
- f) Corporate tenancies
- g) Securities

3.2 Where I have a disclosable pecuniary interest, or where my spouse, civil partner, or someone that I am living with as if they were my spouse or civil partner has a disclosable pecuniary interest of which I am aware, I agree to:

- a) comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which I have a disclosable pecuniary interest and ensure that my register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of my interests.
- b) make verbal declaration of the existence and nature of any disclosable pecuniary at any meeting at which I am present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent and leave the room for the duration of the debate and the vote on the item of business which affects or relates to the interest.

- c) be responsible for keeping all interests updated and notifying the relevant officers and chairs when in meetings.
- d) “Meeting” means any meeting organised by or on behalf of the authority, including:–
 - i. any meeting of Bristol City Council, or a Committee or Sub-Committee of Bristol City Council
 - ii. in taking a decision as a member of Bristol City Council
 - iii. at any briefing by officers; and
 - iv. at any site visit to do with business of the authority

4. Prejudicial interests

- 4.1 A prejudicial interest is one where the well-being or financial position of the Member, members of their family, or people with whom the Member has a close association is likely to be affected by the business of the Council more than it would affect the majority of inhabitants of the ward or electoral division affected by the decision.
- 4.2 A member of your family includes a partner (someone you are married to, your civil partner, or someone you live with in a similar capacity), a parent, a parent-in-law, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a brother or sister of your partner, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, and the partners of any of these people.
- 4.3 A person with whom you have a close association is someone that you are in either regular or irregular contact with over a period of time who is more than an acquaintance. It is someone a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them. It may be a friend, a colleague, a business associate or someone whom you know through general social contacts.
- 4.4 Where I have a prejudicial interest I agree to:
 - a) keep my register of interests up to date and advise the Monitoring Officer within 28 days of becoming aware of the interest.
 - b) make verbal declaration of the existence and nature of my prejudicial interest at any meeting at which I am present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent and leave the room for the duration of the debate and the vote on the item of business which affects or relates to the interest.

5. Other Interests

- 5.1 Other interests are any interest which relates to or is likely to affect:
 - a) any body of which the Member is in a position of general control or management, and to which he / she is appointed or nominated by the Council.
 - b) any body:
 - i. exercising functions of a public nature;
 - ii. directed to charitable purposes;

- iii. one whose principal purposes include the influence of public opinion or policy (including any political party or trade union) of which the Member of the Council is a member or in a position of general control or management;
- c) any gifts or hospitality worth more than an estimated value of £25 which the Member has received by virtue of his / her office.

5.2 Where I have other interests, I agree to:

- i. keep my register of interests up to date and advise the Monitoring Officer within 28 days of becoming aware of the interest.
- ii. make verbal declaration of the existence and nature of my prejudicial interest at any meeting at which I am present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent. However, I am entitled to remain within the meeting and to take part in the debate and vote.

5.3 I understand that all declarations of disclosable pecuniary interests (except sensitive interests), all prejudicial interests and other interests that I have notified to the Monitoring Officer will be registered on a public register of interests.

6. Gifts and Hospitality

6.1 I must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value or cumulative value in excess of £25 which you have accepted as a member from any person or body other than the authority.

6.2 I understand that all declarations of gifts, benefit or hospitality that I have notified to the Monitoring Officer will be registered on a public register of gifts and hospitality.

7. Provision of advice

7.1 I will not provide advice to officers in relation to any officer related issues (e.g. personal employment matters or operational issues) that are reserved to the Head of Paid Service (and may be delegated to officers).

7.2 I will not provide or offer to provide a formal reference for any candidate for employment or promotion with Bristol City Council as to do so may be perceived as bringing an unacceptable pressure to bear on the appointing officer and any officer appointed as a result of such reference.

8. Complaints, investigations and sanctions

8.1 I agree to co-operate with any investigation into a complaint regarding any alleged breach of this Code of Conduct.

8.2 I acknowledge that the following sanctions may be imposed for a breach of this Code of Conduct:

- i. To report on findings to Full Council;
- ii. To recommend to a Group Leader that the member concerned be removed from any committee or sub-committee;
- iii. To recommend, in relation to any members of the executive that the member concerned be removed from the Executive;
- iv. To recommend the Monitoring Officer arrange appropriate training for the member concerned;
- v. To recommend removal of any member concerned from any outside body appointments;
- vi. To require the withdrawal of Council facilities e.g. use of computer or internet; or
- vii. To exclude a member from the Council's offices or other premises except for the purpose of attending formal meetings.

DECLARATION

I hereby declare that I will at all times observe the principles and obligations within this Code, the Protocol on Member / Officer Relations and any other codes and protocols approved by the Full Council during my term of office as a Member of Bristol City Council.

Name	
Signature	
Ward	
Date	