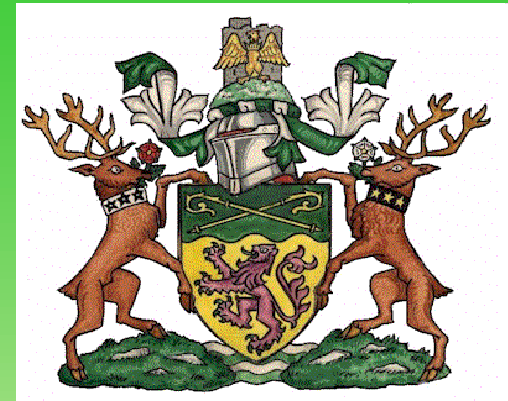


Ribble Valley Borough Council



**Information session for Parish
Clerks and Chairpersons**

Parish Councils and:

**New Standards Arrangements in
the Localism Act 2011**

Presented by Debbie Nuttall

Localism Act 2011

- **Chapter 7, Part 1 (Sections 26-37)**
- **“Relevant Authorities” (*RAs*) have duties under the Act.**
- **Ribble Valley Borough Council AND a Parish Council (each being a RA) have obligations.**
- **As previously, RVBC’s Monitoring Officer is also the MO for PCs**

Parish Council must:

- **Promote and maintain high standards of conduct.**
- **Adopt and publicise a Code of Conduct covering general conduct and registration and disclosure of interests other than DPIs.**

Parish Council must:

- **Consider adopting Standing Orders to require members to withdraw from meetings for DPIs and, possibly, other interests.**
- **Put a copy of its register of disclosable pecuniary interests on its website, if it has one.**

Ribble Valley Borough Council's MO (as the PC's MO) must:

- **Maintain a register of disclosable pecuniary interests for each Parish Council.**
- **Make this available for inspection at its offices and on its website.**

Ribble Valley Borough Council's MO (as the PC's MO) must:

- **Adopt arrangements as to how it will deal with misconduct complaints against parish councillors, as well as its own members.**

Ribble Valley Borough Council must:

- **Determine whether individual complaints merit investigation.**
- **Where investigation shows evidence of misconduct, conduct a hearing & decide what action to take if misconduct has occurred.**

Duty to promote and maintain high standards of conduct

- In discharging this duty, a RA must, in particular, adopt a Code dealing with conduct expected of members & co-opted members when acting in that capacity**

Co-opted member

Means a person who's not a member of the RA but who :

–is a member of one of the authority's committees/subcommittees; or

–is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority,

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or subcommittee

Code of Conduct

- **Must be consistent with the following principles:**
 - Selflessness;
 - Integrity;
 - Objectivity;
 - Accountability;
 - Openness;
 - Honesty; and
 - Leadership.

Code of Conduct

- **Must include appropriate provision in respect of the registration in its register, and the disclosure of:**
 - **Pecuniary interests; and**
 - **Interests other than pecuniary interests.**

Publicising Code of Conduct

- **RA must publicise its adoption, revision or replacement in such manner as it considers likely to bring this to the attention of persons who live in its area.**

Code of Conduct

- **Parish Councils may comply by adopting the Code adopted by Ribble Valley Borough Council, (where relevant on the basis that references to Ribble Valley Borough Council's register are to the Parish Council's register).**

Disclosure of pecuniary interests on taking office

- Members must, within 28 days of becoming a member notify the Monitoring Officer of any disclosable pecuniary interests (*DPIs*) which they have at that time.
- *DPIs* (are defined by Regulations but also) include interests of a Member's spouse, civil partner, or persons in a similar role, where M is aware that that other person has the interest.

Entry into Register

- **Where a member gives notification, the MO must enter the notified interests into the Parish Council's Register (whether or not they are disclosable pecuniary interests)**

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

- **Sets out what interests are DPIs.**
- **Clerks should refer to the full Regulations but note also the extension to spouses' interests etc. under section 30(3) of the Act.**

DPIs:

- **Pecuniary interests covering the member's "employment, office, trade, profession or vocation";**
- **Any "sponsorship of the member, including contributions towards their election expenses";**
- **Any "contracts" between the member and the authority;**

DPIs:

- **Any “land” the member has an interest in which lies within the area of the authority;**
- **Any “licences” the member holds to occupy land in the area;**
- **Any “corporate tenancies”;**
- **Certain “securities” the member may hold.**

Pecuniary interests in matters considered at meetings

If a member:

(a) is present at meeting;

**(b) has a DPI in any matter to be considered at that meeting;
and**

(c) is aware that (b) is met:....

Pecuniary interests in matters considered at meetings (cont)

- **If the interest isn't in the register s/he must disclose it to the meeting;**
- **S/he must notify the MO of it within 28 days;**
- **S/he may not participate, or further participate, in any discussion of the matter at the meeting, or participate in any vote, or further vote, taken on the matter at the meeting.**

Pecuniary interests and meetings:

- **The MO must enter interests notified by a member into the register (whether or not they are DPIs).**
- **Standing orders of the RA may provide for the exclusion of a member from a matter in respect of which he can't participate or vote**
- **(Think about your minutes)**

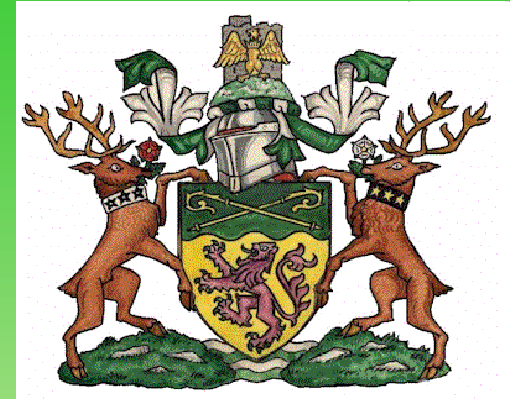
Sensitive interests:

- **Where Member and MO consider disclosure of the interest could lead to the member or someone connected with them being subject to violence or intimidation.**
- **Still can't vote etc.**

DPIs

- **Dispensations can only be granted on written request and where numerous (defined) pre-requisites have been met.**
- **It is a criminal offence to fail to register, fail to disclose at a meeting, or to vote, participate etc. when you shouldn't!**

Ribble Valley Borough Council



Thank-you