



SANDOWN TOWN COUNCIL

Code of Conduct

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1. INTRODUCTION AND INTERPRETATION

- 1.1. This Code applies to all elected and co-opted members of the Parish Council whenever they act in their role as a councillor or representative of the council. It is the responsibility of each member to comply with the provisions of this Code.

2. NOLAN PRINCIPLES – THE SEVEN PRINCIPLES OF PUBLIC LIFE

- 2.1. Councillors should observe the “Nolan Principles – the Seven Principles of Public Life”:

Selflessness

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

Integrity

- 2.3. 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.

Objectivity

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

Accountability

- 2.5. Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

- 2.6. Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

- 2.7. Holders of public office should be truthful. They must declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

- 2.8. Holders of public office should exhibit these principles in their own behaviour. They should actively promote and support the principles and be willing to challenge poor behaviour wherever it occurs.

3. SCOPE

- 3.1. You must comply with this Code whenever you:

- (a) conduct the business of the council; or
- (b) act, claim to act, or give the impression that you are acting in your official capacity as a representative of the council.

- 3.2. This Code does not apply to your private conduct unless that conduct could reasonably be regarded as bringing your office or the council into disrepute.
- 3.3. Where you act as a representative of the council on another body, you must comply with any lawful code or rules applicable to that body.

4. GENERAL OBLIGATIONS

4.1. When acting in your role as a member of the council you must:

- (a) Treat others with respect.
- (b) Not bully, harass or intimidate any person.
- (c) Not do anything that may cause the council to breach equality law, including the Equality Act 2010.
- (d) Not intimidate or attempt to intimidate any person involved in a complaint, investigation or proceedings relating to an alleged breach of this Code.
- (e) Not compromise, or attempt to compromise, the impartiality of anyone who works for or on behalf of the council.
- (f) Not disclose confidential information except where
 - you have consent to do so;
 - you are required by law to do so;
 - the disclosure is made for the purpose of obtaining professional advice; or
 - the disclosure is reasonable, lawful and in the public interest.
- (g) Not prevent another person from gaining access to information to which they are entitled by law.
- (h) Not conduct yourself in a manner that could reasonably be regarded as bringing your office or the council into disrepute.
- (i) Not use your position improperly to secure an advantage or disadvantage for yourself or another person.
- (j) When using council resources:
 - act in accordance with the council's requirements; and
 - ensure resources are not used improperly for political purposes.
- (k) Have regard to any applicable code of publicity made under the Local Government Act 1986.
- (l) Have regard to advice provided by the Proper Officer, Responsible Financial Officer or Monitoring Officer where relevant.
- (m) Give reasons for decisions where required by law or council procedure.

5. REGISTER OF INTERESTS

- 5.1. You must register your Disclosable Pecuniary Interests within 28 days of election or co-option and notify the Monitoring Officer of any changes within 28 days.
- 5.2. A "Disclosable Pecuniary Interest" means an interest of yourself or your partner relating to:

- employment, trade or profession;
- sponsorship;
- contracts with the council;
- land and property within the council area;
- licences to occupy land;
- corporate tenancies; or
- securities and shareholdings.

5.3. The register of interests will be available for public inspection and published in accordance with legal requirements.

6. DECLARATION OF INTERESTS

6.1. Where you have a Disclosable Pecuniary Interest in any matter being considered at a meeting, you must:

- (a) declare the interest;
- (b) explain the nature of the interest;
- (c) not participate in discussion or voting on the matter unless a dispensation has been granted;
- (d) leave the meeting room while the matter is being considered unless permitted to remain under a dispensation; and
- (e) not seek improperly to influence the decision.

7. SENSITIVE INTERESTS

7.1. Where you consider that disclosure of the details of an interest could lead to you or a connected person being subject to violence or intimidation, and the Monitoring Officer agrees, the details may be withheld from public inspection in accordance with the Localism Act 2011.

8. DISPENSATIONS

8.1. The council may grant a dispensation allowing a member to participate in discussion and voting where permitted by law.

8.2. Applications for dispensations must be made in writing to the Monitoring Officer.

9. PERSONAL INTERESTS

9.1. You must register and declare any personal interests required by law or council procedure.

9.2. A personal interest may arise where a matter affects:

- a body to which you have been appointed by the council;
- a charitable body, political party or trade union of which you are a member; or
- the wellbeing or financial position of yourself, your family, close associates or persons with whom you have a close association.

- Where a personal interest is so significant that it could reasonably be regarded as affecting your judgement or giving rise to bias or predetermination, you should declare the interest and withdraw from the meeting during consideration of the item.

10. GIFTS AND HOSPITALITY

- 10.1. You must notify the Monitoring Officer of any gift or hospitality with an estimated value exceeding £50 received in your role as a councillor.
- 10.2. Such notifications will be included in the council's register of interests where required.

11. COMPLAINTS PROCEDURE

- 11.1. The council shall maintain arrangements under the Localism Act 2011 for dealing with allegations that a councillor has failed to comply with this Code.
- 11.2. Complaints will normally be handled in conjunction with the Monitoring Officer of the principal authority.
- 11.3. An Independent Person may be consulted in accordance with the requirements of the Localism Act 2011.

12. SANCTIONS FOR BREACH OF THE CODE

- 12.1. Where a breach of the Code is found, the council may impose or recommend one or more of the following sanctions:
 - (a) publication of findings;
 - (b) formal censure or reprimand;
 - (c) removal from committees or outside appointments;
 - (d) recommendation of training;
 - (e) withdrawal of council facilities, where appropriate; or
 - (f) exclusion from council offices except for attendance at meetings where legally entitled.
- 12.2. The council has no power to suspend or disqualify a councillor or to withhold a member's allowance.

13. CRIMINAL OFFENCES

- 13.1. It is a criminal offence to:
 - fail to register a Disclosable Pecuniary Interest;
 - fail to disclose a Disclosable Pecuniary Interest at a meeting;
 - participate in discussion or voting where prohibited;
 - knowingly or recklessly provide false or misleading information regarding interests.
- 13.2. Penalties are determined by the courts in accordance with the Localism Act 2011.