

Appendix A – Comparison of previous and current Codes of Conduct

Current Code	Previous Code	Comments
<p>Respect As a councillor: 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 respect the role they play.</p>	<p>4. You must treat others with respect</p>	<p>Expanded: The new Code clarifies the obligation of the elected member.</p>
<p>Bullying, harassment and discrimination As a councillor: 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.</p>	<p>6. You must not: a. Do anything which may cause the Council to breach the Equality Act 2010 or otherwise act unlawfully; b. Bully any person; c. Intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct;</p>	<p>Similar provision: Previous code 6 c. is now in the current Code 8.</p>
<p>Impartiality of officers of the council As a councillor: I do not compromise, or attempt to compromise, the impartiality of anyone</p>	<p>6. You must not: d. Do anything which compromises or is likely to compromise the impartiality of</p>	<p>Similar provision</p>

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<p>who works for, or on behalf of, the local authority.</p>	<p>those who work for, or on behalf of, your authority;</p>	
<p>Confidentiality and access to information As a councillor: 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.</p>	<p>6. You must not: e. Disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where: i. You have the consent of a person authorised to give it; ii. You are required by law to do so; iii. The disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or iv. The disclosure is reasonable and in the public interest; and is made in good faith and in compliance with the reasonable requirements of the authority; f. Prevent another person from gaining access to information to which that person is entitled by law</p>	<p>Similar provision: additional responsibility on the member not to improperly use information for personal gain.</p>

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<p>4.3 I do not prevent anyone from getting information that they are entitled to by law</p>		
<p>Disrepute As a councillor: I do not bring my role or local authority into disrepute</p>	<p>You must not: g. Conduct yourself in a manner which could be reasonably regarded as bringing the Council or your office into disrepute;</p>	<p>Similar provision</p>
<p>Use of position As a councillor: I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.</p>	<p>6. You must not: h. Use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.</p>	<p>Similar provision</p>
<p>Use of local authority resources and facilities As a councillor: 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.</p>	<p>7. You must, when using or authorising the use by others of the resources of your authority: a. Act in accordance with your authority's reasonable requirements; b. Ensure that such resources are not used improperly for political purposes (including party political purposes); and c. Have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.</p>	<p>Similar provision</p>

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<p>Complying with the Code of Conduct As a Councillor: 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 comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.</p>		<p>New provision: if subject member fails to comply with the Code, a further breach may occur.</p>
<p>9. Interests As a councillor: I register and disclose my interests.</p>		<p>New provision: non-disclosure of pecuniary interests was an existing criminal offence, now non-disclosure is also a breach of the Code. This is pertinent in respect of other registrable interests.</p>
<p>10. Gifts and hospitality As a councillor: 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.</p>	<p>19. You are required to notify the Council’s Monitoring Officer of any personal interests that are not registrable as disclosable pecuniary interests as follows: The name of any person or body from whom you have received a gift or hospitality with an estimated value of at least £50.</p>	<p>Similar provision: Declarations of gift and hospitality have been incorporated into the new Code as a stand-alone point; previously, it was included as a bullet-point under the Personal Interests’ section.</p>

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<p>10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.</p> <p>10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.</p>		
	<p>5. You must observe any protocols or codes of practice adopted by your authority.</p>	<p>This is not replicated in the current Code.</p>