

Appendix B: Comparison between the Model Code of Conduct and Melton Borough Council's Code of Conduct

Model Code	Melton BC Code	MO Recommendation
<p>Purpose:</p> <p>Short introductory paragraph explaining that the code sets out the conduct expected of all members and a minimum set of obligations relating to conduct.</p> <p>“The purpose of this Code of Conduct is to assist councillors in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken. It is also to protect yourself, the public, fellow councillors, council officers and the reputation of local government. It sets out the conduct expected of all members and a minimum set of obligations relating to conduct. The overarching aim is to create and maintain public confidence in the role of member and local government.”</p>	<p>Aim of the Code is included along with an introduction, interpretation and scope section</p> <p>Aim: This is the Code of Conduct for elected and co-opted Members of Melton Borough Council. Its aim is to promote good ethics and standards.</p> <p>Introduction: details who the Code should apply to</p> <p>Scope: at 2.4 (1) You must comply with this Code whenever you – (a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); (b) act, or claim to act or give the impression you are acting as a representative of your authority, and references to your official capacity are construed accordingly. (2) Where you act as a representative of your authority:- (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 your authority’s code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.</p>	<p>Could be amended to reflect the new Code</p>
<p>Application of the Code:</p> <p>Sets out when the code applies. Model conduct and expectations is for guidance only, whereas the</p>	<p>Not included</p>	

<p>specific obligations set out (below) instances where action will be taken.</p>		
<p>Seven Principles of Public Life: The model code has been developed in line with these seven principles of public life, which are set out in an appendix to the Code. Everyone in public office should uphold the seven principles of public life.</p>	<p>Included</p>	<p>Both include the seven principles</p>
<p>Model Member Conduct: Sets out the following: In accordance with the public trust placed in me, on all occasions I will:</p> <ul style="list-style-type: none"> • Act with integrity and honesty • Act lawfully • Treat all persons with civility; and • Lead of example and act in a way that secure public confidence in the office of councillor <p>In undertaking my role, I will:</p> <ul style="list-style-type: none"> • 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 and in the public interest 	<p>Not Included</p>	<p>No individual section on this but generally covered in general obligations section (see below)</p>
<p>Specific Obligations of General Conduct:</p>	<p>General Obligations are included. The Melton BC Code</p>	

<p>Specific obligations of general conduct This section sets out the minimum requirements of member conduct. These obligations must be observed in all situations where you act [or claim or give the impression that you are acting] as a councillor [or in public], including representing your council on official business and when using social media.</p>	<p>is based upon the Nolan Principles of Public Life</p>	
<p>Civility: 1. Treating other councillors and members of the public with civility. 2. Treating council employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.</p>	<p>Not Included</p>	
<p>Bullying & Harassment 3. Not bullying or harassing any person</p>	<p>2.6 (1) You must treat others with respect. (2) You must not ... (b) bully any person;</p>	<p>Harassment is not included in the current Melton BC Code</p>
<p>Impartiality of Officers of the Council 4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.</p>	<p>Included in General Obligations 2.6... (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority</p>	
<p>Confidentiality & Access to Information: 5. Not disclosing information given to me in confidence or disclosing information required by me which I believe is of a confidential nature, unless I have received the consent of a</p>	<p>Included in General Obligations 2.7 You must not – (a) disclose information given to you in confidence by anyone, or information acquired by you which you</p>	

<p>person authorised to give it or I am required by law to do so.</p> <p>6. Not preventing anyone getting information that they are entitled to by law</p>	<p>believe, or ought reasonably to be aware, is of a confidential nature, except where ...</p> <p>(b) prevent another person from gaining access to information to which that person is entitled by law</p>	
<p>Disrepute:</p> <p>7. Not bringing my role or council into disrepute</p>	<p>Included in General Obligations</p> <p>2.8 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	
<p>Your Position:</p> <p>8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else</p>	<p>Included in General Obligations</p> <p>2.9 You – (a) must not 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; and</p>	
<p>Use of Council Resources:</p> <p>9. Not misusing council resources</p>	<p>Included in Principles 5 and 6</p> <p>You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the relevant legislation in existence at the time.</p> <p>And</p> <p>2.9 You –</p> <p>(a) must not 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; and</p> <p>(b) must, when using or authorising the use by others of the resources of your authority –</p> <p>(i) act in accordance with your authority's reasonable</p>	

	<p>requirements;</p> <p>(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and</p> <p>(c) must have regard to any applicable Local Authority C</p>	
<p>Interests:</p> <p>10. Registering and declaring my interests [Appendix B to the code sets out more information on registering and declaring interests in line with Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests).</p>	<p>Included in Part 3:</p> <p>3.15 Register of Interests</p> <p>3.16 Any interest notified to the Monitoring Officer will be included in the Register of Interests. A copy of the Register will be available for public inspection and will be published on the authority's website.</p> <p>3.17 Sensitive Interests...</p>	<p>Dispensations are included in the current Code but not in the model code</p>
<p>Gifts & Hospitality:</p> <p>11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage</p> <p>12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt</p>	<p>Included in part 3.19/3.20:</p> <p>The Council has determined that as a matter of good practice you must also declare to the Monitoring Officer within 28 days the interest of any person from whom you have received, in connection with your official duties as a member, a gift or hospitality with an estimated value of at least £50.</p>	<p>The gifts and hospitality policy was drafted and introduced in early 2020.</p>
<p>Breaches of the Code of Conduct:</p> <p>States what requirements there are for relevant authorities under the Localism Act 2011 to publish a code of conduct, that must cover the registration of pecuniary interests, the role of an independent person and what sanctions will be imposed for any breach of the code. There is an example internal resolution procedure</p>	<p>Not Included</p>	

Appendix A Sets out the principles	Principles covered at start of code	
Appendix B Information on registering and declaring interests	Covered within main section of code	Model Code does not cover training