

Warwickshire Joint Audit and Standards Committee

Code of Member Conduct

1. The Law and Standing Orders

1.1 Members hold office by virtue of the law, and must at all times act within the law. As a member of the Joint Audit and Standards Committee, you should make sure that you are familiar with the rules of personal conduct, which the law requires, and the guidance contained in this Code. It is your responsibility to make sure that what you do complies with these requirements and this guidance. You should regularly review your personal circumstances with this in mind, particularly when your circumstances change. You should not at any time advocate or encourage anything to the contrary. If in any doubt, seek advice from the PCC's Chief Executive. In the end however, the decision and the responsibility are yours and yours alone.

2. The Policing Protocol 2011 and the Code of Ethics

2.1 You agree to abide by the Principles of Public Life and the two further principles added by the Code of Ethics. These are set out below:

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

Fairness – Holders of public office should treat people fairly.

Respect – Holders of public office should treat people with respect.

3. Public Duty and Private Interest

3.1 You must be aware of the following rules:

- Your over-riding duty as a member is to the whole local community.
- If you have a private or personal interest in a question which members have to decide, you should never take any part in the decision, except in the special circumstances described below. Where such circumstances do permit you to participate, you should never let your interest influence the decision.
- You should never do anything as a member which you could not justify to the public. Your conduct, and what the public believes about your conduct, will affect the reputation of Warwickshire Police and/or the Office of the Police and Crime Commissioner (OPCC).
- It is not enough to avoid actual impropriety. You should at all times avoid any occasion for suspicion and any appearance of improper conduct.

4. General Provisions - Scope

4.1 A Member must observe the Code of Conduct whenever s/he:-

- Conducts the business of the Joint Audit and Standards Committee.
- Acts as a representative of the Joint Audit and Standards Committee.

References to a Member's official capacity shall be construed accordingly.

4.2 The Code of Conduct shall not have effect in relation to the activities of a Member undertaken other than in an official capacity.

5. General obligations

5.1 A member must:

- Promote equality by not discriminating unlawfully against any person.
- Treat others with respect.
- Not do anything which compromises or which is likely to compromise the impartiality of a police officer or those who work for, or on behalf of, the Force or the OPCC.

5.2 A member must not:-

- Disclose information given to her/him in confidence by anyone, or information acquired which s/he believes is of a confidential nature, without the consent of a person authorised to give it, or unless s/he is required by law to do so; nor
- Prevent another person from gaining access to information to which that person is entitled by law.

5.3 A Member must not in her/his official capacity, or any other circumstance, conduct her/himself in a manner, which could reasonably be regarded as bringing Warwickshire Police or the OPCC into disrepute.

5.4 A Member must not in her/his official capacity, or any other circumstance, use her/his position as a member improperly to confer on or secure for her/himself or any other person, an advantage or disadvantage.

5.5 A Member must when reaching decisions have regard to any relevant advice provided to her/him by:

- The Office of the PCC or Force Chief Finance Officer acting in pursuance of her/his statutory duties.
- The Office of the PCC Monitoring Officer acting in pursuance of her/his statutory duties.

5.6 A member must, if s/he becomes aware of any conduct by another member, which s/he reasonably believes involves a failure to comply with the Code of Conduct, make a written allegation to that effect to the OPCC Chief Executive.

6. Personal interests

6.1 A member must regard her/himself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given under Sections 10.1 and 10.2 below, or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers, or inhabitants of the Authority's area, the well-being or financial position of her/himself, a relative or a friend or any employment or business carried on by such persons.

- Any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- Any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000.
- Anybody listed in section 10.1 and 10.2 below in which such persons hold a position of general control or management.

6.2 In this paragraph a "relative" means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and "partner" means a member of a couple who live together.

7. Disclosure of personal interests

7.1 A Member with a personal interest in a matter who attends a meeting of the Joint Audit and Standards Committee at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

8. Prejudicial interests

8.1 Subject to sub-paragraph 8.2 below, a member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.

8.2 A Member may regard her/himself as not having a prejudicial interest in a matter if that matter relates to:

- Another relevant authority of which s/he is a member;
- Another public authority in which s/he holds a position of general control or Management.
- A body to which s/he has been appointed as its representative.

9. Participation in relation to disclosed Interests

9.1 A member with a prejudicial interest in any matter must:

- Withdraw from the room where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting.
- Not seek improperly to influence a decision about that matter.

10. The Register of Members' Interests - Registration of financial and other interests

10.1 Within 28 days of the provisions of the Code of Conduct being adopted or within 28 days of her/his appointment to office (if that is later), a member must register her/his financial interests in the register by providing written notification to the OPCC Chief Executive of:

- Any employment or business carried on by her/him.
- The name of the person who employs or has appointed her/him, the name of any firm in which s/he is a partner, and the name of any company for which s/he is a remunerated director.
- The name of any person, other than a relevant authority, who has made a payment to her/him in respect of any expenses incurred by her/him in carrying out her/his duties.
- The name of any corporate body which has a place of business or land in the Warwickshire Police area, and in which the member has a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body.
- A description of any contract for goods, services or works made between the Authority and her/himself or a firm in which s/he is a partner, a company of which s/he is a remunerated director, or a body of the description specified in sub-paragraph (d) above.
- The address or other description (sufficient to identify the location) of any land in which s/he has a beneficial interest and which is in the area of Warwickshire Police.
- The address or other description (sufficient to identify the location) of any company of which s/he is a remunerated director, or a body of the description specified in sub-paragraph (d) above.
- The address or other description (sufficient to identify the location) of any land in the Warwickshire area in which s/he has a licence (alone or jointly with others) to occupy for 28 days or longer.

10.2 Within 28 days of the provisions of the Code of Conduct being adopted or within 28 days of her/his appointment to office (if that is later), a Member must register her/his other interests in the OPCC register by providing written notification to the OPCC Chief Executive of her/his membership of or position of general control or management in any:

- Body to which s/he has been appointed.
- Public authority or body exercising functions of a public nature.
- Company, industrial and provident society, charity, or body directed to charitable purposes.
- Body whose principal purposes include the influence of public opinion or policy.
- Trade union or professional association.

10.3 A Member must within 28 days of becoming aware of any change to the interests specified under sections 10.1 and 10.2 above, provide them written notification to the Chief Executive of that change.

11. Registration of gifts and hospitality

11.1 A Member must within 28 days of receiving any gift or hospitality, provide written notification to the Chief Executive of the existence and nature of that gift or hospitality.

Declaration

I

having become a member of the Warwickshire Joint Audit and Standards Committee, declare that I will duly and faithfully fulfil the requirements of this role according to the best of my judgement and ability.

I undertake to observe the code as to the conduct which is expected of members of the Warwickshire Joint Audit and Standards Committee.

Signed

Date.....

This undertaking was made and signed before me.

Signed

Date.....

Position.....