

ANNEX C **CODE OF CONDUCT FOR MEMBERS**

GENERIC ELEMENTS OF THE CODE OF CONDUCT

Introduction

The Localism Act 2011 places an obligation on Cheshire Fire Authority to introduce and maintain a code of conduct for Members that when viewed as a whole is consistent with the following principles: selflessness; integrity; objectivity; accountability; openness; honesty; and leadership.

Ten General Principles of Public Life were set out in the Relevant Authorities (General Principles) Order 2001 (based on the Seven Principles of Public Life published by the Committee on Standards in Public Life. The Standards Board for England also issued a Guide for Members in May 2007 which included a commentary on a range of general obligations under the Statutory Code of Conduct for Members.

Cheshire Fire Authority can see the merit of adopting general principles; forming a good foundation upon which to build a meaningful code of conduct. It can also see the benefit of agreeing general obligations akin to those previously covered in the Guide for Members 2007.

General Principles

The following general principles apply to Members of Cheshire Fire Authority.

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should serve the public interest and not act 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 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 (including withdrawing from debates/decision making if necessary).

Leadership

Holders of public office should promote and support these principles by leadership and example and should act in a way that secures or preserves public confidence.

Personal Judgement

Holders of public office may take account of the views of others, (including their political groups) but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others

Holders of public office should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Duty to uphold the law

Holders of public office should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Members of Cheshire Fire Authority should not act in a way that is inconsistent with these principles.

General Obligations

The following General Obligations apply to Members of Cheshire Fire Authority.

Treating others with respect

Members must treat others with respect.

Complying with equality laws

Members must not do anything which may cause their authority to breach any equality laws.

Bullying and intimidation

Members must not bully any person including other councillors, council officers or members of the public.

Compromising the impartiality of officers of the authority

Members must not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the authority.

Disclosing confidential information

Members must not disclose confidential information, or information which they believe to be a confidential nature, except in any of the following circumstances:

- They have the consent of the person authorised to give it.
- They are required by law to do so.
- The disclosure is made to a third party for the purposes of obtaining professional advice (for example, your lawyer or other professional adviser) provided that person agreed not to disclose the information to any other person.
- The disclosure is in the public interest. This is only justified in limited circumstances, when all of the following four requirements are met:
 1. the disclosure must be reasonable.
 2. the disclosure must be in the public interest.
 3. the disclosure must be made in good faith.
 4. the disclosure must be made in compliance with any reasonable requirements of your authority.

Preventing access to information

Members must not prevent anyone getting information that they are entitled to by law.

Disrepute

Members must not bring their office or authority into disrepute while acting in their official capacity.

Using your position improperly

Members must not use, or attempt to use, their position improperly to the advantage or disadvantage of themselves or anyone else.

The Authority's resources

Members must only use or authorise the use of the resources of the Authority in accordance with its requirements.

Using resources for proper purposes only

You must make sure you use the authority's resources for proper purposes only. It is not appropriate to use, or authorise others to use, the resources for political purposes, including party political purposes. When using the authority's resources, you must have regard, if applicable, to any Local Authority Code of Publicity made under the Local Government Act 1986.

Considering advice provided to you and giving reasons

You must have regard to advice from your monitoring officer or chief finance officer where they give it under their statutory duties.

Members of Cheshire Fire Authority should not act in a way that is inconsistent with these general obligations.