

Report 8: Members Code of Conduct

1. Purpose of Report

The purpose of this report is to introduce and agree a new code of conduct for the Authority considering (Local Government Association) LGA guidance published last year.

2. Recommendations

The Authority is recommended to:

- a. Approve a new code of conduct as set out in Appendix 1 to Report 8.
- b. To delegate authority to the Monitoring Officer (in consultation with the Chair of the Standards and Appeals Committee) to amend, as considered appropriate, the Northumberland National Park Authority (NNPA) code to reflect any updates from the LGA to the Model Code and notify members of any such changes.

3. Implications

- a. **Financial:** None
- b. **Equalities:** None
- c. **Link to Business Plan:** Asset - A National Park Authority Fit for the Future

4. Background

- a. The Authority's current Code of Conduct was adopted in 2012.
- b. Although it appears that the current code has served the Authority well and there have been no obvious problems with its use, it is recognised that a review is appropriate and timely. This also responds to the publication of a new LGA model code and guidance.
- c. Training on the code of conduct took place on 9th February 2022 and was open to all Authority members.
- d. The Standards and Appeals Committee met on 16th February 2022 and agreed to recommend the proposed new code (Appendix 1) to the Full Authority.

5. LGA Model Councillor Code of Conduct

- a. The development of the LGA model code provides the Authority with an authoritative and robust example of a code which has been developed after extensive consultation with the sector. The LGA produced the model code recognising that councils and authorities may wish to adapt elements of it to fit their own circumstances.
- b. **Appendix Two to this report** contains the current code and **Appendix Three** sets out a direct comparison between the Authority's current code and the model code.
- c. Members will note the key differences in relation to standards of behaviour as follows:
 - In relation to how acceptable member behaviour is defined, the adoption of the model code will add the following requirements:

- Do not bully or harass anyone
 - Do not bring your office or the Authority into disrepute
 - Deal properly with information
 - Do not use your position to secure an advantage or disadvantage
 - Register and deal properly with gifts and hospitality
- The adoption of the model code provisions relating to standards of member conduct would lose a few specific provisions of the current code, in particular:
 - Communicate directly with the senior management and do not give instructions to the main body of staff and;
 - Avoid close personal familiarity between staff and individual members as this can damage the relationship and prove embarrassing to staff and other members.

These requirements are already addressed in the Authority's Protocol for Member/Officer Relations and are also implicit in a range of the requirements in the model code, including treating others with respect and not compromising the impartiality of officers.
 - d. In relation to the registration and disclosure of interests, the adoption of the model code could increase the number of occasions when members of the Authority have to disclose interests and withdraw from meetings, in comparison with the situation under the current code.
 - e. But the new provisions do bring clarity to an important issue. They provide reassurance to the public that interests are taken seriously by the Authority and make it easier for members to understand when they need to register and disclose. The LGA has published detailed supporting guidance which gives helpful examples to assist members to be confident in dealing with these issues.
 - f. Because the LGA has committed to keeping the model code under review, it is likely that updates will be produced from time to time. It is therefore suggested that the Authority authorise the Monitoring Officer (in consultation with the Chair of the Standards and Appeals Committee) to amend, as considered appropriate, the NNPA code to reflect any updates from the LGA to the Model Code.

6. Proposed New Code

- a. Attached as Appendix 1 is a proposed new code for discussion. It is based on the core LGA Model Code but makes the following changes:
 - It refers throughout to members not councillors
 - It refers to the Authority not to the council or the local authority
 - It takes out wording which is not relevant to the Authority (for example relating to parish and town councils, or to cabinet governance arrangements)
 - It adds wording at the start taken from the current code relating to the very specific role of a National Park Authority member and emphasizes their prime responsibility as a member.

7. Conclusions

As per the recommendation members of the authority are asked to agree and adopt the proposed new code of conduct following a final legal check by our advisors.

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Appendix One

The Proposed New Code

Northumberland National Park Authority

Member Code of Conduct

This document details the standard which members of the Northumberland National Park Authority aim to uphold. It is based on national legislation, best practice models and is tailored to the purposes of English national park authorities.

Failure to adhere to these standards can lead to criminal convictions and all alleged breaches will be looked into by the Authority's appointed officers, advisors and the Standards and Appeal Committee.

Introduction

As a member or co-opted member (a ‘member’) of Northumberland National Park Authority (‘the Authority’) you have a responsibility to represent the national interests of national parks and the Authority’s own national park and its community and to work constructively with the Authority’s staff and partner organisations to secure better social, economic and environmental outcomes for all.

As a member of the Authority your conduct should in particular address the statutory principles of the code of conduct by:

- (1) Championing the conservation interests of Northumberland National Park and supporting the enhancement of the cultural and natural heritage of the National Park; and**
- (2) Promoting improved enjoyment and understanding of the special qualities of Northumberland National Park.**

In delivering the above key purposes of the National Park you will work to promote the sustainable development of its communities and the businesses in and near to Northumberland National Park.

When there is an irreconcilable conflict between (1) and (2) above you will put the interests of conservation first.

Although all members will come from their own communities and have been appointed by the County Council or the Secretary of State, when acting as a member of the Authority it is your prime responsibility to act in the best interests of the Authority as a whole.

The Code of Conduct

Definitions

For the purposes of this Code of Conduct, a “member” means an appointed member or co-opted member of the Authority. A “co-opted member” means any person who is a member of any committee, sub-committee or panel of the Authority (with voting rights) but is not one of its appointed members.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a member, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow members, Authority officers and the reputation of local government. It sets out general principles of conduct expected of all members and your specific obligations in relation to standards of conduct.

The fundamental aim of the Code is to create and maintain public confidence in the role of a member and local government.

General principles of member conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, members and Authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles set out in Appendix A.

Building on these principles, the following general principles have been developed specifically for the role of member.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of member

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my Authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of member or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a member

This Code of Conduct applies to you when you are acting in your capacity as a member which may include when:

- you misuse your position as a member
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts, that you are acting as a member.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication

- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a member.

The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct.

Standards of member conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a member. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a member:

1.1 I treat other members and members of the public with respect.

1.2 I treat Authority employees, employees and representatives of partner organisations and those volunteering for the Authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a member, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in members.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the Authority, the relevant social media provider or the police. This also applies to fellow members, where action could then be taken under the

Member Code of Conduct, and Authority employees, where concerns should be raised in line with the Authority's Protocol on Member/Officer Relations.

2. Bullying, harassment and discrimination

As a member:

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.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Members have a central role to play in ensuring that equality issues are integral to the Authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the Authority

As a member:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Authority.

Officers work for the Authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their

neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a member:

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 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 member for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the Authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a member:

5.1 I do not bring my role or Authority into disrepute.

As a member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other members and/or your Authority and may lower the public's confidence in your or your Authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your Authority into disrepute.

You are able to hold the Authority and fellow members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Authority whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a member:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the Authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others.

However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of Authority resources and facilities

As a member:

7.1 I do not misuse Authority resources.

7.2 I will, when using the resources of the Authority or authorising their use by others:

- a. act in accordance with the 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 Authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the Authority to assist you in carrying out your duties as a member.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of Authority buildings and rooms.

These are given to you to help you carry out your role as a member more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the Authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a member:

8.1 I undertake Code of Conduct training provided by the 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.

It is extremely important for you as a member to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the Authority or its governance. If you do not understand or are concerned about the Authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the Authority

9. Interests

As a member:

9.1 I register and declare my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the Authority.

You need to register your interests so that the public, Authority employees and fellow members know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by

allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be declared by you or other members when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or declare a disclosable pecuniary interest as set out in **Table 1** is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and declaring interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a member:

- 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 Authority or from persons who may apply to the Authority for any permission, licence or other significant advantage.**
- 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.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the Authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a member. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a member, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a member. If you are unsure, do contact your Monitoring Officer for guidance.

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

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

Integrity

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

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

Accountability

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

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

Holders of public office should be truthful.

Leadership

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

Appendix B

Registering interests

Within 28 days of becoming a member of the Authority you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner’s interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband and wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is an interest which, if disclosed, could lead to the member or a person connected with the member, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests

5. Where a matter arises at a meeting which **directly relates** to the financial interest or well-being of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose

the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

7. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or well-being of body included under Other Registerable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

8. Where the matter (referred to in paragraph 7 above) **affects** the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

| Subject | Description |
|--|--|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the Authority) made to the member during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Authority — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land and Property | Any beneficial interest in land which is within the area of the Authority. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the Authority for a month or longer |

| | |
|-----------------------------------|--|
| <p>Corporate tenancies</p> | <p>Any tenancy where (to the member’s knowledge) —</p> <p>(a) the landlord is the Authority; and (b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p> |
| <p>Securities</p> | <p>Any beneficial interest in securities* of a body where —</p> <p>(a) that body (to the member’s knowledge) has a place of business or land in the area of the Authority; and</p> <p>(b) either —</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/ her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p> |

* ‘director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

- | |
|---|
| <ul style="list-style-type: none">a) any unpaid directorships b) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Authority c) any body<ul style="list-style-type: none">(i) exercising functions of a public nature(ii) directed to charitable purposes or(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which you are a member or in a position of general control or management. |
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Appendix Two

The NNPA current code



Northumberland National Park Authority

Member Code of Conduct

July 2012

This document details the standards which members of Northumberland National Park Authority aim to uphold. It is based on national legislation, best practice models and is tailored to the purposes of English national park authorities.

Failure to adhere to these standards can lead to criminal convictions and all alleged breaches will be looked into by the Authority's appointed officers, advisers and standards committee.

Endorsed 18th July 2012

Northumberland National Park Authority Meeting

www.northumberlandnationalpark.org.uk

Member Code of Conduct

Northumberland National Park Authority has adopted the following code which has effect from 1 July 2012, and which sets out the conduct that is expected of appointed and co-opted members of the Authority when they are acting in that capacity.

This means the code applies whenever you:

- (a) conduct the business of the Authority (including the business of your office as an appointed member or co-opted member); or**
- (b) act, claim to act or give the impression you are acting as a representative of the Authority.**

‘Co-opted member’ means any person who is a member of any committee, sub-committee or panel of the Authority (with voting rights) but is not one of its appointed members

Part 1: Role as a Member

As a member or co-opted member (hereafter referred to as ‘member’) of Northumberland National Park Authority you have a responsibility to represent the national interests of national parks and the Authority’s own national park and its community and to work constructively with the Authority’s staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in your capacity as member you are committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this Authority.

As a member of the Authority your conduct should in particular address the statutory principles of the code of conduct by:

- I. Championing the conservation interests of Northumberland National Park and supporting the enhancement of the cultural and natural heritage of the National Park; and
- II. Promoting improved enjoyment and understanding of the special qualities of Northumberland National Park.

In delivering the above key purposes of the National Park you will work to promote the sustainable development of its communities and the businesses in and near to Northumberland National Park.

As a member of the Authority, you will therefore be guided primarily with the pursuance of the national park purposes and the statutory duty. When there is an irreconcilable conflict between I and II above you will put the interests of conservation first.

Part 2: Impartiality and Accountability as a Member

You will:

- 2.1 Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- 2.2 Pursue your work in a **selfless** manner by not allowing other pressures, including the financial interests of yourself or others connected to you, to deter you from the interests of the Northumberland National Park or the good governance of the Authority in a proper manner.
- 2.3 Exercise independent judgement and ensure **integrity** by not compromising your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties as a member of the Authority.
- 2.4 Listen to the interests of all parties, including relevant advice from statutory bodies and their representatives and other staff, taking all relevant information into consideration, remaining **objective** and making decisions on merit.
- 2.5 Be **accountable** for your decisions and co-operate when scrutinised internally and externally, including by local residents, businesses and national partners and interest groups.
- 2.6 Contribute positively to making the Authority's decision-making processes as **open, honest and transparent** as possible to enable residents, local businesses and visitors to better understand the reasoning behind those decisions and to be informed when holding you and other members to account (but restricting access to information when the wider public interest or the law requires it).

Part 3: Conduct as a Member

You will:

- 3.1 Behave in accordance with all our legal obligations, alongside any requirements contained within the Authority's policies, protocols and procedures, including the use of the Authority's resources.
- 3.2 Comply with the National Park Authority's policies relating to **equality** issues, in addition to requirements of the law.
- 3.3 Value your colleagues, Authority staff and advisers and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good governance.
- 3.4 Not pressurise any member of staff to change his or her professional opinion, or put pressure on, or seek to intimidate, staff including indirect pressure on staff by taking actions which have the effect of undermining their professional opinion or judgement.

- 3.5 Respectfully challenge the professional advice from senior management and advisers (i.e., the Leadership Team, Chief Financial Officer and Monitoring Officer) and not seek to edit or override any content of a report or other document these advisers judge is important to put before the Authority or its committees, working groups, panels, sub-committees and other related bodies.
- 3.6 Communicate directly with the senior management (i.e., the Leadership Team) and not give direct instructions to the main body of staff.
- 3.7 Avoid close personal familiarity between staff and individual members as this can damage the relationship and prove embarrassing to staff and other members.
- 3.8 Co-operate fully with the Monitoring Officer and representatives of the Monitoring Officer in all matters of investigating governance, code of conduct and standards matters as defined by legislation.
- 3.9 Always treat people with respect, including the organisations and public you engage with and those you work alongside.
- 3.10 Provide leadership through behaving in accordance with these principles when championing the interests of the National Park with other organisations and within the Authority.

Part 4: Registration of interests

- 4.1 You must register in the Authority's Register of Members Interests information about your registerable personal interests. In this Code of Conduct 'your registerable personal interests' means:
 - (a) any Disclosable Pecuniary Interest as set out in Annex 1; or
 - (b) any other interest held by you as set out in Annex 2.
- 4.2 You must register information about your registerable personal interests by giving written notice to the Monitoring Officer, who maintains the Register, within 28 days of:
 - (a) your appointment as a member of the Authority; and
 - (b) any change taking place in your registerable personal interests.

Note: Failure without reasonable excuse to register a Disclosable Pecuniary Interest is a criminal offence under section 34 Localism Act 2011 as well as being a breach of this Code.

- 4.3 Where you think that disclosure of the details of any of your registerable personal interests could lead to you, or a person connected with you, being subject to violence or intimidation, the Monitoring Officer may at your request make a note on the Register that you have a personal interest, details of which are withheld.

Part 5: Non-Registerable Interests

- 5.1 You will have a non-registerable personal interest when you attend a meeting of the Authority (or one of its committees, sub-committees or panels) and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your wellbeing or financial position (or the wellbeing or financial position of a person described below) to a greater extent than most inhabitants of the area affected by the decision.
- 5.2 The persons referred to in paragraph 5.1 above are:
- (a) a member of your family; or
 - (b) any person with whom you have a close association; and
 - (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

Note:

- (a) “A member of your family” means: your partner (i.e., your spouse, civil partner or anyone with whom you live in a similar capacity); your parent or parent-in-law; any child, stepchild or sibling of you or your partner; your grandparent, grandchild, aunt, uncle, nephew or niece; and the partners of any of those people.
 - (b) You have a “close association” with someone if your relationship is such that a reasonable member of the public might think you would be prepared to favour or disadvantage that person when deciding a matter which affects them.
- 5.3 When you attend a meeting of the Authority (or one of its committees or sub-committees or panels) and you are aware that you have a non-registerable interest in an item of business (as defined in 5.1 above) you must disclose that interest to the meeting before consideration of that item begins or (if later) when you first become aware of the interest.

Part 6: Non-Participation in National Park Authority Business

- 6.1 When you attend a meeting of the Authority (or one of its committees or sub-committees or panels) and you are aware that the criteria set out in following paragraph are satisfied in relation to any matter to be considered, or being considered at that meeting, you must:
- (a) Declare that fact to the meeting;
 - (b) Not participate (or further participate) in any discussion of the matter at the meeting;
 - (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and
 - (d) Leave the room whilst the matter is being discussed.

6.2 The criteria for the purposes of the paragraph 6.1 are that:

You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either**

- (a) The matter will affect the financial position of yourself or one of the persons or bodies referred to in paragraph 5.2 above or in any of your register entries; **or**
- (b) The matter concerns a request for any permission, licence, consent or registration which relates to or affects any of the persons referred to in paragraph 5.2 or in any of your register entries.

Note: Failure, without reasonable excuse, to comply with Part 6 above in relation to a Disclosable Pecuniary Interest is a criminal offence under section 34 Localism Act 2011 as well as being a breach of this Code.

6.3 Paragraphs 6.1 and 6.2 do not apply if:

- (a) you have a relevant dispensation under section 33 of the Localism Act 2011; or
- (b) the matter in question relates to any of the following functions of the Authority:
 - i. an allowance, payment or indemnity given to members;
 - ii. any ceremonial honour given to members; and
 - iii. setting a precept under the Environment Act 1995.

Annex 1: Disclosable Pecuniary Interests as a Member

(as defined by Regulations made by the Secretary of State under section 30 Localism Act 2011)

Please Note: The following interests are Disclosable Pecuniary Interests if they are an interest of either (a) **yourself**, or (b) **your spouse or civil partner**, or (c) **a person with whom you are living as husband and wife**, or (d) **a person with whom you are living as if you were civil partners** (all of whom are referred to as “relevant persons”): -

- (a) **Employment, office, trade, profession or vocation** - Any employment, office, trade, profession or vocation carried on for profit or gain.
- (b) **Sponsorship** - Any payment or provision of any other financial benefit (other than from Northumberland National Park Authority) made or provided within the last twelve months in respect of any expenses incurred by you in carrying out your duties as a member of Northumberland National Park Authority or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
- (c) **Contracts** - Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the National Park Authority:
 - i. under which goods or services are to be provided or works are to be executed; and
 - ii. which has not been fully discharged.
- (d) **Land** - Any beneficial interest in land, including entitlement to farm payments, which is wholly or partially within the area of Northumberland National Park.
- (e) **Licences** - Any licence (alone or jointly with others) to occupy land wholly or partially within the area of the National Park for a month or longer.
- (f) **Corporate tenancies** - Any tenancy where (to your knowledge):
 - i. the landlord is the National Park Authority; and
 - ii. the tenant is a body in which the relevant person has a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body where—
 - i. that body (to your knowledge) has a place of business or land in the area of the National Park; and either
 - ii. the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

- iii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Note: In the above descriptions, the following words have the following meanings –

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Annex 2: Other Registerable Personal Interests

The other interests which you must register under paragraph 4.1(b) of the code are:

- (a) Any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the National Park Authority;
- (b) Any body which:
 - i. exercises functions of a public nature; or
 - ii. has charitable purposes; or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management);
- (c) Any person, body or organisation from whom you have received within the previous three years in your capacity as a member of the Authority either (a) a gift or hospitality with an estimated value of more than £50; or (b) a series of gifts or hospitality within any twelve-month period with a total value of over £100 from the same person, body or organisation.

Note: These mean only your interests and not those of your spouse or civil partner

Appendix Three**Comparison of the current and model codes**

| Current Code | Model Code |
|---|--|
| Application of the Code | |
| Code applies when you are acting in the capacity as a member of the Authority or when you act, claim to act or give the impression of acting as a representative of the Authority | Code applies when you are acting in your capacity as a councillor which may include when you misuse your position or when your actions would give the impression to a reasonable member of the public with knowledge of the relevant facts that you are acting as a councillor |
| Principles | |
| Reference to the “statutory principles of the code of conduct” but not specifically to the Nolan Principles | Everyone in public life should comply with the Nolan Principles and also with a set of General Principles. Specific reference to the Code applying to all forms of communication including social media. |
| Role as a Member | |
| Specific provisions relating to the role of a member of the Authority in furthering the key purposes of the National Park. | No equivalent provisions |
| Standards of Conduct | |
| <p>Sixteen requirements, split into two sections:</p> <ul style="list-style-type: none"> • Impartiality and accountability as a member (cross referencing to the Nolan Principles) and • Conduct as a member - most requirements relate to member/officer relations <p>Does not cover the following (which are in the Model Code):</p> <ul style="list-style-type: none"> • Do not bully or harass anyone • Do not bring your office or the Authority into disrepute • Deal properly with information • Do not use your position to secure an advantage or disadvantage | <p>Ten requirements covering:</p> <ol style="list-style-type: none"> 1. Respect 2. Bullying, harassment and discrimination 3. Impartiality of officers of the council 4. Confidentiality and access of information 5. Disrepute 6. Use of position 7. Use of local authority resources and facilities 8. Complying with the code of conduct 9. Interests 10. Gifts and hospitality |

| Current Code | Model Code |
|--|--|
| <ul style="list-style-type: none"> Register gifts and hospitality | |
| Interests | Interests |
| Requirement to register DPs and Other Registerable Pecuniary Interests (which include people and bodies who have given gifts and hospitality over £50) | Requirement to register DPs and Other Registerable Interests (does not include reference to gifts and hospitality but does include unpaid directorships) |
| Requirement to declare non-registerable personal interests (matters affecting the finances or well-being of the member or a connected person) | Requirement to disclose non-registerable interests (similar provisions) |
| <p>Requirement to declare but not to participate in the discussion, not vote and leave the meeting when an interest exists in a matter and certain tests are met (para 6.2).</p> <p>The overall result of the current provisions is that members only have to withdraw from a meeting and not vote when</p> <ul style="list-style-type: none"> something arises which affects their wellbeing or financial position (or that of their family, close associates or families' employer etc) to a greater extent than most and people would think their judgement would be clouded and the matter relates to the financial position of the member, family, close associates etc or the matter relates to a request for a licence, permission etc by the member, family, close associates or DPs/ORIs | <p>Requirement not to participate, not vote and leave the room if there is a DP.</p> <p>Requirement not to participate etc if anything directly relates to a financial interest or well-being of the member or a connected organisation/person or if anything affects the financial interest or wellbeing and people would think their judgement might be clouded (when they can just disclose the interest)</p> |
| Gifts and Hospitality | Gifts and Hospitality |
| Requirement to register/declare an interest if a matter relates to someone/a body from whom the member has received gifts or hospitality of over £50/£100 | General provisions re: non acceptance of gifts and hospitality and requirements to register acceptance/refusal with the MO. Threshold of £50. |