

NEW FOREST NATIONAL PARK AUTHORITY

CODE OF CONDUCT

Explanatory Note for Authority Members

By law, all Members and co-opted Members are required to follow the Authority's Code of Conduct when acting in their capacity as a Member. The Code set out below has been adopted by New Forest National Park Authority to fulfil its obligations under section 27(2) of the Localism Act 2011, and is consistent with the following principles of public life as set out in the Act:

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.

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.

If a Member has any doubt about whether any action he or she proposes to take may be in breach of the Code, he or she should seek advice from the Monitoring Officer beforehand. However, please remember that responsibility for a Member's actions remains at all times with that Member.

Anyone who considers a Member has failed to comply with this Code may make a formal complaint about that Member. The Authority has adopted procedures for dealing with complaints. If a complaint is upheld, this may lead to formal censure, adverse publicity ("naming and shaming"), or the Authority removing the Member concerned from a Committee or other position.

(This explanatory note does not form part of the Code).

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PART 1: GENERAL OBLIGATIONS

Whenever a Member is acting in his or her capacity as a Member or co-opted Member they:

1. must treat others with respect.
2. must not use, or try to use, their position improperly to obtain an advantage or disadvantage for themselves or any other person or body.
3. must not use the Authority's resources improperly for political purposes or any other purposes forbidden by the Authority.
4. must not do anything that compromises, or is likely to compromise, the impartiality of those who work for the Authority.
5. must not bully anyone.
(Bullying is offensive, intimidating, malicious, insulting or humiliating behaviour that is directed at someone over whom they have some actual or potential influence).
6. must not intimidate, or try to intimidate, anyone who has complained about them or who may be involved with a complaint about them.
7. must not disclose information that they know, or ought to know, is confidential, without authority or a legitimate reason.
8. must not prevent, or try to prevent, anyone from obtaining information to which they are entitled by law.
9. must not do anything that may cause the Authority to breach any of the Equality laws that prohibit discrimination on grounds such as age, sex, race, disability, religion/belief, sexual orientation or pregnancy.
10. when making decisions on behalf of or part of the Authority, must have regard to any relevant advice provided to them by the Authority's Chief Finance Officer and Monitoring Officer, where such advice is offered pursuant to his or her statutory duties.

PART 2: REGISTRATION AND DISCLOSURE OF INTERESTS

A. Disclosable Pecuniary Interests

1. Every Member must, within 28 days of becoming a Member or co-opted Member, or of the Code being adopted, notify the Authority's Monitoring Officer of any disclosable pecuniary interest as set out in Part 2A, paragraph 6 of the Code - below, where the pecuniary interest is the Member's, the spouse or civil partner of the Member, or is the pecuniary interest of somebody with whom the Member is living as a husband or wife, or as if he or she were civil partners, and where the Member is aware that that other person has that interest.
2. All disclosable pecuniary interests, whether already entered into the Register of Interests or not, in any matter being considered at a meeting of the Authority, committee, sub-committee, panel or other group at which the Member is present, must be disclosed to the meeting, except where the matter is

a 'sensitive interest'.¹ Where the interest is a 'sensitive interest', the Member must disclose merely *the fact that* he or she has a disclosable pecuniary interest in the matter concerned.

3. Where a Member has a disclosable pecuniary interest in any matter being considered at a meeting of the Authority, or one of its committees, sub-committees, ~~or panels or other groups~~ he or she must not participate in discussion of, or vote on, that matter, and must withdraw from the room where the meeting is being held, unless dispensation has been obtained from the Authority's Standards Committee. However, this does not prevent a Member from making representations on the matter to the meeting in accordance, where appropriate, with the Authority's public speaking procedures, provided that he or she withdraws from the room when those representations are concluded and before any discussion or vote takes place.

~~4. For the avoidance of doubt, requirements 2. and 3. above apply to all meetings of Members, including all working groups as defined in the Authority's Standing Orders~~

- ~~5.4.~~ Following any disclosure of an interest not on the Authority's register of interests maintained by the Authority's Monitoring Officer, or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

5. The following sub-paragraphs (i) to (vii) provide a summary of disclosable pecuniary interests that must be disclosed in accordance with Part 2A paragraph 1 above:

(i) **Employment, office, trade, profession or vocation** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) **Sponsorship** - Any payment or provision of any other financial benefit (other than from the Authority), including payments from a trade union, in respect of any expenses incurred in carrying out duties as a Member or towards election expenses.

Sponsorship payments are disclosable where they were made within the twelfth months prior to the time that you make a notification of the interest.

(iii) **Contracts** - Any contract that has not yet been discharged for the provision of goods or services or the execution of works that is made between the Authority and a Member (or a relevant person or a body in which that Member or a relevant person has a beneficial interest)

(iv) **Land** - Any beneficial interest in land within the New Forest National Park.

(v) **Licences** - Any licence to occupy land in the New Forest National Park for a month or longer.

(vi) **Corporate tenancies** - Any tenancy where:

(a) the landlord is the Authority; and

(b) the tenant is a body in which a Member or a relevant person has a beneficial interest.

(vii) **Securities** - Any beneficial interest in securities of a body where:

(a) a Member is aware that that body has a place of business or land in the New Forest National Park; and

(b) either:

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(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 relevant person has a

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

beneficial interest exceeds one hundredth of the total issued share capital of that class.

Fuller details of disclosable pecuniary interests can be found in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (2012 No. 1464), and any amendments to those Regulations.

6. Members shall notify any changes to the interests referred to in this Part A to the Monitoring Officer within 28 days of the change occurring, and the Monitoring Officer will amend the Register accordingly.

B. Non-pecuniary interests

1. All Members shall disclose to the Monitoring Officer their membership, or position of general control or management, of:

- (a) any body to which the Authority has appointed or nominated them; or
- (b) any body exercising functions of a public nature; or
- (c) any body directed to charitable purposes; or
- (d) any body, one of whose principal purposes includes the influence of public opinion or policy;

2. And Members shall also disclose to the Monitoring Officer:

~~(e)~~ any other interest that they consider may be perceived to influence their decision making on a particular item of business.

3. The Monitoring Officer shall record all such disclosures in a Register of Interests. The Register shall be open to public inspection. Members shall notify any changes to the interests referred to in this paragraph to the Monitoring Officer within 28 days of the change occurring, and the Monitoring Officer will amend the Register accordingly.

4. Any Member who has a non-pecuniary interest within the meaning of this Code of Conduct, in any matter being considered at a meeting of the Authority, or of one of its committees, sub-committees, or panels ~~or other groups~~, shall disclose the existence and nature of that interest to the meeting. The disclosure shall be at the beginning of the consideration of the matter, or as soon as the interest becomes apparent.

~~4. For the avoidance of doubt, requirements 3 above applies to all meetings of Members, including all working groups as defined in the Authority's Standing Orders.~~

~~5.4.~~ A Member may speak and vote, unless their interest in a particular item of business is one which ~~the Member believes that~~ 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 judgment of the public interest. In these circumstances, the Member may make representations on the matter to the meeting, in accordance, where appropriate, with the Authority's public speaking procedures, provided that they withdraw from the room when those representations are concluded and before any discussion or vote takes place.

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