

MODEL CODE OF CONDUCT PARAGRAPHS 3 - 7

General obligations

3. (1) You must treat others with respect.
(2) You must not:-

(a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006(2));

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be:-

- (i) a complainant,
- (ii) a witness, or
- (iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

(3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.

4. You must not

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:-

- (i) you have the consent of a person authorised to give it;
- (ii) you are required by law to do so;
- (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
- (iv) the disclosure is:-

- (aa) reasonable and in the public interest; and
- (bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b)prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. 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

(b)must, when using or authorising the use by others of the resources of your authority:-

(i)act in accordance with your authority's reasonable requirements;

(ii)ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c)must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986(3).

7. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by:-

(a)your authority's chief finance officer; or

(b)your authority's monitoring officer,
where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.