

Code of Conduct for Members

The Council of the City of Sunderland (“the Council”) has adopted the following Code which took effect from 1 July 2012 and which was most recently amended on 27 March 2013^[date] and which sets out the conduct that is expected of elected and co-opted Members of the Council when they are acting in that capacity.

This means the Code applies whenever you (a) conduct the business of the Council (including the business of your office as an elected Councillor or co-opted Member) or (b) act, claim to act or give the impression you are acting as a representative of the Council.

‘Co-opted Member’ means any person who is a Member of any Committee or Sub-Committee of the Council with a right to vote but is not one of its elected Members.

The Code is intended to be consistent with the Nolan’s Seven Principles of Public Life, and should be read in the light of those principles, namely that Council Members will act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Those Principles are not part of this Code but are set out in full at Annex 1 for information.

In addition, the Council adopts the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism (set out below¹) and associated examples, where relevant in the consideration and any investigation of an allegation of a breach of this Code. The associated examples can be found at <https://www.holocaustremembrance.com/working-definition-antisemitism>

General Conduct

1. You must treat others with respect, including Council officers and other elected Members.

~~1.2. You should support equalities and not discriminate unlawfully against any person.~~

~~2.3. You must not bully or harass any person (including specifically any Council employee), and you must not intimidate or improperly influence or attempt to intimidate or improperly influence any person who is involved in any complaint about any alleged breach of this Code of Conduct.~~

¹ ***“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”***

~~3.4.~~ You must not do anything which compromises or is likely to compromise the impartiality of anyone who works for or on behalf of the Council.

~~4.5.~~ You must not conduct yourself in a manner which could reasonably be regarded as bringing the Council, or your office as a Member of the Council, into disrepute.

~~5.6.~~ You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person any advantage or disadvantage. You should not improperly use knowledge gained solely as a result of your role as a councillor for the advancement of yourself, your friends, your family members, your employer or your business interests.

~~6.7.~~ You must comply with any Protocol adopted by the Council which seeks to regulate the conduct of its elected Members or co-opted Members and which the Council has specifically declared should fall within the provisions of this Code of Conduct and which is listed in the annex to this Code.

~~7.8.~~ When using or authorising the use by others of the resources of the Council, you must act in accordance with the Council's reasonable requirements (as set out in such protocol as it may adopt from time to time for these purposes) and must ensure they are not used for party political purposes.

~~8.9.~~ You must not prevent, or attempt to prevent, another person from gaining access to information to which they are entitled by law.

~~9.10.~~ You must not disclose information which is given to you in confidence, or information which you believe or ought reasonably to be aware is of a confidential nature, unless:

- a) You have the consent of a person authorised to give it; or
- b) You are required by law to do so; or
- c) 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
- d) The disclosure is reasonable, ~~and~~ in the public interest and made in good faith and you have consulted the Monitoring Officer prior to its release.

~~10.11.~~ Where you have been involved in making any decision by the Council which is subsequently subject to scrutiny by an Overview and Scrutiny Committee of the Council, you must not take part in that scrutiny process except to the extent you may be invited by the Committee to give evidence to, or otherwise assist, it. In this paragraph, 'scrutiny'

means the formal examination of a policy or decision previously approved or taken by or on behalf of the Council in order to reach a view as to its merits or effectiveness.

12. You should undertake Code of Conduct training provided by the Council wherever reasonably possible and if you are unable to attend scheduled formal training sessions, should make reasonable efforts to attend any follow-up sessions or individual briefing sessions offered to you. You must comply and engage and co-operate with any Code of Conduct investigation and/or determination, including compliance with any sanction imposed on you following a finding that you have breached the Code of Conduct. You must not intimidate or improperly influence or attempt to intimidate or improperly influence any person who is involved in any complaint about any alleged breach of this Code of Conduct.

Registration of Interests

13. Subject to paragraph [14.2](#), you must register in the Council's Register of Members' Interests information about your personal interests. In this Code of Conduct 'your personal interests' means:

(a) any 'Disclosable Pecuniary Interest' (as defined by regulations made from time to time by the Secretary of State) which you know about and which is held by

(1) you, or

(2) your spouse or civil partner, a person with whom you are living as husband and wife, or a person with whom you are living as if you were civil partners.

(b) —any person or organisation from whom you have received an offer of a gift or hospitality with an estimated value of £50 or more (whether or not you accept the offer) which is attributable to your position as an elected or co-opted Member of the Council. In addition to recording the identity of the person or organisation who made the offer, you should record the nature of the gift or hospitality.

(Note: Paragraph [13.4](#) (b) relates only to your interests and not those of your spouse or civil partner)

(c) You must register information about your personal interests by giving written notice to the Monitoring Officer, who maintains the Register, within 28 days of:

- your appointment as a Member of the Council; and
- any change taking place in your 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. A list of Disclosable Pecuniary Interests as currently defined by regulations is set out in Annex 2)

14. Where you think that disclosure of the details of any of your personal interests could lead to you, or a person connected with you, being subject to violence or intimidation, you may inform the Monitoring Officer; and if the Monitoring Officer agrees, a note will be made in the Register to the effect that you have a personal interest, details of which are withheld under Section 32 of the Localism Act 2011.

Declaration of Interests

15. When you attend a meeting of the Council or Cabinet, or one of their Committees or Sub-Committees, and you are, or ought reasonably to be, aware that any of your Disclosable Pecuniary Interests are relevant to an item of business which is being considered, then unless the interest is one which has been noted under paragraph 14, you must disclose to that meeting the existence and nature of that interest at the start of that item of business, or when the interest becomes apparent, if later.

16. When you attend a meeting of the Council or Cabinet, or one of their Committees or Sub-Committees, and you are aware that you have a Disclosable Pecuniary Interest in any matter to be considered, or being considered at that meeting, you may not (unless you have a relevant dispensation granted under section 33 of the Localism Act 2011):

- a) participate (or further participate) in any discussion of the matter at the meeting; or
- b) participate in any vote (or further vote) taken on the matter at the meeting.

17. If a function of the Council can be discharged by you as a Member acting alone and you are aware you have a Disclosable Pecuniary Interest in any matter to be dealt with by you in the course of

discharging that function, you shall not deal with that matter in any way (except to enable it to be dealt with by someone else).

(Note: Failure, without reasonable excuse, to comply with paragraph [164](#) or [175](#) is a criminal offence under section 34 Localism Act 2011 as well as being a breach of this Code)

18. You must comply with any standing order adopted by the Council which requires Members to leave the room during any meeting at which a matter in which they have a Disclosable Pecuniary Interest is being discussed.