



Member Code of Conduct

July 2012

This document details the standards which members of Northumberland National Park Authority aim to up hold. 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

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 well being or financial position (or the well being 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