

## **External Members and the Councillors' Code of Conduct**

The Council agreed at its meeting of 8th October, 2014, that all external members of committees, sub committees and working groups be required to adhere to the principles of the Councillors' Code of Conduct. This Code is a legal requirement which is set out in the Ethical Standards in Public Life etc (Scotland) Act 2000. The Code also says that it should be a condition of appointment that external members comply with the Code.

Whilst much of the Code deals with issues such as setting up a register of interests, lobbying and legal decision making (like considering applications) which would be more applicable to Councillors, many parts apply to all members of committees etc, such as the way you behave in meetings, and the need to ensure that confidential or data protected information is kept private.

Before looking at these issues, the Code sets out the basic principles which all members should adhere to:

### ***“SECTION 2: KEY PRINCIPLES OF THE CODE OF CONDUCT*”**

*2.1 The general principles upon which this Code of Conduct is based should be used for guidance and interpretation only. These general principles are:*

#### ***Duty***

*You have a duty to uphold the law and act in accordance with the law and the public trust placed in you. You have a duty to act in the interests of the Council as a whole and all the communities served by it and a duty to be accessible to all the people of the area for which you have been elected to serve, and to represent their interests conscientiously.*

#### ***Selflessness***

*You have a duty to take decisions solely in terms of the public interest. You must not act in order to gain financial or other material benefit for yourself, family or friends.*

## ***Integrity***

*You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your duties.*

## ***Objectivity***

*You must make decisions solely on merit when carrying out public business including making appointments, awarding contracts or recommending individuals for rewards and benefits.*

## ***Accountability and Stewardship***

*You are accountable for your decisions and actions to the public. You have a duty to consider issues on their merits, taking account of the views of others, and you must ensure that the Council uses its resources prudently and in accordance with the law.*

## ***Openness***

*You have a duty to be as open as possible about your decisions and actions, giving reasons for your decisions and restricting information only when the wider public interest clearly demands.*

## ***Honesty***

*You have a duty to act honestly. You must declare any private interests relating to your public duties and take steps to resolve any conflicts arising in a way that protects the public interest.*

## ***Leadership***

*You have a duty to promote and support these principles by leadership and example, and to maintain and strengthen the public's trust and confidence in the integrity of the Council and its councillors in conducting public business.*

## ***Respect***

*You must respect all other councillors and all Council employees and the role they play, treating them with courtesy at all times. Similarly you must respect members of the public when performing duties as a Councillor.*

*2.2 You should apply the principles of this Code to your informal dealings with the Council's employees, party political groups and others no less scrupulously.”*

The Council would expect all external members to accept the broad thrust of these principles, whilst accepting that they are aimed at councillors. As already mentioned above, there are other areas where external members would be expected to abide by provisions of the Code:

### **Private Information**

Whilst Council meetings are usually open to the public, parts of committee and sub committee meetings, and all working group meetings, are not. You may receive private information which is classed by legislation as being confidential or data protected. This gives you a right to see information which the public usually cannot see, but this must not be passed to anyone else in any way, particularly for in ways which may help you, for political gain or to show the Council in a bad light.

A councillor who breaks the Code by making such information public could face an investigation by the Standards Commission, but for external members, there could be a local investigation which may result in your removal from the body or group on which you sit. Further information is included in the Code of Conduct, to which you should refer, and any confidential reports will be marked clearly as containing private information and may be on green paper. If you are in any doubt about what you can or cannot say or share outwith the meeting, you should consult an officer of Legal and Democratic Services.

### **Conduct at Meetings**

You should always respect the Chair of the body on which you sit, your colleagues, Council officials and any members of the public who may be present. You should accept any ruling from the Chair and allow others at the meeting, including officers who are speaking, to have their say without interruption. The Council has agreed a process for hearing complaints against external members, which has yet to be used.

### **Declarations of Interest**

If you have a financial or other interest in any matter of business before your group, such as a report which may affect friends or family, or a club to which you belong, or a business in which you have an interest, you should consider declaring that interest to those in attendance and leaving the meeting whilst that matter is being spoken about.

You can ask officers from Legal and Democratic Services for help, but a rule of thumb is to consider whether a reasonable person would think that your interest was such that it might affect the way you would speak or vote at a meeting. If you think you have a substantial interest, you should declare it and leave.

These are the important parts of the Councillors' Code of Conduct, which the Council is asking you to accept. If you would like any further help, please contact an officer from Legal and Democratic Services.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

If you have any questions regarding this document, please contact:

Aberdeen City Council  
Legal and Democratic Services  
Corporate Governance  
Town House,  
Broad Street,  
Aberdeen  
AB10 1AQ

Email: [committeeservices@aberdeencity.gov.uk](mailto:committeeservices@aberdeencity.gov.uk)  
01224 523057