

From **Clive Joynes**
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Election of Town and Parish Councillors within the area of the Isle Of Wight Council Nomination Paper Pack

Please find enclosed a Nomination Paper pack as requested. The pack contains the following items:

- Nomination Paper
- Consent to Nomination
- Political Party Certificate of Authority and Emblem Request form
- Election Timetable
- Section 80 Local Government Act 1972
- Declaration of Secrecy
- Candidate Guide
- Notice of Withdrawal
- Notice of Appointment of Polling Agents
- Notice of Appointment of Counting Agents
- Notice of Appointment of Agents to attend the Opening of Postal Voters' Ballot Box
- Model Code of Conduct - this is an example of the code that you will have to follow if you are elected. Please contact the Clerk of your prospective council if you wish to obtain their adopted Code of Conduct.

To be a candidate at the above election the nomination paper and consent to nomination must be delivered by hand to the Returning Officer, Civic Centre, Sandown Isle of Wight, PO36 9EA by **4:00 PM on Tuesday, 4th April 2017**.

Please ensure that all sections of submitted forms are fully completed, including the name of the Parish and Parish Ward (where applicable) for which you are nominated, and the Electoral Numbers of your Proposer and Seconder. Where a Parish is divided into Wards, then your Proposer and Seconder must be registered electors for the Ward in which you wish to be nominated.

If elected, members of Parish and Town Councils are required to complete a register of interests and this will be published on the Isle of Wight Council website and the website of the relevant Parish or Town Council.

If you require any further information or assistance, please do not hesitate to contact me.

Yours sincerely

Chris Mathews, Returning Officer

List of Parish and Town Council Electoral Areas for Elections in May 2017

Electoral Areas	Number of Parish Councillors to be elected	Electoral Areas	Number of Parish Councillors to be elected
Arreton Parish Council	Eight	Newport Parish Council - Parkhurst Ward	Two
Bembridge Parish Council - Bembridge North Ward	Six	Niton and Whitwell Parish Council - Niton Ward	Six
Bembridge Parish Council - Bembridge South Ward	Six	Niton and Whitwell Parish Council - Whitwell Ward	Four
Brading Town Council	Eight	Northwood Parish Council	Eight
Brighstone Parish Council - Brighstone Ward	Six	Rookley Parish Council	Seven
Brighstone Parish Council - Brook Ward	One	Ryde Town Council - Binstead Ward	Two
Brighstone Parish Council - Mottistone Ward	One	Ryde Town Council - Haylands Ward	Two
Calbourne Parish Council - Calbourne Ward	Three	Ryde Town Council - Ryde East Ward	Two
Calbourne Parish Council - Porchfield Ward	Three	Ryde Town Council - Ryde North East Ward	Two
Chale Parish Council	Six	Ryde Town Council - Ryde North West Ward	Three
Chillerton and Gatcombe Parish Council	Five	Ryde Town Council - Ryde South Ward	Two
Cowes Town Council - Cowes Medina Ward	Five	Ryde Town Council - Ryde West Ward	Three
Cowes Town Council - Cowes North Ward	Five	Sandown Town Council - Sandown North Ward	Six
Cowes Town Council - Cowes South Ward	Three	Sandown Town Council - Sandown South Ward	Six
Cowes Town Council - Cowes West Ward	Three	Shalfleet Parish Council	Six
East Cowes Town Council - East Cowes North Ward	Four	Shanklin Town Council - Shanklin Central Ward	Six
East Cowes Town Council - Osborne Ward	Four	Shanklin Town Council - Shanklin North Ward	Three
Fishbourne Parish Council	Six	Shanklin Town Council - Shanklin South Ward	Six
Freshwater Parish Council - Afton Ward	Seven	Shorwell Parish Council	Six
Freshwater Parish Council - Norton Ward	Seven	St. Helens Parish Council	Eight
Godshill Parish Council	Six	Totland Parish Council	Eight
Gurnard Parish Council	Nine	Ventnor Town Council - Bonchurch Ward	One
Havenstreet and Ashey Parish Council	Six	Ventnor Town Council - Lowtherville Ward	Two
Lake Parish Council - Lake North Ward	Seven	Ventnor Town Council - St. Lawrence Ward	Two
Lake Parish Council - Lake South Ward	Three	Ventnor Town Council - Ventnor Parish East Ward	Three
Nettlestone and Seaview Parish Council	Ten	Ventnor Town Council - Ventnor Parish West Ward	Three
Newchurch Parish Council	Eight	Whippingham Parish Council - Whippingham North Ward	Five
Newport Parish Council - Carisbrooke Ward	Two	Whippingham Parish Council - Whippingham South Ward	One
Newport Parish Council - Newport Central Ward	Two	Wootton Bridge Parish Council	Ten
Newport Parish Council - Newport East Ward	Two	Wroxall Parish Council	Eight
Newport Parish Council - Newport North Ward	Two	Yarmouth Town Council - Thorley Ward	Two
Newport Parish Council - Newport South Ward	Two	Yarmouth Town Council - Yarmouth Ward	Six
Newport Parish Council - Newport West Ward	Two		

Where a Parish is divided into Wards, then your Proposer and Secunder must be registered electors for the Ward in which you wish to be nominated.

Nomination Paper

Isle of Wight Council Area

Office Use Only

Time delivered	Date delivered	No of Nomination Paper in order of delivery	Initials

ELECTION OF A PARISH COUNCILLOR

for

(insert names(s)) _____ Ward of _____ Parish Council

Date of Election: Thursday, 4 May 2017

We the undersigned, being local government electors for the said Parish or Parish Ward, do hereby nominate the under-mentioned person as a candidate at the said election.

PLEASE COMPLETE IN CAPITALS (except where a signature is required)

Candidate's surname	Other forename(s) in full	Commonly used surname (if any)	Commonly used forenames (if any)	Description (if any) use no more than 6 words	Home Address in full
Title	Email Address	Telephone			

Proposer	Signature	Print Name as Signed	Electoral Number	
			Polling District Letters	Number

Notes

- The attention of candidates and electors is drawn to the rules for filling up nomination papers and provisions relating to nomination papers contained the election rules in Schedule 2 to the Local Election (Parishes and Communities) Rules 2006.
- Where a candidate is commonly known by some title they may be described by their title as if it were their surname.
- Where a candidate commonly uses a name which is different from any other name they have, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
- But the ballot paper will show the other name if the Returning Officer thinks that the use of the commonly used name may
 - be likely to mislead or confuse electors, or
 - that the commonly used name is obscene or offensive.
- An elector may not -
 - subscribe more nomination papers than there are vacancies to be filled in the electoral area in which the election is held; or
 - subscribe a nomination paper for more than one ward in a parish or community divided into wards.
- In this form `elector` -
 - means a person who is registered in the register of local government electors for the electoral area in question on the last day for the publication of notice of election; and
 - includes a person then shown in the register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.
- However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

Candidate's Consent to Nomination

(To be given on or within one month before the last day for delivery of nomination papers, and delivered at the place and within the time appointed for delivery of nomination papers)

Election of a Parish Councillor

for

(insert names(s)) _____ Ward of _____ Parish Council

Isle of Wight Council Area

Date of Election: Thursday, 4 May 2017

I, *(name in full)*

of *(home address in full)*

hereby consent to my nomination as a candidate for election as a Parish Councillor for (insert names(s))

_____ Ward of _____ Parish Council.

I declare that on the day of my nomination I am qualified and that, if there is a poll on the day of election, I will be qualified to be so elected by virtue of being on that day or those days a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Community, who has attained the age of 18 years and that

* (a) I am registered as a local government elector for the administrative area of the Parish in respect of *(qualifying address in full)*

_____ and my electoral number *(see note below)* is _____ ; or

* (b) I have during the whole of the twelve months preceding that day or those days occupied as owner or tenant of the following land or other premises in the Parish *(description and address of land or premises)*

_____ ; or

* (c) my principal or only place of work during those twelve months has been in that Parish at *(give address of place of work and, where appropriate, name of employer)*

_____ ; or

* (d) I have during the whole of those twelve months resided in that Parish or within 4.8 kilometres of it at *(give address in full)*

* *delete whichever is inappropriate, (but you can include all those that apply)*

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972, section 78A of the Local Government Act 2000 or section 34 of the Localism Act 2011 (copies of which are printed overleaf).

Date of Birth: _____

Signature: _____

Date of consent: _____

Signed in my presence

Signature of witness: _____

Name and address of witness (PLEASE PRINT)

- NOTES:
1. A person's electoral number is his number in the register to be used at the election (including the distinctive letters of the parliamentary polling district in which he is registered).
 2. A candidate who is qualified by more than one qualification may complete any of those that may apply.

Local Government Act 1972

80. Disqualifications for election and holding office as member of a local authority.

(1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –

- (a) holds any paid office or employment (other than the office of chairman, vice-chairman or deputy chairman or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or
- (b) is the subject of a bankruptcy restrictions order or interim order; or
- (c) [This has been removed and no longer applies]
- (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
- (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983 or under the Audit Commission Act 1998.

(2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –

- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
- (b) a joint board, joint authority, economic prosperity board, combined authority, joint waste authority or joint committee on which the authority are represented and any member of which is so appointed;

shall be disqualified for being elected or being a member of that other local authority.

(2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –

- (a) one or more persons appointed on the nomination of the Authority acting by the Mayor, and
- (b) one or more members of one or more London borough councils appointed to the committee on the nomination of those councils,

shall be disqualified for being elected or being a member of any of those London borough councils.

(2A) Subsection (2) above shall have effect as if the reference to a joint board included a reference to a National Park authority.

(2B) For the purposes of this section a local authority shall be treated as represented on a National Park authority if it is entitled to make any appointment of a local authority member of the National Park authority.

(3) Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.

(5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

81. Exception to provisions of section 80

(4) Section 80(2) and (3) above shall not operate so to disqualify –

- (a) any person by reason of his being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council

Local Government Act 2000

Persons disqualified by eligible tribunals. The following is the legislation that describes how persons disqualified by certain tribunals are disqualified from standing in local government elections.

78A. Decisions of First-tier Tribunal

[(1) Deleted.]

(2) Where the First-tier Tribunal adjudicates on any matter under this Act, it must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.

(3) Where the tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.

(4) Where the tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it may—

(a) take in respect of him any action authorised by regulations made by the Secretary of State for the purposes of this subsection, or

(b) decide to take no action against him.

(5) Regulations made under subsection (4) may in particular—

(a) enable the tribunal to censure the person,

(b) enable it to suspend, or partially suspend, the person from being a member or co-opted member of the relevant authority concerned for a limited period,

(c) enable it to disqualify the person, for a period not exceeding five years, for being or becoming (whether by election or otherwise) a member of that or any other relevant authority.

(6) The reference in subsection (5)(b) to the relevant authority concerned is to be read, in relation to a person who is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in England, as a reference to that other relevant authority.

(7) Regulations made by the Secretary of State may require the First-tier Tribunal to give a notice to the standards committee of the relevant authority concerned where it decides that a person has failed to comply with the code of conduct of that authority and—

(a) decides to suspend or partially suspend the person,

(b) decides to disqualify the person,

(c) decides to take action against the person other than suspension, partial suspension or disqualification, or

(d) decides to take no action against him.

(8) Regulations under subsection (7) may—

(a) prescribe the content of any notice,

(b) provide for the effect that any notice is to have,

(c) provide for provisions of the regulations to have effect with prescribed modifications where the person concerned is no longer a member or co-opted member of the relevant authority concerned, but is a member or co-opted member of another relevant authority in England

Localism Act 2011

Section 34(4) describes how a person may be disqualified from standing in local government elections under this section. The remaining provisions of section 34 do not directly affect a person's entitlement to stand for election

34 Offences

- (1) A person commits an offence if, without reasonable excuse, the person—
 - (a) fails to comply with an obligation imposed on the person by section 30(1) or 31(2), (3) or (7),
 - (b) participates in any discussion or vote in contravention of section 31(4), or
 - (c) takes any steps in contravention of section 31(8).
- (2) A person commits an offence if under section 30(1) or 31(2), (3) or (7) the person provides information that is false or misleading and the person—
 - (a) knows that the information is false or misleading, or
 - (b) is reckless as to whether the information is true and not misleading.
- (3) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) A court dealing with a person for an offence under this section may (in addition to any other power exercisable in the person's case) by order disqualify the person, for a period not exceeding five years, for being or becoming (by election or otherwise) a member or co-opted member of the relevant authority in question or any other relevant authority.
- (5) A prosecution for an offence under this section is not to be instituted except by or on behalf of the Director of Public Prosecutions.
- (6) Proceedings for an offence under this section may be brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.
- (7) But no such proceedings may be brought more than three years—
 - (a) after the commission of the offence, or
 - (b) in the case of a continuous contravention, after the last date on which the offence was committed.
- (8) A certificate signed by the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.
- (9) The Local Government Act 1972 is amended as follows.
- (10) In section 86(1)(b) (authority to declare vacancy where member becomes disqualified otherwise than in certain cases) after “ 2000 ” insert “ or section 34 of the Localism Act 2011 ”.
- (11) In section 87(1)(ee) (date of casual vacancies)—
 - (a) after “2000” insert “ or section 34 of the Localism Act 2011 or ”, and
 - (b) after “decision” insert “ or order ”.
- (12) The Greater London Authority Act 1999 is amended as follows.
- (13) In each of sections 7(b) and 14(b) (Authority to declare vacancy where Assembly member or Mayor becomes disqualified otherwise than in certain cases) after sub-paragraph (i) insert—

“(ia) under section 34 of the Localism Act 2011,”.
- (14) In section 9(1)(f) (date of casual vacancies)—
 - (a) before “or by virtue of” insert “ or section 34 of the Localism Act 2011 ”, and
 - (b) after “that Act” insert “ of 1998 or that section ”.

**POLITICAL PARTIES, ELECTIONS AND REFERENDUMS ACT
REPRESENTATION OF THE PEOPLE ACTS**

Election of a Parish Councillor

for

(insert names(s)) _____ Ward of _____ Parish Council

Date of Election: Thursday, 4 May 2017

You may **not** use a description which is likely to lead voters to associate you with a political party unless the description is authorised by a certificate issued by or on behalf of the party's registered nominating officer. You may only use an emblem if your description has been so authorised.

Registered Political Party Description - Certificate of Authority

In accordance with the Political Parties, Elections and Referendums Act I hereby certify that

_____ *name of candidate*

is the official candidate of

_____ *name of political party*

and may use the following description in their nomination paper

_____ *authorised description*

at the election in (insert names(s)) _____ Ward of

_____ Parish Council on Thursday, 4 May 2017.

Signed _____
registered nominating officer or authorised person

Dated _____

Name _____
(PLEASE PRINT)

Registered Political Party Emblem – Request*

I request that the party's registered emblem (or if there are more than one registered emblem**, specify which one) appear on the ballot paper against my name, described as follows

_____ **Description of emblem**

Signed _____
candidate

Dated _____

Name _____
(PLEASE PRINT)

Notes

* If this section is not completed a registered emblem of the party will not appear on the ballot paper against your name

** Where there is more than one registered emblem it would be helpful if the emblem requested to appear on the ballot paper is specified by reference to a representation of the emblem that accompanies this certificate.

Isle of Wight Council Area
 Parish & Town Council Elections
 Timetable of Proceedings for
 Thursday 4th May 2017

Publication of Notice of Election	Monday 27 March 2017
Receipt of Nominations	4:00 pm Tuesday 4 April 2017
Withdrawal of Candidate	4:00 pm Tuesday 4 April 2017
Appointment of Election Agents	4:00 pm Tuesday 4 April 2017
Publication of Notice of Election Agents	4:00 pm Tuesday 4 April 2017
Publication of Statements of Persons Nominated	4:00 pm Wednesday 5 April 2017
Last Date for Electoral Registration	Thursday 13 April 2017
Receipt of Postal Vote Applications	5:00 pm Tuesday 18 April 2017
Publication of Notice of Poll	Tuesday 25 April 2017
Receipt of Proxy Vote Applications	5:00 pm Tuesday 25 April 2017
Appointment of Poll and Count Agents	Wednesday 26 April 2017
First Day to Issue Replacement Lost Postal Ballot Papers	Thursday 27 April 2017
Receipt of Emergency Proxy Vote Applications	5:00 pm Thursday 4 May 2017
Last Day to Issue Replacement Spoilt or Lost Postal Ballot Papers 2017	5:00 pm Thursday 4 May 2017
Day of Poll	7:00 am to 10:00 pm Thursday 4 May 2017
Return of Election Expenses	Friday 9 June 2017

If no time is specified as the deadline for an event or requirement (eg noon or 5pm), the deadline is **midnight** on that day.

DECLARATION OF SECRECY ELECTION OF COUNCILLORS

To persons attending at the taking of the poll or the counting of votes at this election

Your attention is drawn to the provisions of Section 66, sub-section (1), (2), (3) and (6) of the Representation of the People Act 1983, which are set out below.

These provisions concern the maintaining of secrecy of the voting and should be read carefully before you attend at any polling station or at the counting of the votes.

REPRESENTATION OF THE PEOPLE ACT, 1983 Section 66, sub-sections (1), (2), (3) and (6)

1. The following persons:-
 - (a) every Returning Officer and every Presiding Officer or clerk attending at a polling station;
 - (b) every candidate or election agent or polling agent so attending; shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to -
 - (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
 - (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
 - (iii) the official mark.
2. Every person attending at the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not -
 - (a) ascertain or attempt to ascertain at the counting of the votes the number on the back of any ballot paper;
 - (b) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.
3. No person shall -
 - (a) interfere with or attempt to interfere with a voter when recording his vote;
 - (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
 - (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number on the back of the ballot paper given to a voter at that station;
 - (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.
6. If any person acts in contravention of this section, he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding six months.

Guidance for candidates and agents: parish council elections in England

Guidance can be found on the website of The Electoral Commission:

<http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/parish-community-elections-england-wales>

There are other links within this website that may prove useful.

Hard copies of this guidance may be obtained from the Electoral Services Office, Civic Centre, Broadway, Sandown, Isle of Wight, PO36 9EA

Tel: 01983 823380

electoral.services@iow.gov.uk

Notice of Withdrawal of Candidature

ELECTION OF A PARISH COUNCILLOR

or

(insert names(s)) _____ Ward of _____ Parish Council

Date of Election: Thursday, 4 May 2017

I, _____
candidate's name

of _____
candidate's full address

hereby withdraw my candidature from the above election.

Dated _____ **Signed** _____
Candidate

Witnessed by:

Name and address _____
of witness _____

Dated _____ **Signed** _____
Witness

NOTE

This Notice of Withdrawal should be delivered to the Returning Officer at the place appointed for the delivery of nomination papers by 4:00 PM on Tuesday, 4 April 2017.

Isle of Wight Council Area
Election of Parish Councillor for

(insert names(s)) _____ Ward of _____ Parish Council

Date of Election: Thursday 4 May 2017

Notice of appointment of Polling Agent(s)

I, _____
Name of Candidate

a candidate at the above mentioned election wish to appoint the following people as Polling Agents to attend on my behalf at:

_____ Polling Station(s)
_____ Polling Station(s)
_____ Polling Station(s)
_____ Polling Station(s)

Name of Polling Agent(s)	Elector No.	Address(es)

Dated this _____ day of _____ 2017

Signed _____
Candidate

Notes

- This notice must be delivered to Returning Officer, Civic Centre, Broadway, Sandown, Isle of Wight not later than **Wednesday 26 April 2017**.
- *It would be helpful if the elector numbers were added but it is not essential*

Isle of Wight Council Area
Election of Parish Councillor for

(insert names(s)) _____ Ward of _____ Parish Council

Date of Election: Thursday 4 May 2017

Notice of appointment of Counting Agent(s)

I, _____
Name of Candidate

a candidate at the above mentioned election wish to appoint the following people as Counting Agents

Name of Counting Agent(s)	Elector No.	Address(es)
Candidate's Spouse/Partner	Elector No.	

Dated this _____ day of _____ 2017

Signed _____
Candidate

Notes

- This notice must be delivered to Returning Officer, Civic Centre, Broadway, Sandown, Isle of Wight not later than **Wednesday 26 April 2017**.
- Please contact Electoral Services who will advise on the maximum number of Counting Agents that may be appointed.
- *It would be helpful if the elector numbers were added but it is not essential*

Isle of Wight Council Area
Election of Parish Councillor for

(insert names(s)) _____ Ward of _____ Parish Council

Date of Election: Thursday 4 May 2017

**Notice of appointment of Agent(s) to attend
the opening of the Postal Voters' Ballot Box**

I, _____
Name of Candidate

a candidate at the above mentioned election wish to appoint the following people as Agents to attend the opening of the Postal Voters' Ballot Box.

Name of Agent(s)	Elector No.	Address(es)

Dated this _____ day of _____ 2017

Signed _____
Candidate

Note

- This notice must be delivered to Returning Officer, Civic Centre, Broadway, Sandown, Isle of Wight not later than **the time designated for the opening of the Postal Votes.**
- *It would be helpful if the elector numbers were added but it is not essential*

MODEL CODE OF CONDUCT

For members of the (Name of Parish/Town Council)

1. Introduction and interpretation

- a. This Code applies to you as a member of the (Name of Parish/Town Council).
- b. You should read this Code together with the seven general principles prescribed by the Localism Act 2011 as follows:

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.

- c. It is your responsibility to comply with the provisions of this Code.

- d. In this Code—

"meeting" means any meeting of—

- (a) the (Name of Parish/Town Council);
- (b) the Cabinet of the (Name of Parish/Town Council);
- (c) any of the (Name of Parish/Town Council)'s or its Cabinet's committees, sub-committees, joint committees, joint sub-committees, panels or area committees;

"member" includes a co-opted member and an appointed member.

In relation to a parish or town council, references to an authority's monitoring officer shall be read as references to the monitoring officer of the Isle of Wight Council under section 55(12) of the Local Government Act 2000.

2. Scope

- a. Subject to sub-paragraphs b. to c., you must comply with this Code whenever you—
 - i. conduct the business of the (Name of Parish/Town Council) (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - ii. act, claim to act or give the impression you are acting as a representative of the (Name of Parish/Town Council);and references to your official capacity are construed accordingly.
- b. This Code does not have effect in relation to your conduct other than where it is in your official capacity.
- c. Where you act as a representative of the (Name of Parish/Town Council)-
 - i. on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
 - ii. on any other body, you must, when acting for that other body, comply with the (Name of Parish/Town Council)'s code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. General obligations

- a. You must treat others with respect.
- b. You must not—
 - i. do anything which may cause the (Name of Parish/Town Council) to breach any of the equality enactments (in particular the Equality Act 2010);
 - ii. bully any person;
 - iii. intimidate or attempt to intimidate any person who is or is likely to be—
 - 1. a complainant,
 - 2. a witness, or
 - 3. involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with their Council's code of conduct; or
 - iv. do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the (Name of Parish/Town Council).

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—
 - 1. reasonable and in the public interest; and
 - 2. 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 the (Name of Parish/Town Council) 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 the (Name of Parish/Town Council) -
 - i. act in accordance with the (Name of Parish/Town Council)'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.
7. When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

the Clerk of the (Name of Parish/Town Council)
8. You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the (Name of Parish/Town Council).
9. Register of Interests

You must complete your register of interest within 28 days of being elected and then update your register of interests within 28 days of any event that requires a change.
10. Declaration of an Interest

If you have a matter due to be considered by the (Name of Parish/Town Council) that affects a matter disclosed in your register of interest or your register of disclosable pecuniary interests then you must declare that interest before the matter is being discussed or when that interest becomes apparent.

If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and if it is being considered at a meeting of the (Name of Parish/Town Council) you must leave the room for that item, other than to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures. In such cases once you have participated as a member of the public you must leave the room during the remainder of the debate.
11. Register of Gifts and Hospitality

You must register with the Monitoring Officer/Clerk any gift or hospitality exceeding a value of £50 that you have been offered (whether accepted or not) as part of your role as a member of the (Name of Parish/Town Council).