1. As you are a member or co-opted member of the Royal Borough of Kingston upon Thames and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

2. Accordingly, when acting in your capacity as a member or co-opted member -
   
   2.1 You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
   
   2.2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
   
   2.3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
   
   2.4 You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
   
   2.5 You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
   
   2.6 You must declare any private interests, both pecuniary and non-pecuniary interests, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests, in a manner conforming with the procedures set out in the box below.
   
   2.7 You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
   
   2.8 You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority’s monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse’s or civil partner’s, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.
In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority’s monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register. If an interest has not been entered onto the authority’s register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a ‘sensitive interest’.1 Following any disclosure of an interest not on the authority’s register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

Councillor Recall Scheme

3. You are expected to abide by the obligations placed upon Members by the Councillor Recall Scheme set out at Annex 1 to this Code which provide a mechanism for electors to seek to recall a Councillor if they are not properly representing local residents.

Disclosable Pecuniary Interests

4. You must comply with the statutory requirements to register, disclose and withdraw from participation in the discussion or vote in respect of any matter in which you have a Disclosable Pecuniary Interest as defined by the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and as currently set out at Table 4 Annex 2.

5. You must, within 28 days of taking office as a member or co-opted member, notify the Council’s Monitoring Officer of any disclosable pecuniary interest, where the pecuniary interest is yours, or that of a “relevant person”, being your spouse’s or civil partner’s, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

6. If a disclosable pecuniary interest has not been entered onto the authority’s register, then you must disclose the interest to any meeting of the authority at which you are present, where you have a disclosable interest in any matter being considered (unless the interest is a ‘sensitive interest’ in which case you need not disclose the nature of the interest).

7. Following any disclosure of an interest not on the authority’s register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

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1 A ‘sensitive interest’ is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority’s monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
8. Unless a dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a disclosable pecuniary interest. Additionally, you must observe the restrictions the authority places on your involvement in matters where you have a pecuniary or non pecuniary interest (a Personal Interest) as defined by the authority.

Other Personal Interests

9. In addition to the requirements of Paragraphs 3-7, if you attend a meeting at which any item of business is to be considered and you are aware that you have a Personal Interest in that item, you must make a verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. There may be exceptional circumstances where the interest is such that participation in the matter might reasonably be regarded as being contrary to the guiding principles of the Code of Conduct set out in paragraphs 2.1-2.8. In this eventuality you should consider whether it is appropriate to refrain from participation in the relevant discussion and voting on the matter.

10. You have a Personal Interest in an item of business of your authority where –

(i) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority’s administrative area, or

(ii) it relates to or is likely to affect any of the interests listed in the Table to this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close association and that interest is not a disclosable pecuniary interest.

Gifts and Hospitality

11. You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a member from any person or body other than the authority.

12. The Monitoring Officer will place your notification on a public register of gifts and hospitality.

13. This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

Note: The Council has adopted the template Code of Conduct produced by the Department for Communities and Local Government subject to the additions and adaptations approved by the Council on 16 October 2012, 22 April 2014 and 14 July 2015.
Introduction

1. The Council has introduced this scheme to give electors a mechanism to seek to 'recall' a local Councillor if they are not properly representing local residents. Currently the scheme has no statutory basis but has been formally adopted by the Council as an adjunct to the Member Code of Conduct. All serving Councillors at the time the scheme is introduced (July 2015) and those subsequently elected to the Council will be asked to confirm that they will abide by its provisions pending the introduction of legislation to a similar effect.

The Scheme

2. In the event of one or more of the following criteria being met:
   
   (a) A Councillor’s attendance at meetings of the Council, a Committee or a Sub-Committee of which they are a member over the whole of a Municipal year is less than 20% of those they were expected to attend at the point at which a petition is started;
   
   (b) A Councillor has attended less than two Full Council meetings within a municipal year;
   
   (c) A Councillor has attended less than two Neighbourhood Committee meetings within a municipal year;
   
   (d) A Councillor has been convicted of a crime for which a prison sentence (whether suspended or not) has been imposed and the appeal period has expired without the sentence being overturned;
   
   (e) A Councillor has moved their main place of residence outside of the Borough

the Monitoring Officer, acting in consultation with the Independent Person appointed by the Council to advise on Code of Conduct matters, will consider the circumstances and determine whether an e-petition should be initiated on the Council’s website calling for the resignation of the Councillor concerned.

3. Before so doing, the Monitoring Officer shall notify the Councillor who has met one or more of the foregoing criteria and give them the opportunity to make any representations. Any such representations must be made within a period of 10 working days from the date of the Monitoring Officer’s notification. The Monitoring Officer, again in consultation with the Independent Person, will consider any such representations made and determine the course of action to be taken in accordance with this scheme.

4. Where, having made any necessary enquiries, and having consulted with the Independent Person, the Monitoring Officer is satisfied that there is a valid reason (e.g. illness) for the Councillor concerned having failed to meet one or more of criteria (a), (b) or (c) above, or where the Member’s absence has been approved by the Council itself, no further action shall be taken.
5. The Monitoring Officer will not normally be in a position to exercise any discretion in relation to criteria (d) or (e) above, as they are both largely matters of fact.

6. Where the Monitoring Officer has decided that a petition shall be initiated on the Council's e-petition site, such a petition shall name the Councillor concerned, the Ward they represent and the grounds under which the Monitoring Officer considers the Recall Scheme has been ‘triggered’. It shall also set out the threshold in terms of electorate numbers referred to in paragraph 8 below for that particular Ward.

7. Once initiated, the petition will be live on the Council’s website to collect signatures for a period of three calendar months or when the electoral threshold is reached, whichever is the sooner.

8. Where, at the end of the three month period, or sooner, a number of registered local government electors equivalent to at least 33% (the threshold figure) of the total number of electors registered in the Ward on the first day of the month in which the petition was launched have validly subscribed to the petition, the Councillor who is the subject of the petition will be advised of the fact by the Monitoring Officer and asked to consider, in accordance with the terms of this scheme, resigning from the Council.

9. Where a Councillor resigns in accordance with this scheme, the Council’s Returning Officer shall call a By-Election to fill the resultant vacancy in accordance with the usual statutory timescales, unless the vacancy occurs within six months of the next scheduled four yearly Council Elections.

10. The Councillor concerned may stand in that By-Election if they so choose.

11. Should a Councillor decide not to stand down, the circumstances of the case shall be referred to the Audit, Governance and Standards Committee for consideration and to determine whether any further action should be considered.

12. The Audit, Governance and Standards Committee shall have overall responsibility for the operation of this scheme and shall receive an annual report on its operation.

13. Nothing in this scheme shall detract from the statutory provisions relating to the disqualification of serving Councillors under the Local Government Act, 1972 (as amended) or the Representation of the People Act 1983 (as amended) or the provisions of the Council's Member Code of Conduct relating to the Declaration of Pecuniary Interests.

14. The provisions of this scheme shall not apply in circumstances where any By-Election triggered as a result of this scheme would otherwise have taken place in the 6 month period leading up to the four yearly Council elections.
## Disclosable pecuniary interests

<table>
<thead>
<tr>
<th>Subject</th>
<th>Prescribed description</th>
</tr>
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<tbody>
<tr>
<td><strong>Employment, office, trade, profession or vacation</strong></td>
<td>Any employment, office, trade, profession or vocation carried on for profit or gain.</td>
</tr>
<tr>
<td><strong>Sponsorship</strong></td>
<td>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</td>
</tr>
</tbody>
</table>
| **Contracts** | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—
(a) under which goods or services are to be provided or works are to be executed; and
(b) which has not been fully discharged. |
| **Land** | Any beneficial interest in land which is within the area of the relevant authority. |
| **Licences** | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| **Corporate tenancies** | Any tenancy where (to Member’s knowledge)—
(a) the landlord is the relevant authority; and
(b) the tenant is a body in which the relevant person has a beneficial interest. |
| **Securities** | Any beneficial interest in securities of a body where—
(a) that body (to Member’s knowledge) has a place of business or land in the area of the relevant authority; and
(b) either—
(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
(ii) 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. |