

KILMARNOCK TOWN BOARD

CODE OF CONDUCT

This Code applies to members of the Town Board. It is your responsibility to comply with this Code.

You must comply with this Code —

- a) whenever you conduct the business of the Town Board ; and/or
- b) act as a member or representative of the Town Board, have referred to yourself as a member or representative of the Town Board or could objectively be considered to acting as a member or representative of the Town Board.

Standards of Behaviour

When acting in a Board Member capacity, members must be committed to behaving in a manner that is consistent with the Nolan principles as set out below, to achieve the best outcomes for our residents and maintain public confidence in the actions of the Board;

- ***Selflessness***
Members should serve only the public interest and should never act in order to gain financial or other material benefit for yourself, family, friends or any other person connected to you.
- ***Honesty and Integrity***
Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
- ***Objectivity***
Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
- ***Accountability***
Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.
- ***Openness***
Members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.
- ***Leadership***
Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Reasonableness

When taking part in the decision-making processes, you should:

- take into consideration everything you regard as relevant, or which you are advised is relevant;
- disregard anything which you consider is not relevant, or which you are advised is not relevant;
- follow the correct procedure.

Sometimes you may have to take decisions that you personally disagree with, even if these are the “right” decisions for the Board, taking account of the above factors.

Conflict of Interests

Having regard to the nature of the likely interventions that will be explored as part of your membership of the Town Board, from time to time a conflict of interest may arise for Board Members.

A conflict of interest arises where a Board Member, a close associate, immediate family, business, organisation or employer has an interest in a matter which is the same as, connected to or may be affected by the matter under discussion.

A Register of Interests will be maintained by the Secretariat to the Town Board. Members should complete and return the Declaration of Interests form provided.

At a meeting, Members must declare any interest which they have in any matter to be considered at that meeting.

If the connection in the matter being discussed is an interest which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to influence the discussion or Board Member's decision making, then the Board Member must declare an interest in that particular matter as early as possible in the Board meeting, and certainly no later than the start of the agenda item and must leave the meeting for that particular item and not vote on the matter.

However, where the Board Member has a connection which is not considered to amount to an interest, they may state this for transparency reasons and continue to remain in the meeting to discuss, and vote, on the particular matter.

Should any additional conflicts arise, these should be notified or declared in the meeting at which they arise. Board Members have a duty to keep their declared interests up to date.

Registration of Gifts and Hospitality

Board Members understand that they may be offered gifts (including money or sponsorship), hospitality, material benefits or services ("gift or hospitality") which may be reasonably regarded by a member of the public with knowledge of the relevant facts as placing the Board Member under an improper obligation or being capable of influencing the Board Members judgement.

Board members must never ask for or seek any gift or hospitality.

Board members must also refuse any gift or hospitality, unless it is:

- a) a minor item or token valued less than £50 which is offered on an infrequent basis;
- b) hospitality which would reasonably be associated with your duties as a Board Member; or
- c) hospitality which has been approved in advance by the Town Board.

Board Members must declare to the Secretariat to the Town Board the above gifts and hospitality within 28 days of receiving them.

A Gifts & Hospitality Register will be maintained by the Secretariat to the Town Board.

Confidentiality

All papers marked as confidential and all discussions at meetings in relation to confidential items shall not be disclosed outside the Board.

Breaches of the Code of Conduct

1. Any suspected breaches of the Code of Conduct will be reported to the Secretariat, who will place this on the agenda of the next Town Board meeting, where relevant Board members will determine the process in line with the Terms of Reference.
2. Members are required to comply with any investigation in relation to complaints against their conduct. Failure to do so is considered a breach of the Code of Conduct.
3. Failure to uphold the Code of Conduct may lead to removal of the Board Member from the Town Board as set out in the Terms of Reference.