

SCHEDULE

THE MODEL CODE OF CONDUCT—POLICE AUTHORITIES AND THE METROPOLITAN POLICE AUTHORITY

PART 1

GENERAL PROVISIONS

Scope

- 1.—(1) A member must observe the authority’s code of conduct whenever he—
- (a) conducts the business of the authority;
 - (b) conducts the business of the office to which he has been appointed; or
 - (c) acts as a representative of the authority,
- and references to a member’s official capacity shall be construed accordingly.
- (2) An authority’s code of conduct shall not, apart from paragraphs 4 and 5(a) below, have effect in relation to the activities of a member undertaken other than in an official capacity.
- (3) Where a member acts as a representative of the authority—
- (a) on another relevant authority⁽¹⁾, he must, when acting for that other authority, comply with that other authority’s code of conduct; or
 - (b) on any other body, he must, when acting for that other body, comply with the authority’s code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
- (4) In this code, “member” includes a co-opted member of an authority.

General Obligations

2. A member must—
- (a) promote equality by not discriminating unlawfully against any person;
 - (b) treat others with respect; and
 - (c) not do anything which compromises or which is likely to compromise the impartiality of a police officer or those who work for, or on behalf of, the authority.
3. A member must not—
- (a) disclose information given to him in confidence by anyone, or information acquired which he believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so; nor
 - (b) prevent another person from gaining access to information to which that person is entitled by law.
4. A member must not in his official capacity, or any other circumstance, conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute.
5. A member—

(1) See section 49(6) of the Local Government Act 2000 for the definition of “relevant authority”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) must not in his official capacity, or any other circumstance, use his position as a member improperly to confer on or secure for himself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of the authority—
 - (i) act in accordance with the authority's requirements; and
 - (ii) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the authority or of the office to which the member has been elected or appointed.
6. A member must when reaching decisions have regard to any relevant advice provided to him by—
- (a) the authority's chief finance officer acting in pursuance of his duties under section 114 of the Local Government Finance Act 1988(2); and
 - (b) the authority's monitoring officer acting in pursuance of his duties under section 5(2) of the Local Government and Housing Act 1989(3).
7. A member must, if he becomes aware of any conduct by another member which he reasonably believes involves a failure to comply with the authority's code of conduct, make a written allegation to that effect to the Standards Board for England as soon as it is practicable for him to do so.

(2) 1988 c. 41. Section 114 was amended by section 130(1) to (4) of the Greater London Authority Act 1999; articles 1, 2(k) and 20 of S.I.2001/2237; section 43 of and paragraph 34 of Schedule 4 to the Police and Magistrates' Courts Act 1994; section 88 of and paragraph 28 of Schedule 6 to the Police Act 1997; and sections 128(1) and 137 of, paragraphs 45 and 48 of Schedule 6 to and Part V of Schedule 7 to the Criminal Justice and Police Act 2001.

(3) Section 5 of the Local Government and Housing Act 1989 was amended by articles 1, 2 and 23 of S.I. 2001/2237; section 107 of and paragraphs 24 of Schedule 5 to the Local Government Act 2000; sections 43 and 93 of, paragraph 35 of Schedule 4 to and Schedule 9 to the Police Magistrates' Court Act 1994; section 103 of and paragraph 1(2) of Schedule 7 to the Police Act 1996; sections 127(2) and 325 of and paragraph 62 of Schedule 27 to the Greater London Authority Act 1999; and section 120 of and Schedule 24 to the Environment Act 1995. Under section 73 of the Greater London Authority Act 1999, section 5 of the 1989 Act applies to the Greater London Authority as if it were a relevant authority for the purposes of that Act.