

## **Draft/ Code of Conduct for Assembly Members**

### **Preamble**

**1 The essential purpose of this Code of Conduct is to uphold the reputation of the National Assembly for Wales and to provide the openness and accountability necessary to reinforce public confidence in the integrity of Members of the National Assembly in the way in which they discharge their important public duties and responsibilities.**

This Code applies to all Members of the National Assembly for the time being. Members must comply with it.

The Code (Section 1) sets out the **specific standards of conduct** expected of all Members in the discharge of their duties.

The Code (Section 2) sets out the **legislation and/or Standing Orders** which give rise to those specific standards.

The Code (Section 3) provides **guidance to Members**, where such is considered appropriate. **Assembly Members should note, however, that the responsibility to be aware of the relevant provisions of the Code and for compliance with them, rests upon each individual member.**

The Code (Section 4) provides for a range of **Sanctions** to be available to the National Assembly where any Member is found to be in breach of the provisions of the Code.

**2 For the avoidance of doubt, the Principles underpinning the Code of Conduct, and the benchmark by which specific standards of conduct will be judged, are the Seven Principles of Conduct (usually referred to as the “Nolan Principles”) identified by the Committee on Standards in Public Life.**

**In their latest Report (2013) these are summarised as follows:**

**A Selflessness**

Holders of public office should act solely in terms of the public interest.

**B Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**C**     **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

**D**     **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**E**     **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**F**     **Honesty**

Holders of public office should be truthful

**G**     **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

**3**     **Enforcement**

Allegations of non compliance with any aspect of the Code of Conduct will be dealt with in accordance with the processes set out in the ***National Assembly for Wales' Procedure for Dealing with Complaints against Assembly Members***, as approved by the Assembly's Committee on Standards of Conduct.

## **Section One**

### **Standards of Conduct**

#### **Personal Conduct**

A Member of the National Assembly

- 1 Must observe the seven “Nolan Principles”.
- 2 Must not engage in any conduct which brings or tends to bring the National Assembly into disrepute.
- 3 Must act honourably and with personal integrity.

#### **Specific Conduct**

A Member of the National Assembly

- 4 Must not accept reward of any kind , or the promise of reward of any kind, for exercising parliamentary (Assembly) influence.
- 5 Must not, either in Plenary or in Committee, promote any matter, ask any question or vote on any order or motion, in return for payment or material benefit or the promise of such payment or benefit.
- 6 Must register in the Register of Members’ Interests all relevant interests so that interest which might be thought to influence their actions are transparent.
- 7 Must, prior to taking part in any Assembly proceedings, declare any relevant interest in the context of the business before Plenary or Committee, such that a balanced view may be taken of the Member’s arguments.
- 8 Must not vote in any proceedings of the National Assembly if, in relation to any interest which is required to be registered, the vote on such proceedings may result in the Member receiving a direct financial advantage greater than that accruing to the public generally by the decision in question.
- 9 Must comply with, and claim only, the entitlements to salaries and allowances as approved by the Assembly from time to time .
- 10 Must not misuse Assembly Resources.
- 11 Must not seek access to Information from the National Assembly save by the use of the *Code of Practice on Public Access to Information*.
- 12 Must not disclose confidential material, including but not limited to confidential material from Assembly Committees, without consent, unless required to so by law.
- 13 Must behave appropriately and with mutual respect and professionalism in all dealings with Assembly and Commission staff and have regard to the principles of the relevant Staff and Civil Service Codes.

## **Standards Investigations**

A Member of the National Assembly

- 14 Must cooperate at every stage with any investigation into their conduct carried out by the Commissioner for Standards or the Committee on Standards of Conduct.
- 15 Must not lobby the Commissioner for Standards or any member of the Standards Committee in a manner calculated and/or intended to influence their consideration of a complaint.
- 16 Must not deliberately misrepresent any recommendation of the Committee on Standards of Conduct and/or the outcome of any complaint it has considered.

## **Section Two**

### **Standing Orders and Legislation**

## **Section Three**

### **Guidance to Assembly Members**

## **Section Four**

### **Sanctions**

Gerard Elias QC

Commissioner for Standards 02.07.2013