

# Humber LEP Member Code of Conduct

January 2018

## **Purpose**

This Code of Conduct sets out the standards members of the LEP Board and other LEP groups are required to meet.

## **Scope**

The Code of Conduct applies to members of the LEP Board and any other boards, groups or panels established under the LEP Board.

The section “*Registering and declaring pecuniary and non-pecuniary interests*” applies to members of the LEP Board, sub-boards, the Investment Panel and any other LEP groups which have a role in making recommendations or decisions involving public funds or resources.

LEP staff are covered by the accountable body’s code of conduct as a condition of their employment. This also meets the principles set out in this Code.

## **Definitions**

For the purposes of this guidance, we are using the definition of a pecuniary interest as set out in the [Localism Act 2011](#) and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (see Appendix 2).

A nonpecuniary interest is any interest which is not listed in the [Schedule to The Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012 \(No.1464\)](#).

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.

‘Member’ means a member of the LEP Board or any sub-board, panel, group or committee established under the LEP Board.

## **Code of Conduct**

All members shall have regard to the Seven Principles of Public Life agreed by the Nolan Committee – selflessness, integrity, objectivity, accountability, openness, honesty and leadership – in their conduct at all times. These are summarised in Appendix 1.

Accordingly, when acting in your capacity as a Member:

- You must act in a manner consistent with the LEP's commitment to equality and diversity and treat your fellow board/group members, members of staff and others you come into contact with when performing your role with respect and courtesy at all times.
- 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.
- You must not place yourself under a financial or other obligation to outside individuals or organisations that might be reasonably regarded to influence you in the performance of your LEP role.
- When carrying out your LEP role you must make all choices, such as making appointments, awarding contracts or recommending individuals for rewards or benefits, based on evidence.
- You are accountable for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your position. You must be as open as possible about both your decisions and actions and the decisions and actions of the LEP. In addition, you should be prepared to give reasons for those decisions and actions.
- You must declare any private interests, both pecuniary and nonpecuniary, including membership of any Trade Union, political party, business or professional membership organisation or local authority that relates to your LEP duties. Furthermore, you must take steps to resolve any conflicts arising in a way that protects the public interest. This includes registering and declaring interests in a manner conforming with the procedures set out in the section *"Registering and declaring pecuniary and non-pecuniary interests"*.
- You must, when using or authorising the use by others of the resources of the LEP, ensure that such resources are not used improperly for political or personal purposes (including party political purposes).
- You must promote and support high standards of conduct when serving in your LEP role, in particular as characterised by the above requirements, by leadership and example.

### **Registering and declaring pecuniary and non-pecuniary interests**

**This section applies to members of the LEP Board, sub-boards, the Investment Panel and any other LEP groups which have a role in making recommendations or decisions involving public funds or resources.**

## ***Registering interests***

The LEP provides a Register of Interests pro forma for members to complete and return to [execsupport@humberlep.org](mailto:execsupport@humberlep.org).

The form is designed to capture:

- Any disclosable pecuniary interest, 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 spouse, or as if you were civil partners.
- any nonpecuniary interest which the LEP has decided should be included in the register or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your membership of any Trade Union, business or professional membership organisation.

You must return a completed pro forma within 28 days of joining the board/group. The pro forma must also be updated annually when requested by the LEP.

Members should review their individual register of interest before each meeting. If an interest has not been entered onto the LEP's register, then the member must disclose the interest at any meeting of the LEP 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'.

Following any disclosure of an interest not on the LEP register or the subject of pending notification, you must return an updated pro forma within 28 days beginning with the date of disclosure.

The LEP will pass completed pro formas to the LEP Chief Executive and the accountable body's Section 151 Officer who will both sign to confirm receipt.

Completed pro formas will be published on the LEP's website.

## ***Declaring interests***

While in attendance at LEP meetings, members should consider at all times whether they have a pecuniary or nonpecuniary interest in the matter under discussion, regardless of whether or not a decision is expected to be made. Unless the interest is 'sensitive' a declaration should be made promptly before the item is discussed, or discussed any further. A declaration must be made regardless of whether or not the interest has previously been registered.

Whenever a conflict of interest, or potential conflict of interest, arises, you will not be:

- entitled to participate in the discussion of that matter
- entitled to remain in the room for the discussion of that matter
- counted in the quorum for that part of the meeting

- entitled to vote on the matter

Notwithstanding the above, at the discretion of the Chair you may be allowed to remain present for the applicable part of the meeting so long as the interest is declared and you do not participate in the vote on the matter.

Where decisions or recommendations are made by written procedure, any member with a conflict of interest or potential conflict of interest should immediately notify the LEP Executive and take no part in the voting or discussion. The LEP Executive will record this.

Additionally, you must observe the restrictions the LEP places on your involvement in matters where you have a pecuniary or nonpecuniary interest as defined by the LEP.

The lead LEP Executive officer for the group will be able to advise on the policy and whether or not an interest should be declared, and will seek advice from the accountable body where necessary. However, it is the responsibility of members to declare their own interests. Where there is doubt, the presumption should be in favour of declaring the interest.

## Appendix 1: The Seven Principles of Public Life

The following principles have been set out by the Committee on Standards in Public Life:

### **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 for themselves, their family, or their friends.

### **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.

## Appendix 2: Pecuniary interests

2012 No. 1464

### LOCAL GOVERNMENT, ENGLAND

## The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

*Made* 6th June 2012

*Laid before Parliament* 8th June 2012

*Coming into force* 1st July 2012

The Secretary of State, in exercise of the powers conferred by sections 30(3) and 235(2) of the Localism Act 2011<sup>(1)</sup>, makes the following Regulations.

### **Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and shall come into force on 1st July 2012.

(2) In these regulations—

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000(2) and other securities of any description, other than money deposited with a building society.

### **Specified pecuniary interests**

2. The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Act are the interests specified in the second column of the Schedule to these Regulations.

Signed by authority of the Secretary of State for Communities and Local Government

*Grant Shapps*

Minister of State

Department for Communities and Local Government

6th June 2012

Regulation 2

## **SCHEDULE**

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(3).</p>
Contracts	<p>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—</p> <p>(a)</p> <p>under which goods or services are to be provided or works are to be executed; and</p> <p>(b)</p> <p>which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.

<i>Subject</i>	<i>Prescribed description</i>
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	<p>Any tenancy where (to M's knowledge)—</p> <p style="text-align: right;">(a)</p> <p>the landlord is the relevant authority; and</p> <p style="text-align: right;">(b)</p> <p>the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p style="text-align: right;">(a)</p> <p>that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p style="text-align: right;">(b)</p> <p>either—</p> <p style="text-align: right;">(i)</p> <p>the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p style="text-align: right;">(ii)</p> <p>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.</p>

(1) 2011 c.20.

(2) 2000 c. 8.

(3) 1992 c. 52.