

North Yorkshire Fire and Rescue Authority**Pension Board****29 July 2015****Code of Conduct for Members of NYFRA's Pension Board****Report of the Legal Adviser, Monitoring Officer and Secretary to the Authority****1.0 Purpose of Report**

- 1.1 To recommend the adoption of a Code of Conduct for Members of NYFRA's Pension Board.

2.0 Background**2.1 Introduction**

- 2.1.1 There are various legal requirements which need to be considered to make sure that sound governance principles are followed, and in particular that conflicts of interest are properly managed. These include:
- (a) Section 5(5) of the Public Service Pensions Act 2013 ("the 2013 Act"), which defines "conflict of interest" for the purpose of a Local Pension Board;
 - (b) Regulation 4C of the Firefighters' Pension Scheme (England) Regulations 2014 ("the Regulations"), which places duties on the Scheme Manager to satisfy itself that Local Pension Board members do not have conflicts of interest on appointment or whilst they are members of the Board;
 - (c) The Localism Act 2011 ("the 2011 Act"), which requires councillors to comply with the code of conduct of their local authority and any code of Conduct of the Authority to disclose interests;
 - (d) The 'Nolan Principles', with which any holder of public office is also expected to comply; and
 - (e) The expectations contained in the Regulator's Code of Practice.
- 2.1.2 Section 5 of the Firefighters' Pension Scheme Guidance on the Creation and Operation of Local Pension Boards in England ("the Guidance") takes account of the above requirements and gives guidance on how the different duties can be reconciled in a practical way.
- 2.1.3 The importance of following these requirements needs to be clearly appreciated at the outset. Failure to follow applicable codes of conduct or declare a conflict of interest can impact on good governance in various ways. For example, such failure may result in a Local Pension Board actually acting improperly, may lead to a perception that the Local Pension Board has acted improperly, or may result in a challenge to the work carried out by the Board.

2.2 Codes of Conduct and Disclosure of Interests for Councillors

- 2.2.1 The elected and any co-opted members of a local authority or the Fire and Rescue Authority (referred to as “councillors” for the purposes of Section 5 of the Guidance) are governed by their local authority’s code of conduct for councillors as well as the Code of conduct for the Fire and Rescue Authority. These codes set out the standards of behaviour expected of individuals in their capacity as councillors or members of the Fire and Rescue Authority.
- 2.2.2 In addition, there is a legal obligation for councillors to disclose, in a register maintained by the authority’s monitoring officer, certain pecuniary interests, as defined in regulations made under the 2011 Act.
- 2.2.3 Both of these requirements will apply to any members of a Local Pension Board who are also councillors of a local authority or a member of a Fire and Rescue Authority. They will not apply to members of a Local Pension Board who are not councillors.

2.3 Seven Principles of Public Life

- 2.3.1 The members of a Local Pension Board should have regard to the 'Seven Principles of Public Life' (known as the Nolan Principles), which are:
- (a) **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 benefits for themselves, their family or their friends.
 - (b) **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.
 - (c) **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.
 - (d) **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.
 - (e) **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 it.
 - (f) **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.
 - (g) **Leadership** - Holders of public office should promote and support these principles by leadership and example.
- 2.3.2 As members of a publicly-funded body involved in the discharge of public business, all members of a Local Pension Board should comply with these principles in the exercise of their functions. They require the highest standards of conduct.

2.4 Code of Conduct for Local Pension Boards

- 2.4.1 When establishing its Local Pension Board, the Scheme Manager should prepare and approve a code of conduct for the Board to adopt. The code of conduct should set out the standards of behaviour expected of members, incorporating the Seven Principles. A Scheme Manager may wish to effectively adopt some or all of an existing Code of Conduct for the Local Pension Board or the Code generally followed by members of the Authority. Once adopted, the Local Pension Board should keep this code of conduct under regular review.
- 2.4.2 The code of conduct should also make reference to the need for members of the Local Pension Board who are councillors to comply with any separate code of conduct and disclosure requirements which apply to them in their capacity as councillors (in other words, the Local Pension Board's code should make it clear that it is not an exhaustive statement of the standards of behaviour required of Board members).
- 2.4.3 It is important that individual members of the Local Pension Board are familiar with and understand the importance of following the principles in the Board's code of conduct, and the Board should arrange appropriate training for members on this issue.

2.5 Conflicts of Interest – General Comments

- 2.5.1 As an introductory point, although there is a requirement for Local Pension Board members not to have a conflict of interest, it is important to note that the issue of conflicts of interest must be considered in light of the Local Pension Board's role, which is to assist the Scheme Manager. The Local Pension Board does not make decisions in relation to the administration and management of the Fund: these decisions still rest with the Scheme Manager. As a result, it is not anticipated that significant conflicts will arise in the same way as would be the case if the Board were making decisions on a regular basis (compared, for example, to a Pensions Committee). Nevertheless, steps need to be taken to identify, monitor and manage conflicts effectively.

2.6 The Regulator's Code of Practice on Conflicts of Interest

- 2.6.1 The Regulator has a particular role in relation to members of a Local Pension Board and conflicts of interest. Whilst members of a Local Pension Board may be subject to other legal requirements, when exercising functions as a member of a Local Pension Board, the Regulator expects the requirements which specifically apply by virtue of the 2013 Act to be met and the standards of conduct and practice set out in its Code of Practice to be complied with.
- 2.6.2 The Code of Practice offers guidance about managing potential conflicts and the identification, monitoring and management of actual conflicts. The Guidance is intended to reflect the principles of the Regulator's Code of Practice and apply them in a Scheme context.

2.7 What is a Conflict of Interest?

- 2.7.1 For the purposes of a member of a Local Pension Board, a 'conflict of interest' is defined in section 5(5) of the 2013 Act as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of a Local Pension Board.

2.7.2 The 2013 Act also specifies that a conflict does not include a financial or other interest arising merely by virtue of that person being a member of the Scheme (or any connected scheme).

2.7.3 Therefore, a conflict of interest may arise when a member of a Local Pension Board:

(a) must fulfil their legal duty to assist the Scheme Manager; and

(b) at the same time they have:

(i) separate personal interest (financial or otherwise); or

(ii) another responsibility in relation to that matter,

giving rise to a possible conflict with their first responsibility as a Local Pension Board member.

2.8 Example of Conflicts of Interest

2.8.1 An example of potential conflicts in this context could be:

(a) A finance officer appointed as a member of a Local Pension Board may, from time to time, be required to take or scrutinise a decision which may be, or appear to be, in opposition to another interest or responsibility. For example, they may be required as a member of the Local Pension Board to take or scrutinise a decision which involves the use of departmental resources to improve scheme administration, whilst at the same time being tasked, by virtue of their employment, with reducing departmental spending.

2.9 Identifying, Monitoring and Managing Conflicts – The Role of the Scheme Manager

2.9.1 The Regulations place a duty on the Scheme Manager to satisfy itself that those appointed to its Local Pension Board do not have an actual conflict of interest prior to appointment and “from time to time”.

2.9.2 There is a corresponding duty on any person who is proposed to be appointed to a Local Pension Board, and on an appointed member of a Local Pension Board, to provide the Scheme Manager with such information as the Scheme Manager reasonably requires to satisfy itself that such person has no conflicts of interest.

2.9.3 To comply with its duty in relation to conflicts, the Scheme Manager needs to put procedures in place in respect of appointment of members and establish policies to be included in the Board’s constitution to ensure that interests are declared, potential conflicts are identified and members of the Board are trained and receive advice on conflicts.

2.9.4 Looking first at the process of appointments, the Scheme Manager should ensure that members of a Local Pension Board are appointed under procedures that require them to disclose any dual interests or responsibilities, which could become conflicts of interest and which may adversely affect their suitability for the role, before they are appointed. The appointment process should facilitate scrutiny of potential areas of difficulty by eliciting relevant information. The fact an individual could potentially have a conflict of interest at some point in the future should not preclude an individual being appointed provided he or she does not have an actual conflict of interest when appointed.

2.9.5 All terms of engagement (for example, appointment letters and any contracts for services) should include a clause requiring disclosure of all dual interests and responsibilities which have the potential to become conflicts of interest, as soon as they arise. All interests and responsibilities disclosed should be recorded.

2.9.6 As regards the Scheme Manager's ongoing obligation to ensure that members of the Local Pension Board do not have a conflict of interest, the Scheme Manager will need to keep appointments under review and also monitor whether appointed members have potential conflicts of interest and are declaring them appropriately. This could be achieved by requesting reports from the Local Pension Board, perhaps annually.

2.10 Identifying, Monitoring and Managing Conflicts – The Role of the Local Pension Board

2.10.1 Local Pension Boards should cultivate a culture of openness and transparency. The need for continual consideration of conflicts should be recognised. Disclosure of dual interests and responsibilities, which have the potential to become conflicts of interest, should not be ignored.

2.10.2 The Local Pension Board should ensure that its members have a clear understanding of their role and the circumstances in which they may find themselves in a position of conflict of interest, and should know how potential conflicts should be managed. Local Pension Board members are likely to be familiar with the concept of a conflict of interests and it should not be difficult to adapt established procedures to meet the obligations in the 2013 Act and the Regulations.

2.10.3 Local Pension Boards should identify, monitor and manage dual interests and responsibilities which are or have the potential to become conflicts of interest.

2.10.4 Local Pension Boards should evaluate the nature of any dual interests and responsibilities and assess the impact on their operations and good governance were a conflict of interest to materialise.

2.10.5 When seeking to prevent a potential conflict of interest becoming detrimental to the conduct or decisions of a Local Pension Board, the Board should consider obtaining professional legal advice when assessing any option.

2.10.6 A register of interests should provide a simple and effective means of recording and monitoring dual interests and responsibilities.

2.10.7 Local Pension Boards should also capture decisions about how any identified potential conflicts of interest should be managed – ideally, in their register of interests.

2.10.8 Options for managing an actual conflict of interest, should one arise, include:

- (a) A member withdrawing from the discussion and any decision-making process;
- (b) The Board establishing a sub-board to review the issue (where the terms of reference give the power to do so); or
- (c) A member resigning from the Board if the conflict is so fundamental that it cannot be managed in any other way.

2.10.9 The Local Pension Board's register of interests should be circulated to the Local Pension Board for ongoing review and should be published (for example, on the Scheme Manager's website). The Local Pension Board should report any concerns to the Scheme Manager and include in an annual report a section on good governance and management of conflicts.

2.10.10 Conflicts of interest should be included as an opening agenda item at Local Pension Board meetings, and revisited during the meeting where necessary. This provides an opportunity for those present, including non-Board members, to declare any dual interests and responsibilities, which have the potential to become conflicts of interest, and to minute discussions about how they will be managed so as to prevent an actual conflict arising.

2.10.11 Local Pension Boards should take time to consider what key decisions are likely to be made during, for example, the year ahead and identify and consider any conflicts of interest that may arise in respect of these future decisions.

2.11 Considering Conflicts of Interest – Responsibilities of Board Members

2.11.1 It is important that individual members of the Local Pension Board know how to identify when they have a conflict of interest which needs to be declared and which may also restrict their ability to participate in meetings or decision-making. They also need to appreciate that they have a legal duty under the Regulations to provide information to the Scheme Manager in respect of conflicts of interest.

2.11.2 Individual Local Pension Board members should seek professional advice from a nominated officer (for example, the monitoring officer) or external advisers where necessary and the importance of doing so should be emphasised in the Local Pension Board's conflicts policy.

2.12 Managing Adviser and Officer Conflicts

2.12.1 A Local Pension Board may need to seek specialist advice or support, for example legal advice. The Board may use an officer of the Fire and Rescue Authority or a third party adviser. However, in both cases the Board should be confident that such advice is independent and any potential or actual conflicts are disclosed by the officer or adviser on a timely basis to the Board. For example, an adviser may have a conflict of interest if he or she (or the same firm) is also advising the Fire and Rescue Authority.

2.12.2 The risk to the Local Pension Board is that the adviser does not provide, or is not seen to provide, independent advice. Where there is likely to be a conflict of interest in giving advice, the Board should consider carefully whether it is appropriate to appoint the adviser in the first place. It may also be necessary to consider carefully whether they should take steps to remove an adviser who has already been appointed.

2.13 Conflicts Policy

2.13.1 When establishing its Local Pension Board, the Scheme Manager should prepare and approve a conflicts policy for the Board to adopt. The conflicts policy should cover the points discussed in the preceding paragraphs relating to the identification, monitoring and management of potential conflicts of interest (including adviser conflicts). Once adopted, the Local Pension Board should keep this policy under regular review.

2.13.2 The conflicts policy should include as a minimum:

- (a) examples of scenarios giving rise to conflicts of interest (which may include those set out at paragraph 4.18 above);
- (b) how a conflict might arise specifically in relation to a member of a Local Pension Board; and
- (c) the process to be followed by members of a Local Pension Board and the Scheme Manager to address a situation where members are subject to a potential or actual conflict of interest.

3.0 Recommendation

3.1 Given the above guidance, it is proposed that the Pension Board adopt the Code of Conduct for the North Yorkshire Fire and Rescue Authority - please see Appendix A.

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Background Documents: Firefighters' Pension Scheme - Guidance on the creation and operation of Local Pension Boards in England

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CODE OF CONDUCT FOR MEMBERS OF NORTH YORKSHIRE FIRE AND RESCUE AUTHORITY

This Code sets out the standards of behaviour required of you whenever you are acting as a Member of North Yorkshire Fire and Rescue Authority or as a voting co-opted Member on one of its committees (“Members”).

You must sign an Undertaking to comply with this Code of Conduct before acting as a Member or voting co-opted Member.

The Code has been adopted by the Authority and also requires compliance with the general principles of public life set out at the end of the document. The Authority’s Audit and Performance Review Committee has established a Standards Sub-Committee, consisting of Members of the Authority, to deal with any allegations of breaches of the Code.

1. You must not treat others with disrespect.
2. You must not do anything which may cause the Authority to breach any equality enactment.
3. You must not bully or intimidate any person, or attempt to bully or intimidate them.
4. You must not do anything which compromises the impartiality of anyone who works for or on behalf of the Authority, or do anything that is likely to compromise their impartiality.
5. You must not disclose information which is given to you in confidence or which you believe is of a confidential nature, or ought reasonably to be aware is of a confidential nature, unless:
 - You have the permission of a person authorised to give it; or
 - You are required by law to disclose the information; or
 - You disclose it to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
 - The disclosure is reasonable; and is in the public interest; and is made in good faith; and is only made after having complied with any reasonable requirements of the Authority to delay disclosure or to maintain confidentiality.

Before disclosing any information under this paragraph, you must consult the Monitoring Officer and/or the Chief Fire Officer/Chief Executive.

6. You must not prevent another person gaining access to information which that person is entitled to by law.
7. You must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority into disrepute, or your position as a Member into disrepute.
8. You must not use your position as a Member improperly to obtain any advantage or disadvantage for yourself or any other person, or attempt to do so.
9. You must not take part in the scrutiny of any decision you have been involved in making – except that you may provide evidence or opinion to those undertaking any scrutiny process.

10. You must not accept any gift or hospitality which could reasonably be perceived as creating an obligation upon the Authority, or upon yourself as a Member, If you do accept any gift or hospitality which might be attributable to your membership of the Authority (other than the refreshments which might usually be expected at an Authority meeting or civic function) you must disclose this, or any offer of such gift or hospitality, to the Monitoring Officer.
11. You must act in accordance with the Authority's guidance or requirements when using the resources of the Authority (such as officer time, IT and copying equipment, or physical materials), or when authorising others to use them, and must ensure that those resources are not used improperly for political or other purposes.
12. You must have regard to relevant advice given by the Authority's Chief Financial Officer or Monitoring Officer when making decisions and must give reasons for those decisions, in accordance with any requirements imposed by statute or the Authority.
13. You must comply with the following sections of this Code, which relate to registering and declaring in meetings certain interests you may have. This includes complying with any standing order adopted by the Authority which requires Members to leave the room during any meeting at which a matter in which they have a disclosable pecuniary interest is being discussed.

INTERESTS

Disclosable Pecuniary Interests

14. (1) A pecuniary interest is a "disclosable pecuniary interest" in relation to you if it is of a description specified in regulations (and listed in Appendix 1) and either:
 - (a) it is your interest; or
 - (b) it is an interest of:
 - (i) your spouse or civil partner;
 - (ii) a person with whom you are living as husband and wife; or
 - (iii) a person with whom you are living as if you are civil partners;

and you are aware that that other person has the interest.

Disclosure of pecuniary interests on taking office

15. (1) You must, before the end of 28 days beginning with the day on which you become a member or co-opted member of the Authority, notify the Monitoring Officer of any disclosable pecuniary interests which you have at the time when the notification is given.
- (2) Where you become a member or co-opted member as a result of re-election or re-appointment, sub-paragraph (1) applies only as regards disclosable pecuniary interests not entered in the Authority's register when the notification is given.
- (3) Where you give a notification for the purposes of sub-paragraph (1), the Monitoring Officer is to cause the interests notified to be entered in the Authority's Register of Members' Interests ("the Register") (whether or not they are disclosable pecuniary interests).
- (4) Subject to paragraph 17 (regarding sensitive interests), you must, within 28 days of becoming aware of any new disclosable pecuniary interest or change to any interest already registered, register details of that new interest or change by providing written notification to the Monitoring Officer.

Pecuniary interests in matters considered at meetings

16. (1) Sub-paragraphs (2) to (4) apply if you:
- (a) are present at a meeting of the Authority or of any committee, sub-committee, joint committee or joint sub-committee of the Authority;
 - (b) have a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting; and
 - (c) are aware that the condition in paragraph (b) is met.
- (2) If the interest is not entered in the Authority's Register, you must disclose the interest to the meeting, but this is subject to this Code's provisions on sensitive interests.
- (3) If the interest is not entered in the Authority's Register and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure.
- (4) You may not:
- (a) participate, or participate further, in any discussion of the matter at the meeting; or
 - (b) participate in any vote, or further vote, taken on the matter at the meeting;

but this is subject to this Code's provisions on dispensations.

- (5) Where you give a notification for the purposes of sub-paragraph (3), the Monitoring Officer is to cause the interest notified to be entered in the Register (whether or not it is a disclosable pecuniary interest).
- (6) The Authority's Standing Orders provide for the exclusion of a member or co-opted member of the Authority from a meeting while any discussion or vote takes place in which, as a result of the operation of sub-paragraph (4), the member or co-opted member may not participate.
- (7) An interest is "subject to a pending notification" if:
 - (a) the interest has been notified to the Monitoring Officer, but
 - (b) has not been entered in the Register in consequence of that notification.

Other Interests

- 16A.
- (1) You must, before the end of 28 days beginning with the day on which you become a member or co-opted member of the Authority, notify the Monitoring Officer of any interests other than disclosable pecuniary interests of a type set out in Appendix 2 which you have at the time when the notification is given. This relates only to your *own* interests.
 - (2) Where you become a member or co-opted member as a result of re-election or re-appointment, sub-paragraph (1) applies only as regards interests other than disclosable pecuniary interests of a type set out in Appendix 2 not entered in the Authority's register when the notification is given.
 - (3) Subject to paragraph 17 (regarding sensitive interests), you must, within 28 days of becoming aware of any new interests other than disclosable pecuniary interests of a type set out in Appendix 2 or change to any such interest already registered, register details of that new interest or change by providing written notification to the Monitoring Officer.
 - (4) Members involved in making a decision on particular business must always bear in mind the rules relating to bias and predetermination and must not participate in, or seek to influence, Authority business where their interests (including those other than disclosable pecuniary interests of a type set out in Appendix 2) may prejudice, or appear to prejudice, their views.

Sensitive interests

- 17.
- (1) Sub-paragraphs (2) and (3) apply where:
 - (a) you have an interest (whether or not a disclosable pecuniary interest); and
 - (b) the nature of the interest is such that you and the Monitoring Officer consider that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to violence or intimidation.
 - (2) If the interest is entered in the Register, copies of the Register that are made available for inspection, and any published version of the Register, must not include details of the interest (but may state that you have an interest the details of which are withheld under section 32(2) of the Localism Act 2011).

- (3) If paragraph 16(2) applies in relation to the interest, that provision is to be read as requiring you to disclose not the interest but merely the fact that you have a disclosable pecuniary interest in the matter concerned.

DISPENSATIONS FROM NON-PARTICIPATION

18. (1) The Authority may, on a written request made to the Monitoring Officer by you, grant a dispensation (in accordance with the relevant statutory provisions) relieving you from either or both of the restrictions in paragraph 16(4) in cases described in the dispensation.
- (2) Paragraph 16(4) does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this section.

OFFENCES

19. (1) You commit a criminal offence if, without reasonable excuse, you:-
- (a) fail to comply with an obligation imposed on you by paragraph 15(1) or 16(2) or (3); or
 - (b) participate in any discussion or vote in contravention of paragraph 16(4).
- (2) You commit an offence if under paragraph 15(1) or 16(2) or (3) you provide information that is false or misleading and you:
- (a) know that the information is false or misleading; or
 - (b) are reckless as to whether the information is true and not misleading.
- (3) A person who is guilty of such an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
20. **If you are in any doubt as to your position under the Code of Conduct, please consult the Monitoring Officer.**

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APPENDIX 1 TO MEMBERS' CODE OF CONDUCT

DISCLOSABLE PECUNIARY INTERESTS

The pecuniary interests which are specified in regulations as disclosable pecuniary interests are the interests specified in the second column of the Schedule below:

SCHEDULE

| <i>Subject</i> | <i>Prescribed description</i> |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | 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. |
| 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 M'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 M’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.**

For these purposes:-

“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 (entitled to vote);

“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) of the Act (the corresponding provision in this Code is paragraph 15(1));

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act (corresponding provision in this Code is paragraph 14(1)(b)), namely:

- M’s spouse or civil partner;
- a person with whom M is living as husband and wife; or
- a person with whom M is living as if they were civil partners;

“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 and other securities of any description, other than money deposited with a building society.

APPENDIX 2 TO MEMBERS' CODE OF CONDUCT

INTERESTS OTHER THAN DISCLOSABLE PECUNIARY INTERESTS

The interests other than pecuniary interests which are required by the Authority to be registered in the Register of Members' Interests are set out below:

Membership of Trade Unions/Professional Associations

In accordance with DCLG Guidance, Members are required to register, in the Register of Members' Interests, their membership of any trade union or professional association.

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The Seven Principles of Public Life

| Principle | Description |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Preamble</i> | The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services. |
| <i>Selflessness</i> | Holders of public office should act solely in terms of the public interest. |
| <i>Integrity</i> | 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. |
| <i>Objectivity</i> | Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. |
| <i>Accountability</i> | 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. |
| <i>Openness</i> | 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. |
| <i>Honesty</i> | Holders of public office should be truthful. |
| <i>Leadership</i> | 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. |

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