



Doncaster
Council

Agenda

To all Members of the

AUDIT COMMITTEE

Notice is given that an Extraordinary Meeting of the above Committee is to be held as follows:

Venue: Microsoft Teams - Virtual Meeting

Date: Wednesday, 17th February, 2021

Time: 2.00 p.m.

The meeting will be held remotely via Microsoft Teams. Members and Officers will be advised on the process to follow to attend the Audit meeting. Any members of the public or press wishing to attend the meeting by teleconference should contact Governance Services on 01302 736723/ 737462/ 736716 for further details.

BROADCASTING NOTICE

This meeting is being filmed for subsequent broadcast via the Council's web site. The Council is a Data Controller under the Data Protection Act and images collected during this recording will be retained in accordance with the Council's published policy. Please be aware that by entering the meeting, you accept that you may be filmed and the images used for the purpose set out above.

Damian Allen
Chief Executive

Issued on: Tuesday, 9 February 2021

Governance Services Officer for this meeting: Jonathan Goodrum
01302 736709

Doncaster Metropolitan Borough Council
www.doncaster.gov.uk

Items for Discussion:

Page No.

1. Apologies for Absence.
2. To consider the extent, if any, to which the Public and Press are to be excluded from the meeting.
3. Declarations of Interest, if any.
4. Adoption of a New Model Code of Conduct for Members. 1 - 34

Members of the Audit Committee

Chair – Councillor Austen White

Vice-Chair – Councillor Richard A Jones

Councillors Charlie Hogarth, Tosh McDonald and David Nevett

Co-opted Member: Kathryn Smart



Doncaster Council

Report

17th February 2021

To the Chair and Members of the AUDIT COMMITTEE

ADOPTION OF A NEW MODEL CODE OF CONDUCT FOR MEMBERS

EXECUTIVE SUMMARY

1. This report presents the Local Government Association's (LGA) new Model Code of Conduct and requests the Audit Committee to consider whether to recommend to Full Council that this should be adopted at its meeting on 1st March 2021.

EXEMPT REPORT

2. N/A

RECOMMENDATIONS

3. The Committee is asked to:
 - a) RECOMMEND to Full Council that the LGA's Model Member Code of Conduct be adopted;
 - b) RECOMMEND to Full Council that the Monitoring Officer be given delegated powers to grant dispensations to Members on the grounds set out in paragraphs 11 to 15 of this report and that the Audit Committee's Terms of Reference be amended accordingly; and
 - c) Note that a number of other consequential changes to various parts of the Council Constitution arising from the adoption of the revised Code of Conduct will be made by the Monitoring Officer using his existing delegated authority.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. Under the Localism Act 2011, the Council has a statutory duty to promote and maintain high standards of conduct for its Elected and Co-opted Members. In discharging this duty, Councils are required to adopt a Code of

Conduct governing their Elected and Co-opted Members' conduct when acting in that capacity. The review and adoption of a new model Code of Conduct for Members should help increase public confidence in local governance through maintaining high standards of conduct by Members.

BACKGROUND

5. The current Standards Regime and most Council Codes of Conduct date back to the Localism Act 2011 (the Council's current Code of Conduct for Members was adopted on 12th July 2012) and it is an obvious statement that the world has changed substantially since that point and the current Codes did not envisage the impact of Social Media and the occasional issues that those interactions can cause.
6. In 2019, the Committee on Standards in Public Life (CSPL) produced a report into local government ethical standards, its remit was to assure itself that the ethical standards introduced by the Localism Act remains "conducive to promoting and maintaining the standards expected by the public". Whilst the Committee largely satisfied itself that the processes in place were appropriate, its main recommendation was that an updated model Code of Conduct be created, providing consistency across England and to reflect the common expectations of the public regardless of geography or tier. The LGA was tasked with creating an updated model Code, in consultation with representative bodies of councillors and officers of all tiers of local government.
7. The LGA Consultation process on the draft Code ran for 10 weeks from Monday 8 June until Monday 17 August 2020 and consisted of:
 - Workshops of Councillors and Monitoring Officers from across England and Wales to discuss the approach and content of the revised Code
 - 4 webinars conducted with over 1000 participants
 - Over 1600 written responses to the consultation received.
 - Comments, questions and feedback provided during the webinar sessions
 - Stakeholder round-table to discuss the response and next steps took place on 30 September 2020.
8. A key finding from the consultation was the need for further guidance and explanation about key aspects of the code and conduct in general. It was a fundamental aim of the revised code that it should be from the councillor's perspective and a tool to support councillors in achieving and maintaining high standards of conduct. The LGA also had the objective that the code should form the basis of a 'social contract' with the general public, to address issues of public intimidation against councillors and to help set a framework for public and councillor interaction, emphasising the importance of courtesy and respect. A final aim of the model Code was to be concise, written in plain English and be understandable to Members, officers and the public.
9. Following the close of the consultation and the issue of a final national model Code, the Council should now consider whether to adopt the new Code. This Committee is therefore requested to consider the content of the new model Code of Conduct (**Appendix A**) and agree to recommend its adoption to Full

Council. A copy of the Council's current Code is attached at **Appendix B** for comparison.

Key differences between new LGA Model Code of Conduct for Members and Doncaster Council's current Code of Conduct.

10. Outlined below is a summary of the key differences contained in the new Model Code compared to the Council's current Code:-

Purpose of the Code of Conduct

The LGA Model Code includes a new opening paragraph outlining the purpose of the Code.

General Principles of Councillor Conduct

The LGA Code includes a new section outlining general principles of Councillor Conduct, e.g. upholding the Seven Principles of Public Life (aka the Nolan Principles) and...

"In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest."

Application of the Code of Conduct

This section now specifies that the Code applies where a Councillor's actions "...would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor."

It also outlines that the Code applies to all forms of communication and interaction by Councillors, with a new specific reference to electronic and social media communication, posts, statements and comments. This reflects the legal position as we have understood it but specifically including within the Code will add helpful clarity.

General Conduct

The general conduct guidance in the new Code has been expanded to include more detailed narrative on each obligation, providing helpful examples and definitions. For example, with regard to respect, the Council's current Code states: "You must respect others." Whereas the new Code states:

Respect

"As a Councillor:

- 1.1 I treat other Councillors and members of the public with respect.
- 1.2 I treat Local Authority employees, employees and representatives of partner organisations and those volunteering for the Local Authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack. In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol."

General Conduct – other new obligations

The Model Code includes new obligations in relation to:-

- Not harassing any person (includes the legal definition of harassment) and not discriminating unlawfully against any person;
- Complying with the Code – this includes new obligations for Councillors to:-
 - Undertake Code of Conduct training provided by the Local Authority;
 - Co-operate with any Code of Conduct investigation and /or determination; and
 - Comply with any sanction imposed on the Councillor following a finding that they have breached the Code of Conduct.

Interests

The Model Code introduces two tables in relation to members' declaration of interests:-

Table 1 sets out the **Disclosable Pecuniary Interests (DPis)** – these are exactly the same as those already registered/declared by Members under the Council's current Code.

Table 2 sets out **other registrable interests**. These are described as follows in the Model Code:-

"You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - i) exercising functions of a public nature
 - ii) any body directed to charitable purposes or
 - iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)"

With regard to non-registrable interests (those falling outside the provisions in Tables 1 and 2), the new Code also describes the action to be taken where a matter arises at a meeting which directly relates to, or affects, a Councillor's financial interest or well-being, or those of a friend, relative or close associate.

In practical terms, the provisions in the new Code with regard to Interests are as follows:-

- **Disclosable Pecuniary Interests: -**

Councillors must declare, not participate, or vote and leave the room (subject to dispensation)

This is the same as in the Council's current Code.

- **Other Registrable Interests: -**

Councillors must declare, only speak if the public are allowed to speak, not participate in the discussion or vote and leave the room (subject to dispensation).

This is a departure from the Council's current Code, which permits a Member declaring any interest other than a Disclosable Pecuniary Interest to remain in the meeting and speak and vote on the matter. It does however reflect the position which Councillors were in before 2011, and indeed the position which many of the parish councils across the UK operate.

- **Non-Disclosable Pecuniary Interest Directly Relating to Finance or Well-Being of Councillors or Relative or Close Associate: -**

Councillors must declare, only speak if the public are allowed to speak, not participate in the discussion or vote and leave the room (subject to dispensation).

This is a return to the position which members may recall pre-2011, and follows what the public would expect a member to do – not take part in a decision which they or their family may benefit from.

The requirements with regard to registering interests within 28 days of becoming a Member or re-election or re-appointment to office, and notifying the Monitoring Officer within 28 days of any changes to interests, remain unchanged.

The list of interests in the tables in the Model Code, together with the clear explanation and guidance on action to be taken when interests arise, particularly in meetings, help to provide clarity compared to the wording in the current Code and are to be welcomed. With less ambiguity, Members will have a clearer understanding under the provisions of the Model Code of which interests they should register and declare at meetings. This, in turn, should provide members with greater protection from the risk of challenge and potential complaints in relation to the non-registration/declaration of interests.

As in the current Code, the Model Code retains the facility for a Member to have a 'sensitive interest' in which case they do not have to disclose the nature of the interest.

The Model Code also retains the current requirement for Members to register any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt. The Code also introduces a new requirement for Members to register any significant gift or hospitality that they have been offered but have refused to accept.

Complaints regarding alleged breaches of the Code and Sanctions

The Council's current complaints process with regard to alleged breaches of the Code, and sanctions available to the Audit Hearings Sub-Committee following an investigation, remain unchanged. The LGA's remit was solely to create a new Model Code of Conduct and they have not made any recommendations outside of the scope of their review. On a national level, there is still much debate and lobbying of Government on the need to strengthen the existing powers of Monitoring Officers and Standards Committees in terms of dealing effectively with breaches of the Code, such as the ability to suspend or disqualify Councillors for serious breaches, but this would require primary legislation to make such changes.

Approval Process & Next Steps

If the Council is to adopt an amended Code of Conduct, it is logical to do so before the start of the new Municipal Year. Furthermore as May 2021 is the scheduled date for all-out elections, to begin a new Council with a firm statement on behaviours has obvious benefits. The suggested date for the implementation of the new Code is **7th May 2021** which is the date at which the election results will be announced. The Code of Conduct forms part of the Constitution and therefore any changes require Full Council approval.

Approval at 1st March Full Council would enable Electoral Candidates to be provided with a copy of the Code which they will automatically sign up to upon being elected.

Should the new Code be adopted then minor consequential amendments will be required to the Constitution. These will be made by the Monitoring Officer using his existing delegated authority provided in the Constitution:-

‘The Monitoring Officer is authorised to make minor amendments, consequential upon statutory or regulatory change, or to rectify errors, or to update arrangements consequential upon other external factors.’

The Committee on Standards in Public Life intended to provide a Code which was capable of adoption across all tiers of local government with the intention that the current practice use of different codes across an area is ended. If Full Council agree to adopt the proposed code the Monitoring Officer will contact all Parish & Town Council Clerks across the Doncaster Municipal area and encourage them to also adopt the Code.

Reviewing the arrangements for the granting of dispensations to Members

11. The Terms of Reference for this Committee includes the following:

“To grant dispensations to Councillors and Co-opted Members from requirements relating to interests set out in the Members Code of Conduct, where not delegated to the Monitoring Officer.”

12. When the Council agreed its new ethical governance arrangements in 2012 in response to the Localism Act, it agreed the circumstances or grounds in which the power to grant dispensations would be delegated to either the Monitoring Officer or the Audit Committee, as follows:-

- a) That so many members of the decision-making body have DPs in a matter that it would “impede the transaction of the business”. In practice this means that the decision-making body would be inquorate **[Monitoring Officer, with appeal to the Audit Committee]**;
- b) That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter. This assumes that Members are predetermined to vote on party lines on the matter, in which case, it would be inappropriate to grant a dispensation to enable them to participate **[Audit Committee]**;
- c) That the Council considers that the dispensation is in the interests of persons living in the Authority’s area **[Audit Committee]**;
- d) That, without a dispensation, no member of the Cabinet would be able to participate on this matter **[Monitoring Officer, with appeal to the Audit Committee]**; or
- e) That the Council considers that it is otherwise appropriate to grant a dispensation **[Audit Committee]**.

13. Any grant of a dispensation must specify how long it lasts for, up to a maximum of 4 years.
14. The Localism Act gave discretion for these powers to be delegated to Standards Committees (in Doncaster's case, the Audit Committee) or to the Monitoring Officer. When the Council considered the delegation of these powers in 2012, it decided that as grounds a) and d) above were largely objective, it was appropriate to delegate dispensations on these grounds to the Monitoring Officer, with an appeal to the Audit Committee, thus enabling dispensations to be granted "at the door of the meeting". In respect of grounds b), c) and e), the view was taken that it was appropriate that the discretion to grant dispensations on these grounds remained with the Audit Committee.
15. As the new Model Code of Conduct, if adopted, will widen the requirements for Members to declare interests and withdraw from meetings, it is anticipated that there may be an increased demand for dispensations to be granted to Members prior to meetings to enable them to participate and vote on matters, where they meet the criteria detailed above. It is therefore suggested that, for the sake of expediency and to make the process for Members seeking dispensations simple and efficient, the powers currently resting with this Committee to grant dispensations on the grounds detailed in paragraph 12 b), c) and d) above be transferred to the Monitoring Officer, with an appeal to the Audit Committee. The Monitoring Officer will also report to this Committee details of any dispensations granted. If this change is agreed, the Terms of Reference of this Committee will need to be amended accordingly. To do otherwise will create significant issues as there would be a need to hold an audit committee on each occasion to approve a dispensation and in practical terms it will not be possible to arrange such a meeting within the timescales required.

OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION

16. Under the Localism Act, the Council is legally required to adopt a Code of Conduct for Members. For the purposes of this report, there are two options available to the Council in relation to the Code of Conduct:
 - a) To retain the current Code of Conduct (not recommended); or
 - b) To adopt the new LGA Model Code of Conduct (recommended).

The launch of the new LGA Model Code of Conduct offers the Council a timely opportunity to adopt a more robust and up-to-date version of the Code. This contains new guidance and greater clarity for Members on their responsibilities when using social media and on the declaration/registration of other interests falling outside the definition of Disclosable Pecuniary Interests. It also provides more detailed guidance on Members' general obligations with regard to their behaviour and actions when carrying out their roles as elected representatives in their communities. Voluntary adoption of the Code at this point would be a sign of good practice and good governance.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

17.

Outcomes	Implications
<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<p>The adoption of a new Member Code of Conduct is key to maintaining public confidence in local governance through maintaining high standards of conduct by Members.</p>

RISKS AND ASSUMPTIONS

18. If the Council does not carry out periodic reviews of the Council's ethical governance arrangements, including the Member Code of Conduct, there is a risk that standards will be lowered, bad conduct will not be dealt with effectively and public confidence in local democracy will be eroded.
19. It is important that all Members receive training to reduce the risk of Members breaching the Code.

LEGAL IMPLICATIONS [Officer Initials: H M P Date: 4.2.21]

20. The principal statutory provisions relating to standards of conduct for Members are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by Members and Co-opted members of the authority 21. Sections 27 and 28 of the Localism Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent person whose views must be sought and taken into account before the Council makes a decision about an alleged breach of the code that has been investigated.
21. Section 33 of the Localism Act 2011 sets out criteria for the granting of dispensations to Members relieving them from the restrictions concerning participation in meetings where they have a pecuniary interest in an item of business.
22. There is no obligation by the Council to adopt a particular model of the Code of Conduct. The statutory duty is to adopt a code of conduct, which

complies with the statutory requirements referred to. It is advisable that the new model code is accepted, as it is readily understandable, deals with some of the weaknesses of the previous Code, and aims to create and maintain public confidence in the role of councillors and local government.

FINANCIAL IMPLICATIONS [Officer Initials: PH Date: 05/02/2021]

23. There are no specific financial implications associated with this report.

HUMAN RESOURCES IMPLICATIONS [Officer Initials: RH Date: 09/02/21]

24. There are no specific Human Resources implications arising from this report.

TECHNOLOGY IMPLICATIONS [Officer Initials: PW Date: 04/02/21]

25. There are no specific technology implications associated with this report.

HEALTH IMPLICATIONS [Officer Initials: RS Date: 05/02/2021]

26. Good governance is important for healthy organisations and for healthy populations. This Code of Conduct should support effective governance.

EQUALITY IMPLICATIONS [Officer Initials: JG Date 1/2/2021]

27. The adoption of a robust, clear and transparent model Code of Conduct will help to ensure that Members, Officers and the public alike understand the standards and obligations expected of our locally elected representatives. It will also ensure that a fair and consistent approach can be taken when dealing with any complaints of alleged breaches of the Code.

CONSULTATION

28. Initial consultation was carried out with the Elected Mayor, Group Leaders, the Chair of the Audit Committee, the Council's Chief Executive and the Head of Internal audit in respect of the new model Code of Conduct and proposed timeframe and decision making route for its adoption. Briefing sessions open to all Members have since been arranged to provide further detail on the content of the new Code and provide an opportunity for Members' questions to be answered. The Council's Independent Person appointed to assist the Monitoring Officer under the Localism Act 2011, Mr Philip Beavers, has also been consulted and is supportive of the new Code.

BACKGROUND PAPERS

LGA Model Code of Conduct for Members
Localism Act 2011.

GLOSSARY OF ABBREVIATIONS

LGA – Local Government Association
CSPL - Committee on Standards in Public Life

DPI – Disclosable Pecuniary Interest

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DONCASTER METROPOLITAN BOROUGH COUNCIL

MEMBER CODE OF CONDUCT

Adopted [] May 2021

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of the Council or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

a) is a member of any committee or sub-committee of the authority, or;

b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

“the Council” means Doncaster Metropolitan Borough Council

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, Council officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and Council officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my Council's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor. The Code of Conduct was adopted by a meeting of Doncaster Metropolitan Borough Council's Full Council Meeting on [] March 2021 and came into force on [] May 2021.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

The Council's Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat Council employees, employees and representatives of partner organisations and those volunteering for the Council with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the Council, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and Council employees, where concerns should be raised in line with the Council's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the Council's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Council.

Officers work for the Council as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the Council; and
 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the Council must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or the Council into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or the Council and may lower the public's confidence in your or the Council's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring the Council into disrepute.

You are able to hold the Council and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the Council provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will affect others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of Council resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the Council or authorising their use by others:

- a. act in accordance with the Council's requirements; and
- b. 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 Council or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the Council to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of Council buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the Council's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by the Council.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me by the Audit Hearings Sub-Committee following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the Council or its governance. If you do not understand or are concerned about the Council's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the Council

9. Interests

As a councillor:

9.1 I register and disclose my interests. Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the Council.

You need to register your interests so that the public, Council employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from the Monitoring Officer.

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the Council or from persons who may apply to the Council for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the Council, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

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

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 disclose and resolve any interests and relationships.

Objectivity

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

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.

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.

Honesty

Holders of public office should be truthful.

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.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

"Disclosable pecuniary interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which affects –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in Table 1

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter affects your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject

Description

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

[Any unpaid directorship or Trustee.]

Sponsorship

Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses.

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 made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —

(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 and Property

Any beneficial interest in land which is within the area of the council.

'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.

Licenses

Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer

Corporate tenancies

Any tenancy where (to the councillor's knowledge)—

(a) the landlord is the council; and

(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.

Securities

Any beneficial interest in securities* of a body where—

(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; 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 councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were

* 'director' includes a member of the committee of management of an industrial and provident society.

* '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.

Table 2: Other Registerable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

a) any body of which you are in general control or management and to which you are nominated or appointed by your authority

b) any body

(i) exercising functions of a public nature

(ii) any body directed to charitable purposes or

(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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Doncaster Metropolitan Borough Council

Code of Conduct for Members

1. Application

- (1) This Code applies to **you** whenever you are acting in your capacity as a member of Doncaster Metropolitan Borough Council, including –
 - 1.1 at meetings of the Council, its Committees and Sub-Committees and its Cabinet
 - 1.2 when acting as a representative of the authority
 - 1.3 in taking any decision as a Cabinet member or a Ward Councillor
 - 1.4 in discharging your functions as a ward Councillor
 - 1.5 at briefing meetings with officers
 - 1.6 at site visits
 - 1.7 when corresponding with the authority other than in a private capacity
- (2) It is your responsibility to comply with the provisions of this Code.
- (3) This Code is based upon the general principles set out in Annex 1 to this Code, which have been adopted by this authority as its ethical values and which incorporate the seven Nolan Principles of Public Life.
- (4) In this Code—

“meeting” means any meeting organised by or on behalf of the authority, including—

 - (a) any meeting of the Council, or a Committee or Sub-Committee of Council
 - (b) any meeting of the Cabinet and any Committee of the Cabinet;
 - (c) in taking a decision as a Ward Councillor or as a Member of the Cabinet;
 - (d) at any briefing by Officers; and
 - (e) at any site visit to do with business of the authority.

“member” includes a co-opted member and an appointed member.
- (5) In relation to a parish council, references to the monitoring officer and standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of Doncaster Metropolitan Borough Council which has functions in relation to the parish council for which it is responsible under Chapter 7 of Part 1 of the Localism Act 2011.

2. General Conduct

You must –

- 2.1 provide leadership to the authority and communities within its area, by personal example;
- 2.2 respect others and not bully any person;
- 2.3 not intimidate or attempt to intimidate any person who is or is likely to be—
 - (i) a complainant,
 - (ii) a witness, or

- (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with his or her authority's code of conduct;
- 2.4 not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority;
- 2.5 respect the confidentiality of information which you receive as a Member by:-
 - 2.5.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
 - 2.5.2 not obstructing third parties' legal rights of access to information
- 2.6 not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
- 2.7 use your position as a Member in the public interest and not for personal advantage;
- 2.8 accord with the authority's reasonable rules on the use of public resources for private and political purposes;
- 2.9 exercise your own independent judgement, taking decisions for good and substantial reasons –
 - 2.9.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups;
 - 2.9.2 paying due regard to the advice of Officers, and in particular to the advice of Statutory Officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer; and
 - 2.9.3 stating the reasons for your decisions where those reasons are not otherwise apparent
- 2.10 account for your actions, particularly by supporting the authority's scrutiny function;
- 2.11 ensure that the authority acts within the law.

3. Disclosable Pecuniary Interests

A Disclosable Pecuniary Interest is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the descriptions set out in Annex 2 to this Code.

You must -

- 3.1 comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a Disclosable Pecuniary Interest;

- 3.2 ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your Disclosable Pecuniary Interests;
- 3.3 make verbal declaration of the existence and nature of any Disclosable Pecuniary Interest at any meeting at which you are present and where an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent. In these circumstances, you must not participate or vote on the matter. You are only required to declare such an interest if it is not already entered in your Register of Interests or if you have not notified the Monitoring Officer of it. A Member with a Disclosable Pecuniary Interest is required to withdraw from the meeting (including the public gallery) in accordance with the Council's Standing Orders governing conduct at meetings.

4. Other Interests

- 4.1 In addition to the requirements of Paragraph 3, if you attend a meeting at which any item of business is to be considered and you are aware that you have a "Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest" in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.
- 4.2 You have a "Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest" in an item of business of your authority where –
 - 4.2.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or
 - 4.2.2 it relates to or is likely to affect any of the interests listed in the Table in Annex 2 to this Code, but in respect of a member of your family (other than a partner) or a person with whom you have a close association

and that interest is not a Disclosable Pecuniary Interest.

5. Gifts and Hospitality

- 5.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the authority.

- 5.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.
- 5.3 This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

6. Registration of Members' Interests

Registration of members' interests

- (1) Subject to paragraph 6(3) you must, within 28 days of—
 - (a) this Code being adopted by your authority; or
 - (b) your election or appointment to office (where that is later), register in your authority's register of members' interests (maintained under section 29 of the Localism Act 2011) details of your Disclosable Pecuniary Interests as defined in Annex 2 to this Code, by providing written notification to your authority's Monitoring Officer.
- (2) Subject to paragraph 6(3), you must, within 28 days of becoming aware of any new Disclosable Pecuniary Interest or change to any Disclosable Pecuniary Interest registered under paragraph 6(1), register details of that new Disclosable Pecuniary Interest or change by providing written notification to your authority's Monitoring Officer.

Sensitive information

- (3) Where you consider that the information relating to any of your Disclosable Pecuniary Interests is sensitive information, and your authority's Monitoring Officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 6(1).
- (4) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph 6(1) is no longer sensitive information, notify your authority's Monitoring Officer asking that the information be included in your authority's Register of Members' Interests.
- (5) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person connected to you may be subjected to violence or intimidation.

7. Dispensations

The authority may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

8. Offences

It is a criminal offence to:

- (i) Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election;

- (ii) Fail to disclose a Disclosable Pecuniary Interest at a meeting if it is not on the Register of Member's Interests;
- (iii) Fail to notify the Monitoring Officer within 28 days of a Disclosable Pecuniary Interest that is not on the Register that you have disclosed to a meeting;
- (iv) Participate in any discussion or vote on a matter in which you have a Disclosable Pecuniary Interest;
- (v) As an Executive Member discharging a function acting alone, and having a Disclosable Pecuniary Interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest;
- (vi) Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a Disclosable Pecuniary Interest or in disclosing such interest to a meeting.

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.

Adopted by Full Council on 12 July 2012.

STATEMENT OF VISION AND VALUES

This Authority adopts the following general principles as its ethical values:-

1. **Selflessness** - Members 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.
2. **Integrity** - Members 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.
3. **Objectivity** - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, Members should make choices on merit.
4. **Accountability** - Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with any scrutiny appropriate to their particular office.
5. **Openness** - Members 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.
6. **Personal Judgement** - Members may take account of the view of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.
7. **Respect for Others** - Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the Authority's Statutory Officers, and its other employees.
8. **Duty to Uphold the Law** - Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.
9. **Stewardship** - Members should do whatever they are able to do to ensure that their Authorities use their resources prudently and in accordance with the law.
10. **Honesty** – Members 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.
11. **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.

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<i>Interest</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	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 this purpose –

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