

Royal Sutton Coldfield Neighbourhood Board

Code of Conduct and Declaration of Interests Policy

March 2025

Introduction

- 1.1 The Code of Conduct and Declarations of Interests Policy (Code) provides, by way of guidance to members of the Royal Sutton Coldfield Neighbourhood Board (Board), the standards of conduct required in carrying out their duties, and in their relationship with Royal Sutton Coldfield Town Council (Council) and the Ministry of Housing, Communities and Local Government (MHCLG) in the management and delivery of the 10-year vision and investment plan.

Policy Statement

- 2.1 The Board recognises the potential for actual or perceived conflicts of interest to arise throughout the conduct of its business.
- 2.2 The Board will support its members to conduct Plan for Neighbourhoods business effectively, while minimising exposure to disadvantageous outcomes and criticism arising from such potential conflicts.
- 2.3 The Board further recognises and accepts that this requires the highest standards of conduct, integrity, accountability, transparency, openness, and probity at each stage of the Board's business.
- 2.4 The Board shall act impartially, and in the public interest throughout the conduct of its business.
- 2.5 The Board will apply the standards and procedures set out in the Code and any related local and national Plan for Neighbourhoods guidance to address the circumstances in which actual or perceived conflicts of interest might arise.
- 2.6 The "Plan for Neighbourhoods Governance and Boundary guidance" states that there should be clear processes in place for managing conflicts of interests (both commercial, actual, and potential) in decision making, which apply to all involved with the work of the Board.
- 2.7 The Code is to ensure that any conflicts of interest which may arise in the Board's business processes are recorded and managed. This is to protect the integrity of the Board and to give stakeholders confidence in the probity of the Board's decision-making. Therefore, it helps to protect the reputation of the Board and of its members.
- 2.8 Royal Sutton Coldfield Town Council, as the accountable body, has provided in this document guidance on the pecuniary and non-pecuniary interests individuals must declare and outlined the process that Board members must follow for declaring interests.

Standards of Conduct

- 3.1 Members of the Board must have regard to, and act in accordance with the Seven Principles of Public Life (also known as the Nolan Principles) as contained in Appendix 1.
- 3.2 Members will treat people with respect and behave courteously both during meetings and at other times.
- 3.3 Members will not engage in behaviour during or outside meetings which will undermine the work of the Board.
- 3.4 Members will not do anything which compromises or is likely to compromise the impartiality of those who work for or on behalf of the Board.
- 3.5 Members will seek to work by consensus.
- 3.6 Members will raise any concerns about the conduct of other Members or the Board with the Chair.
- 3.7 It is each Board member's responsibility to ensure compliance with the Code.

Applicability

- 4.1 The Code applies to all members of the Board, its groups and any co-opted members.
- 4.2 All members of the Board are required, on accepting or continuing office, to declare that they will be guided by the Code.
- 4.3 The Code also applies to all Council staff involved in delivery and advisors, whether or not they are voting representatives.
- 4.2 Members are expected to comply with this Code when they are conducting the work of the Board, representing the Board and otherwise acting in their capacity as Board Members.

Definitions

- 5.1 Interest

An interest in a matter is where there is a reasonable likelihood of the person (or other parties as defined below) being affected by the decision, either directly, or indirectly. This may include both gain and loss to the person/parties which would not have happened had the interest not existed. Interests may be associated with, for example, employment, other appointments (including trusteeships, directorships, elected office), memberships (whether corporate or personal), investments, shareholdings, personal relationships, land and property, intellectual property, customer/client relationships, use of Board's services or anything else which could (or could be perceived to) impact on the member's ability to act fairly (independently, impartially, and in the public interest).
- 5.2 Relevant Parties

The following parties should be considered when assessing the potential effect of a member's declared interest on any decision:

 - The member, the member's family, including spouse or civil partner or any person living in the same household as the member;

- A business partner or close personal friend;
- A firm, business, or other organisation with which the member is connected.

5.3 Pecuniary Interest

An interest through which the member or Relevant Party stands to gain or lose financially.

5.4 Non-pecuniary Interest

An interest through which the member or Relevant Party stands to gain or lose in non-financial ways.

5.5 Conflict of Interest

A conflict of interest is a situation in which one cannot make a fair decision on a matter because one may be affected by the result due to competing interests or loyalties. Examples of conflicts of interests are included in Appendix 2 – Additional Guidance for Board Members.

Policy Provisions

- 6.1 Board members will sign to agree to the Code and complete a Declaration of Interests form (Appendix 3) which will then be held by Royal Sutton Coldfield Town Council as the accountable body. Members must update their declarations as and when interests change and annually.
- 6.2 Royal Sutton Coldfield Town Council, on behalf of the board, will collate individual Declarations of Interests forms and establish and keep up to date a Register of Members' Interests, which shall be made available to the public.
- 6.3 All Board members must take responsibility for declaring any potential conflicts of interest at the start of the meeting and again when the relevant item is reached on the agenda, regardless of whether it is already included in the Register of Interests.
- 6.4 Declarations shall be recorded in the minutes of meetings.
- 6.5 Members may not participate in the discussion or determination of matters in which they have a pecuniary interest.
- 6.6 For non-pecuniary interests, the member must consider whether participation in the discussion or determination of a matter could cause a bias or be otherwise inappropriate. The member is responsible for deciding whether they should:
 - Participate in the discussion of that matter;
 - Remain in the room for the discussion of that matter;
 - Be counted in the quorum for that part of the meeting.
- 6.7 A register of gifts and/or hospitality provided to individual Board members or the Board as a whole will be maintained by Royal Sutton Coldfield Town Council as the accountable body.

Failure to Comply

- 7.1 All complaints alleging a failure to comply with the Code, will be considered by the Chair of the Board and the Local Authority Monitoring Officer.

Appendix 1 – Seven Principles of Public Life (Nolan Principles)

1 Selflessness

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

2 Integrity

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

3 Objectivity

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

4 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.

5 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.

6 Honesty

Holders of public office should be truthful.

7 Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Appendix 2 – Additional Guidance for Board Members

Examples of Potential Conflicts of Interest and Proposed Mitigation

Example 1: A Board Member participates in the commissioning process for the purchase of a service for the Board but he/she, a spouse, business associate, or close personal friend has a financial interest in one of the organisations that is a candidate for funding.

Mitigation 1: The Board Member does not attend meetings where the purchase is under consideration and does not take a role in authorising such a purchase.

Example 2: A Board Member participates in the commissioning process for the purchase of a service for the Board but he/she, a spouse, close business associate or personal friend has a non-financial interest in one of the organisations that is a candidate for funding e.g. is a member of the Board of that organisation but receives no remuneration or other financial compensation for that role.

Mitigation 2: The Board Member is excluded from the process, and if it becomes known during the process, that the process is restarted without that individual's participation.

Example 3: A Board Member is corresponding with a Board stakeholder where the views of either the Board or another organisation with which the Board Member has some association could be given and may be different.

Mitigation 3: In all forms of communication where such circumstances arise, the Board Member must be clear who they are representing e.g. if corresponding by letter or e-mail make sure the appropriate letterhead or electronic signature is used and emphasise in the text of the correspondence which organisation's interests are being represented in any Board Member response.

Example 4: A Board Member can determine a policy or strategy for the Board in such a way that will give another organisation with which they are associated an unfair advantage over its competitors.

Mitigation 4: The Board Member does not have sole responsibility for signing off such matters.

Appendix 3 – Declaration of Interests Form and Agreement

Section 1 Any Employment, Office, Trade Profession or Vocation Carried Out For Profit Or Gain	Myself	Spouse/Partner¹
Name of - Your employer(s) - Any business carried out by you - Any other role in which you receive remuneration (this included remunerated roles such as councillors)		
Description of employment or business activity		
The name of any firm in which you are a partner		
The name of any company for which you are a remunerated director		

¹ Spouse/Partner – is defined as a person with whom you are living with as husband, wife or civil partner OR a person with whom you are living as if they are your husband, wife or civil partner.

Section 2 Sponsorship	Myself	Spouse/Partner
Any financial benefit obtained which is paid as a result of carrying out duties as a Member. This includes any payment or financial benefit from a Trade Union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 (a)		

Section 3 Contracts	Myself	Spouse/Partner
Any contract for goods, works or services entered by any organisation name at Section 1 where either party is likely to have a commercial interest in the outcome of the business being decided by the Board.		

Section 4 Land and Property	Myself	Spouse/Partner
Any beneficial interest you or any organisation listed in Section 1, may have in land or property which is likely to be affected by a decision made by the Board in a forthcoming meeting. This would include any beneficial interest in any land, within the area of Royal Sutton Coldfield, including your residency.		

Section 5 Securities	Myself	Spouse/Partner
Any interest in securities of an organisation under Section 1 where: a) That body (to my knowledge) has a place of business or land in the area of Royal Sutton Coldfield; 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 I have an interest exceeds one hundredth of the total issued share capital of that class		

Section 6 Other Interests	Myself
Name of any organisation that exercises functions of a public nature (e.g school governing body) where I am in a position of general control, a trustee of, or participate in the management.	
Name of any charitable organisation I am a member of, or I am in a position of general control, a trustee of, or participate in the management.	
Name of any organisation whose principal purposes includes the influence of public opinion or policy (including trade union and political party) where I am a member of, or I am in a position of general control, a trustee of, or participate in the management.	
Name of any local authority where I am a member of, or I am in a position of general control, a trustee of, or participate in the management.	
Name of any other interest which I hold which might reasonably be likely to be perceived as affecting my conduct or influencing my actions in relation to my role.	

Member's Declaration and Signature

I confirm that:

- Having carried out reasonable investigation, the information given above is a true and accurate record of my relevant interests, given in good faith and to the best of my knowledge.
- I shall review this register of interests before each Board meeting, submitted any necessary revisions to the Board secretariat.
- Even is a meeting has not taken place I shall, within 28 days of becoming aware of any change to the interests specified above, provide written notification to the Board secretariat, of that change.
- I have done and shall continue to comply with all other Royal Sutton Coldfield Neighbourhood Board policies, including, but not limited to, the Code of Conduct and Declarations of Interest Policy; I understand that all policies are available from the secretariat on request.

Name	
Signature	
Date	