

Helston Place Shaping Board Code of Conduct and Conflict of Interest Policy

Introduction

The Code of Conduct and Conflict of Interest Policy (the Code) provides, by way of guidance to members (voting and non-voting) of the Helston Place Shaping Board and details the standards of conduct required in carrying out their duties.

The Code is issued and has been agreed by the Helston Place Shaping Board. The Code applies to all members of the Board and all members are required on accepting or continuing office to declare that they will be guided by the Code.

The Code also applies to all project team members involved in project delivery and advisers, whether or not they are voting representatives. The Code represents the standard against which the conduct of all involved in the delivery of the Helston Place Shaping Plan will be judged, by the public, by their fellow Board members and by Cornwall Council. There are ten principles which all involved should work to (see Appendix 1).

The Code - General Rules

1. Members hold office as outlined in the Terms of Reference and must at all times act within that capacity. You should make sure that you are familiar with the rules of personal conduct as set out in this Code. It is your responsibility to make sure that what you do complies with these requirements and this guidance. You should regularly review your personal circumstances with this in mind, particularly when your circumstances change. You should not at any time advocate or encourage anything to the contrary.

If in any doubt, seek advice from your own legal adviser or from the Cornwall Council representative within the Board. In the end, however, the decision and the responsibility are yours.

2. All Members, Officers and Lead Council staff involved in the Board's work must complete a Register of Interest Form, which will be held on file by the Meetings Secretary (see Appendix 2 for template). This file is open for inspection at any time by those involved in the Place Shaping process.
3. You must at all times:
 - Treat people with respect.
 - Ensure that you do not do anything which causes the Board to breach any of the equality enactments (as defined by the Equality Act 2010).
 - Ensure that you do not intimidate or attempt to intimidate any person involved in the Place Shaping work.
 - Do not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of the Board.

Public Duty and Private Interest

4. Your overriding duty as a representative is set out in the Terms of Reference for the Board. Whilst you may be strongly influenced by the views of others, and of the sector or organisation that you represent in particular, it is your responsibility alone to decide what view to take on any question which members have to decide.

If you have a private or personal interest in a question which members have to decide, you should never take any part in the decision, except in the special circumstances described below.

Where such circumstances do permit you to participate, you should never let your interest influence the decision. You should never do anything as a member which you could not justify to the public or your fellow Board members. Your conduct, and what the public believes about your conduct, will affect the reputation of the Board and the organisation or sector that you represent.

5. It is not enough to avoid actual impropriety. You should at all times avoid any occasion for suspicion and any appearance of improper conduct.
6. A conflict of interest can exist when either:
 - There is a potential financial or measurable benefit either directly to the individual, or indirectly through a connected individual or organisation; or
 - A person's duty to the Board may compete with a duty or loyalty they owe to another organisation or person.

Disclosure of Pecuniary and Other Interests

7. There are specific provisions in the Place Shaping Board Terms of Reference requiring you to disclose interests which you may have in any matter coming before the Board or any sub-groups that it may arrange.

Depending on the nature of the interest declared one of the following will happen in a meeting:

- You will leave the room for that item.
 - You will remain but take no part in the discussion.
 - You will remain but contribute only factual information and clarifications.
 - You will contribute to the discussion but not take part in the decision, and therefore not be counted towards a quorum.
 - You will remain as a full member of the meeting.
8. The appropriate action will be decided by the Chair of the Board with guidance from the Facilitator. In the case of the Chair having an interest the appropriate action will be decided by the Vice Chair.
 9. You must also declare all relevant pecuniary (financial) interests in the register kept for this purpose.

10. Interests which are non-pecuniary can be just as important and can be included in the register. You should not allow the impression to be created that you are, or may be, using your position to promote a private or personal interest, rather than forwarding the interest of the Board.

Private and personal interests include those of your family and friends, as well as those arising through membership of, or association with, clubs, societies and other organisations active in the community.

11. You must always declare a pecuniary interest at a Board meeting or whilst conducting any other Board business.
12. If you have a private or personal non-pecuniary interest whilst conducting Board business, for example during a Board meeting, you should always disclose it, unless it is insignificant, or one which you share with other representatives of the public generally as a ratepayer, a council tax payer or an inhabitant of the area.
13. Where you have declared a private or personal interest (pecuniary or non-pecuniary), the Board with your input will decide whether it is clear and substantial. If it is not, then you may continue to take part in the discussion of the matter and may vote on it.

If, however, it is a clear and substantial interest, then you should only take such part in the proceedings allowed by the Terms of Reference, and should always expect to withdraw from the meeting whilst the matter is being considered.

14. In deciding whether such an interest is clear and substantial, you should ask yourself whether representatives of the public, knowing the facts of the situation, would reasonably think that you might be influenced by it. If you think so, you should regard the interest as clear and substantial.
15. In the following circumstances, but only in these circumstances, it can still be appropriate to speak, and in some cases to vote, in spite of the fact that you have declared such a clear and substantial private or personal interest:
if your interest arises from being an ordinary member or supporter of such an organisation (and you are not a member of its managing committee or other governing body), then you may speak and vote on any matter in which the organisation has an interest.
16. Circumstances may arise where the work of the Board is affected because a number of present members have personal interests (pecuniary or non-pecuniary) in some question. In such certain circumstances, the Board will debate the position and will either defer the issue to a later meeting, or, where this is not possible or where it is likely that a similar position will arise, will decide by vote how to proceed. Guidance will be sought from the Facilitator before any such decision is taken.
17. Records on interests declared will be maintained by the Meetings Secretary.

18. The requirements around declaring and recording interests must be scrupulously observed at all times.

Members, Non-Voting Members and Advisors

19. Members, non-voting Members and advisors are there to serve the interests of the Board and they are indispensable to one another. But their responsibilities are distinct. Whilst Members of the Board are able to vote and Non-Voting Members and Advisors do not, the guidance applies to both.

Use of Confidential and Private Information

20. As a representative of the Board you necessarily acquire much information that has not yet been made public, is of commercial value and thus is confidential. It is a betrayal of trust to breach such confidences.

You should never disclose or use confidential information for the personal advantage of yourself or of anyone known to you, or to the disadvantage or the discredit of the Board or anyone else.

21. Information of a confidential nature must not be disclosed to anyone unless:

- You have the consent of the person authorised to give it.
- You are required by law to do so.

Gifts and Hospitality

22. You should treat with extreme caution any offer or gift, favour or hospitality that is made to you personally. The person or organisation making the offer may be doing, or seeking to do, business with the Board, or may be seeking funding for their project as part of the Place Shaping Plan or some other kind of decision.

Appointments to Other Bodies

23. Should you be appointed or nominated by the Board to serve on another body or organisation you should always observe this Code in carrying out your duties on that body in the same way that you would with your work as part of the Board.

Review

24. This Code of Conduct and Conflict of Interest Policy and individual Register of Interest Forms should be kept under constant review, but should be formally reviewed on an annual basis.

Code of Conduct agreed at the meeting on:

Signed:

Position: Chair of Helston Place Shaping Board

Date:

Appendix 1 - The Ten General Principles

Selflessness

1. You should serve only the wider interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity

2. You should not place yourself in a situation where your honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

3. You should make decisions on merit, including when making appointments, awarding project contracts, or recommending individuals for such project rewards or benefits.

Accountability

4. You should be accountable to the public for your actions and the manner in which you carry out such responsibilities, and should co-operate fully and honestly with any scrutiny appropriate.

Openness

5. You should be as open as possible about your actions and those of the Board, and should be prepared to give reasons for those actions.

Personal Judgement

6. You may take account of the views of others, including their political groups, but should reach your own conclusions on the issues before you and act in accordance with those conclusions.

Respect for Others

7. You 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. You should respect the impartiality and integrity of the Board.

Duty to Uphold the Law

8. You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in the Board.

Stewardship

9. You should do whatever you are able to do to ensure that Board use their resources prudently and in accordance with the law.

Leadership

10. You should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Appendix 2

**INDIVIDUAL REGISTER OF INTEREST FORM
Helston Place Shaping Board**

Register of Interests

In order to prevent any problems relating to conflicts of interest in decisions made by the Helston Place Shaping Board, all members should record any organisations, businesses, committees or other groups in which they have an involvement.

Please indicate in the table below any organisations/businesses/committees or other groups in which you have an interest. If you are unsure whether a relationship or involvement with an individual or group constitutes an interest then it is better to declare it. A register will be maintained which will be open for inspection and updated from time to time.

If you consider that you have no such interests, for the sake of clarity please write NONE in one of the boxes.

Name:

Signed:

Date:

Please return to: the Meetings Secretary