



**Safest People, Safest Places**

## **Combined Fire Authority**

**20 July 2021**

### **Member Code of Conduct**

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## **Report of the Clerk to the Fire Authority**

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### **Purpose of Report**

- 1 To invite members to approve a revised Code of Conduct for Members of the Authority.

### **Background**

- 2 County Durham and Darlington Fire and Rescue Authority (CDDFRA) is committed to the highest standards of corporate and ethical conduct. Members of the Authority are already subject to the Code of Conduct provisions of their Principal authority. As CDDFRA is a separate legal entity it is appropriate for it to adopt and promote a code of conduct which reflects the ethos and aspirations of that CDDFRA.
- 3 Section 27 of the Localism Act 2011 imposes a duty upon Combined Fire Authorities to promote and maintain high standards of conduct for its Members or co-opted Members. To comply with this duty, the CDDFRA must adopt a Code dealing with the conduct that is expected of Members and co-opted Members when they are acting in that capacity.
- 4 The Code, when viewed as a whole, should be consistent with the Nolan principles of public life of:
  - a) selflessness;
  - b) integrity;
  - c) objectivity;
  - d) accountability;
  - e) openness;
  - f) honesty;

g) leadership.

5 The Code must also include provisions that the Authority considers appropriate in respect of the registration in its register, and disclosure, of:

- a) disclosable pecuniary interests; and
- b) interests other than disclosable pecuniary interests.

### **Proposed changes to the Code of Conduct**

6 The existing Code of Conduct for Members, affirmed by the CDDFRA at its last Annual General Meeting in June 2021, is shown at Appendix 1 of this report.

7 In January 2019 the Committee for Standards in Public Life (CSPL) produced a report on Local Government Ethical Standards. The CSPL report identified a series of recommendations, some requiring the introduction of primary legislation and others suggested best practice. The recommendations requiring changes to primary legislation are not considered in this report as this is outside the scope of the existing legislation.

8 The CSPL report recommended that the Local Government Association developed a model Code of Conduct, this was produced in December 2020 and updated on 17 May 2021. The Clerk has reviewed the existing Code of Conduct for Members against the best practice recommendations contained in the CSPL report and the LGA model Code.

9 There were 15 best practice recommendations which are shown in the table at Appendix 2. The table also provides a summary of the current practice and where appropriate details proposed amendments to the Code. A copy of the proposed update to the Code is shown at Appendix 3, with the changes shown in red.

### **Other Relevant Interests**

10 In addition to the best practice recommendations, Members are also invited to review the arrangements in respect of interests. The Localism Act 2011 introduced arrangements for the declaration of Members interests. The Act introduced 'Disclosable Pecuniary Interests (DPIs)', which are defined by legislation and must be declared by law. Failure to declare a DPI may constitute a criminal offence.

11 The interests regime introduced under the Localism Act removed the requirement for members to declare personal and / or prejudicial interests. However, many authorities including the respective Principal authorities, included a requirement to declare other relevant interests within their Member Codes of Conduct. Unlike with DPI's, there is no legal requirement to declare other relevant interests but failure to do so may amount to a breach of the Member Code of Conduct.

12 Other Relevant Interests are set out at paragraph 8 of the Code of Conduct which provides that:

8.1 Members may have an Other Relevant Interest (which is not a disclosable pecuniary interest) in any matter to be considered or being considered at the meeting) where:

(a) a decision in relation to that matter might reasonably be regarded as affecting the well-being or financial standing of them or a member of their family or a person with whom they have a close association, or an organisation or body under paragraph 5.1(b) or 5.1(c) above, 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 they have been elected or otherwise of the Authority's administrative area;  
**and**

(b) the interest is one that a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice their judgement of the public interest.

13 Paragraph 8.2 of the Code goes on to state that where a Member has an Other Relevant Interest, they must declare it either at or before consideration of the item of business or as soon as the interest becomes apparent. The Member must not participate in any discussion or further discussion of an item or in any vote taken on that item and must leave the room whilst the discussion and voting takes place.

14 The provisions which prevent Members from speaking on matters where they have an Other Relevant Interest are not consistent Codes for the respective Principal authorities. Members are invited to consider whether to amend the Code to enable Members with an Other Relevant Interest to speak on a matter and withdraw for the vote. The proposed change is shown at Appendix 3.

## **Recommendations**

15 Members are requested to agree the adoption of the revised Code of Conduct for Members.

Kamila Coulson-Patel

Governance Solicitor (on behalf of the Clerk to the Authority)

## APPENDIX 1 – Code of Conduct

### Section 13

#### Code of Conduct for Members

In addition to the principles set out in this Section, Members are expected to undertake their duties in accordance with the Core Code of Ethics for Fire and Rescue Services (England).

Members and co-opted Members of County Durham and Darlington Combined Fire Authority (“the Authority”) are expected to undertake their duties as follows:

1. Represent the community and work constructively with employees and partner organisations to ensure the area is a safer place to live, work and visit.
2. Behave in a manner that is consistent with the following principles to achieve best value for residents and maintain public confidence in the Authority:
  - (a) **Selflessness:** act solely in terms of the public interest and not act in such a way as to gain financial or other material benefits for themselves, their family or friends.
  - (b) **Integrity:** not placing themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
  - (c) **Objectivity:** make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.
  - (d) **Accountability:** be accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
  - (e) **Openness:** be as open as possible about all the decisions and actions they take, and give reasons for decisions and restrict information only when the wider public interest or the law clearly demands.
  - (f) **Honesty:** declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.
  - (g) **Leadership:** promote and support these principles by leadership and example.
3. Act in accordance with the principles in paragraph 2 and, in particular:

- (a) Champion the needs of residents - the whole community and all constituents, including those who did not vote for them, and put the public interest first.
- (b) Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- (c) Not allow other pressures, including the financial interests of themselves or others connected to them, to deter them from pursuing the interests of the Authority or the good governance of the County Durham and Darlington Fire and Rescue Service in a proper manner.
- (d) Exercise independent judgement and not compromise their position by placing themselves under obligations to outside individuals or organisations who might seek to influence the way they perform their duties as a Member / Co-opted Member of the Authority.
- (e) Listen to the interests of all parties, including relevant advice from statutory and other professional officers, take all relevant information into consideration, remain objective and make decisions on merit.
- (f) Be accountable for decisions and co-operate when scrutinised internally and externally, including by local residents.
- (g) Contribute to making the Authority's decision-making processes as open and transparent as possible to ensure residents understand the reasoning behind those decisions and are informed when holding the Authority to account but restricting access to information when the wider public interest or the law requires it.
- (h) Behave in accordance with all legal obligations, alongside any requirements contained within the Authority's policies, protocols and procedures, including on the use of the Authority's resources.
- (i) Value colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government.
- (j) Always treat people with respect, including the organisations and public they engage with and work alongside.
- (k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Authority.
- (l) Not disclose information given to them in confidence by anyone or information acquired, which they believe, or ought reasonably to be aware, is of a confidential nature, without express authority and/or unless the law requires it.

#### **4. Gifts and Hospitality**

- 4.1 Members 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 they have been offered as a member from any person or body other than the Authority, whether the offer is accepted or declined.
- 4.2 The Monitoring Officer will place any notification received under paragraph 4.1 on a public register of gifts and hospitality.
- 4.3 The duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality has been approved by the Authority for this purpose.

#### **5. Register of Interests**

- 5.1 Members must:
  - (a) register and, where appropriate, disclose those disclosable pecuniary interests that they are obliged to declare under the Localism Act 2011 and associated regulations; and
  - (b) register details of their membership of any organisation or body whose rules or requirements of membership could be regarded as suggesting a degree of loyalty to that organisation or body. This could arise by reason of an organisation having an obligation of secrecy about its rules, its membership or conduct and/or a commitment of allegiance or support to that organisation or body. Such organisations or bodies may or may not be charitable concerns and they may also have a local, regional, national or international aspect; and
  - (c) register details of any membership of any trade union within the meaning of Section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 5.2 Registration of interests shall be completed by provision of details upon a signed prescribed form which is submitted to the Monitoring Officer at Durham County Council. Members must ensure they keep the register updated and acknowledge that its contents will be published on the Authority's website and will be open to the public to inspect.

## 6. Disclosable Pecuniary Interests Entered on the Register

If Members are present at a meeting of the Authority and

- (a) they are aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; and
- (b) the interest is entered in the Authority's register

they may not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have such an interest; and they will leave the room where the meeting is held while any discussion or voting takes place.

## 7. Disclosable Pecuniary Interests NOT Entered on the Register

If Members are present at a meeting of the Authority and are:

- (a) aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; **and**
- (b) the interest is not entered in the Authority's register,

they must disclose the interest to the meeting. Furthermore, they may not participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote taken on the matter at the meeting and will leave the room where the meeting is held while any discussion or voting takes place.

7.2 If an interest referred to in 7.1 above is not entered on the Authority's register and is not the subject of a pending registration, Members must notify the Authority's Monitoring Officer of the interest within 28 days of the date of the disclosure.

7.3 Members with the power to discharge an Authority function acting alone will have a disclosable pecuniary interest in any matter to be dealt with or being dealt with by them in the course of discharging that function:

- (a) they may not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by them); **and**
- (b) If the interest is not entered on the Council's register and is not the subject of a pending registration, they must notify the Authority's Monitoring Officer of the interest within 28 days of becoming aware of the interest.

## 8. Other Relevant Interests

8.1 Members may have an Other Relevant Interest (which is not a disclosable pecuniary interest) in any matter to be considered or being considered at the meeting) where:

(a) a decision in relation to that matter might reasonably be regarded as affecting the well-being or financial standing of them or a member of their family or a person with whom they have a close association, or an organisation or body under paragraph 5.1(b) or 5.1(c) above, 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 they have been elected or otherwise of the Authority's administrative area; **and**

(b) the interest is one that a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice their judgement of the public interest.

8.2 Members with an Other Relevant Interest as described in 8.1. above:

(a) must make a 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; **and**

(b) must not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have an Other Relevant Interest at any meeting at which they are present and will leave the room where the meeting is held while any discussion or voting takes place.

## APPENDIX 2 – Best Practice Recommendations

	<b>Best Practice Recommendation</b>	<b>Current Practice</b>	<b>Proposed changes</b>
1	Local authorities should include provisions on bullying and harassment in the code of conduct. This should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such definition.	The current Code does not provide a definition of bullying and harassment.	Update the Code to include prohibitions on bullying and harassment using the wording and definition from the CSPL report.
2	Councils should include provisions in their Code of Conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.	This is covered in the local assessment procedure for handling Code of Conduct complaints.	Update the Code to include a requirement for Members to comply with Code of Conduct investigations and the outcomes of the complaint. Also add a requirement that Members should not submit malicious or trivial complaints.
3	Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.	The Code of Conduct is reviewed annually as part of the Constitution review.  The views of neighbouring authorities can be shared via the Regional Monitoring Officers Group.	No change.
4	An authority's Code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.	The Code is available on the website for the Authority.  A digital version of the Code is available at Headquarters and a printed copy can be made available on request.	No change.

5	Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as csv.	<p>The register is updated as and when Councillor declarations are made. The details of the register for each Councillor is updated on their Councillor page for the Principal authority.</p> <p>All members of the Authority are reminded annually to review their declarations.</p>	No change.
6	Councils should publish a clear and straightforward public interest test against which allegations are filtered.	This currently exists within the Local Assessment Procedure and the Access to Information Procedure Rules.	No change.
7	Local authorities should have access to at least two Independent Persons.	There are two Independent Persons positions for the Authority (one vacancy).	No change.
8	An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.	The local assessment procedure for handling Code of Conduct complaints details when the Monitoring Officer would consult with the Independent Person is consulted. When consulted the comments/views of the Independent Person would be recorded in the relevant decision notice.	No change.
9	Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the	This is consistent with the approach which would be taken following a code of conduct investigation.	No change.

	provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.		
10	A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.	This is detailed within the local assessment procedure and would be communicated to the relevant parties during the consideration of the complaint.	No change.
11	Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.	Not applicable	Not applicable.
12	Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.	Not applicable.	Not applicable.
13	A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.	This is currently adopted in that the Monitoring Officer has a number of Officers to call upon and the option to seek external support to carry out an investigation. The views of the Independent Person may also be sought where there are potential conflicts. Arrangements are in place to ensure that different Officers consider	No change.

		each stage of complaint and advise the Standards Committee in the event of a hearing.	
14	Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.	This practice is currently adopted as part of existing governance arrangements.	No change.
15	Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.	Members of the Senior Leadership Team meet regularly with political group leaders. Meetings are also arranged to discuss specific conduct issues as appropriate.	No change.

## APPENDIX 3 – Proposed update to the Code of Conduct

### Section 13

#### Code of Conduct for Members

1. In addition to the principles set out in this Section, Members are expected to undertake their duties in accordance with the Core Code of Ethics for Fire and Rescue Services (England). The Code which sets of the conduct that is expect of elected and co-opted members of the Authority when they are acting in that capacity.
2. This means the code applies whenever you:
  - (a) conduct the business of the Council (including the business of your office as an elected councillor or co-opted member); or
  - (b) act, claim to act or give the impression you are acting as a representative of the Council.
3. Co-opted member' means any person who is a member of any committee or sub-committee of the Council with a right to vote but is not one of its elected members.

#### Part 1

- 4 Members and co-opted Members of County Durham and Darlington Combined Fire Authority (“the Authority”) are expected to undertake their duties as follows:
  - 4.1 Represent the community and work constructively with employees and partner organisations to ensure the area is a safer place to live, work and visit.
  - 4.2 Behave in a manner that is consistent with the following principles to achieve best value for residents and maintain public confidence in the Authority:
    - (a) **Selflessness:** act solely in terms of the public interest and not act in such a way as to gain financial or other material benefits for themselves, their family or friends.
    - (b) **Integrity:** not placing themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
    - (c) **Objectivity:** make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.
    - (d) **Accountability:** be accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

- (e) **Openness:** be as open as possible about all the decisions and actions they take, and give reasons for decisions and restrict information only when the wider public interest or the law clearly demands.
- (f) **Honesty:** declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.
- (g) **Leadership:** promote and support these principles by leadership and example.

4.3 Act in accordance with the principles in paragraph 2 and, in particular:

- (a) Champion the needs of residents - the whole community and all constituents, including those who did not vote for them, and put the public interest first.
- (b) Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- (c) Not allow other pressures, including the financial interests of themselves or others connected to them, to deter them from pursuing the interests of the Authority or the good governance of the County Durham and Darlington Fire and Rescue Service in a proper manner.
- (d) Exercise independent judgement and not compromise their position by placing themselves under obligations to outside individuals or organisations who might seek to influence the way they perform their duties as a Member / Co-opted Member of the Authority.
- (e) Listen to the interests of all parties, including relevant advice from statutory and other professional officers, take all relevant information into consideration, remain objective and make decisions on merit.
- (f) Be accountable for decisions and co-operate when scrutinised internally and externally, including by local residents.
- (g) Contribute to making the Authority's decision-making processes as open and transparent as possible to ensure residents understand the reasoning behind those decisions and are informed when holding the Authority to account but restricting access to information when the wider public interest or the law requires it.
- (h) Behave in accordance with all legal obligations, alongside any requirements contained within the Authority's policies, protocols and procedures, including on the use of the Authority's resources.

- (i) Value colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government.
- (j) Always treat people with respect, including the organisations and public they engage with and work alongside.

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. Members should express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. Members must not, however, subject individuals, groups of people or organisations to personal attack.

Members should treat members of the public politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Members. Members equally have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, Members may 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 Members, where appropriate action could then be taken under the Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's relevant protocols

- (k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Authority.
- (l) Not disclose information given to them in confidence by anyone or information acquired, which they believe, or ought reasonably to be aware, is of a confidential nature, without express authority and/or unless the law requires it.
- (m) Not to bully or harass any person (including specifically any council employee) and you must not intimidate or improperly influence, or attempt to intimidate or improperly influence, any person who is involved in any complaint about any alleged breach of the code of conduct.

Bullying may be characterised as: offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, criticise unfairly or injure someone.

Harassment may be characterised as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

Bullying and/or harassment may take many forms, it could include but is not limited to age, disability, gender reassignment, race, religion, belief, sex and/or sexual orientation.

- (n) Not to bring the role of Member or the local authority into disrepute and be aware that the actions and behaviour of a Member are subject to greater scrutiny than that of ordinary members of the public;
  - (o) To hold the local authority and fellow Members to account and 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.
- 4.4 It is expected that Members will at all times comply requests as part of Code of Conduct investigations and any arising outcomes. Members will not submit malicious or trivial complaints.
- 4.5 Where it is alleged that a Member has failed to act in accordance with the Code, a complaint will be presented to the Monitoring Officer for consideration in accordance with the Local Assessment Procedure and where necessary the Local Determination Procedure.

## **Part 2**

### **5. Register of Interests**

- 5.1 Members must:
- a) register and, where appropriate, disclose those disclosable pecuniary interests that they are obliged to declare under the Localism Act 2011 and associated regulations; and
  - b) register details of their membership of any organisation or body whose rules or requirements of membership could be regarded as suggesting a degree of loyalty to that organisation or body. This could arise by reason of an organisation having an obligation of secrecy about its rules, its membership or conduct and/or a commitment of allegiance or support to that organisation or body. Such organisations or bodies may or may not be charitable concerns and they may also have a local, regional, national or international aspect; and
  - c) register details of any membership of any trade union within the meaning of Section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 5.2 Registration of interests shall be completed by provision of details upon a signed prescribed form which is submitted to the Monitoring Officer at Durham County Council. Members must ensure they keep the register updated and acknowledge that its contents will be published on the Authority's website and will be open to the public to inspect.

## 6. Disclosable Pecuniary Interests Entered on the Register

If Members are present at a meeting of the Authority and

- (a) they are aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; and
- (b) the interest is entered in the Authority's register

they may not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have such an interest; and they will leave the room where the meeting is held while any discussion or voting takes place.

## 7. Disclosable Pecuniary Interests NOT Entered on the Register

7.1 If Members are present at a meeting of the Authority and are:

- (a) aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; **and**
- (b) the interest is not entered in the Authority's register,

they must disclose the interest to the meeting. Furthermore, they may not participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote taken on the matter at the meeting and will leave the room where the meeting is held while any discussion or voting takes place.

7.2 If an interest referred to in 7.1 above is not entered on the Authority's register and is not the subject of a pending registration, Members must notify the Authority's Monitoring Officer of the interest within 28 days of the date of the disclosure.

7.3 Members with the power to discharge an Authority function acting alone will have a disclosable pecuniary interest in any matter to be dealt with or being dealt with by them in the course of discharging that function:

- (a) they may not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by them); **and**
- (b) If the interest is not entered on the Council's register and is not the subject of a pending registration, they must notify the Authority's Monitoring Officer of the interest within 28 days of becoming aware of the interest.

## 8. Sensitive Interests

- 8.1 This applies to a situation where a Member considers that the disclosure of the details of your interest – including that of your spouse or partner – could lead to you, or a person connected with you, being subject to violence or intimidation.
- 8.2 In such circumstances you should share your concerns with the Council's Monitoring Officer. If the Monitoring Officer agrees with you, then the details of the interest will not be included in the Council's published Register of Interests, but the Register may state that you had registered an interest the details of which had been withheld under Section 32 of the Localism Act 2011.
- 8.3 If the Monitoring Officer has accepted that you have a sensitive interest under Section 32 of the Localism Act 2011, you should declare the existence of the interest at any meeting at which you are present but you need not declare the details of the interest.
- 8.4 If circumstances change and the information excluded from the Register on the grounds of sensitivity is no longer sensitive information, the Member must notify the Monitoring Officer within 28 days.

## 9. Other Relevant Interests

- 9.1 Members may have an Other Relevant Interest (which is not a disclosable pecuniary interest) in any matter to be considered or being considered at the meeting) where:
  - (a) a decision in relation to that matter might reasonably be regarded as affecting the well-being or financial standing of them or a member of their family or a person with whom they have a close association, or an organisation or body under paragraph 5.1(b) or 5.1(c) above, 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 they have been elected or otherwise of the Authority's administrative area; **and**
  - (b) the interest is one that a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice their judgement of the public interest.
- 9.2 Where a member has an Other Relevant Interest in an item of business as described in 9.1, the member shall declare it at the earliest opportunity. The member may make a representation on the item but will not be permitted to participate in any discussion or vote taken on the matter at the meeting. The member must leave the meeting once the representation has been made to avoid influence on those making the

decision.

## **10 Gifts and Hospitality**

- 10.1 Members 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 they have been offered as a member from any person or body other than the Authority, whether the offer is accepted or declined.
- 10.2 The Monitoring Officer will place any notification received under paragraph 10.1 on a public register of gifts and hospitality.
- 10.3 The duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality has been approved by the Authority for this purpose.