

Humberside Fire Authority

MEMBER CODE OF CONDUCT

PART I - GENERAL PROVISIONS

1. Introduction and Interpretation

- 1.1 This Code applies to you as a Member of the Fire Authority when you act in your role as a Member. It is your responsibility to comply with the provisions of this Code.
- 1.2 You are a representative of this Authority and the public will view you as such. Therefore your actions impact on how the Authority as a whole is viewed and your actions can have both a positive and negative impact on the Authority.
- 1.3 The public expect Members to act in an open and transparent manner, which reinforces public confidence in the Authority.

2. Who does this Code apply to and when does it apply?

- 2.1 This Code applies to all Members of the Authority and to all Co-opted Independent Members.
- 2.2 This Code applies whenever you:
 - 2.2.1 conduct the business of the Authority; or
 - 2.2.2 act, claim to act or give the impression you are acting as a representative of the Authority, and references to your official capacity are construed accordingly.
- 2.3 This Code does not have effect in relation to your conduct other than where it is in your official capacity.
- 2.4 Where you act as a representative of the Authority:
 - 2.4.1 on another relevant authority, you must when acting for that other authority, comply with that other authority's code of conduct; or
 - 2.4.2 on any other body, you must, when acting for that other body, comply with your Authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. What specific standards of conduct are Members expected to observe?

- 3.1 You must treat others with respect and courtesy.
- 3.2 You must not bully or intimidate any person.
- 3.3 You must not do anything which may cause the Authority to breach any equality laws.
- 3.4 You must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority, or your office as a Member of the Authority, into disrepute.

- 3.5 You must not knowingly prevent, or attempt to prevent, another person from gaining access to information to which they are entitled by law.
- 3.6 You must act solely in the public interest and not use or attempt to use your position as a Member improperly to confer or secure for yourself or any other person an advantage or disadvantage.
- 3.7 You must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority.
- 3.8 You must not disclose information which is given to you in confidence, or information which you believe, or ought to be aware, is of a confidential nature, except where:
 - 3.8.1 You have the consent of the person authorised to give it;
 - 3.8.2 You are required to do so by law;
 - 3.8.3 The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that third party agrees not to disclose the information to any other person;
 - 3.8.4 The disclosure is reasonable in the public interest, made in good faith, and you have consulted the Monitoring Officer.

4. General principles of Conduct Members are expected to observe

- 4.1 In carrying out your duties as a Member of the Authority, you are expected to observe the following general principles of conduct (Nolan principles):

Selflessness

Holders of public office should take decisions 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.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

PART II – MEMBER INTERESTS

5. Personal interests

5.1 You have a personal interest in any business of the Authority where either it relates to or is likely to affect:

5.1.1 any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your Authority;

5.1.2 any body:

- exercising functions of a public nature;
- directed to charitable purposes; or
- one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

5.1.3 the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25.

6. Disclosure of personal interests

6.1 Where you have a personal interest in any business of the Authority and you attend a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

6.2 Paragraph 6.1 only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

6.3 Where you have a personal interest in any business of the Authority of the type mentioned in paragraph 5.1.3, you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

6.4 Where you have a personal interest but, by virtue of paragraph 10.1, sensitive information relating to it is not registered in the Authority's Register of Members' Interests, you must indicate to the meeting that you have a personal interest, but need not disclose the nature of the interest to the meeting.

7. Disclosable Pecuniary interests

7.1 You have a disclosable pecuniary interest in any business of the Authority where you or:

7.1.1 Your spouse or civil partner;

7.1.2 A person with whom you are living as husband and wife, or

- 7.1.3 A person with whom you are living as if he or she were civil partners has an interest of which you are aware or ought reasonably to be aware, and the interest falls within a category of interest identified as a Disclosable Pecuniary Interest specified in regulations made by the Secretary of State from time to time pursuant to Section 30 of the Localism Act 2011. An extract of the current Regulations are appended to this Code at Appendix 1 which sets out where pecuniary interests may exist.

8. Effect of disclosable pecuniary interests on participation

- 8.1 Subject to paragraph 8.2, where you have a disclosable pecuniary interest in any business of the Authority:
 - 8.1.1 you must withdraw from the room or chamber where a meeting considering the business is being held immediately the agenda item is reached:

unless you have obtained a dispensation from the Authority's Monitoring Officer;
 - 8.1.2 you must not seek improperly to influence a decision about that business.
- 8.2 Where you have a disclosable pecuniary interest in any business of the Authority, you may attend a meeting of the Authority or a committee but only for the purpose of answering questions or giving evidence relating to the business, provided that you leave the room before the point at which any discussion or vote in relation to the business takes place.

PART III – REGISTRATION OF MEMBERS' INTERESTS

9. Registration of Members' Interests

- 9.1 Subject to paragraph 10, you must, within 28 days of:
 - 9.1.1 this Code being adopted by the Authority; or
 - 9.1.2 nomination as a Member of the Authority (where that is later),register in the Authority's Register of Members' Interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal and disclosable pecuniary interests where they fall within a category mentioned in Part II, by providing written notification to the Authority's Monitoring Officer.
- 9.2 Subject to paragraph 10, you must, within 28 days of becoming aware of any new personal interest or change to any personal or disclosable pecuniary interest registered under paragraph 9.1, register details of that new interest or change by providing written notification to the Authority's Monitoring Officer.

10. Sensitive interests

- 10.1 Where you consider that the information relating to any of your personal interests is sensitive information, and the Authority's Monitoring Officer agrees, you need not include that information in the Authority's register that is made available for inspection.
- 10.2 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph 10.1 is no longer sensitive, notify the Authority's Monitoring Officer asking that the interest be included in the Authority's Register of Members' Interests.

- 10.3 In this Code, a “sensitive interest” means an interest the disclosure of which you and the Authority’s Monitoring Officer consider could lead to you, or a person connected with you, being subject to violence or intimidation”.

PART IV – SCOPE OF THIS MEMBER CODE OF CONDUCT

11. Scope of the Code

- 11.1 The Code applies to Members in all aspects of their activities as a Member, including when acting on Authority business or when otherwise purporting to act as a Member. It does not seek to regulate what Members do in their purely private and personal lives.
- 11.2 The obligations set out in this Code are complementary to those which apply to all Members by virtue of the procedural rules set out in the Authority’s Constitution.

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992⁽¹⁾.</p>
Contracts	<p>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—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
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	<p>Any tenancy where (to M's knowledge)—</p> <p>(a) the landlord is the relevant Authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to M's knowledge) has a place of business or land in the area of the relevant Authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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.</p>

⁽¹⁾ 1992 c. 52.