

## CODE OF CONDUCT 2007

### Personal interests

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) 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;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) 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;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

(vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);

(viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

(ix) any land in your authority's area in which you have a beneficial interest;

(x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;

(xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

(a) a member of your family or any person with whom you have a close association; or

(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

### Disclosure of personal interests

9.—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your 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.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), 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.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

- (6) Subject to paragraph 12(1)(b), 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 ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

#### **Prejudicial interest generally**

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
    - (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
    - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
    - (c) relates to the functions of your authority in respect of—
      - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
      - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
      - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
      - (iv) an allowance, payment or indemnity given to members;
      - (v) any ceremonial honour given to members; and
      - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

#### **Prejudicial interests arising in relation to overview and scrutiny committees**

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

#### **Effect of prejudicial interests on participation**

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
    - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
    - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;unless you have obtained a dispensation from your authority's standards committee;
  - (b) you must not exercise executive functions in relation to that business; and
  - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

**MEMBER DEVELOPMENT COMMISSION****HELD: 4 APRIL 2007**

Start: 6.30pm

Finish: 8.30pm

Councillors: O'Toole (Chairman)  
Bailey (Vice Chairman)  
  
Dereli  
Hanlon  
Swiffen

In attendance:

Councillor Kay

Officers: ICT and eGovernment Manager  
Training and Human Resources Officer  
Senior Member Services Officer (CAJ)**28. APOLOGIES**

Apologies for absence were submitted on behalf of Councillors Collinson, W G Roberts and the Human Resource Manager.

**29. SUBSTITUTIONS (IF ANY)**

There were no substitutions.

**30. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**31. NOTES OF THE PREVIOUS MEETING AND MATTERS ARISING**

Members considered the notes of the meeting of the Member Development Commission held on 26 October 2006.

In considering the notes comments/observations noted in discussion included reference to:

- Recent Member Training
- Member attendance at organised Training Sessions
- Member Induction

**AGREED:** (A) That the notes of the meeting held on 26 October 2006 be agreed.

(B) That it be noted that there should be an expectation by Members to attend organised training sessions.

That follow-up feedback, in respect of the Member induction, be sought from those Members who were new to the Council in May 2006.

**ACTION:** (C) *Senior Member Services Officer (CAJ)*

### **32. PROJECT PLAN**

Members considered the revised Project Plan as circulated and contained on pages 75 to 78 of the Book of Reports and noted the minor additional amendments to that Plan.

**AGREED:** (A) That the revised Project Plan be confirmed.

### **33. MEMBER DEVELOPMENT - FEEDBACK FROM THE GROUPS**

The Chairman confirmed that Member Development was now an item on the Conservative Group Meetings' agenda. Confirmation was also sought from the Labour Group regarding featuring Member Development at the Group meetings.

**AGREED:** (A) That an item on Member Development be featured on the Group Meetings' agendas.

**ACTION:** (A) *Member Development Group Representatives*

### **34. ITEM REFERRED FROM THE OVERVIEW AND SCRUTINY COMMITTEE**

It was reported that at a meeting of the Overview and Scrutiny Committee held on 1 February 2007 it was resolved that this Commission be asked to consider the feasibility of conducting a member training session on Budget Scrutiny.

Feedback on behalf of the Executive Manager Financial Services (EMFS) on this item was provided. The training options suggested included:

- One-to-one liaison with EMFS on a specific financial/budget issue.
- The provision of "in-house" training seminar facilitated by the EMFS.

As an additional resource tool, the EMFS also referred Members to the "Councillors Guide to Local Government Finance", published by the Chartered Institute of Public Finance and Accountancy (CIPFA).

Comments/observations noted in discussion included reference to:

- Timing of training
- Topics for budget/finance training as part of the scrutiny function.
- General Local Government Financial processes

It was concluded that in-house financial training, as a starting point, would be beneficial to Members, preferably run over two sessions and topics put forwarded included "An understanding of the processes of funding allocation and streams of funding" and "An understanding of the Council's budget allocation".

- AGREED:**
- (A) That the EMFS be requested to provide “in-house” financial training in the next municipal year.
  - (B) That the Group Member Development Representatives ascertain the level of interest within their Groups of participating in organised financial training.
  - (C) That a copy of the publication “Councillors Guide to Local Government Finance” be placed in the Members’ Library.

- ACTION:**
- (A) & (C) *Executive Manager Financial Services*
  - (B) *Group Member Development Representatives*

### **35. ICT TRAINING FOR MEMBERS**

The ICT and e-Government Manager updated the Commission on ICT training for Members of the Council, particularly in respect of the Microsoft Publisher training raised at a previous meeting of the Commission.

Comments/observations noted in discussion included reference to:

- ICT Member training and take-up of training
- Web-site developments
- Proposed links to other web-sites
- Microsoft Publisher

In considering the benefits of pursuing Microsoft Publisher training, the resource implications, merits and uses were assessed and it was concluded that there was no need at this time to offer this type of training.

**AGREED:** That the update be noted.

### **36. MEMBER DEVELOPMENT NETWORK MEETING**

The Senior Member Services Officer updated the Commission in respect of the meeting of the Network Group held on 13 March 2007.

Comments/observations noted in discussion included reference to:

- Member Induction Process
- Role Descriptions for Elected Members
- Regional Elected Member Development Gateway
- Evaluating Training Needs Initiative

**AGREED:** That the update be noted.

**37. ITN EXERCISE**

The Training and Human Resources Officers updated Members on progress in respect of the Identification of Training Needs (ITN) Exercise. A brief presentation was made on the resource developed by the Member Training Officer at Preston City Council to assist in the identification and evaluation of Members' training needs.

Comments/observations noted in discussion included reference to:

- Scheduling of the ITN Exercise
- The application of the demonstrated resource
- Members' Handbook

- AGREED:**
- (A) That an ITN Exercise be undertaken.
  - (B) That ITN sessions be arranged, commencing after the May elections, and details be circulated to Members.
  - (C) That the ITN resource demonstrated be developed.

**ACTION:** *Training and Human Resources Officer*

**38. DATE OF NEXT MEETING**

To be arranged in consultation with the Chairman.



## **MEMBER DEVELOPMENT COMMISSION PROJECT PLAN**

### **MEMBERSHIP:**

Chairman: Councillor O'Toole      Vice-Chairman: Councillor Bailey

Councillors: Collinson, Dereli, D Duffy and Swiffen

Additional Member:

*(Councillor to be appointed by the Commission/Committee if required)*

### **TERMS OF REFERENCE**

*(Clear, unambiguous and workable)*

1. To update the training and development policy for Elected Members.
2. To continue to develop and renew processes to identify and resource a member training needs analysis including a exploration of a competency model.
3. To ensure that all Members are given equal opportunities to attend Training courses/seminars in line with their responsibility as Councillor.
4. To monitor the expenditure of the Elected Members Training and Development budget.
5. To update and monitor the induction process, review and revise procedures as necessary.
6. To evaluate Elected Member training and development undertaken.
7. To ensure that all Members are given equal opportunities to attend Training courses/seminars in line with their responsibility as Councillor.
8. To ensure that the Council takes ownership of its training and development and it appears as a regular item at Group meetings.
9. To monitor training through feedback from the Commission's Group representatives and Officer reports.
10. To update and monitor the induction process, review and revise procedures as necessary.
11. To evaluate Elected Member training and development undertaken.

12. To support the role of Elected Members as it applies to the Local Government Act 2000 and other appropriate legislation.

13. To consider future developments of the Members Development website.

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## **OBJECTIVES**

*(The present, the future, comparison, resources)*

### **The present –**

- Efficient and knowledgeable Members and able to contribute to the working of the Council
- To obtain a clear understanding of what is needed to obtain Charter status.
- To establish West Lancashire's current position in reaching Charter status and regularly report on the progress.
- To receive regular feedback from the Groups' on the "way forward" for Member Development in the Council

### **The future –**

- A provisional date for assessment.
- To put in place measures for achieving and maintaining Charter Status.
- To put in place measures to evaluate Elected Members training and development undertaken.
- To ensure that all Councillors who are supplied with lap-tops, receive adequate training and evaluation in order to use their laptops effectively.
- To ensure Councillors have a knowledge and understanding of service delivery within the Council.

### **Comparison –**

NWEO Charter Standards  
Bench Marking with neighbouring Authorities

### **Resources -**

Members of the Commission will act as 'Champions' in Member Development.  
Officers of the Council will support the process as required.



## INFORMATION

**Documents** (*What background papers are required to help members start their task. Do not swamp members with reams of paper*)

- Member Development Web Site includes induction, policy etc.
- Members Identification of Training Needs (ITN) exercise.

Who?	Why?	How?
North West Employers  Employers Organisation (National)  Neighbouring Authorities	To obtain an understanding of what is needed to obtain Charter Status.  To learn from other neighbouring Councils on Member Development	A presentation at the meeting.  Presentation by Hynburn Borough Council. Officers networking locally.

**Site Visits** (Are site visits necessary – what benefits?)

Where?	Why?
Attendance at N.W. Charter Annual Celebration Event.	To network and learn from N.W. Councils' experience of Member Development.
Visits to and by neighbouring Authorities	To share good practice/experiences

## ESTABLISH WAYS OF WORKING

### Officer Support

Lead Officer Support – Clive Walsh, Human Resources Manager  
Scrutiny Support Officer – Cathryn Jackson, Senior Member Services Officer  
Human Resources & Training Officer – Christine Jones

### **Officers reporting as and when required –**

ICT and e-Government Manager – Chris Isherwood  
Health and Safety Manager (Web development) – Paul Adamson

### **Additional support**

Use of service areas in training, as deemed appropriate.

### Reporting Arrangements

- Notes of the Commission to be submitted to Internal Review Committee.

- Feedback to Members of the Commission following site visits by those attending such visits

#### **TIME SCALES**

- On-going

#### **INFORMATION GATHERED**

- Benchmarks – South Ribble etc.
- Develop Member website – whole range of information
- Action Plan to achieve Charter status.

#### **CONCLUSION**

It is imperative Members own their personal development and ensure the process agreed runs effectively. Without this, the Charter cannot be achieved.

Officers will support Members in these process.

#### **RECOMMENDATIONS**

1. Action Plan in place to achieve Charter – All Members to be aware and own this.
2. Charter is an on-going commitment and must be maintained and a re-assessment undertaken.

#### **REVIEW DATE –**

(Usually 6 months after the final recommendations have been approved.)