

Housing, Planning & Environment Overview & Scrutiny Committee

Date: 5 June 2018

Subject: Code of Conduct and Register of Interests

Report of: Susan Ford, Statutory Scrutiny Officer, GMCA

1. PURPOSE OF REPORT

- 1.1 To remind Members that the GMCA's Member Code of Conduct sets out high expectations with regard Members' conduct. As Members of the GMCA's overview and scrutiny committees are co-opted on to a GMCA Committee the GMCA's code applies to them when they are acting in this capacity.

2. RECOMMENDATIONS

- 2.1 Members are asked to note the GMCA's Member Code of Conduct (Appendix A) and to complete an annual register of interest form (Appendix B).

3. CONTACT OFFICERS

- 3.1 Susan.ford@greatermanchester-ca.gov.uk 0161 778 7009.
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The following is a list of the background papers on which this report is based in accordance with the requirements of Section 100D(1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information as identified by that Act.

None.

The above papers and documents may be inspected during normal office hours at GMCA, Churchgate House, 56 Oxford Street, Manchester M1 6EU.

Appendix A

SECTION A: CODE OF CONDUCT FOR MEMBERS

Part 1 General Provisions

1 Introduction and Scope

- 1.1** The Greater Manchester Combined Authority is determined to promote and maintain high standards of conduct by its Members, Co-opted Members and those councillors from Greater Manchester's districts appointed to roles in which they act on behalf of the GMCA. The GMCA has adopted a Code of Conduct for Members in line with its obligations under section 27(2) of the Localism Act 2011.
- 1.2** This Code mandatorily applies to those acting as Members of the GMCA (including the Mayor and Substitute Members), voting Co-opted Members of the GMCA's committees or Appointed Members of Joint Committees, and references to "official capacity" are to be construed accordingly.
- 1.3** Compliance with this Code is a statutory requirement for those identified in paragraph 1.2. To promote good governance the GMCA strongly recommends voluntary compliance with the Code by non-voting Co-opted Members of the GMCA's committees and by elected members from Greater Manchester's ten districts when they otherwise act for or represent the GMCA. Where a member is only subject to the Code through voluntary compliance (as described in this paragraph) they will not in law be subject to the statutory obligations relating to member conduct under Chapter 7, Part 1 of the Localism Act 2011 nor can the conduct of such a member, insofar as it concerns that member's GMCA role, amount to any of the criminal offences referred to in this Code. However, the conduct of a member who has agreed to voluntarily be subject to the Code may be considered under the GMCA's arrangements for determining whether a member has breached the Code.
- 1.4** In this Code – 'meeting' means any meeting of:
- the GMCA; or
 - any of the GMCA's Committees or Sub-Committees, Joint Committees or Joint Sub-Committees.
- 1.5** This Code does not have effect in relation to a member's conduct other than where it is in that member's official capacity.
- 1.6** This Code will be reviewed every two years by the GMCA's Standards Committee or earlier if required by a change in legislation.

2 General Principles

- 2.1 The Code and the associated guidance are based on the following general principles.
- 2.2 Members must behave according to the highest standards of personal conduct in everything they do when acting as a Member or voting Co-opted Member (or in the case of those voluntarily subject to compliance with the Code in accordance with paragraph 1.3 above, where they are otherwise acting on behalf of the GMCA). They must observe the following principles of conduct, some of which are set out in law. The seven principles of Standards in Public Life known as the Nolan Principles underpin the provisions of the GMCA's Code of Conduct for Members. They are set out in paragraphs 2.3 to 2.9 below.
- 2.3 **Selflessness:** holders of public office should act 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.
- 2.4 **Integrity:** holders of public office should not place 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.
- 2.5 **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.
- 2.6 **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.
- 2.7 **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.
- 2.8 **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.
- 2.9 **Leadership:** holders of public office should promote and support these principles by leadership and example.
- 2.10 Where those covered by this Code act as a representative of the GMCA:
 - (a) on another relevant authority, they must, when acting for that other authority, comply with that other authority's code of conduct; or

- (b) on any other body, they must comply with this Code, unless it conflicts with any other lawful obligations to which that other body may be subject.

2.11 It is an individual's responsibility to comply with this Code. Failure to do so may result in a sanction being applied by the GMCA. A failure by a Member coming within the scope of paragraph 1.2 above to declare a Disclosable Pecuniary Interest may result in a criminal conviction and an unlimited fine and/or disqualification from office for a period of up to 5 years.

3 General Obligations for Members

3.1 You must not:-

- a. Do anything which may knowingly cause the GMCA to breach the Equality Act 2010;
- b. Bully or be abusive to any person;
- c. Intimidate or attempt to intimidate any person who is or is likely to be:
 - a complainant
 - a witness, or
 - involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with the GMCA's Code of Conduct; or
- d. do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the GMCA.

3.2 You must not:

- a. Disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - i. You have the consent of a person authorised to give it;
 - ii. You are required to do so by law;
 - iii. The disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure:
 - is reasonable and in the public interest; and
 - is made in good faith and in compliance with the reasonable requirements of the GMCA; or
- b. prevent another person from gaining access to information to which that person is entitled by law.

3.3 You must not conduct yourself in such a way which could reasonably be regarded as bringing your office or the GMCA into disrepute.

3.4 You:

- a. must not use or attempt to use your position as a Member improperly to confer on or secure for myself or any other person, an advantage or disadvantage; and
- b. must, when using or authorising the use by others of the resources of the GMCA:
 - act in accordance with the GMCA's reasonable requirements;
 - ensure that such resources are not used improperly for political purposes (including party political purposes); and
- c. must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

3.5 When reaching decisions on any matter you must have regard to any relevant advice provided to you by:

- a. The GMCA's Treasurer (section 73 officer); or
- b. The GMCA's Monitoring Officer

where that officer is acting pursuant to his or her personal statutory duties.

3.6 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the GMCA.

LOCALISM ACT 2011
GREATER MANCHESTER COMBINED AUTHORITY
(GMCA)
CODE OF CONDUCT FOR MEMBERS

**REGISTER OF MEMBERS' AND SUBSTITUTE MEMBERS' DISCLOSABLE
PECUNIARY INTERESTS (IN ACCORDANCE WITH SECTIONS 30 AND 31 OF THE
LOCALISM ACT 2011 AND THE RELEVANT AUTHORITIES (DISCLOSABLE
PECUNIARY INTERESTS) REGULATIONS 2012 (S.I. 2012 No. 1464)), AND
MEMBERS' AND SUBSTITUTE MEMBER'S PERSONAL INTERESTS IN
ACCORDANCE WITH PARAGRAPH 2.1 OF THE GMCA'S CODE OF CONDUCT FOR
MEMBERS**

I, _____

Member of the GMCA's Overview and Scrutiny Committee give notice that I have set out at PART 1 below under the appropriate heading the disclosable personal interests that I am required to notify to the GMCA's Monitoring Officer in accordance with Sections 30 and 31 of the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and/or by virtue of Rule 16 of the GMCA's Procedure Rules and that I have set out at PART 2 below the personal interests which I am required to notify to the GMCA's Monitoring Officer under Paragraphs 7.1 and 7.2 of the Code of Conduct for Members adopted by the GMCA at its meeting on the 27 July 2012 and have put 'NONE' where I am not required to notify any disclosable personal interests or personal interests under any heading.

I am aware that in accordance with Section 30(3) of the Localism Act 2011, I am required to notify at PART 1 both my own disclosable personal interests and also any disclosable personal interests of

- (i) my spouse or civil partner,
 - (ii) a person with whom I am living as husband and wife, or
 - (iii) a person with whom I am living as if we were civil partners
- ("my Partner"), where I am aware that my Partner has the disclosable personal interest.

PART 1

DISCLOSABLE PECUNIARY INTERESTS

1. ANY EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION CARRIED ON FOR PROFIT OR GAIN.

Member	Partner

NB: You need to include details of any employment or business in which you or your Partner are engaged. Employees should give the name of their employer. You should give the name of any company of which you or your Partner are a partner or remunerated director. Where you or your Partner hold an office, give the name of the person of the body which appointed you or your Partner (in the case of a teacher in a maintained school – the local education authority; in the case of an aided school – the school’s governing body)

2. SPONSORSHIP

NB You must declare any payment or provision of any other financial benefit (other than from the GMCA) made or provided to you in respect of any expenses incurred by you in carrying out your duties as a Member / Substitute Member of the GMCA, or towards your election expenses, within the period of 12 months ending with the day on which you give your notification to the GMCA’s Monitoring Officer for the purposes of Section 30(1) of the Localism Act 2011 and/or by virtue of Rule 18 of the GMCA’s Procedure Rules. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

3. CONTRACTS WITH THE GMCA

Member	Partner

NB You should describe all contracts of which you are aware, which are made between the GMCA and

- (i) either yourself or your Partner or*
- (ii) a body in which you or your Partner have a beneficial interest (being a firm in which you or your Partner is a partner, or a body corporate of which you or your Partner is a director, or in the securities of which you or your partner have a beneficial interest),*

which are not fully discharged and which are contracts under which goods or services are to be provided or works are to be executed.

Please note that the reference to “securities” means “shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

4. LAND IN THE AREA OF THE GMCA

Member	Partner

*You should include any land (including houses, buildings or parts of buildings and any interests as mortgagee) within the GMCA’s boundaries in which you or your Partner, either alone or jointly, have a proprietary interest for your or your Partner’s benefit. You should give the address or brief description to identify it. **If you live within the GMCA’s boundaries you should include your home under this heading** either as owner, lessee or tenant. You should also include any property from which you or your Partner receive rent, or of which you or your Partner are the mortgagee.*

5. LICENCES TO OCCUPY LAND

Member	Partner

NB You should include any land (including buildings or parts of buildings) within the GMCA's boundaries which you or your Partner have a right to occupy for 28 days or longer (either alone or jointly with others). You should give the address or a brief description to identify it.

6. CORPORATE TENANCIES

Member	Partner

[NB You should list here any tenancies of properties of which you are aware, where the landlord is the GMCA and the tenant is a body in which you or your Partner have a beneficial interest (being a firm in which you or your Partner is a partner, or a body corporate of which you or your Partner is a director, or in the securities of which you or your partner have a beneficial interest).

Please note that the reference to "securities" means "shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

7. SECURITIES

Member	Partner

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NB You should list here any beneficial interest of you or your Partner in securities of a body where –

(a) that body (to your knowledge) has a place of business or land within the GMCA's boundaries; and

(b) either –

(i) the total nominal value of the securities held by you or your Partner 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 you or your Partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Please note that the reference to "securities" means "shares, debentures, debenture stock, Loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

PART 2

PERSONAL INTERESTS

1. BODIES TO WHICH YOU ARE APPOINTED OR NOMINATED BY THE GMCA

NB You should record here details of your **position of general control or management**, in any –

) *Body to which you have been appointed or nominated by the GMCA as its representative.*

2. INTERESTS IN CHARITIES, SOCIETIES AND OTHER BODIES

NB You should record here details of your **position of general control or management**, in any –

) *Public authority or body exercising functions of a public nature;*
) *Company, industrial and provident society, charity, or body directed to charitable purposes. (Freemasons should include here membership of the Masonic Grand Charity)*
) *Body whose principal purposes include the influence of public policy, including party associations, trade union or professional association.*

3. GIFTS AND HOSPITALITY

You should list here any person from whom you have received a gift(s) or hospitality with an estimated value of at least £100 (including multiple gifts and/or hospitality with an aggregate value of at least £100 from the same person). You should provide a description of the gift(s) or hospitality and the person you believe to be the source of the gift(s) and hospitality (including accumulative gifts and/or hospitality).

You should list any such gifts or hospitality which you have received within whichever is the shortest of the period of 3 years or the period since you were first elected as a Member / Substitute Member of the GMCA.

I recognise that it can be a CRIMINAL OFFENCE under Section 34 of the Localism Act 2011 to:-

- i) fail to comply with the obligation to notify the GMCA's Monitoring Officer of any disclosable pecuniary interests as required by Section 30(1) of the Localism Act 2011;**
- ii) provide information in relation to disclosable pecuniary interests that is materially false or misleading, and**
- iii) fail to comply with the obligation to notify the GMCA's Monitoring Officer of any further disclosable pecuniary interests that require notification in accordance with Sections 30(2) and 30(3) of the Localism Act 2011.**

I authorise this information to be made available in the GMCA's Public Register of Member's / Substitute Member's Interests which will be published on the GMCA's website as required by Section 29(6)(b) of the Localism Act 2011.

Signed:

Date:

OFFICE USE ONLY

RECEIVED

Signed GMCA

Date