

Key Provisions of the New Code of Conduct

1 Scope

The occasions upon which the Code applies are broadly similar to those contained in the old code, i.e. when conducting the business of the Authority and when acting or giving the impression that you acting as a representative of the Authority.

However, the new Code is expressly *excluded* when not acting in an official capacity (but note that there are proposals to reinstate this next year).

2 General Obligations

The new Code largely repeats provisions in the current Code, including those covering treating others with respect, disclosure of confidential information and bringing your office or the Authority into disrepute. However, it has also added express provisions covering bullying and intimidation.

3 Personal Interests

The categories of “personal interests” are largely the same as those currently included. It should be noted that gifts and hospitality exceeding £25 will have to be disclosed (and also be included in the register of interests).

4 Disclosure of Personal Interests

The basic rules are unchanged. Some personal interests have to be registered with the Monitoring Officer. A personal interest has to be declared if you attend a meeting of the Authority or its committees/working groups. However, there is a new provision where the interest is your membership of a public body; in this case, the personal interest need only be declared if you wish to speak on the item.

The new Code also includes a new category of “sensitive information” which, if disclosed, could give rise to a risk of violence or intimidation. If the Monitoring Officer is satisfied that there is such a risk, the interest still has to be declared, but not the nature of the interest.

5 Prejudicial Interests

The definition of “prejudicial interests” is similar to that currently in force, but its scope has been restricted to those interests that affect the *financial* position (as opposed to the *well-being*) of the member or other relevant person. As is currently the case you must normally withdraw

from the meeting while the matter is considered. However, the categories of exceptions to the need to withdraw have been widened.

There is also a new provision that permits members to make representations on an item in which they have a prejudicial interest, but they must withdraw before the item is considered. However, the right to make representations only applies if members of the public are also allowed to attend and make representations.