

ASTON PRIDE NEW DEAL FOR COMMUNITIES

CODE OF CONDUCT

1. Introduction

- 1.1 This Code of Conduct (the “Code”) sets out the standards of conduct and accountability, which are expected of all members of the Partnership Board, and members of any Partnership Group (the “Members”) involved in the Aston Pride Delivery Partnership (the “Partnership”).
- 1.2 This Code is designed to assist the Partnership as a whole, and all associated groups, to function efficiently, and to understand what behaviour is expected of Members.
- 1.3 This Code covers the conduct of Members when they are, claim or give the impression that they are conducting the business of, or are, claim or give the impression that they represent the Partnership or any of its Partnership Groups.
- 1.4 The Code also covers any criminal offence for which a Member is convicted (including any offence committed before a Member has taken office and for which he is convicted after his appointment).
- 1.5 This Code has been developed in line with the NOLAN PRINCIPLES and seeks to recognise that:
 - 1.5.1 Any Partnership is made up of a diverse set of members with varying and sometimes conflicting interests, motivations, expectations and characters;
 - 1.5.2 Any Partnership is made up of a diverse set of members with varying but potentially similar interests, motivations, expectations and characters.
- 1.6 All Members agree that they endorse and will comply with the following principles:
 - 1.6.1 Selflessness
Members will take decisions solely in terms of the public interest. They will not do so in order to gain financial or

other material benefits for themselves, their family, or their friends;

- 1.6.2 Integrity
Members will not place themselves under any financial or other obligation to outside members or organisations that might influence them in the performance of their official duties;
- 1.6.3 Objectivity
In carrying out public business, including making public appointments, awarding contracts, or recommending others for rewards and benefits, Members will make such choices on merit;
- 1.6.4 Accountability
Members are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;
- 1.6.5 Openness
Members 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;
- 1.6.6 Honesty
Members 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;
- 1.6.7 Leadership
Members should promote and support these principles by leadership and example;

2. Equal opportunities

- 2.1 Members must not discriminate against people they come into contact with during their work with, or on behalf of, the Partnership on the basis of their ethnic origin, gender, sexuality, religion, disability or age.
- 2.2 All Members will be expected to comply with equalities legislation and the agreed Equal Opportunities policy of the Partnership.
- 2.3 Members will respect and promote diversity by:

- 2.3.1 Not making assumptions about any person or a group of people;
- 2.3.2 Not making judgements about any person or group of people;
- 2.3.3 Not discriminating against any person or group of people on the basis of their ethnic origin, gender, religion, sexuality, disability or age;
- 2.4 Members will, therefore:
 - 2.4.1 Promote equality by not discriminating unlawfully against any person;
 - 2.4.2 Treat others with respect and courtesy;
 - 2.4.3 Not do anything which compromises, or which is likely to compromise, the impartiality of those who work in taking forward the Partnership.

3. Behaviour

- 3.1 During Meetings

Members recognise that the vast majority of the work of the Partnership will be undertaken at meetings, and the effectiveness of these meetings is critical because they will be:

 - 3.1.1 The principal decision making tool of the Partnership;
 - 3.1.2 The principal method of wider community and partner involvement.
- 3.2 The behaviour of participants at a meeting is important to the ultimate success of the Partnership. Effective meetings can be achieved if all Members are committed to some simple ground rules for behaviour before and during meetings.
- 3.3 Members will therefore:
 - 3.3.1 prepare for meetings by reading the relevant paperwork beforehand and by committing themselves to attending meetings as required;
 - 3.3.2 Ensure individual and personal disputes and any issues of a political nature are not allowed to affect conduct within the meeting but should be resolved elsewhere;

- 3.3.3 Ensure all contributions are addressed to the meeting via the Chair. Members wishing to speak should seek the attention of the Chair and wait their turn to speak only when directed to do so by the Chair;
- 3.3.4 Undertake to arrive on time and remain in the meeting until the scheduled end time. They should remain seated and attentive and should refrain from getting up and moving around the meeting room or building except with the permission of the Chair;
- 3.3.5 Ensure they do not have discussions or meetings with other Members or groups of Members when another person has been directed by the Chair to speak. All comments and queries should be directed to the whole meeting via the Chair;
- 3.3.6 Ensure that any mobile phones or other communications equipment under their control is disabled for the duration of the meeting;
- 3.3.7 Respect the contributions of others by not interrupting when someone else is speaking even if they do not agree with what they are saying;
- 3.3.8 In contributing to the meeting, ensure that comments they make do not amount to a personal attack on another individual and will avoid using heated, emotional and inflammatory language or behaviour;
- 3.3.9 Be constantly aware in their remarks of their equal opportunities responsibilities and avoid the use of potentially offensive language and comments;
- 3.3.10 Abide by, support and actively help to implement majority decisions made by the Partnership.

3.4 Personal Interests

It is very important that decisions taken in meetings are well informed by having appropriate, accurate information and debate on the topics concerned. The wider community and government must be able to feel that decisions, particularly those affecting the spending of public funds, are fair and have not been influenced by the vested interests of those making these decisions or based on misinformation. Equally, it is essential that Members should have the right to call for reasonable additional explanation and/or information to help inform any decisions they would not otherwise feel competent to take. In

addition, Members must, in reaching lawful decisions, have regard to any relevant advice provided to them by the City Council, GOWM etc.

3.5 Declaration of Interest

For this reason one of the most important areas of appropriate behaviour during meetings, in addition to the above, relates to Declarations of Interest. Therefore:

3.5.1 At the beginning of a meeting a Member must declare whether he has or may have a Personal Interest (as defined in Section 5 below) in any item on the agenda or in respect of any business that is considered during a Partnership meeting;

3.5.2 The Chair and the remaining voting Members of the meeting will then decide whether any Member declaring an interest must leave the meeting for the relevant item or just not take part in the discussion or decision making, depending on the nature of the interest declared;

3.5.3 Any Declaration of Interest must be recorded in the minutes of the meeting, including whether the person involved left the meeting, or not, during the discussion of the item;

3.5.4 Members of the Partnership will also complete and update as appropriate a 'Declaration of Pecuniary and Personal Interests', a copy of which is to be found in Section 4 of the Governance Directory. This will be kept in a Register of Interests held at the offices of the Partnership and made available for inspection on request.

3.6 Outside Meetings

Members shall conduct themselves appropriately outside of official meetings since they will be seen as representatives of the partnership and its views in a number of other circumstances including non Partnership meetings.

3.7 Confidentiality

Partnership meetings may occasionally receive information, which is not in the public domain often relating to Members, organisations or financial matters. Confidential information is information given in confidence or acquired in circumstances where you believe or

reasonably ought to be aware is confidential ("Confidential Information"). Therefore each Member shall:

- 3.7.1 Ensure that Confidential Information remains confidential unless prior consent has been given by the person authorised to give that consent or there is a requirement under law to disclose it;
- 3.7.2 Not use Confidential Information for their personal advantage or the advantage or disadvantage of anyone known or connected to them or to disadvantage or discredit the Partnership;
- 3.7.3 Not prevent another person from getting access to information to which that person is entitled.

3.8 Disrepute

Members shall:

- 3.8.1 Not conduct themselves in a manner that could reasonably be regarded as bringing the Partnership into disrepute;
- 3.8.2 Not harass, bully or victimise members of the public, fellow Partnership members or Officers of the Partnership;
- 3.8.3 Not use their position improperly, or to confer on or secure for them or any other person, an advantage or disadvantage;
- 3.8.4 Ensure that Partnership activities are not undertaken for party political purposes;
- 3.8.5 Not unduly influence any person who works for the City Council;
- 3.8.6 Be courteous to all people when representing the Partnership

3.9 Collective Decisions

Members will inevitably have differences of opinion on issues debated at meetings. After full discussion when the meeting has reached a conclusion Members must:

- 3.9.1 Uphold any decision whether they voted for it or against it. Members who are absent must also abide by decisions made at meetings they have not attended;

3.9.2 Not speak against any decision in public so as to undermine the Partnership but will stand by and help to implement all the collective decisions of the Partnership;

3.9.3 Where a Member of the Partnership refuses to abide by a collective decision, and efforts to persuade the member to follow the agreement to abide by a collective decision have failed, then the Chair should refer the matter to the Standards Committee to investigate.

3.10 Communications with other agencies

3.10.1 There will be occasions when Members will be asked to, or wish to, communicate with external agencies e.g. Government Office, the City Council, press etc.

3.10.2 In order to ensure they are fully apprised of the latest information and that communications are consistent throughout the Partnership, Members will ensure that consent is obtained from the Executive Director of the Partnership before any such contact is made with other agencies.

3.11 Hospitality and Gifts

Members must declare all gifts or hospitality they are offered, over the value of £25, in connection with their role within the Partnership to the Executive Director/Chair, and record them in a hospitality log, which is kept at the offices of the Partnership. Anything, which could be construed as a means of influencing the way in which decisions of the Partnership are made, should be refused. Advice should be sought from the Executive Director/Chair if in doubt before accepting.

3.12 Learning and Training

3.12.1 Members will subscribe to the Aston Pride Learning Plan, and will agree to undertake any and all training or support activities, such as personal support programmes, awaydays, courses and study visits, offered to them.

3.12.2 Aston Pride NDC will endeavour to ensure that the circumstances and availability of Community Members is taken into account in offering suitable training and support activities.

4. Roles and responsibilities

4.1 Staff

- 4.1.1 Some issues of behaviour and conduct relate to a lack of understanding of the various roles and responsibilities of individuals within the Partnership.
- 4.1.2 The day-to-day management of the staff working for the Partnership rests with the Executive Director and senior management seconded to work with the Partnership.
- 4.1.3 It is not the role of Members, or others acting on their behalf, to act as managers of the staff team or to give direct instructions to members of staff. Any requests or issues relating to the work of other staff members should always be directed to the Executive Director for action.
- 4.1.4 It is the role of the Executive Director to implement the Partnership's decisions and to manage on a day-to-day basis the affairs of the Partnership, including the staff team, within the budgets, legal and statutory framework and other relevant criteria. In particular, the Executive Director is to liaise as necessary with the Accountable Body in connection with the implementation of Partnership Board decisions (among other things, through the expenditure of public funds.)

4.2 Chair

This is a key role within the Partnership structure and this individual plays an important part in the management of meetings and the conduct of Members representing the Partnership. The Chair's responsibilities include:

- 4.2.1 Keeping order and making sure that the agreed rules of conduct are followed;
- 4.2.2 Minimising any sense of confusion and frustration by ensuring that the agenda is properly covered, that jargon is not used or is explained and that Members understand the debate and what decisions are required and why;
- 4.2.3 Making sure that everyone who wants to contribute is encouraged to do so;

- 4.2.4 Encouraging the Partnership to take professional advice as and where appropriate;
- 4.2.5 Summarising the decisions taken and the action points which arise from this;
- 4.2.6 Acting as an independent referee when required.

4.3 Partnership Board

- 4.3.1 The Partnership Board's function is to work collectively to decide the strategy, policies, and overall direction of the Partnership within the budget, legal and statutory framework and other relevant criteria including the Partnership Board's Terms of Reference (and the other documents in the Governance Directory).
- 4.3.2 The Partnership Board will also be responsible for monitoring the performance of the Executive Director in delivering their legitimate decisions.
- 4.3.3 The Partnership Board is also accountable for matters affecting compliance with terms on which the Government has made Partnership funds available. The Accountable Body has specific responsibilities on this but the Partnership Board shares overall responsibility for maximising the benefit derived from the use of such funding.

5. Conflict of interest

- 5.1 It is a requirement within the funding agreement for public funds that there is a formal written procedure for the avoidance of conflicts of interest. This covers Members of the Partnership Board together with connected persons including members of the same household, or family or a friend. This applies in particular to decision-making as it relates to project appraisal /approval, and to the extent that it is within the Partnership's remit, the letting of contracts.
- 5.2 It is acknowledged that all those involved in the Partnership may, due to its nature, have an interest of some sort. Such interests must not be allowed to result in actual or perceived undue benefit or conflict, and consequently to unsound decision-making or loss of public confidence.

5.3 A Member must regard themselves as having a Personal Interest in a matter if they anticipate that a decision upon it might reasonably be regarded as affecting the well-being or financial position of:-

5.3.1 himself, his spouse a relative or a friend (a "Connected Person");

5.3.2 a body which employs him or a Connected Person or for which he or a Connected Person have any degree of ownership, control or management; or

5.3.3 to a greater extent than other residents of the Area.

Note: relative means a partner (ie: a member of a couple living together); parent; parent-in-law; son; daughter; step-son; step-daughter; child of a partner; brother; sister; grandparent; grandchild; uncle; aunt; nephew; niece; or the spouse or partner of any of the above.

5.4 Members with a Personal Interest in the matter who attend a meeting of the Partnership at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that discussion or when the interest becomes apparent.

5.5 Members with a personal interest in a matter must consider whether it amounts to a prejudicial interest. A Member of the Partnership must regard himself or herself as having a prejudicial interest if it is a personal interest which a member of the public, with a knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest. (a "Prejudicial Interest")

5.6 Members with a Prejudicial Interest in any business of the Partnership must:-

5.6.1 Withdraw from the room where a meeting considering the business is being held as soon as it becomes apparent that the business is being considered at that meeting;

5.6.2 Not exercise any functions in relation to that matter;

5.6.3 Not seek improperly to influence the position of any other Member about that matter.

- 5.7 Where a Member is in any doubt as to whether a potential conflict of interest exists they must seek clarification at the earliest opportunity from the Executive Director or Chair.

6. Breaches of the code

- 6.1 Breaches of the code should be dealt with promptly. Where this occurs during a meeting:
- 6.1.1 Participants should raise breaches of the code as a point of order through the Chair;
 - 6.1.2 If the Chair agrees that a breach has taken place, a first oral warning will be issued to the person concerned. This will be noted in the Minutes;
 - 6.1.3 If an individual is held to have breached the code for a second time they will be asked by the Chair to leave the meeting. This will be noted in the minutes, explaining briefly the reasons for exclusion from the meeting.
- 6.2 Where this occurs outside a meeting:
- 6.2.1 Then a written complaint must, in the first instance, be made in writing to the Chair setting out the details of the breach.
- 6.3 Where a Member admits to a breach of the Code the Chair will refer the matter to the Standards Committee.
- 6.4 Where there is a written allegation of a breach of the Code the Chair will have a discretion whether to refer the matter to the Standards Committee after considering whether the information in support of the allegation justifies referral or whether it is in the best interests of the Partnership to refer.
- 6.5 Where a referral is made the Chair will immediately:
- 6.5.1 notify the relevant Member of the referral to the Standards Committee;
 - 6.5.2 provide a copy of the written allegation to the Member involved;
 - 6.5.3 notify the Member of his suspension whilst the matter is reviewed by the Standards Committee;

6.5.4 During suspension the Member may not participate in meetings nor take part in the business of the Partnership or any Partnership Group, nor attend the property of the Partnership unless asked to do so by or on behalf of the Chair or the Standards Committee.

6.5.5 The suspended Member must also not engage in activities, which might further undermine the integrity of the Partnership. Any such activities will be taken into account by the Standards Committee in the process of arriving at their decision.

6.6 Where the Chair believes that the breach or allegation is so serious that it undermines the Partnership or the effective delivery of the programme, he shall involve the Accountable Body and/or Government Office West Midlands

As a member of the Aston Pride NDC Delivery Partnership and/or one of its Partnership Groups I agree to be bound by the provisions of this Code of Conduct and to act always in accordance with and in the spirit of the Partnership's Terms of Reference and governing documents.

Signed:..... Date:

Print Name: