Newham Partnership

Members' Declarations of Interest

Matters for Consideration

Revised Guidance – October 2012

Newham Partnership has an agreed protocol for ensuring that Members' interests are recorded in order to ensure decisions are taken in an open and transparent manner.

The public and all those participating in a meeting should be aware of any interest a member has in a particular matter. Therefore, such interests should be clearly declared unless transparent to all those present by the very nature of the representatives’ role.

Newham Partnership members will be asked at the start of each meeting if they have any declarations of interest. You are also required to declare any interests before the consideration of the matter, or as soon as the interest becomes apparent, if you were not aware of it at the start of the meeting. Interests must be declared clearly so all those attending the meeting are aware of the interest and how it arises.

1. Disclosable Pecuniary Interests

1.1 Disclosable Pecuniary Interests (DPI) are covered in detail in the Localism Act 2011. Definitions of DPIs are set out in Appendix F of the Newham Partnership Constitution. Breaches of the law relating to these may be a criminal offence.

1.2 If you have a DPI in any matter on the agenda you must not participate in any discussion or vote on that matter. Any Newham Partnership member who does so without a prior Dispensation (see below) may be committing a criminal offence, as well as a Breach of the Code of Conduct.

1.3 Any Newham Partnership member declaring a DPI is required to leave the meeting (including any public seating area) during consideration of the matter.

1.4 Failure to abide by the requirement to declare a DPI may lead to the representative and/or the member organisation being removed from the Newham Partnership.

2. Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest

2.1 Newham Partnership members are required to make a verbal declaration of the existence and nature of any "Non-Disclosable Pecuniary Interest" or "Non-Pecuniary Interest". Any Member who does not declare these interests in any matter when they apply may be in breach of the Code of Conduct.

2.2 You may have a "Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest" in an item of business where:

   a). A decision in relation to that business might reasonably be regarded as affecting your well-being or financial standing, or a member of your family, or a person with whom you have a close association with to a greater extent than it would affect the majority of the Council taxpayers, ratepayers or inhabitants of the
b). It relates to interests which would be a DPI, but in relation to a member of your family or a person with whom you have a close association and that interest is not a DPI. If the matter concerns your spouse, your civil partner or someone you live with in a similar capacity, it is covered by the provisions relating to DPIs.

c). It could also cover membership of organisations which you have listed on your Register of Interests (including appointments to outside bodies), where there is no well-being or financial benefit accruing to you but where your membership might be said to be relevant to your view of the public interest.

2.3 A person with whom you have a close association is someone who is more than an acquaintance, and is someone you are in contact with over a period of time, whether regularly or not. It is someone that a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter which affects them and so covers friends, colleagues, business associates, or someone you know through social contact.

2.4 Family should be given a wide meaning. In relation to the family of both you and your partner, it would include the parents, parents-in-law, children and step children, brothers and sisters, grandparents, grandchildren, uncles and aunts, nephews or nieces, together with the partners of any of these persons.

3. Dispensations

3.1 Newham Council’s Monitoring Officer (the Director - Legal, People and Change) has delegated authority to grant dispensations under Section 33 of the Act. The Monitoring Officer has granted the following general dispensations to all Newham Partnership members (up to June 2014) on the grounds that the dispensation is in the interests of the inhabitants of Newham and/or it is appropriate to grant the dispensation to maintain a similar position as applied under the previous code of conduct. This means that Newham Partnership members do not need to leave the meeting if their Disclosable Pecuniary Interest arises and is:

- An interest common to the majority of inhabitants in their ward.
- An interest so remote that it is not likely to prejudice their judgement of the public interest.
- Council housing unless related to their own particular tenancy.
- School meals and/or transport unless relating to their own child’s school.
- Statutory sick pay for members.
- Members allowances.
- Setting Council Tax or precept.
- Agreeing any Local Council Tax Benefit Scheme.
- Interests arising from membership of an outside body to which the authority has appointed or proposes to appoint them.
- The Local Government Pension Scheme unless relating specifically to their own circumstances.