

## Leeds City Region Enterprise Partnership (LEP)

### LEP Board Members' Code of Conduct

1. This Code applies to you as a member of the Leeds City Region Enterprise Partnership's Board (the LEP Board)<sup>1</sup>. The LEP Board expects you to follow this Code when attending LEP Board meetings, representing the LEP on any external organisation and otherwise acting in your capacity as a member of the LEP Board. The Code does not apply to you in your purely private and personal life<sup>2</sup>. As a member of the LEP Board, you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership in your conduct at all times.

#### Part One – Principles of Conduct

2. Accordingly, when acting in your capacity as a member of the LEP Board, you must have regard to, act in accordance with, promote and support the following principles:

##### Selflessness

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person, organisation or group or any other third party, nor act to gain financial or other material benefits for yourself, your family, a friend or close associate.

##### Honesty and integrity

A conflict of interest is a set of circumstances that creates a risk that an individual's ability to apply judgement or act in one role is, or could be, impaired or influenced by a secondary interest. The perception of competing interests, impaired judgement or undue influence can also be a conflict of interest.

You should not place yourself in situations where your honesty and integrity may be questioned, including any situation where a conflict of interest may arise, or be perceived as arising. You should not behave improperly and should avoid the appearance of such behaviour. You must not place yourself under a financial or other obligation to outside individuals or organisations that might be reasonably regarded to influence you in the performance of your official duties.

You must declare any private interests, both pecuniary and non-pecuniary, including membership of any Trade Union, political party or local authority that relates to your LEP duties. Furthermore, you must take steps to resolve any

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<sup>1</sup> Including all private sector or local authority representatives, and any substitute appointed for a local authority representative.

<sup>2</sup> Except in so far as paragraphs 17, 18, 19 and 20 apply (relating to disclosing interests when applying for a loan or grant, or to provide contracted work or services, and in respect of canvassing for appointments to the Combined Authority).

conflicts arising in a way that protects the public interest. This includes registering and declaring interests in accordance with this Code and as set out in the attached schedule.

However, you should also take all reasonable steps to avoid any potential conflict of interest, or the perception of such conflict, arising outside any formal LEP Board meeting when you carry out any activity in your capacity as a member of the LEP Board.

### **Objectivity**

When carrying out your LEP duties, you must make all choices, such as making appointments, awarding contracts or recommending individuals for rewards or benefits, based on evidence. You should take into account the impact of any decision on the Leeds City Region and the Leeds City Region economy as a whole, not just the specific local authority area or sector which you represent.

You must make decisions:

- in accordance with LEP processes and procedures,
- based on the information and evidence before you,
- after considering all options put forward,
- having regard to any professional advice provided,
- in accordance with your view of the public interest,
- which are proportionate (that is, the action is proportionate to the desired outcome), and
- on merit.

### **Accountability**

You are accountable for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your position<sup>3</sup>.

You should not undertake any action which would bring the LEP Board, West Yorkshire Combined Authority (the Combined Authority), your position, or the position of members of the LEP Board generally, into disrepute<sup>4</sup>.

### **Openness**

You must be as open as possible about your decisions and actions and those of the LEP Board, and should be prepared to give reasons for those decisions and actions.

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<sup>3</sup> including any formal standards investigation

<sup>4</sup> For example, you should not make trivial or malicious, vexatious, politically motivated or tit-for-tat allegations

## Leadership

You must promote and support high standards of conduct when serving in your LEP post, in particular as characterised by the above requirements, by leadership and example. You should act in a way that secures or preserves the confidence of others.

You must have due regard to the impartiality and integrity of the Combined Authority's statutory officers and other officers, and also that of any officer representing any other local authority in relation to LEP Board business.

## Part Two – General Obligations

3. You must act in a manner consistent with the LEP's equality and diversity policy and diversity statement and treat your fellow LEP Board Members, members of staff and others you come into contact with when working in their role, with respect and courtesy at all times.
4. You must not:
  - a) do anything which may cause the LEP Board or the Combined Authority to breach any duty relating to equality, or contribute to any failure to comply with the LEP's diversity policy;
  - b) bully or harass any person<sup>5</sup>;

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<sup>5</sup> Bullying may be characterised as: offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, criticise unfairly or injure someone. "Harassment is defined in the Equality Act 2010 as "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual". A member should not be considered to be bullying or harassing simply by making persistent enquiries or requests for information, nor by saying something that the individual concerned simply dislikes or with which they strongly disagree. Examples of bullying include:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities

- c) intimidate or attempt to intimidate any person who is or is likely to be:
- a complainant,
  - a witness, or
  - otherwise involved

in any investigation or proceedings in relation to an allegation that a member of the LEP Board has failed to comply with this Code; nor

- d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of the LEP or the Combined Authority .

5. 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 by law to do so, or

(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,

nor

- b) prevent another person from gaining access to information to which that person is entitled by law.

6. You must, when using or authorising the use by others of the resources of the LEP, ensure that such resources are not used improperly for political or personal purposes (including party political purposes.)

7. You must have regard to any relevant advice provided by the LEP's Chief Executive Officer<sup>6</sup>, and any Combined Authority officer, including:

- the S73 Officer<sup>7</sup> and
- the Monitoring Officer<sup>8</sup>.

### Part Three – Registering and disclosing interests

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<sup>6</sup> This is the Managing Director of the Combined Authority

<sup>7</sup> This is the statutory Chief Finance Officer appointed under Section 73 Local Government Act 1985. This role is carried out by the Combined Authority's Director of Corporate Services.

<sup>8</sup> This role is carried out by the Combined Authority's Head of Legal and Governance Services.

8. The Combined Authority's Monitoring Officer maintains a register of interests of members of the LEP Board. The register is:
  - available for inspection at the Combined Authority's offices; and
  - published on the Combined Authority's web-site, and accessible from the LEP web-site.
9. You must, within 28 days of taking office as a member of the LEP Board notify the Combined Authority's Governance Services Manager, (on behalf of the Managing Director and the S73 Officer of the Combined Authority, the LEP's accountable body), of any **disclosable pecuniary interest**<sup>9</sup>, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a spouse, or as if you were civil partners.
10. In addition, you must, within 28 days of taking office, notify the Combined Authority's Governance Services Manager (on behalf of the Managing Director and the S73 Officer of the Combined Authority, the LEP's accountable body) of any **non-pecuniary interest** which the LEP has decided should be included in the register<sup>10</sup> or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your membership of any Trade Union.
11. You should review your individual register of interest before each LEP Board meeting<sup>11</sup>. You must declare any relevant interest(s) at the start of the meeting. If an interest has not been entered onto the LEP's register, then you must disclose the interest at any meeting of the LEP Board at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.
12. Following any disclosure of an interest not on the LEP register or the subject of pending notification, you must notify the Combined Authority's Governance Services Manager (on behalf of the Managing Director and S73 Officer of the Combined Authority, the LEP's accountable body) of the interest within 28 days beginning with the date of disclosure.
13. Unless you have a dispensation, if you are present at a meeting of the LEP Board and you are aware that you have a disclosable pecuniary or non-pecuniary interest in a matter to be considered, or being considered, at the meeting, you may not participate, or participate further, in any discussion of the matter at the meeting; or participate in any vote, or further vote, taken on the matter at the meeting, unless:

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<sup>9</sup> As set out in the schedule of interests attached to this Code.

<sup>10</sup> As set out in the schedule of interests attached to this Code.

<sup>11</sup> Including any meeting of any panel of the LEP Board or an advisory group to the LEP. You should also review your register before attending any advisory panel appointed by the Combined Authority, or a decision-making committee.

- you are a **local authority representative** and your interest falls within paragraph 13 a) below, or
  - you are a **private sector representative** and your interest falls within paragraph 13 b) below.
- a) The restriction on participating or voting set out above does not apply if you are a local authority representative and have a disclosable pecuniary or non-pecuniary interest in a matter which arises out of your membership of a district council, provided that:
- you have registered your membership of that local authority as an interest on the LEP Board register,
  - you do not stand to make a personal financial gain or loss from the matter, and
  - you have not been personally significantly involved in the matter to be considered by the LEP Board.
- b) The restriction on participating or voting set out above does not apply if you are a private sector representative and have a disclosable pecuniary interest in a matter which arises out of your employment, provided that:
- you have registered your employment as an interest on the LEP Board register,
  - you do not stand to make a personal financial gain or loss from the matter, and
  - your employer does not stand to make a financial gain or loss from the matter which is in any way substantially different from any other employer in your sector.

### **Sensitive interests**

14. If you have an interest (whether or not a disclosable pecuniary or non-pecuniary interest) which is entered in the register and which is such that you and the Monitoring Officer consider that disclosing the details of the interest could lead to you, or a person connected with you, to being subject to violence or intimidation, details of the interest must not be included in:
- any published version of the register, nor
  - any copy of the register that is made available for public inspection<sup>12</sup>.

### **Urgent decisions by the Chair of the LEP on behalf of the LEP**

15. The Chair of the LEP cannot make an urgent decision on behalf of the LEP Board, where the Chair of the LEP has a conflict of interest in the decision.

For the purpose of this provision, a conflict arises in relation to a proposed decision if the Chair of the LEP is aware they have a disclosable pecuniary or

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<sup>12</sup> The register may state that you have an interest, the details of which are withheld.

non-pecuniary interest in the matter, unless the interest falls within paragraph 13b) above.

The Chair of the LEP must notify the Combined Authority's Managing Director of any potential conflict of interest in an urgent matter, as soon as reasonably practicable and must take no further part in the decision.

### **Disclosing personal interests when considering applications for funding**

16. A personal interest is any interest which not a disclosable pecuniary or non-pecuniary interest, but which is a close connection to:

- any person (whether a family member or friend) or
- any outside body,

who is a potential direct recipient or beneficiary of Leeds City Region funding.

You must not participate or vote in decision-making if you have such a personal interest in any application for LCR funding being considered by the LEP Board – or if it **is reasonably foreseeable that it** may appear to someone else that you have a personal interest and so may be biased. You must declare the personal interest at any meeting at which the application is considered.

### **Applications for any loan or grant**

17. **You must comply with the LEP's Conflicts of Interest Policy and Protocol, including any requirement to notify the Monitoring Officer and to avoid personal involvement with any application to the LEP or the Combined Authority for any loan or grant in which you may have a conflict of interest.**

### **Disclosing an interest when applying to provide contracted work or services**

18. A potential conflict arises or may appear to arise, where you or a business or organisation in which you have a material personal or professional interest, applies to contract with the Combined Authority for the supply of goods or materials or for the execution of works.

19. Except where any such application is made by a local authority, you should notify the Combined Authority's Managing Director if you are aware or become aware of any such application or tender.

### **Canvassing for appointments to the Combined Authority**

20. You must not solicit any person for any appointment under the control of the Combined Authority. This does not preclude you in your personal capacity from giving a written testimonial of a candidate's ability, experience or character for the candidate to submit to the Combined Authority.

### **Complaints alleging a failure to comply with the Code**

21. All complaints alleging a failure to comply with this Code will be considered under the procedure agreed by the LEP Board from time to time.

### **Gifts and Hospitality**

22. You must register any gifts and hospitality received in accordance with Section 6 of the schedule of pecuniary interests - see further Annex A attached.



## Schedule of interests

### 1. Pecuniary interests (yours and those of your spouse or civil partner<sup>13</sup>)

<b>SECTION 1</b>	<b>ANY EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION CARRIED ON FOR PROFIT OR GAIN</b>
<b>1.1</b>	Name of: <ul style="list-style-type: none"> <li>○ your employer(s)</li> <li>○ any business carried on by you</li> <li>○ any other role in which you receive remuneration (this includes remunerated roles such as councillors).</li> </ul>
<b>1.2</b>	Description of employment or business activity.
<b>1.3</b>	The name of any firm in which you are a partner.
<b>1.4</b>	The name of any company for which you are a remunerated director.
<b>SECTION 2</b>	<b>SPONSORSHIP</b>
<b>2.1</b>	Any financial benefit obtained (other than from the LEP) which is paid as a result of carrying out duties as a Member. This includes any payment or financial benefit from a Trade Union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>SECTION 3</b>	<b>CONTRACTS</b>
	Any contract for goods, works or services with the LEP which has not been fully discharged by any organisation named at 1.1.
	Any contract for goods, works or services entered into by any organisation named at 1.1 where either party is likely to have a commercial interest in the outcome of business being decided by the LEP.
<b>SECTION 4</b>	<b>LAND OR PROPERTY</b>
	Any interest you or any organisation listed at 1.1 may have in land or property which is likely to be affected by a decision made by the LEP. This would include, within the area of the LEP: <ul style="list-style-type: none"> <li>○ Any interest in any land in the LEP areas, including your place(s) of residency</li> <li>○ Any tenancy where the landlord is the LEP and the tenant is a body in which the relevant person has an interest</li> <li>○ Any licence for a month or longer to occupy land owned by the LEP.</li> </ul> For property interests, please state the first part of the postcode and the Local Authority where the property resides. If you own/lease more than one property in a single postcode area, please state this.
	<sup>13</sup> or is the pecuniary interest of somebody with whom you are living with as a spouse, or as if you were civil partners.

<b>SECTION 5</b>	<b>SECURITIES</b>
<b>5.1</b>	<p>Any interest in securities of an organisation under 1.1 where:-</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of the LEP; and</p> <p>(b) either –</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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 has an interest exceeds one hundredth of the total issued share capital of that class.</p>
<b>SECTION 6</b>	<b>GIFTS AND HOSPITALITY</b>
	Any gifts and/or hospitality received as a result of membership of the LEP (above the value of £50).

## 2. Your non-pecuniary interests

### a) Membership of Organisations

Being a member of, or in a position of general control, a trustee of, or participate in the management of:

1. Any body to which you have been appointed or nominated by the LEP;
2. Any body exercising functions of a public nature (eg school governing body or another LEP):
3. Any body directed to charitable purposes:
4. Any body, one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union):
5. Any local authority (any interests you hold as Local Authority leader/cabinet member for Local Authority land, resources and the Local Authority's commercial interests):

### b) Other interests

6. Any other interest which you hold which might reasonably be likely to be perceived as affecting your conduct or influencing your actions in relation to your role.

## ANNEX A - Gifts and Hospitality

### 1. Registering gifts and hospitality

- a. The Combined Authority's Monitoring Officer maintains registers of interests of members of the LEP Board, including declarations of gifts and hospitality. The gifts and hospitality register is:
  - available for inspection at the Combined Authority's offices; and
  - published on the Combined Authority's web-site, and accessible from the LEP web-site.
- b. You must register any gifts and hospitality as required by Section 6 of the Schedule of Interests, to this Code.
- c. Registering offers of gifts and hospitality, whether declined or accepted, demonstrates the LEP's commitment to openness and transparency, and help to protect the LEP's reputation. Where practicable, you may, therefore, ask the Monitoring Officer to record any gifts or hospitality below the £50 threshold or which have been offered to you, but which you have not accepted.<sup>14</sup>

### 2. General principles

- a. You should never actively seek or solicit any gift or hospitality.
- b. You should discourage third parties from offering any gift or hospitality to you.
- c. You should only accept a gift or hospitality from any third party in accordance with these principles, and where acceptance is of some benefit to the LEP.
- d. You must never accept a gift or offer of hospitality which is any of the following:
  - an inducement or reward for anything that you do as a member – this is likely to constitute a criminal offence,
  - from any donor seeking (or which may seek<sup>15</sup>) a decision from (or business with) the LEP or the Combined Authority,
  - in any circumstances which may give rise to a perceived or actual conflict of interest<sup>16</sup> or undue influence.

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<sup>14</sup> For the purpose of determining whether any gift or hospitality has a value of over £50, if the exact value is unknown, you should always err on the side of caution.

<sup>15</sup> For these purposes, you should not accept any gift or hospitality where it is reasonably foreseeable that a donor may seek a decision from or business with the LEP or the Combined Authority within the next 6 months.

<sup>16</sup> A conflict of interest is a set of circumstances which creates a risk that an individual's ability to apply judgement or act in a role is or could be impaired or unduly influenced by a secondary interest of that individual or of another person.

- for any third party including any relative or friend of yours, except where the Head of Legal and Governance Services has confirmed in advance that that acceptance is unlikely to be perceived as giving rise to a conflict of interest,
- lavish or over-generous, nor
- where offers from the same donor are over-frequent.

e. Any **expenses** offered to you by any third party should be treated as a gift, in accordance with the requirements of the Code and this Annex A.

f. You should **never** accept any gifts of cash (or items of specific monetary value such as vouchers).

### 3. Advice and Guidance

- a. If in doubt about whether to accept any gift or hospitality, you should ask the Monitoring Officer for advice. **If in doubt, err on the side of caution and decline the gift or hospitality.**
- b. You should have regard to any advice or guidance issued by the Monitoring Officer in respect of gifts and hospitality.