

# Part 5 Codes and Protocols

## Section 5.7 – AEB Conflicts of Interest Policy

### 1. Introduction

- 1.1. The West Yorkshire Combined Authority (the Combined Authority) are committed to ensuring that the members and officers act in line with the **Nolan Principles** of public life, which are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 1.2. This Conflicts of Interest Policy applies to:
  - any member of the LEP Board,
  - the Mayor and any other Combined Authority Member,
  - any member of the Employment and Skills Committee,
  - any officer of the Combined Authority, including those on the Adult Education Performance Board,
  - any officer of a local authority who advise the Combined Authority, and
  - any member of the AEB performance & partnership groups, who advise the Combined Authority and its individual officer boards.
- 1.3. The policy provides an overview of how conflicts of interest are managed, by reference to the procedures in place to maintain high ethical standards and protect organisational and personal reputations against any allegation of conflicting interests. These include requirements to register and declare interests.
- 1.4. The policy must be followed throughout all decision-making processes; the Combined Authority are committed to ensuring that this policy applies to decisions taken at formal meetings or by individuals on behalf of the Combined Authority under delegated authority. It is communicated to everyone involved in decision-making by the Combined Authority in relation to Adult Education, to ensure their commitment to it.
- 1.5. To ensure transparency, the Combined Authority record and publish decisions where this is provided for by their agreed procedures.

## 2. Definition

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.

## 3. General

All members and officers must **take personal responsibility** for declaring their interests and avoiding perceptions of bias.

Where any conflict of interest arises outside of those which they are specifically required to register or declare, they should **err on the side of caution** and declare these interests in line with the Nolan Principles.

- 3.1. This policy applies whether they are decision-makers, consultees or involved in any other way in relation to any decision to be taken by the Combined Authority in relation to Adult Education.

## 4. Members of the LEP Board

- 4.1. Members of the LEP Board are required to comply with the LEP Board Members' Code of Conduct. The Code requires members to comply with the Nolan Principles and sets out the procedures for registering and declaring pecuniary and non-pecuniary interests, and managing conflicts which arise at a formal meeting of the LEP Board. It also extends to any conflict of interest arising in respect of an urgent decision taken by the Chair on behalf of the LEP.
- 4.2. The LEP Board's Procedure for Considering Complaints alleging a failure to comply with the LEP Board Members' Code of Conduct sets out the process that the LEP will follow if a member of the LEP Board is alleged to have failed to comply with the Code.
- 4.3. Registers of interests completed by members of the LEP Board are published on the Combined Authority's web-site, accessible from the LEP's web-site.
- 4.4. The Code also includes specific requirements and restrictions in relation to disclosing an interest:
- when considering applications for funding
  - when applying to provide contracted work or services.

## **5. Combined Authority Members and Voting Co-optees on the Employment and Skills Committee**

- 5.1. These members are required to comply with the Combined Authority's Members' Code of Conduct in Part 5 of the Constitution. The Code sets out the procedures for registering and declaring pecuniary and other interests, and managing conflicts which arise at any formal meeting of the Combined Authority or a committee or panel appointed by the Combined Authority, including the Employment and Skills Committee.
- 5.2. The Combined Authority's **Procedure for Considering Complaints** alleging a failure to comply with the Members' Code of Conduct in Part 5 of the Constitution sets out the process to be followed if a member is alleged to have failed to comply with the Code.
- 5.3. **Registers of interests** are published on the Combined Authority's web-site.

## **6. Non-Voting Advisory Representatives on the Employment and Skills Committee**

- 6.1. An advisory representative must declare any interest arising any matter to be considered or being considered at a meeting of the Committee:
  - in which they **personally** stand to make a direct financial gain or loss, or
  - where the matter relates specifically to a **potential grant to or contract with their employer.**
- 6.2. All declarations will be minuted, and the Chair of the meeting may ask any individual not to participate in any item where a conflict of interest arises.

## **7. Officers of the Combined Authority and Other Local Authorities**

- 7.1. Officers of the Combined Authority and the LEP must comply with the **Combined Authority's Officer Code of Conduct** and **Gifts and Hospitality Policy** in Part 5 of the Constitution when they are working for the Combined Authority or advising the LEP.
- 7.2. Officers from another local authority must comply with their authority's Officer Code of Conduct and any Gifts and Hospitality Policy.

7.3. The **LEP Constitution** also requires:

- senior officers of the Combined Authority and officers involved in advising the LEP to complete a **LEP Officer's register** of interests,
- any officer from another local authority advising the LEP to comply with their authority's officer Code of Conduct, and
- any officer advising the LEP Board to be mindful of potential conflicts of interest, and exclude themselves for advising on any matter where their personal or professional interests are such that their integrity or objectivity may be questioned.

7.4. **Contracts Standing Orders** in Part 4 of the Constitution address potential conflicts of interests arising in respect of **contracts** with the Combined Authority for goods, services, or an interest in property.

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