

CODE OF CONDUCT FOR MEMBERS

The Merseyside Waste Disposal Authority (“the authority”) has adopted this Code of Conduct to promote and maintain high standards of conduct and underpin public confidence in the authority and its members.

The Code has been adopted voluntarily and is based on the following core principles of public life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It sets out general obligations about the standards of conduct expected of members of the authority, together with provisions about registering and declaring interests.

Interpretation

In this Code:-

“member” includes a co-opted member.

“meeting” means any meeting of:

- (a) the Authority or any of its committees;
- (b) any briefing by officers; or
- (c) any site visit to do with business of the Authority

whether or not the press and public are excluded from the meeting in question by virtue of a resolution of members.

General obligations

When acting in your role as a member of this authority you must act in accordance with the following obligations:

Selflessness

You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

Integrity

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

You should exercise independent judgement. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

Objectivity

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or

benefits, on merit.

You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the authority's officers, into consideration.

Accountability

You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including by local residents.

Openness

(a) You must be as open and transparent as possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and actions. You must not prevent anyone getting information that they are entitled to by law.

(b) Where the law or the wider public interest requires it, you must not disclose confidential information or information to which public access is restricted.

Honesty

(a) You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out below.

(b) You must only use or authorise the use of the authority's resources in accordance with the authority's requirements. You must, when using or authorising the use by others of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

Respect for others

(a) You must treat others with respect. You should engage with colleagues and staff in a manner that underpins mutual respect, essential to good local government.

(b) You must not do anything which may cause your authority to breach any equality laws.

(c) You must not compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the authority.

(d) You must not bully any person, including other councillors, officers of the authority or members of the public.

Leadership

You must promote and support high standards of conduct when serving as member or co-opted member of the authority, by leadership and example, championing the interests of the community.

You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

Registration of Interests

You must within 28 days of:

- (a) this Code being adopted by this authority; or
- (b) your election or appointment to office (where that is later)

register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Disclosable Interests).

You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer of that new interest or change.

Declaring of Interests and Participation in Meetings

If you are present at a meeting and you have a Disclosable Pecuniary Interest as set out in Appendix A

- (a) you must not participate in any discussion of the matter at the meeting and you must not vote on the matter;
- (b) you must make a verbal declaration of that interest if an item of business affects or relates to that interest, at or before the item is considered or as soon as the interest becomes apparent;
- (c) you must leave the room where the meeting is held during any discussion or vote;
- (d) if the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Where a matter arises at a meeting which relates to an interest in Appendix B

- (a) you must not vote on the matter;
- (b) you may speak on the matter only if members of the public are allowed to speak at the meeting;
- (c) you must declare your interest if you speak on the matter at the meeting or if the interest is not already on your register of interests or if you have not notified the Monitoring Officer of it. Otherwise, you do not need to declare the interest at the meeting.

Where a matter arises at a meeting which relates to or is likely to affect any of the interests listed in Appendix A, but in respect of a member of your family (other than your spouse/partner) or a friend or close associate of yours

- (a) you must declare the interest;
- (b) you must not vote on the matter;
- (c) you may speak on the matter only if members of the public are allowed to speak at the meeting.

Sensitive interests

Where you consider that disclosure of the details of an interest could lead to you or a person connected with you being subject to violence or intimidation and the Monitoring Officer agrees that it is a “sensitive interest”, you need only declare the fact that you have an interest but not the details of that interest. Copies of the public register of interests may state you have an interest the details of which are withheld.

Gifts and Hospitality

There will be no requirement for you to declare or register any gifts and hospitality but DO NOT accept any gifts in excess of £50 (fifty pounds).

APPENDIX A

DISCLOSABLE PECUNIARY INTERESTS

This code requires members to register, disclose and not to participate in respect of any matter in which a member has a “Disclosable Pecuniary Interest” as defined in Chapter 7 of the Localism Act 2011. Disclosable Pecuniary Interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Whilst Merseyside Waste Disposal Authority is not listed as a “Relevant Authority” in the above act, the following list of Disclosable Pecuniary Interests should be treated as if it were for the purposes of this Code.

A Disclosable Pecuniary Interest is an interest of you (i.e. the member) or of your partner (which means spouse or civil partner or a person with whom you are living as husband or wife, or as if you are civil partners) within the categories below*:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a Member of a relevant authority in carrying out duties as a Member, or towards the election expenses of a/the Member of the relevant authority. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest*) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. <i>*this means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest</i>
Land	Any beneficial interest in land which is within the area of the relevant authority*.

**land excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income.*

Licences

Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Corporate tenancies

Any tenancy where (to the relevant Member's knowledge)—
(a) the landlord is the relevant authority; and
(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities* of a body where—
(a) that body (to the relevant Member's knowledge) has a place of business or land in the area of the relevant authority; and
(b) either—
(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
(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 the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**securities means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

**The provisions in the Code in respect of the registration and declaring of Disclosable Pecuniary Interests and the requirement to withdraw from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and to those of your spouse or civil partner or a person with whom you are living as a spouse or civil partner where you are aware of their interest.*

APPENDIX B**OTHER DISCLOSABLE INTERESTS**

An interest which relates to or is likely to affect:

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by this authority or your principal authority.

(ii) any body

- (a) exercising functions of a public nature;
- (b) directed to charitable purposes; or
- (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management.