

Local Action Group MEMBERS' CODE OF CONDUCT

INTRODUCTION

This Code has been prepared and adopted by the Local Action Groups (LAGs) covering the Brecks, Broads, Waveney Valley, Wensum and Coast and West Norfolk, within the spirit and meaning of Section 51 of the Local Government Act 2000.

Every Local Action Group (LAG) member, as well as any co-opted member, must sign an undertaking to observe the Code. Any person may then make a written complaint to the Accountable Body that a member has acted in breach of the Code, which will secure an assessment of the complaint, and may eventually lead to sanctions being applied to the member by the Local Action Group.

SCHEDULE

THE CODE OF CONDUCT

Part 1

General provisions

Introduction and interpretation

1.

- (1) This Code applies to **you** as a member of a Local Action Group.
- (2) You should read this Code together with the help and advice form.
- (3) It is your responsibility to comply with the provisions of this Code.
- (4) In this Code "meeting" means any meeting of the Local Action Group or any sub-committee established for any purpose;

Scope

2. (1) You must comply with this Code whenever you –

- (a) conduct the business of your Local Action Group; or
- (b) act, claim to act or give the impression you are acting as a representative of your Local Action Group

and references to your official capacity are construed accordingly.

- (2) Subject to sub-paragraph (3), this Code does not have effect in relation to your conduct other than where it is in your official capacity.

- (3) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

General obligations

3. (1) You must treat others with respect.

(2) You must not –

(a) do anything which may cause your Local Action Group to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006;

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be involved in the administration of LAG business

in relation to an allegation that a member (including yourself) has failed to comply with his or her LAG's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your Local Action Group

4. 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;

(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;
or

(iv) the disclosure is –

(a) reasonable and in the public interest; and

(b) made in good faith and in compliance with the reasonable requirements of the Local Action Group; or

- (b) prevent another person from gaining access to information to which that person is entitled by law.
- 5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or Local Action Group into disrepute.
- 6. You –
 - (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of your Local Action Group–
 - (i) act in accordance with your Local Action Group's reasonable requirements;
- 7. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by your Local Action Group's Programme Manager where that officer is acting pursuant to his or her Local Action group duties.

Part 2

Interests

Personal interests

- 8. (1) You have a personal interest in any business of your Local Action Group where either –
 - (a) it relates to or is likely to affect –
 - (i) any body exercising functions of a public nature; of which you are a member or in a position of general control or management;
 - (ii) any employment or business carried on by you;
 - (iii) any person or body who employs or has appointed you;
 - (iv) any person or body who has a place of business or land in your Local Action Group's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (v) any land in your Local Action Group's area in which you have a beneficial interest;

(vi) any land in the Local Action Group's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person

(2) In sub-paragraph (1)(b), a relevant person is –

(a) a member of your family or any person with whom you have a close association; or

(b) any person or body who employs or has appointed such persons, any firms in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or one hundredth of the total issued share capital (whichever is the lower);

Disclosure of personal interests

9. (1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your Local Action Group and you attend a meeting of your Local Action Group at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

Prejudicial interest generally

10. (1) Subject to sub-paragraph (2), where you have a personal interest in any business of your Local Action Groups you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) You do not have a prejudicial interest in any business of the Local Action Group where that business –

(a) does not affect your financial position or the financial position of a person or body described in paragraph 8;

(b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8

Effect of prejudicial interests on participation

- 11.** (1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your Local Action Group –
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held in any other case, whenever it becomes apparent that the business is being considered at that meeting:

 - (b) you must not seek improperly to influence a decision about that business.

Part 3

Registration of Members' Interests

Registration of members' interests

- 12.** (1) You must, within 28 days of –
- (a) this Code being adopted by or applied to your Local Action Group; or
 - (b) your appointment to the Local Action Group,
- register in your Local Action Group's register of members' interests details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your Local Action Group's Accountable Body Programme Manager
- (2) You must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your Local Action Group Programme Manager.

Declaration

13.

I have read and understood the code of conduct, and the Terms of Reference, and I agree to observe both whilst I am a member of my Local Action Group

Signed

Dated

Name of Local Action Group

LOCAL GOVERNMENT ACT 2000
LOCAL ACTION GROUP PARTNERSHIP BOARD
REGISTER OF BOARD MEMBERS' INTERESTS

I,
a member/co-opted member of the Local Action Group hereby give notice that I have set out below under the appropriate headings my interests which I am required by paragraph 14 of the Code of Conduct adopted by the Local Action Group

Please write NONE where under any heading you have no interest to register.

Please also write out the full name of any organisation or other body to which you belong rather than use an acronym

	Declarable Interest	Details
1	<i>Employment</i>	a) Please give below details of any employment or business carried on by you. b) Please give below the name of your employer or the person who appointed you. c) Please give below the name of any firm in which you are a partner. d) Please give below the name of any company of which you are a director
2	Shareholdings	Please give below the name of any company or similar body which has a place of business or which owns land within the geographic area covered by your LAG and in which you have a beneficial interest in a class of shares or other securities, which exceeds a nominal value of £25,000 or 1% of their total issued share capital.

	Declarable Interest	Details
3	Land Interests	<p><u>Please note that this section is wide enough to cover your home in which case it should be registered under either (a)</u></p> <p><i>In the case of any entry under this section you must give the full address or such other description as is sufficient to identify the location of the land or property e.g. 27 Acacia Avenue Norwich or Sunnyside Farm, Low Road, Wroxham. If necessary in order to clearly identify the location you should attach a plan edging the land in red.</i></p> <p>(a) Please give below the address or other description (sufficient to identify the location) of any land within the geographic area covered by your LAG in which you have a beneficial interest. In this respect:-</p> <p>(i) a beneficial interest is a property interest from which you benefit</p> <p>(ii) "land" includes buildings or parts of buildings</p> <p>(b) Please give below the address or other description (sufficient to identify the location) of any land within the geographic area covered by your LAG to which you have a licence (alone or with others) to occupy for 28 days or longer.</p>

	Declarable Interest	Details
4	Membership of Other Organisations	<p><i>This section is concerned with other public and charitable bodies to which, in one way or another, you may be involved.</i></p> <p>Please give below details of any of the following types of body in which you hold a position of general control or management.</p> <p>(i) any public authority or public body (including another local authority) which exercises functions of a public nature;</p> <p>(ii) any company, industrial and provident society, charity or body directed to charitable purposes;</p>

Signed Dated

RECEIVED

Signed Dated

Appendix 2: Register of Interest

HELP AND ADVICE FOR FILLING IN YOUR FORM

MEMBER'S INTERESTS

Required to be declared under Local Action Group's Members' Code Of Conduct

1. This declaration is limited to ownership of companies who operate or have land within the LAG area.
2. Anyone with a £25k or more than 1% interest in a national bank, building society, insurance company etc. with a base in the LAG area are advised to declare it.

	DECLARABLE INTEREST	SUGGESTED DETAILS TO CONSIDER WHEN COMPLETING YOUR INTEREST
1	Employment	
	(a) Any employment or business carried on by you.	This should include the position you hold, whether employed or self-employed.
	(b) Any person or body who employs or has appointed you	This should include the name of the company or organisation who is employing you or the company you are self-employed in.
2	Shareholdings	
	Any person, company or other body which has a place of business or which owns land in Norfolk and in which you have a beneficial interest in a class of shares or other securities which exceeds a nominal value of £25,000 or 1% or the total issued share capital, whichever is the lower.	This should include relevant details if you are a shareholder or have a stake in any business within the geographic area covered by your LAG
3	Land Holdings	
	(a) The address of land (or other description sufficient to identify the location) in which you have a beneficial interest.	This should include you home address (owned, leased or mortgaged). The address of any other properties or land you hold within the geographic area covered by your LAG.

	DECLARABLE INTEREST	SUGGESTED DETAILS TO CONSIDER WHEN COMPLETING YOUR INTEREST
(b)	The address of land in Norfolk (or other description sufficient to identify the location) for which you have (alone or jointly with others) a licence to occupy for 28 days or longer.	This should include any property you have on license within the geographic area covered by your LAG.
4	Public Appointments	
(i)	Any body of which you are a member or in a position of control or management which exercises functions of a public nature	<p>This should include your membership on any district/parish council; appointments as a school governor, a trustee, or on a housing trust, or public health body, or any other body that you are a member of. This includes other government agencies and council owned companies exercising public functions. If the answer is yes to any of the questions below, then the body exercises functions of a public nature and should be listed. This excludes any charity or body directed to charitable purposes (for these see over).</p> <ul style="list-style-type: none"> • Does that body carry out a public service? • Is the body taking the place of local or central government in carrying out the function? • Is the body (including one outsourced in the private sector) exercising a function delegated to it by a public authority? • Is the function exercised under legislation or according to some statutory power? <p>Can the body be judicially reviewed?</p>
(ii)	Any charity or body directed to charitable purposes of which you are a member or in a position of control or management	This should include membership of any charity, or charitable body that you are a member of. Such as: Freemasons, Rotary Club, Lodges, Odd Fellows, Royal British Legion etc.

Local Action Group

Terms of Reference and Constitution for the Leader programme 2015-20

LAG TERMS OF REFERENCE

The purposes of the Local Action Group are:

To develop and deliver a Local Development Strategy for the area by bringing together a representative group of the private, public, voluntary and community sectors to form a Local Action Group.

To oversee the preparation of and approve an annual three year rolling Delivery Plan that sets out the main targets for each year of the Programme and hence achieves the Programme's aims as outlined in the Local Development Strategy.

To review, approve and monitor project concepts and appraisals, and programme budgets.

To develop interventions which meet the objectives outlined in the Local Development Strategy and the Delivery Plan.

To act as a forum for the discussion of major issues affecting the environmental, economic and social character of the area and, where appropriate, make recommendations or coordinate activities.

To promote awareness of the grant opportunity and an understanding of issues relating to the Programme, for the benefit of the area's local businesses, communities and visitors.

To encourage partnership working between the area's statutory, community and voluntary organisations, to maximise benefits for all.

To share experience with other relevant groups and networks locally, in the region, in the UK and elsewhere, especially within the EU.

To promote innovation and best practice across the Programme area.

To promote equality of opportunity within the area, irrespective of gender, race, colour, ethnic or national origin, marital status, disability, sexual orientation, religious beliefs or age.

CONSTITUTION OF THE LAG

1. LAG

1.1 Membership

The LAG is made up of the Chair and Vice Chair of the LAG, together with a representative of the Accountable Body and Defra. There will be further LAG members representing a spread of economic, social and environmental interests to properly reflect the priorities of the LDS. Sector and specific sub-group representation will also be balanced with no individual sector or specific sub group allowed to dominate membership.

Public sector membership of the LAG will not exceed 50%. Each local authority with a LAG operating in their area is entitled to one representative. Each authority can put forward either an officer or an elected member, and will only be entitled to one vote per LAG. The Accountable Body will administer public sector representation on the LAG, ensuring a balance of public and private sector members to keep the group quorate.

The Accountable Body for all Local Action Groups in Norfolk is Norfolk County Council, and therefore the only seat NCC will have on each LAG will be that of the Accountable Body.

Any Member may retire from the LAG giving three months' notice in writing to the Chair of the LAG. Upon retirement, the retiree may be replaced by an alternative member from the same organisation or a replacement organisation from the same sector and subject area (e.g. economic, community, environmental) subject to a ballot as above.

Any LAG Member failing to attend three consecutive meetings will be deemed to have retired. The LAG may invite the existing Member to continue if there is felt to be a satisfactory reason for non-attendance or it may then invite the nominating body to propose a new member.

A register of members will be maintained by Programme staff (Register of LAG Members RDPE Operation Manual OM 02).

LAG members will adhere to the Member Code of Conduct at all times. A complaint received against any Member not adhering to the Code of Conduct will be reviewed by the Accountable Body and the Chair. The Accountable Body will then decide what action to take.

1.2 Changes to the Constitution

This Constitution is effective from **1st March 2015**. It will be open to review at any time; any proposed variation will require the agreement of the LAG in accordance with its normal voting procedures.

1.3 Election of Chair and Vice Chair

Elections for the Chair and Vice Chair of the LAG will be held annually in December by email ballot, with the exception of Year 1, when the programme start will determine a later election. Each period of office will start from the following January 1st.

Any Member, who does not represent a public body, will be eligible to stand as Chair or Vice Chair.

Nominations will be accepted up until 1st December.

Nominees should provide a brief written summary of their relevant experience and interest in the post.

Contested positions will be decided by a majority vote.

The chair of the LAG may hold the role for a maximum of three consecutive years.

1.4 Operating Procedures

The LAG will meet at least four times a year. Additional meetings will be held when required to facilitate effective decision making.

The agenda will be determined by the Chair. The purpose of meetings is to review progress, discuss and propose future activities and receive reports from Programme staff. A prime function of the LAG is to review, approve and monitor project concepts and appraisals, and programme budgets.

LAG members with any personal or financial interest in a matter being discussed must declare that interest, will not be entitled to take part in any discussions and must leave the meeting to avoid any conflict of interest. A register of interests will be maintained.

Meetings will normally be closed to the public.

The Chairman shall have the right to invite representatives of other bodies to the Committee to discuss particular issues. These co-opted representatives will have no voting rights.

A quorum of seven members is required, of which one must represent the Accountable Body and public sector members must not exceed 50% of those entitled to vote present at the meeting.

Administrative support for the LAG shall be provided by the Programme Co-ordinator.

An agenda and all papers shall be circulated one week before each meeting;

tabled papers will be the exception with the prior permission of the Chair. Meetings will be minuted.

An Annual Review meeting will also be held and may take the form of a public consultation or event. It could involve more than one Local Action Group coming together to share best practice.

1.5 Decision Making

The LAG will seek to reach agreement on recommendations by discussion and consensus. On occasions when a formal vote is required, each Member or substitute shall be entitled to one vote and decisions will be made on the basis of a simple majority.

A quorum of seven members is required, of which public sector members must not exceed 50% of those entitled to vote present at the meeting. An interest of a member in a project to be selected for funding or to be appraised by the LAG shall be deemed to be a conflict of interest and accordingly that member shall take no part in any discussions and or voting in regard to that project at that meeting. If the project promoter is the Chairman such an interest shall be deemed to have a conflict of interest and accordingly the Chairman shall take no part in any discussions and or voting in regard to that project. The rules for dealing with a conflict of interest will equally apply to the initial, first or second stage of project development (discussion on the initial idea , project concept or project application).

The chairperson will have a vote. In the event of an equal split of votes the chairperson will have a casting vote.

The Defra representative does not have a vote at the meeting. Defra does have the ability to veto a project approval if they have reason to do so at project sign off stage.

The LAG recommends approval of the Delivery Plan on an annual basis. The LAG will be responsible for commissioning interventions and approving interventions.

LAG decisions will be taken by simple majority voting and the result of the vote will be minuted. When decisions are not unanimous, the votes for and against of individual members will be minuted.

1.6 Dissolution

Dissolution of the LAG can only occur by decision of the whole LAG or Defra

2 Working Groups

Working Groups, tasked with driving forward the development of interventions under the Programme, will be established as required by the LAG. They will report to the LAG as necessary and at times dictated by the LAG.

At the first meeting of each Working Group, the Group shall elect a Chair, to steer each group. The Chair of each group must come from a non-public sector partner.

Working Groups will meet through the year, as frequently as required to develop project proposals.

2.1 Advisors

In order to obtain specialist, local knowledge and expertise, the Partnership may invite advisors on specific issues to attend LAG meetings. However, these advisors shall not be regarded as LAG members, and will not have the same rights and obligations (such as voting rights) at any such meetings attended.

2.2 Conflict of Interests

Conflicts of Interest must be disclosed as per section 9 of the Code of Conduct.

Each member of the LAG is required to complete the Conflict of Interest Register (RDPE Operation Manual OM 03) stating any personal or pecuniary interest (direct or indirect) within the meaning of section 94 and 95 of the Local Government Act 1972 in any item under discussion and shall take no part in the discussions or voting on that item.

Conflicts of Interest must be declared a week in advance of the meeting (to ensure the meeting will be quorate) and will be recorded for the minutes.

LAG members concerned about the non-disclosure of interests from other members of the LAG can send a written notice of complaint to the Accountable Body, who will investigate the claim. Details of the complaint will not be made available to the group, but will be kept on record by the Accountable Body.

3 Legal and Financial Matters

As Accountable Body, Norfolk County Council is responsible for the proper management of finances and the Programme contract with Defra. Defra has set out the functions and role of the Accountable Body in the operations of the LAG, in the National Delivery Framework.

Programme staff will advise the LAG about the propriety of activities; the Accountable Body will have the right of veto in the event of the LAG wishing to support an activity, which the Accountable Body considers to be illegal, ineligible or contrary to the Programme regulations or this constitution.

Programme staff will provide financial updates to the LAG at each meeting of the Group.

Members will be encouraged to offer appropriate support to those developing projects through their involvement in Working Groups. Members must ensure that any such advice is in line with their own personal and professional skills and experience, and ensure that such support does not result in personal liability.

The appraisal of project applications may involve access to sensitive business information; in this event, members must respect requirements for confidentiality.

LAG member travel expenses will be reimbursed for non-public sector members only. Re-imburement will be by way of a claim form and subject to the rules of the programme claims process. Claims found to be fraudulent will be dealt with under the rules of the programme.

4 Defra's Behavioural Code of Conduct

Defra and LEADER groups should work effectively together to improve the quality and cost effectiveness of services. Defra ask that LAG groups carry out their work with a commitment to the following values:

- ✓ We expect LEADER groups to be productive in how you work with Defra. The way in which we challenge each other should be professional, respectful and avoiding grievances. Any disputes you have with Defra must be dealt with professionally and privately and must not be aired with applicants and grant recipients. You are expected to create a good impression with customers, representing the programme, Defra and the LAG.
- ✓ We expect you to co-operate with us and respond positively to the challenges of LEADER delivery. We have a common goal which is to use LEADER to secure benefits to your local communities. We will work with you to solve policy and operational problems around LEADER delivery.
- ✓ We need to share information with each other to help improve our approach and ensure delivery of a co-ordinated and compliant programme.
- ✓ We will expect you to have a flexible approach and be open to new ways of thinking, helping us find new solutions to delivery/policy and operational problems. With new policy priorities, changes to the delivery landscape and

the introduction of the new CAP payments system, those that have been involved in LEADER in the past won't be able to do things as you've always done them.

- ✓ Once an issue has been resolved, accepting this may mean a compromise has been made; all parties will ensure that this is explained to relevant parties in a measured and reasoned way, explaining the rationale for the collective decision that has been taken.