

Members' Code of Conduct

As a Member or co-opted Member of the London Borough of Hammersmith and Fulham I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

Selflessness: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership: Holders of public office should promote and support these principles by leadership and example.

As a Member of the London Borough of Hammersmith and Fulham my conduct will in particular address the statutory principles of the Code of Conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents - including those who did not vote for me - and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the London Borough of Hammersmith and Fulham area or the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account, but restricting access to information when the wider public interest or the law requires it.
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.
- Complying with the Council's Information Security Policy and not misusing the Council's resources for unacceptable personal use.

Registration and Disclosure of Interests

Registration of Interests

1. From 28 July 2012, and thereafter within 28 days of your election or co-option, you must notify the Monitoring Officer of any 'disclosable pecuniary interests' which you have at that time.
2. Where you are re-elected or re-appointed, notification is only required of any new disclosable pecuniary interests within 28 days of your election or co-option.
3. You must keep your Register of Interests entry up to date by notifying the Monitoring Officer of any changes to your disclosable pecuniary interests within 28 days of the change occurring, or of you becoming aware of the change.
4. A 'disclosable pecuniary interest' is as prescribed by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and set out in Appendix A.
5. A pecuniary interest is a 'disclosable pecuniary interest' in relation to you if it is of a type described above, and either:
 - (a) it is an interest of yourself, or
 - (b) it is an interest of:
 1. your spouse or civil partner,
 2. a person with whom you are living as husband and wife, or
 3. a person with whom you are living as if they were civil partners, and you are aware that that other person has the interest.
6. You are also required to notify the Monitoring Officer of any gifts or hospitality with an estimated value of at least £50 which you receive in your role as a Member or co-opted Member of the Council.¹ You must inform the Monitoring Officer of any such gifts or hospitality within 28 days of receiving them so that the details can be entered into the Register of Interests.² All disclosable interests will be published on the Council's website.

Sensitive interests

7. If the nature of an interest is such that you and the Monitoring Officer consider that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to violence or intimidation, the interest must not be included in any published version of the Register of Interests, or be entered into any copy of the Register that is made available for public inspection. Instead the Register of Interests may state that the Member has an interest, the details of which are withheld under section 32(2) of the Localism Act 2011. If the Member is required to disclose such an interest in a meeting,

¹ This does not include civic gifts or hospitality received by the Mayor whilst acting in this capacity. Civic gifts are to be recorded in a separate register maintained by the Mayor's office.

² These details will be removed from the register two calendar years after they were added by the Monitoring Officer.

the Member need not disclose the interest, but merely the fact that the Member has a disclosable pecuniary interest in the matter concerned.

Disclosure of disclosable pecuniary interests at meetings

8. The following provisions apply if you are present at a meeting of the authority, the Cabinet, or of any committee, sub-committee, joint committee or joint sub-committee of the authority, or you are a Cabinet Member exercising an executive function and you are aware that you have a disclosable pecuniary interest in a matter to be considered, or being considered, at the meeting or which is the subject of the executive decision.
9. If the interest is not entered in the authority's Register of Interests, you must disclose the interest to the meeting (unless the interest is a sensitive interest).
10. If the interest is not entered in the authority's Register of Interests and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure.
11. Where the interest does appear in the Register of Interests, you must bring the interest to the attention of the meeting (unless the interest is a sensitive interest).
12. You may not:
 - (a) participate, or participate further, in any discussion of the matter at the meeting or in the case of an executive decision you must not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with by someone else), or
 - (b) participate in any vote, or further vote, taken on the matter at the meeting (unless you have requested and been granted a relevant dispensation by Audit, Pensions and Standards Committee), or
 - (c) remain in the room during the discussion or vote on the matter.
13. Where you have a disclosable pecuniary interest in a matter to be considered at a meeting, you may attend the meeting but only for the purposes of making representations, answering questions or giving evidence relating to the matter, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. Once you have finished, or the meeting decides you have finished, you must leave the room and may not participate further.

Disclosure of other interests at meetings

14. Where you are present at a meeting of the authority, the Cabinet, or of any committee, sub-committee, joint committee or joint sub-committee of the authority, or you are a Cabinet Member exercising an executive function, and identify any other significant interests which you feel should be declared in the

public interest, such interests should be declared to the meeting or, in the case of a Cabinet Member exercising an executive function, prior to taking a decision.

15. In such circumstances, you must consider whether your continued participation in the matter relating to your interest would be reasonable in the circumstances, particularly if the interest may give rise to a perception of a conflict of interests in the matter under discussion. If so you should comply with the requirements of paragraphs 12 and 13 above.

Allegations of a Failure to Comply with Code of Conduct

All complaints alleging a failure to comply with this Code will be considered in accordance with a procedure agreed by full Council.

Disclosable Pecuniary Interests

Definitions

The relevant person means **you** or:

- Your spouse or civil partner,
- A person with whom you are living as husband or wife
- A person with whom you are living as if they were your civil partner

Body in which the relevant person has a beneficial interest means a firm with which a 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.

Director includes a member of the committee of management of an industrial and provident society

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.

A 'disclosable pecuniary interest' is an interest of the **relevant person** (which you are aware of) within the following descriptions:.

Employment

Any employment, office, trade, profession or vocation carried on for profit or gain by a relevant person.

Sponsorship

Any payment or provision of any other financial benefit (other than from LBHF) made or provided within the **relevant period** in respect of any expenses, incurred by you in carrying out your duties as a member or co-opted member, or towards your election expenses.

This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation Act) 1992.

Relevant period means the period of 12 months ending with the day on which you notify the Monitoring Officer of the interest.

Contracts

Any contract which is made between the **relevant person (or a body in which the relevant person has a beneficial interest)** and LBHF :

- (a) under which goods or services are to be provided or works are to be executed: and
- (b) which has not been fully discharged.

Land

Any beneficial interest in **land** which is within the area of LBHF.

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 LBHF for a month or longer.

Corporate Tenancies

Any tenancy where (to your knowledge)

(a) the landlord is LBHF

(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 your knowledge) has a place or business or land in the area of LBHF; 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.