

CODE OF CONDUCT

Background

Partnership working is now a well-established mechanism for the delivery of large amounts of public expenditure within local communities. Whilst it may bring huge benefits in terms of greater synergy between spending programmes and the added value to impact on the ground, it is not always the easiest form of management to operate. Partnership working requires the cooperation of groups of individuals, from a range of organisations and with diverse backgrounds and very different levels of experience in the formal decision-making processes these public funds demand. Some partnerships, operate in an emotionally charged environment in which decisions, which are so crucial to the day-to-day lives of individuals in communities, have to be made.

It is not surprising in these circumstances that discussions sometimes become heated, that frustration causes conflict and that meetings can become unruly. The result is that decisions are not taken and funding not able to be committed to valuable projects.

For these reasons it is in the interest of partnerships to develop some ground rules of acceptable behaviour, not in an attempt to stifle debate and deny individuals an opinion but in order to manage the process and ensure that decisions can actually be made. These rules about how to behave are called a **Code of Conduct**.

It is the responsibility of all individuals operating within a partnership framework, whether representing the voluntary, community, resident, statutory or private sectors, to work together to **actively** promote appropriate behaviour at all times. The Code therefore applies to everyone, and is not just about controlling the behaviour of residents and community members.

It is important to remember that the conduct of all representatives of a partnership affects the public's and the government's perception of their reputation, standing and effectiveness in managing the money and assets under their control.

BOLDON NEWTOWN PARTNERSHIP GROUP CODE OF CONDUCT

1. INTRODUCTION

- This Code is intended as a guide, to indicate the standards of conduct and accountability which are expected of Board members and other individuals involved in the Boldon Newtown Partnership.
- This Code is designed to assist the Board as a whole, and all associated groups, to function efficiently, and to understand what conduct is expected of individuals when they are operating as a member of the Board and its sub groups, forums, task groups and any other meeting which takes place under the auspices of the (insert partnership).

This Code has been developed in line with the **NOLAN PRINCIPLES** outlined below and seeks to recognise that:

1. Any partnership group is made up of a diverse set of individuals with varying and sometimes **conflicting** interests, motivations, expectations and characters.
2. Any partnership group is made up of a diverse set of individuals with varying but potentially **similar** interests, motivations, expectations and characters.

THE SEVEN PRINCIPLES OF PUBLIC LIFE

Selflessness

Holders of public office should take decisions 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 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.

GOVERNANCE

This Code should not be confused with the technical procedures for the operation of the partnership covering areas such as eligibility for Board membership, quorum and other governance detail covered in the partnership's constitution.

Where legal structures such as Companies, Charities, Trusts and other informal agreements are in place this Code should be used in conjunction with these and amended accordingly.

The Code has been checked for conformity with the legal structures likely to be used

in partnership arrangements.

2. EQUAL OPPORTUNITIES

Individuals must not discriminate against people they come into contact with during their work with, or on behalf of, the Boldon Newtown Partnership on the basis of their ethnic origin, gender, sexuality, religion, disability or age.

All individuals will be expected to comply with Equal Opportunities legislation and the agreed Equal Opportunities policy of the Boldon Newtown Partnership Group.

We are all different and it is expected that this diversity will be respected and welcomed.

In all the partnerships work this will be demonstrated by:

- Not making **assumptions** about a person or a group of people
- Not making **judgements** about a person or group of people
- Not **discriminating** against any person or group of people on the basis of their ethnic origin, gender, religion, sexuality, disability or age.

3. BEHAVIOUR

3.1 During Meetings

The vast majority of the work of the Boldon Newtown Partnership will be undertaken at meetings, small and large. The effectiveness of these meetings is critical because they will be:

- The principal decision making tool of the partnership
- The principal method of wider community and partner involvement

The behaviour of participants at a meeting is important to the success of the meeting. Many people lack the confidence to express themselves fully in a meeting with other people, whereas some find it all too easy to dominate.

Effective meetings can be achieved if all individuals are committed to some simple ground rules for behaviour before and during meetings.

- Individuals have a responsibility to be properly prepared for meetings by reading the paperwork beforehand and by committing themselves to attending meetings as required.
- Individual and personal disputes should not be allowed to affect conduct within the meeting but should be resolved elsewhere.
- All contributions should be addressed to the meeting via the Chair. Individuals wishing to speak should seek the attention of the Chair and wait their turn to speak only when directed by the Chair
- Individuals should not have meetings within meetings by discussing issues with other individuals or groups of individuals when another person has been directed by the Chair to speak. All comments and queries should be directed to the whole meeting via the Chair.
- Individuals should respect the contributions of others by not interrupting when someone is speaking even when you may not agree with what they are saying.
- In contributing to the meeting individuals will ensure that comments they make do not amount to a personal attack on another individual and should avoid using heated, emotional and value loaded language and behaviour.
- Individuals should be constantly aware in their remarks of their equal opportunities responsibilities and avoid the use of potentially offensive language and comments.
- Individuals should above all remember that partnership work means not always getting the decision **you** want and accepting the responsibility of abiding by majority decisions.

It is very important that decisions taken in meetings are well informed by having

appropriate, accurate information and debate on the topics concerned. The wider community and government must be able to feel that decisions, particularly those affecting the spending of public funds, are fair and have not been influenced by the vested interests of those making these decisions or based on misinformation. For this reason one of the most important areas of appropriate behaviour during meetings, in addition to the above, relates to declarations of interest.

Declarations of Interest

At the beginning of a meeting the Chair will ask individuals in attendance to declare whether they have any personal, financial or other material interest in any item on the agenda. (More detailed information about what kinds of areas may constitute a Conflict of Interest and need to be declared is covered in a separate section below.) The Chair and the remaining voting members of the meeting will then decide whether individuals declaring an interest must leave the meeting for the relevant item or just not take part in the discussion or decision making.

3.2 Outside Meetings

It is just as important that individuals conduct themselves appropriately outside of official meetings since they will be seen as representatives of the partnership and its views in a number of other circumstances including non partnership meetings. Some of the issues to consider are outlined below;

Confidentiality

Partnership meetings may occasionally receive information which is not in the public domain often relating to individuals, organizations or financial matters. It is the responsibility of each individual to ensure that this information remains confidential to the meeting unless prior authorization has been given by the Chair for this to be discussed elsewhere. Individuals must never use confidential information for their personal advantage or the advantage or disadvantage of anyone known to them or to disadvantage or discredit the partnership.

Collective Decisions

Individuals will inevitably have differences of opinion on issues debated at meetings. After full discussion when the meeting has reached a conclusion all individuals must

uphold this decision whether they voted for it or against it. Speaking against agreed decisions in public will only serve to undermine the partnership and individuals have a responsibility to stand by the collective decisions of the partnership and to present a united front.

Communications with other agencies

There will be occasions when individuals will be asked to, or wish to, communicate with external agencies e.g. Government Office, the local council, press etc. In order to ensure they are fully apprised of the latest information and that communications are consistent throughout the organization this should only be done following contact with the Neighbourhood Manager.

Hospitality and Gifts

Individuals must declare any gifts or hospitality they are offered in connection with their role within the partnership to the Neighbourhood Manager/Chair. Anything which could be construed as a means of influencing the way in which decisions of the partnership are made should be refused. Advice should be sought from the Chief Officer/Chair if in doubt before accepting.

4. ROLES AND RESPONSIBILITIES

Some issues of behaviour and conduct relate to a lack of understanding of the various roles and responsibilities of the different individuals and groupings within which most partnerships operate.

Staff

The staff of the partnership and their day-to-day management rests with the Neighbourhood Manager and management employed by, or seconded to work with, the partnership. It is not the role of board members or others to act as managers of the staff team nor to give direct instructions to members of staff (other than the Neighbourhood Manager in the case of board members). Any requests or issues relating to the work of other staff members should always be directed to the Neighbourhood Manager for action.

Chair and Vice Chair

These are key roles within the partnership structure and these two individuals play an important part in the management of meetings and the conduct of individuals representing the partnership. Their responsibilities in relation to this issue include:

- Keeping order and making sure that the agreed rules of conduct are followed
- Minimising any sense of confusion and frustration by ensuring that the agenda is properly covered, that jargon is not used or is explained and that individuals understand the debate and what decisions are required and why.
- Making sure that everyone who wants to contribute is encouraged to do so
- Summarising the decisions taken and the action points which arise from this.
- Acting as an independent referee when required.

Partnership Members

The partnership's function is to decide the strategy, policies and overall direction of the partnership work within the budget, legal and statutory framework and other relevant government funding criteria set for the partnership operation. The partnership will also be responsible for monitoring the performance of the chief officer in delivering their legitimate decisions and will be accountable for matters affecting compliance with terms on which the Government has made funds available for the purposes of the partnership. The Accountable Body has specific responsibilities on this but the partnership shares overall responsibility for maximising the benefit derived from the use of such funding.

Neighbourhood Manager

It is the role of the Neighbourhood Manager to implement the partnership's decisions and to manage on a day-to-day basis the affairs of the partnership, including the staff team, within the budgets, legal and statutory framework and other relevant government criteria set for the partnership operation. In particular, the Neighbourhood Manager liaises with the Accountable Body in connection with the implementation of partnership decisions (amongst other things, through the expenditure of public funds.)

5. CONFLICT OF INTEREST

It is a requirement within the funding agreement for public funds that there is a formal written procedure for the avoidance of conflicts of interest. This covers board members, partners, employees and officers of a partnership together with connected persons including members of the same household. This applies in particular to decision-making as it relates to project appraisal /approval, and to the extent that it is within the partnership's remit, the letting of contracts.

It is acknowledged that all those involved in a partnership will, due to its nature, have an interest of some sort. Such interests must not be allowed to result in actual or perceived undue benefit or conflict and to unsound decision making.

Where a conflict of interest exists or potentially exists a declaration of interest should be made to the Chair of the appropriate meeting as outlined above in the meeting behaviours section. The types of conflict include:

- Where an individual or a connected person stands to gain financially from a partnership decision. Any interest of the individual or a member of the household or a related company or organization etc would be covered by this **Pecuniary Interests** category. For example where a project approval or decision on the letting of a contract would benefit an individual directly or an organization or company the individual was involved with. This would also apply if a member of the individual's household would benefit or if they were similarly involved with an organization or company who would benefit.
- Many individuals wear more than one hat i.e. some residents in decision making positions will be also employees of potential beneficiaries and some board members will be employees of partner organizations bidding for funds or contracts etc.

This can seem a confusing area for those not used to operating within these types of guidelines and if in doubt as to whether a potential conflict of interest exists this

should be clarified with the Neighbourhood Manager or Chair either before or during the relevant meeting. Further guidance on this can be provided by the Accountable Body or the Government Office.

6. BREACHES OF THE CODE

It is always preferable for breaches of the code to be dealt with in a timely manner.

Where this occurs during a meeting:

- Participants should raise breaches of the code as a point of order through the Chair.
- If the Chair agrees that a breach has taken place, a first oral warning will be issued to the person concerned. This will be noted in the Minutes.
- If an individual breaches the code for a second time they will be asked to leave the meeting. This will be noted in the minutes, explaining briefly the reasons for exclusion from the meeting.
- Following exclusion from a meeting the Chair will arrange a meeting of the Standards sub-group (or the partnership where relevant) to discuss the breach. This standards sub-group will meet within 14 working days of the original meeting.
- The meeting will decide whether it is appropriate for the individual to attend any partnership meetings or functions during this review period depending on the nature of the complaint.
- A copy of the complaint will be sent to the individual and to the other standards sub-group members 7 days before the review meeting.
- The standards sub-group will allow the individual to attend the meeting and to speak in reply to the complaint.
- If there is any dispute about the facts the standards sub-group may call for evidence and reconvene at a later date but within a further 14 days.
- If it is agreed that the code has been breached then appropriate sanctions will

be taken. The standards sub-group are authorised to give:

- A written warning concerning future conduct.
- A fixed term suspension from involvement in specific/all meetings of the partnership.

If it is decided that permanent suspension from meetings of the partnership is warranted, or in the case of a board member removal from office, then a report will be taken to the next full meeting of the board for decision. This process will take into account any other relevant requirements regarding suspension as contained in the organizations agreed policies or constitution.

There will be no right of appeal unless included in other governance agreements. In extreme cases the Accountable Body and / or the Government Office may become involved if such disputes threaten to affect the delivery of the programme.

Where the breach of code takes place outside a meeting then complaints must, in the first instance, be made in writing to the Chair of the relevant meeting or the Boldon Newtown Partnership in the case of the complaint being made against a board member.

The Chair will then, in consultation with the Vice Chair, decide whether to convene a standards sub-group to investigate as outlined above.

Signed.....

Partnership member (print).....