# Personal Interests

# **Code of Conduct**

### **DECLARING AN INTEREST- QUESTIONS TO ASK YOURSELF**

(These charts are for illustration only and are not definitive)
(If in doubt, consult the Monitoring Officer)

YES

### STEP 1:

Does the Code apply in this case?

### Are you:

- conducting Council business or attending a Council meeting?
- acting in the role of Member?
- acting as a representative of the Council?
- acting as the Council's appointee or nominee on any other body which does not have its own Code of Conduct?

OR

The Code **does** apply.
Continue to Step 2.

The Code **does not** apply.

No further action required.

## STEP 2:

Do you have a personal interest?

### Paragraph 10 (2) (a)

Does the business relate to, or is it likely to affect:

- your employment or business?
- your employer, firm or company?
- a person who has made a payment to you in respect of your election or expenses?
- a company in Ceredigion in which you own shares?
- a contract for goods, services or works made between the Council and you, your firm, your company or a company in Ceredigion in which you have shares?
- any land in Ceredigion in which you have beneficial interest?
- any land where the landlord is the Council and the tenant is your firm, your company or a company in Ceredigion in which you own shares?
- a body to which you have been elected or appointed by the Council?
- any public authority, company, charity, lobby group, trade union or professional association, or a private club, society or association operating in Ceredigion, in which you have membership or hold a position of general control or management?
- any land in Ceredigion in which you have a licence to occupy for 28 days or longer?

### Paragraph 10 (2) (b)

Might a decision be reasonably regarded as affecting (to a greater extent than the majority of other inhabitants of the word):

- your well-being or financial position?
- the well-being or financial position of any person with whom you live or with whom you have close personal association?
- the employment/business, employer, firm or company of any person with whom you live or with whom you have close personal association>
- any company in which any person with whom you live or with whom have a close personal association owns shares?
- any public authority, company, charity, lobby group, trade union or professional association, or a private club, society or association operating in Ceredigion in which any person with whom you live or with whom have a close personal association holds a position of general control or management?

### If YES, you have a personal interest

### You must:

- 1. disclose your personal interest
  - at meetings
  - when making written representations, and
  - when making oral representations (and you must confirm your interest in writing within 14 days)
- give written notification of your personal interest complete the yellow form (obtainable from Cttee Clerk or Monitoring Officer)
- consider whether you have a PREJUDICIAL INTEREST and go on to Step 3 (overleaf)

**If NO**, you don't have a personal interest

If the business is before an Overview & Scrutiny Committee, go to Step 3.

Otherwise, no further action is required.

STEP 3: Do you have a prejudicial interest?

# Paragraph 12 (1) Would a member of the public with knowledge of the relevant facts $OR \rightarrow$ reasonably regard your personal interest as so significant that it is likely to prejudice your judgement of the public interest? YES NO -Paragraph 12 (2) Does the matter fall within one of the following exemptions? (a) the business relates to: another authority of which you are a member another public authority in which you hold a position of general control or management a body to which you have been elected or appointed by the council your role as a School Governor who has not been appointed by the Council (provided it does not relate to your particular school) your role as a member of a Local Health Board who has not been appointed by the Council And it does not involve an approval, consent, licence, permission or registration (b) the business relates to various functions of th Council, i.e. housing; school meals, transport and travelling expenses; statutory sick pay; allowances, payments and pensions, subject to certain conditions (see paragraph 12(2)(b) of the Code) (c) the business relates to your role as a Community Councillor in relation to financial assistance made by your community council to community or voluntary organisation up to a maximum of £500 YES, one of the exemptions applies You are **NOT** regarded as having a *prejudicial*

You have a PREJUDICIAL interest. You must: Disclose your interest Withdraw from the meeting Not exercise executive functions Not influence decision Not make written representations Not make oral representations **UNLESS** You have been granted dispensation by the Ethics & Standards Committee The public are allowed to make representations, answer questions or give evidence interest. You must disclose your personal You are required to attend at an interest but you are allowed to participate in the Overview and Scrutiny Committee business. meeting

Paragraph 13

Is an Overview & Scrutiny Committee

taken by the Cabinet or another

considering a decision made or action

committee AND were you a member of Cabinet/Committee and present at the

time the decision was made/action

NO

You do NOT have a prejudicial; interest.

You must disclose any personal interest but you

are allowed to participate

YES

in the business

NO, none of

apply

the exemptions