

A meeting of the **STANDARDS COMMITTEE** will be held in **MEETING ROOM 1, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **THURSDAY, 6 DECEMBER 2007** at **4:00 PM** and you are requested to attend for the transaction of the following business:-

APOLOGIES

Contact

1. MINUTES (Pages 1 - 2)

**C Deller
388007**

To approve as a correct record the Minutes of the meeting held on 23rd October 2007.

2. MEMBERS' INTERESTS

To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda Item. Please see Notes 1 and 2 below.

3. USE OF RESOURCES JUDGEMENTS 2006/07 (Pages 3 - 8)

**C Deller
8007**

To consider a report by the Director of Central Services and Monitoring Officer on the outcome of the exercise undertaken in response to the Audit Commission's requirements.

4. CODE OF CONDUCT - STANDARDS BOARD NOTIFICATION (Pages 9 - 10)

**C Deller
8007**

To consider a report by the Director of Central Services and Monitoring Officer regarding notifications received from the Standards Board for England on decisions in respect of allegations of misconduct made against Councillors serving on Catworth and Earith Parish Councils.

5. TRAINING - UPDATE (Pages 11 - 12)

**C Deller
8007**

To consider a report by the Director of Central Services and Monitoring Officer on the response received to the training programme offered on the new Code of Conduct.

6. CODE OF CONDUCT - FACT SHEETS (Pages 13 - 20)

(a) **Bullying**

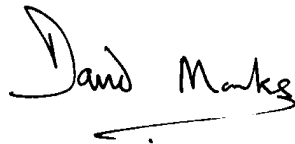
(b) **Lobby Groups and Declarations of Interest under the Code of Conduct**

The Standards Board for England has begun to issue a range of factsheets which convey information on various sections of the Code of Conduct via frequently asked questions. Two of the factsheets are appended for the Committee's information.

7. DATE OF NEXT MEETING

To note that that the next ordinary meeting of the Committee will be held on Thursday 6th March 2008 at 4pm.

Dated this 28th day of November 2007



Chief Executive

Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*
 - (a) *the well-being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;*
 - (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
 - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or*
 - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: Christine.Deller@huntsdc.gov. if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee.

Specific enquires with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (under *Councils and Democracy*).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit and to make their way to the car park adjacent to the Methodist Church on the High Street (opposite Prima's Italian Restaurant).

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the Special Meeting of the STANDARDS COMMITTEE held in Meeting Room 1, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Tuesday, 23 October 2007.

PRESENT: Mr D L Hall - Chairman
Councillors R S Farrer,
I R Muir, T D Sanderson, and G S E Thorpe.
Messrs P L Boothman, D MacPherson, and
G Watkins.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors J D Ablewhite, Mrs B E Boddington and P J Downes and Mr M Lynch.

22. MINUTES

The Minutes of the meeting of the Committee held on 13th September 2007 were approved as a correct record and signed by the Chairman.

23. MEMBERS' INTERESTS

No interests were declared.

24. APPLICATION FOR DISPENSATION

A report by the Director of Central Services and Monitoring Officer was submitted (a copy of which is appended in the Minute Book) regarding a request received for dispensation from nine Members serving on Folksworth and Washingley Parish Council.

The Monitoring Officer explained that following advice offered during a training session on Code of Conduct, it had become apparent to the Clerk that, as custodian trustees for land occupied by the Village Hall, Members of the Parish Council required dispensation to enable them to continue to consider applications for financial assistance received from the Village Hall Management Committee.

In accordance with the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002 and having been satisfied that approval was required to prevent the business of the Parish Council from being impeded, the Committee

RESOLVED

that dispensation to speak and vote be granted to Members of Folksworth and Washingley Parish Council for the period ending 30th April 2010 to enable them to conduct business involving the award of grant to the Village Hall Management Committee.

25. DATE OF NEXT MEETING

It was noted that the next ordinary meeting of the Committee would be held at 4pm on Thursday 6th December 2007.

26. ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

The Chairman reported on his attendance at the 6th Annual Assembly of Standards Committees.

Chairman

USE OF RESOURCES JUDGEMENTS 2006/07
(Report by the Director of Central Services and Monitoring Officer)

1. INTRODUCTION

- 1.1 At their meeting on 7th December 2006 (Minute No. 31 refers) the Committee considered a report by the Director of Central Services and Monitoring Officer which had been submitted in response to a requirement highlighted by the Audit Commission under the theme – Internal Control, in their Use of Resources Judgements 2005/06 for “an assessment of the standards of ethical conduct across the organisation”. The Use of Resources Judgement assesses how well Councils manage and use their financial resources and focuses on the importance of having sound and strategic financial management to ensure that resources are available to support the Council’s priorities and services.
- 1.2 To comply with this requirement, identified as KLOE 4.3 (key line of enquiry), the Committee noted that an annual survey of complaints by type, locality and outcome and of training received by Councillors (both District and Parish) would need to be undertaken and the outcomes reported to the Committee. A training programme for the following year could then be structured to meet any emerging needs or trends.
- 1.3 In 2005/06 there did not appear to be any commonalities in the cases considered by the Board which needed to be addressed specifically. In noting this position, the Committee acknowledged that this exercise would now be conducted on an annual basis.

2. 2006/07 SURVEY

- 2.1 In accordance with the procedure adopted by the Standards Board for England, the Monitoring Officer has been notified of decisions taken by the Board in seven cases during 2007, details of which are reflected in the Appendix hereto.
- 2.2 In all but one case, the Board agreed not to take any further action in relation to the allegations made and in the other case the Standards Committee found that there was a case to answer and as part of their recommendation offered the Parish Council concerned the opportunity to receive further training on the Code of Conduct.
- 2.3 It is difficult to identify whether any trend is emerging from the areas of the Code under which complaints have arisen. This is particularly so during the current year because of the introduction of a new model Code on 3rd May 2007 and the differences between the old and new codes.

- 2.4 However, taking the two different versions of the Code into account, there do not appear to be any commonalities in the issues which have been considered by the Board which require specific attention by the Committee.

3. TRAINING TARGETS – COMMENTS

- 3.1 Later on this Agenda, Members will receive a report from the Director of Central Services and Monitoring Officer describing the response to the training activity undertaken during the Summer/Autumn.
- 3.2 Looking at those authorities where complaints have arisen during the year, Little Paxton Parish Council received training from the Monitoring Officer and his staff on 4th October and individually attended the general session in Huntingdon on 24th July. Although no further action was taken in the remainder of the cases highlighted, the Monitoring Officer has subsequently hosted sessions for Huntingdon and St. Ives Town Councils and the Chair and Clerk to Earith Parish Council attended the open session held in St. Ives in early September.

4. CONCLUSION

- 4.1 The Monitoring Officer continues to target and respond to Parish Councils in terms of their compliance with the Code of Conduct as circumstances evolve and the need for training is identified. It is suggested that the approach which involves the targeting of individual Councils together with open sessions be continued.
- 4.2 The Committee is invited to note the contents of this annual report.

BACKGROUND PAPERS

Huntingdonshire District Council – Use of Resources Judgements 2005/06.

Previous Standards Committee Reports and Minutes.

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

APPENDIX

Meeting Reported	Authority	Paragraph of the Code alleged to have been breached *	Decision of the Standards Board for England
17th January 2007	Little Paxton Parish Council	3(a), 7(i), 8, 9(i) and 10(a)	Referred to the Monitoring Officer by the Standards Board for England. Standards Committee resolved that the Parish Councillor had breached paragraphs 7(i) and 8 of the Parish Council's Code of Conduct, that the former Councillor should be censured and that Little Paxton Parish Council be offered further training on the Code of Conduct.
8th March 2007	Huntingdon Town	4	No further action.
	Houghton and Wyton Parish Council	8, 10, 11(a)	No further action.
13th September 2007	Huntingdonshire	5 and 6	No further action.
	St. Ives Town Council	Complaint related to actions of the Council as a whole. No jurisdiction to consider allegations relating to the quality of Councillors work or decisions.	No further action.
6th December 2007	Catworth Parish Council	2	No further action.
	Earith Parish Council	3(2) (a)	No further action.

Paragraphs*

2 - A Member must comply with the Code whenever he conducts the business of their authority or acts, claims to act or gives the impression he is acting as a representative of their authority;

3 (a) – A Member must not disclose information given to him in confidence by anyone, or information acquired which he believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so;

3 (2) (a) – A Member must not do anything which may cause his authority to breach any of the equality enactments defined in Section 33 of the Equality Act 2006;

4 – A Member must not in his official capacity, or any other circumstance, conduct themselves in a manner which could reasonably be regarded as bringing his office or authority into disrepute;

5 – A Member must not conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute;

6 – A Member must not use or attempt to use his position as a Member improperly to confer on or secure for himself or any other person, an advantage or disadvantage and must when using or authorising the use by others of the resources of his authority act in accordance with his authority's reasonable requirements and ensure that such resources are not used improperly for political purposes;

7 (i) – A Member must regard him/herself as having a personal interest in any matter, if the matter relates to an interest in respect of which notification must be given, or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, rate payers, or inhabitants of the authority's area, the wellbeing or financial position of him/herself, a relative or a friend;

8 – A Member with a personal interest in any matter who attends the meeting of the authority at which the matter is considered, must disclose to that meeting, the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent;

9 (i) – A Member with a personal interest in the matter also has a prejudicial interest in that matter, if the interest is one in which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice a Member's judgement of public interest;

10 (a) – A Member with a prejudicial interest in any matter must withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless she/he has obtained dispensation from the Standards Committee at the responsible authority.

10 (1) – A Member with a personal interest in a matter also has a prejudicial interest in that matter if 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 a Member's judgement of the public interest.

11 (a) – A Member with a prejudicial interest in any matter must withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting unless he has obtained a dispensation from the authority's Standards Committee.

References –

The Local Authorities (Model Code of Conduct) (England) Order 2007.

The Local Authorities (Model Code of Conduct) (England) Order 2001.

The Parish Council's (Model Code of Conduct) (England) Order 2001.

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**CODE OF CONDUCT: STANDARDS BOARD NOTIFICATIONS
(Report by the Director of Central Services and Monitoring Officer)**

1. INTRODUCTION

- 1.1 In accordance with the procedure adopted by the Standards Board for England for the investigation of allegations, the Monitoring Officer has been notified of the Board's decision in respect of allegations made against Councillors serving on Catworth and Earith Parish Councils.

2. DETAILS OF CASE 1

- 2.1 The complainants and the Catworth Parish Councillor are next door neighbours. The complainants had stated that in 1992 they had purchased a property with a building plot and planning consent. At the time, there was an agreement reached between the complainants and the Parish Councillor (neighbour) to move the proposed site of the building back so that they were not overlooked. Earlier this year, the complainant submitted an application to which the Parish Councillor (neighbour) objected, allegedly ignoring the earlier agreement. It is alleged that in her letter of objection to the District Council, the Parish Councillor deliberately misled both the District and Parish Council by stating that the complainants had received a letter from the Land Registry advising of an error in the boundary shown on the plan. It was the complainant's belief that the Parish Councillor (neighbour) had fabricated this information to "bolster" her complaint.

- 2.2 The Standards Board for England has decided that the allegation should not be referred to an Ethical Standards Officer for investigation, having concluded that a potential breach of the Code of Conduct was not disclosed.

- 2.3 In reaching this conclusion, the Board has reiterated that the Code of Conduct applies to Members whenever they act in their official capacity, including whenever they conduct the business of their authority or act, claim to be acting, or give the impression they are acting, in their official capacity or as a representative of their authority. From the information submitted, the Board have concluded that the Parish Councillor objected to the planning application in her private capacity and therefore the Code of Conduct did not apply.

3. DETAILS OF CASE 2

- 3.1 The complainant had alleged that a Councillor serving on Earith Parish Council had been orchestrating a vendetta against him through other people because he had been 'shown up' by the complainant in the past. The complainant stated that when the Councillor and another named individual were elected they had decided to take 'the law into their own hands and to start throwing health and safety laws around and most of them were aimed towards the football club'. The reason for this was, according to the complainant, who runs the football club, 'just to get at me'.

- 3.2 The Standards Board has taken the view that there was nothing to support the assertion that the Councillor had purposefully singled out the complainant in order to fulfil a 'vendetta', nor was there anything to show that the Councillor had unlawfully discriminated against the complainant, either directly or indirectly. Therefore, the Standards Board concluded that the allegation should not be referred to an Ethical Standards Officer for investigation, as there was no evidence to suggest that a breach of the Code of Conduct had been disclosed.

4. CONCLUSION

- 4.1 The Committee is invited to note that the Standards Board for England has agreed not to take any further action in relation to allegations made against Councillors serving on Catworth and Earith Parish Councils.

BACKGROUND PAPERS

Letters received from the Standards Board for England dated 8th and 20th November 2007.

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

TRAINING UPDATE

(Report by the Director of Central Services and Monitoring Officer)

1. INTRODUCTION

- 1.1 The Committee will be aware of the concerted effort made by the Chairman and the Monitoring Officer to offer the opportunity to District, Town and Parish Councillors to participate in training on the new Code of Conduct since its introduction in May.
- 1.2 Whilst the Monitoring Officer and his Colleagues continue to remain available, if approached, to attend individual Town and Parish Council meetings, the formal programme of training which had been arranged has now concluded.
- 1.3 This report summarises the response to the training sessions held on the Code of Conduct since the Summer.

2. TRAINING EVENTS

2.1

Venue/Date	Represented	Numbers Involved
Huntingdon – 24.7.07 Pathfinder House	Barham & Woolley, Buckden, Buckworth, Bluntisham, Colne, Fenstanton, Great Paxton, Little Paxton, St. Neots and Ramsey	18
St. Ives – 5.9.07 Aquarius Room, St Ivo Leisure Centre	Buckworth, Earith, Fenstanton, Holywell- cum-Needlingworth, Hemingford Grey, Ramsey and Wistow	12
St. Neots – 12.9.07 Priory Centre	Barham & Woolley, Buckden, Folksworth & Washingley, Great Gransden, Hail Weston and Yelling	10
Spaldwick School – 3.10.07	Barham & Woolley, Buckworth, Ellington, Spaldwick and Stow Longa	14
Little Paxton – 4.10.07	Little Paxton Parish Council	11
St. Ives – 31.10.07 Town Hall	St. Ives Town Council	7
Huntingdon – 1.11.07 Town Hall	Huntingdon Town Council	13

- 2.2 Arrangements to attend Godmanchester Town Council on 11th October 2007 were cancelled by the Town Clerk because of the possibility of poor attendance. A revised date for the training has now been fixed for 24th January 2008 at 7.30pm in the Town Hall at Godmanchester.
- 2.3 Sessions for District Councillors were held on 20th August and 4th, 11th and 26th September. These were timed to precede or succeed scheduled meetings to which Councillors had already been invited. To date, 35 out of a total of 52 District Councillors have attended training. A further session for District Councillors is to be held after the Council meeting on 5th December at the Burgess Hall, St. Ives. The Monitoring Officer has written to both the Conservative and Liberal Democrat Group Leaders on the District Council, identified the non-attendees and requested their support in persuading those District Councillors who had yet to do so to attend the training session on the 5th December.

3. CAMBRIDGESHIRE STANDARDS COMMITTEES NETWORK

- 3.1 The Chairman and the Democratic Services Manager attended a meeting of the Cambridgeshire Standards Committees network on 29th October 2007 at the offices of South Cambridgeshire District Council. The network comprises Standards Committee Chairmen and Monitoring Officer staff from the Cambridgeshire authorities. Whilst attendance was disappointing, the meeting presented an opportunity to compare the experiences/practices of the other Cambridgeshire authorities towards various aspects of ethical standards work, including training for example.
- 3.2 The meeting also discussed the possibility of sharing expertise in mediation and training, the establishment of joint Standards Committees and a merger with the Suffolk Standards Committees' Network.
- 3.3 The next meeting will be held at the end of February 2008. A copy of the Notes of the meeting produced by South Cambridgeshire District Council are available on request.

4. CONCLUSION

- 4.1 The Committee is requested to note the response to the training activity undertaken by the Monitoring Officer on the new Code of Conduct.

BACKGROUND PAPERS

Attendance register held on File POL/46 in the Office of the Head of Administration.

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

Bullying

Relevant Code paragraphs: 3(2)(b) and 3(2)(c)

Summary: This document provides key information and answers frequently asked questions about bullying under the 2007 revised Code of Conduct for members.

Date published: 1 October 2007

Key facts

- You must not bully anyone including other councillors, council officers or members of the public.
- Bullying can be described as offensive, intimidating, malicious, insulting or humiliating behaviour, towards someone weaker than you or someone you have, or believe to have, influence over.
- Bullying may happen once or be part of a pattern of behaviour.
- Bullying attempts to undermine an individual or group of individuals and it can have a damaging effect on a person's confidence, capability and health.
- You must not intimidate anyone who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings relating to a Code of Conduct investigation.
- Bullying can be contrasted with the legitimate challenges a member can make when questioning policy or scrutinising performance (as long as it is done appropriately and is not offensive or disrespectful).

Frequently asked questions

Q1 Why is bullying such a serious issue?

Bullying can have a significant effect on victims and the authority's ability to provide services by affecting the morale of staff and the authority as a whole. This is because bullying can create a working environment with an atmosphere of mistrust, insecurity and fear.

In some cases, bullied officers require long periods of leave because of ill health or stress which can damage the running of an authority. This is particularly the case in parish and town councils, where there may only be a small team of employees. Quite often, officers feel unable to return to their role or even to carry out work of a similar nature.

Q2 Is bullying only bullying when it is done face-to-face?

Bullying is any insulting or offensive behaviour towards an individual or group of individuals.

This includes using physical force or making abusive personal remarks about or to the victim not only face-to-face, but by email, letter, through the press, at council meetings or by other means.

Q3 How can it be proved that bullying has occurred?

It is possible to investigate complaints of bullying if there is clear evidence that it may have occurred, for example if the complainant has kept a detailed record of the incidents and the context in which they took place.

Clear evidence is required so objective assessments can be made more easily as to whether these may be a breach of the Code of Conduct. This is because it is more difficult to judge bullying from general remarks, such as 'the councillor is always undermining me through her comments'.

To test whether bullying is taking place, ask yourself whether a neutral third party with all the facts would regard the conduct as bullying. In some circumstances, the claims are cases of oversensitivity to criticism, or a breakdown in a relationship between officers and members without an indication of any bullying.

Q4 Is it possible to take part in a vigorous political debate without breaching the Code of Conduct?

Disrespectful, intimidating or demeaning behaviour which is not carried out from a position of power or authority may not be bullying. But it may still be a breach of the Code of Conduct, e.g. by failing to treat others with respect.

For example, if a member uses inappropriate language or is disrespectful to another member during a debate, it may not be classed as bullying because a platform is present for the other member to defend themselves.

On the other hand, a member making abusive and disrespectful comments about an officer during a debate may be seen as bullying because the officer is not able to defend themselves.

Additional information

- *The Code of Conduct: Guide for members May 2007* offers more guidance on the Code and can be downloaded from our website - www.standardsboard.gov.uk.
- A full range of factsheets and frequently asked questions is available from the Code of Conduct section of our website.
- View our occasional paper on bias and predetermination, available online.
- Call our enquiries line on **0845 078 8181**.
- Email us at enquiries@standardsboard.gov.uk.

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Lobby groups and declarations of interest under the Code of Conduct

Relevant Code paragraphs: 8 – 12

Summary: This document provides key information and answers frequently asked questions about lobby groups and declarations of interest under the 2007 revised Code of Conduct for members.

Date published: 1 October 2007

Key facts

The revised Code of Conduct

- The Code of Conduct was revised in 2007. It is now less restrictive than the 2001 Code for members who participate in campaigns or are members of lobby groups. Some members, who found they were prevented by the 2001 Code from voting on a matter important to them or their lobby group, will not have a prejudicial interest under the revised Code of Conduct.

Register of interests

- Membership of lobby or campaign groups should be included on your register of interests, as these are bodies “whose principal purposes include the influence of public opinion or policy” under paragraph 8(1)(ii)(cc).
- Even if your lobby group does not keep a formal membership list, the Code of Conduct still applies to you. If you are acting as a member of the group – perhaps attending meetings or participating in group activities – you should still register your membership of the group and declare interests, where appropriate.

Personal interests

- The Code of Conduct requires you to declare a personal interest in any matter relating to an interest you must include in your register of interests.
- You are required to declare a personal interest if you are a member of a group that lobbies or campaigns about an issue that comes up for discussion or decision at your authority.
- You should declare the existence and nature of your interest at the meeting so that members of the public are informed about interests that may relate to your decisions. You can continue to participate unless the interest is also prejudicial (see the section on prejudicial interests below).
- You may not have a personal interest in a related discussion or decision of your authority if you merely campaigned on an issue as an individual and not as member of a relevant lobby group - for example, if you tackled an issue as part of your election campaign.

However, you should still consider the general test for personal and prejudicial interests and whether there is any other reason why you should not participate in the decision, including the possibility of bias.

You may want to discuss your circumstances with your monitoring officer. For information on bias and predetermination, see our occasional paper, which is available from our website - www.standardsboard.gov.uk

Prejudicial interests

Under the Code of Conduct, you only have to withdraw from a meeting where your personal interest is also prejudicial.

Exceptions

You cannot have a prejudicial interest in a matter if:

- a) The matter falls within one of the exempt categories of decisions under paragraph 10(2)(c), for example, any ceremonial honour given to members. A full list of exempt categories can be found in the Standards Board's Code of Conduct guidance, which is available on our website - www.standardsboard.gov.uk
- b) The matter does not affect your financial interests or does not relate to a licensing or regulatory matter brought by you or a person or body in which you have a personal interest.

For example, you will not have a prejudicial interest in a developer's planning proposal which you and your lobby group have campaigned against, if you, any person, or any body you have a personal interest in is not financially affected by the proposal.

The planning proposal might indirectly affect your lobby or campaign group since it relates to things it campaigns for or has expressed public opinions about. However, in this context, it will not be relevant for the purposes of the Code.

Nevertheless, you may have a prejudicial interest where the matter is an application for a grant for funding for a body on your register of interests, or a planning or licensing application made by you, a person or a body on your register of interests.

If your personal interest in a matter falls outside the exempt categories mentioned in a) above, and does affect your financial or regulatory interests, you will then have to consider the following **general test for prejudicial interests**:

Would a member of the public, who knows the relevant facts, reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest?

If the answer is 'yes' then you would have a prejudicial interest.

Frequently asked questions

Q1 How has the Code of Conduct changed for members of lobby or campaign groups?

Under the original Code of Conduct 2001, members of lobby groups were required to consider whether the indirect impact of a decision on their group would give rise to a prejudicial interest under the general test (see above). As a result, members declared personal and prejudicial interests in matters which they or their group had campaigned on or had expressed public opinions about.

Under the revised Code, members will not be prevented under the Code of Conduct from voting on a matter if their only interest is that they hold views on the matter, for example based on their experiences or political outlook.

Q2 Do I have a personal and prejudicial interest if I am a member of a group that campaigned against a planning application submitted by a developer?

No. You will only have a personal interest which you should declare the existence and nature of at the meeting considering the application. This is so that members of the public are informed about interests that may relate to your decisions.

However, you should still consider the general test for personal and prejudicial interests and whether there is any other reason why you should not participate in the decision, including bias. You may want to discuss your circumstances with your monitoring officer.

Q3 What should I do if my membership of a pro-development campaign does not give rise to a prejudicial interest, but I have other interests that may be relevant?

You still need to consider whether you have any personal interests that may also be prejudicial interests. For example, a prejudicial interest is likely to exist where a particular development financially affects your sister, as her property is two doors away from the development site. Please see our specific factsheet entitled *Personal and Prejudicial Interests*.

Additional information

- *The Code of Conduct: Guide for members May 2007* offers more guidance on the Code and can be downloaded from our website - www.standardsboard.gov.uk.
- A full range of factsheets and frequently asked questions is available from the Code of Conduct section of our website.
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