

Following feedback on the guidance provided and discussion with other towns in the programme, the following governance documents have been revised.

- Revised Code of Conduct
- Revised Declaration of Interest Form
- Revised Guidance Flowchart

# LONG TERM PLAN FOR TOWNS

## CODE OF CONDUCT FOR PETERHEAD TOWN BOARD MEMBERS

This Code deals with the conduct expected of the Long-Term Plan for Towns Board Members.

All members are expected to comply with this Code when they are conducting the work of the Board, representing the Board and otherwise acting in their capacity as Board Members. The Code does not apply to what Members do in their purely private and personal lives.

### Standards of behaviour

All Long-Term Town Plan Board Members shall sign up to this Code of Conduct based on the Seven Principles of Public Life (the Nolan Principles).

The principles are:

**Selflessness** - Holders of public office should act solely in terms of the public interest.

**Integrity** – Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**Objectivity** - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability** - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**Openness** - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty** - Holders of public office should be truthful.

**Leadership** - Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Elected Members of Aberdeenshire Council are bound by both the Council's Code of Conduct and the Long -Term Plans for Towns Code of Conduct while at meetings of the Board.

### **Decision Making**

When taking part in the decision-making process, you should:

- take into consideration everything you regard as relevant, or which you are advised is relevant
- disregard anything which you consider is not relevant, or which you are advised is not relevant
- follow the correct procedure

Sometimes you may have to take decisions that you personally disagree with, even if these are the 'right' decisions for the Board, taking account of the above factors.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your organisation and should be prepared to give reasons for those decisions and actions.

### **Conflict of Interest/Declarations of Interest**

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

Having regard to the nature of the likely interventions that will be explored as part of work of the Town Board, it is envisaged from time to time a conflict of interest may arise for Board members.

A conflict of interest arises where the Board member or:

- a close associate of a Board member;
- an immediate family member of a Board member;

Item 5.3

- a business or an organisation in which a Board member has an interest, a significant shareholding or is in a position of control in;
- or the employer of a Board member

has an interest in a matter which is the same as, connected to or may be affected by the matter under discussion.

Long Term Plan for Town Board Members must sign a Declaration of Interest form (Attachment 1) prior to taking up their position on the Board. At a meeting, Members must declare any interest or connection which they have in any matter to be considered at that meeting.

If the connection in the matter being discussed is an interest which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to influence the discussion or Board Member's decision making, then the Board Member must declare an interest in that particular matter as early as possible in the Board meeting, and certainly no later than the start of the agenda item and must leave the meeting for that particular item and not vote on the matter.

However, where the Board Member has a connection which is not considered to amount to an interest, they may state this for transparency reasons and continue to remain in the meeting to discuss, and vote, on the particular matter. This could result in a Transparency Statement being made.

Should any additional conflicts arise, these should be notified or declared in the meeting at which they arise. Board Members have a duty to keep their declared interests up to date.

The following interests must be entered by each Member in the register of personal interests and declared each time an item comes up for discussion at a meeting of the Board:

- Ownership or any other interest (including occupation) in any property within the area covered by the new Long-Term Plan for Towns Fund (including through a directorship or shareholding of a company)
- Directorship of, ownership of or employment by any company or partnership owning or occupying any property within the area of the new Town Fund Plan or carrying out work within that area.
- Any public body of which the Board Member is an official or elected shareholder
- Any company whose shares are publicly quoted in which the Board Member owns or controls more than 2% of the shares or where a company's shares are not publicly quoted in which the Board Member owns or controls more than 10% of the shares
- Any other interest which is significant or material including any direct or none indirect financial interest which may influence the Board Member's judgement on matters being considered or to be considered by the Board

## **Register of Interests**

The secretariat to the Long-Term Plan for Towns Board will establish and maintain a Register of Declaration of Interests for the Board. Such register may be made available publicly.

Entries can be deleted where a Board Member no longer has that interest, or the person concerned is no longer a Board Member.

## **Gifts and Hospitality**

Board Members understand that they may be offered gifts (including money or sponsorship), hospitality, material benefits or services ('gift or hospitality') which may be reasonably regarded by a member of the public with knowledge of the relevant facts as placing the Board Member under an improper obligation or being capable of influencing the Board Members judgement.

Board Members must never ask for or seek any gift or hospitality.

Board Members must also refuse any gift or hospitality, unless it is:

- a minor item or token valued less than £50 which is offered on an infrequent basis
- hospitality which would reasonably be associated with your duties as a Board Member; or
- hospitality which has been approved in advance by the Town Board

Board Members must declare to the Secretariat of the Town Board the above gifts and hospitality within 28 days of receiving them.

A Gifts and Hospitality Register will be maintained by the Secretariat of the Town Board.

## **Complaints and Breaches**

Any suspected breaches of the Code of Conduct will be reported to the Secretariat, who will place this on the agenda of the next Town Board meeting, where relevant Board Members will determine the process in line with the Peterhead Town Board Terms of Reference

Members are required to comply with any investigation in relation to complaints against their conduct. Failure to do so is considered a breach of the Code of Conduct.

Failure to uphold the Code of Conduct may lead to removal of the Board Member from the Town Board as set out in the Terms of Reference.

## **LONG TERM TOWN PLAN DECLARATIONS OF INTEREST BY BOARD MEMBERS**

I, **(insert name)**

give notice that I have the following Disclosable Pecuniary Interests (please state NONE where appropriate):

- Ownership or any other interest (including occupation) in any property within the Long-Term Town Plan area (including through a directorship or shareholding of a company)
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- Any directorship of, ownership of or employment by any company or partnership owning or occupying any property within the Long Term Town Plan area or carrying out work within that area.
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- An official or elected shareholder of any public body
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- Owns or controls more than 2% of the shares in any company whose shares are publicly quoted in, or owns or controls more than 10% of the shares in any company whose shares are not publicly quoted
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- Any other interest which is significant or material including any direct or none indirect financial interest which may influence your judgement on matters being considered or to be considered by the Board
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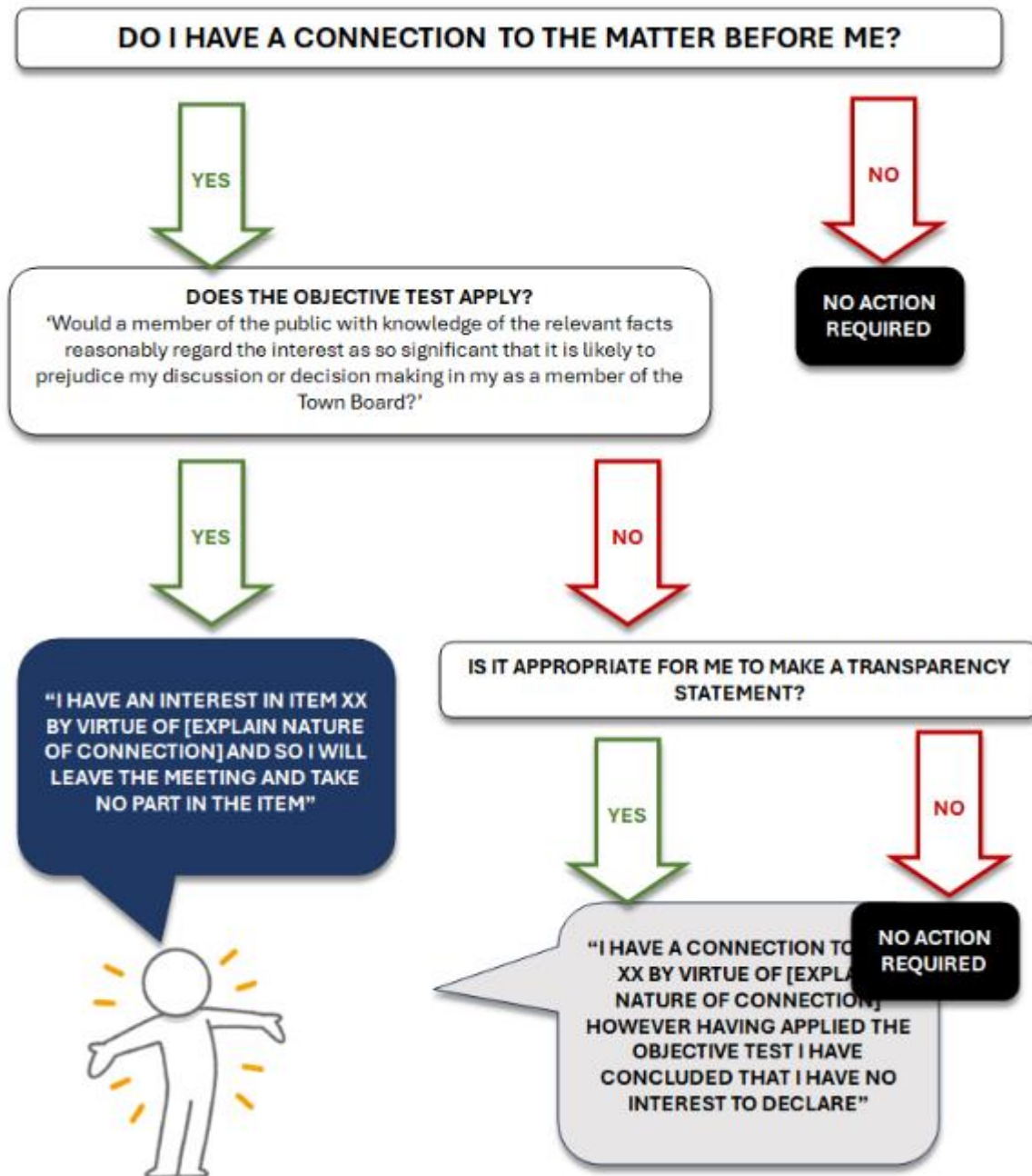
Signed

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Dated

# Peterhead Town Board connections and interests guidance

## Guidance flowchart



## Guidance - text version

### Question 1.

DO I HAVE A CONNECTION TO THE MATTER BEFORE ME?

- If **YES** – Go to question 2.
- If **NO** – no action required, and you can exit this guidance flow chart now.

### Question 2.

DOES THE OBJECTIVE TEST APPLY?

An example of an objective test is ‘Would a member of the public with knowledge of the relevant facts reasonably regard the interest as so significant that it is likely to prejudice my discussion or decision making in my role as a member of the Town Board?’

- If **YES** – Declare the following: “I have an interest in item [XX] by virtue of [EXPLAIN NATURE OF CONNECTION] and so I will leave the meeting and take no part in the item”
- If **NO** – Go to question 3.

### Question 3.

DO YOU HAVE ANY CONNECTION AND IS IT APPROPRIATE FOR ME TO MAKE A TRANSPARENCY STATEMENT?

A connection is any link between the matter being considered and me, or a person or body I am associated with. This could be a family relationship or a social or professional contact.

- If **YES** – Declare the following: “I have a connection to item [XX] by virtue of [EXPLAIN NATURE OF CONNECTION] however having applied the objective test I have concluded that I have no interest to declare”
- If **NO** – no action required, and you can exit this guidance flow chart now.

End of flowchart

## Links to further guidance

[Model Code of Conduct for Devolved Bodies](#)

[Councillors Code of Conduct](#)

[MPs Code of Conduct](#)

[MSPs Code of Conduct](#)