

**SCR Local Enterprise Partnership**

**Declarations of Interest Policy**

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## Document Properties

## Change Record

Version	Revision	Author	Description	Date
2	0	C James	Amendments made to meet requirements of National Local Growth Assurance Framework Jan 19	March 2019
2	1	C James	Changes accepted further to review by Statutory Officers 19/03/19	26/03/19

## Document Approval

Approving Body or Person	Role (review, approve)	Date
LEP Board	Approve	This policy will be presented to the LEP Board 20/05/19 for ratification.

## 1. Context

**1.1** Local Enterprise Partnerships (LEPs) are private sector led voluntary partnerships between local authorities and businesses set up in 2010 by the Department of Business Innovation and Skills to help determine local economic priorities and lead economic growth and job creation within the local area.

**1.2** The Sheffield City Region (SCR) LEP is comprised of:

- Private sector LEP Board Non-Executive Director (NED) - a non-remunerated appointment made through a fair and competitive process
- Leaders of the constituent and non-constituent SCR Local Authorities
- Co-opted specialists, a maximum of five, at the discretion of the Chair

**1.3** The purpose of the Sheffield City Region (SCR) LEP is

- to originate economic policy, author and maintain a Strategic Economic Plan (SEP) for the SCR and determine key funding priorities
- to support the SCR Mayor in developing the Local Industrial Strategy
- to ensure the SCR bids for public funding made available by government for LEPs in support of economic growth
- to ensure SCR policy and decisions receive the input and views of key business leaders and take account of the views of the wider business community
- to engage with local businesses to understand the needs of different sectors and markets
- to engage business, opinion formers and policy makers at a national and international level in promoting economic growth in the region

## 2. Purpose

**2.1** This Policy applies to any/all involvement with the work of the LEP and applies to all members of the Sheffield City Region Local Enterprise Partnership (“the LEP”). Members have a responsibility to comply with the provisions of this Policy.

**2.2** The purpose of this Policy is to ensure compliance with standards of good governance, transparency and stewardship.

**2.3** This Policy aims to provide clarity on how conflicts of interest should be registered, recorded and managed. It recognises that consideration of conflicts of interest is not reserved for formal decision-making meetings and is applicable to any activity or involvement of a member in the work of the LEP.

**2.4** LEP Board members have a personal responsibility for declaring their interests and avoiding perceptions of bias.

### 3. Interpretation

#### 3.1 In this Policy –

- (a) **'SCR'** means the Sheffield City Region
- (b) **'LEP'** means the Sheffield City Region Local Enterprise Partnership
- (c) **'Authority'** means the Sheffield City Region Mayoral Combined Authority
- (d) **'Meeting'** means any meeting of the LEP, its committees, sub-committees, joint committees or joint sub-committees, either under the direct commission, or of joint commission with the Authority (whether or not the press and public are excluded from the meeting in question by virtue of a resolution of members);
- (e) **'Member'** means a member of the LEP; either private sector or SCR districts' Leaders.
- (f) **'Non-pecuniary interest'** means an interest which affects your personal well-being but not your financial position;
- (g) **'Pecuniary interest'** means any interest which affects your financial position whether favourably or adversely.

#### 3.2 An interest, which can be actual or potential is also a Pecuniary Interest or Non-pecuniary interest of yours if to the best of your knowledge it affects the financial position or well-being of:

- (a) Any body of which you are a member or in a position of general control or management; or
- (b) Your spouse or civil partner, or a person with whom you are living with as a spouse or a person who you are living with as if you are civil partners or any person or body who employs or has appointed you or such persons, or any firm in which you or they are a partner, or any company of which you or they are a director; or
- (c) Any person or body in whom you or such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or one hundredth of the total issued share capital of that body

### 4. Disclosure of Interests and Participation in Meetings

- 4.1** If you have any Pecuniary or Non-pecuniary interest in any matter at any meeting or any meeting with officers at which you are present you must disclose that interest and give sufficient details of it so that the nature of your interest is clearly understood and may be recorded.
- 4.2** Unless a dispensation has been granted you should not take part in or vote on any item of business at any meeting where your interest is a 'disclosable pecuniary interest' which you are required to register in accordance with regulations as listed in Schedule 1 to this Code and you should leave the meeting during consideration of that item. Where you declare a 'non-pecuniary interest' you may remain at the meeting but not participate in the business.

## **5. Registration of Interests**

- 5.1** All Board members, Sub Board members, co-opted members and Senior officers must complete the SCR Declaration of Interests Proforma (at Annex A to this Code), within 28 days of taking office as a Member of the LEP notifying the Managing Director and Accountable Body's S151/S73 Officer, of any 'disclosable pecuniary interest' as defined in accordance with regulations as listed in Schedule 1 to this Code where that interest is yours, that of your spouse or civil partner or that of somebody with whom you are living as spouses or as if you were civil partners.
- 5.2** In addition, you must within the same time period, notify the Managing Director and Accountable Body's S151/S73 Officer of any non-pecuniary interest which the LEP has decided should be included in the Register of Members' Interests as listed in Schedule 2 to this Code, or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your membership of any Trade Unions.
- 5.3** Registers of interest will be published on the SCR website.

## **6. Management of Conflicts**

- 6.1** This policy recognises that private sector LEP Board Members are appointed to provide commercial and industrial expertise into the development of strategies, and to make decisions, regarding SCR economic policies and priorities and, as such from time to time conflicts may arise.
- 6.2** SCR will manage conflicts of interests in the following ways:
- Board members should review their individual register of interest before each board meeting and decision making committee meeting. If an interest has not been entered onto the LEP's register, then the member must disclose the interest at any meeting of the LEP at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest' (see section 9)
  - as described at section 4, members will disclose any Pecuniary or Non-pecuniary interest in any matter at any meeting or any meeting with officers. This will be a standing item on all agendas and any interests disclosed will be recorded. Where a 'pecuniary interest is declared Members will leave the meeting, where a 'non-pecuniary interest is declared, Members may remain at the meeting but not participate in business.

- members will disclose any Pecuniary or Non-pecuniary interest in any activity they have been involved with outside of any formal meeting cycle either via the 'LEP Engagement' declaration form or at the next formal meeting.
- The Managing Director and Accountable Body's S151/S73 Officer must be notified of any new interests (as referred to in Schedule 2) within 28 days of such an interest arising for the first time.
- Registers of Interest will be reviewed on an annual basis.
- Registers will be monitored against contract awards and purchase of services, including any arms-length delivery.

## **7. Gifts & Hospitality**

**7.1** You must register with the SCR Executive within 28 days of receipt details of any gifts or hospitality which you have been offered as a LEP Member as defined by the LEP Gifts and Hospitality Policy.

## **8. Engagement**

**8.1** Where you are invited to attend, participate, join or associate with any event, body, committee or organisation you must inform the Managing Director in order to ensure you:

- Have approval to represent the LEP
- Identify any potential conflicts of interest
- Are provided with the appropriate support and guidance. Appendix B

## **9. Transparency**

**9.1** The Register of Interests, declarations made, and all offers of gifts or receipt of hospitality will be published on the SCR website.

## **10. Sensitive Interests**

**10.1** Where there is concern that the disclosure of the details of an interest (either a disclosable pecuniary interest or any other interest required to be disclose under this Policy) could lead to you, or a person connected with you, being subject to violence or intimidation, you may apply to the SCR Executive Managing Director for it to be classed as a "sensitive interest". If the Managing Director agrees that it should be treated as such then the provisions below will apply.

**10.2** Where an interest is considered to be a sensitive interest:

- (a) If the interest is entered on the LEP's register of interests, copies of the register that are made public will not include details of the interest, but may state that the member has an interest, the details of which are withheld under the provisions applying to sensitive interests;
- (b) Where the interest is a disclosable pecuniary interest, and the member is required to disclose this at a meeting, he/she may simply disclose that he/she has a disclosable pecuniary interest in the matter concerned.

## **11. Dispensations**

- 12.1** A member who has a disclosable pecuniary interest in an item of business to be considered by the LEP may make a written request to the SCR Executive Managing Director that the LEP grant a dispensation from the restrictions applying to their participation in the discussion and vote on the item and from not carrying out any function related to the matter. The grounds upon which the LEP can grant a dispensation are set out in Schedule 3 of this code.

## **12. Review of this Code**

- 12.1** This Code will be reviewed annually and approved by the LEP.

## **13. Internal Audit Provisions**

- 13.1** The appointed Internal Auditor of the Authority will periodically undertake compliance reviews regarding the provisions of this Code. As a Member you will be required to provide Internal Audit with all reasonable information, including documents, as required in the undertaking of audit review work.

## **14. Compliance**

- 14.1** Failure to comply with this Policy and any related procedures will be grounds for termination of appointment.

## **15. SCR Executive Managing Director**

- 15.1** The SCR Executive Managing Director is Dr Dave Smith

Contact details:-

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## Schedule 1 - Disclosable Pecuniary Interests

The following are disclosable pecuniary interests:

(A) *Employment, office, trade, profession or vocation:*

Any employment, office, trade, profession or vocation carried on for profit or gain.

(B) *Sponsorship:*

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

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

Note: "Relevant period" means the period of 12 months ending with the day on which the member gives notice of any disclosable interests that he/she has on being appointed or reappointed to the Authority.

(C) *Contracts:*

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

- under which goods or services are to be provided or works to be executed; and
- which has not been fully discharged.

Note: "Relevant person" means the member, or member's spouse or civil partner, or a person with whom the member is living as husband or wife, or a person with whom the member is living as if they were civil partners.

(D) *Land:*

Any beneficial interest in land which is within the Sheffield City Region area.

(E) *Licences:*

Any licence (alone or jointly with others) to occupy land in the area of the Sheffield City Region for a month or longer.

(F) *Corporate tenancies:*

Any tenancy where (to the member's knowledge):

- the landlord is the Accountable Body; and
- the tenant is a body in which the relevant person has a beneficial interest.

Note: "Relevant person" is as described at 5.1.

(G) *Securities:*

Any beneficial interest in securities of a body where:

- (a) that body (to the member's knowledge) has a place of business or land in the area of Sheffield City Region; 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 in any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**Schedule 2 - Other Interests Required to be Registered**

(A) Membership of any Body:

- (i) to which you are appointed or nominated by the Authority; or
- (ii) exercising functions of a public nature; or
- (iii) or dedicated to charitable purposes; or
- (iv) one of whose principal purposes includes the influence of public opinion or policy (including any political party and trade union)

(B) Membership of a private club or society

(C) Membership of any organisation which promotes secrecy amongst its membership

**Schedule 3 – Dispensations**

(A) The grounds upon which the Authority may grant a dispensation relieving a member or co-opted member from the restrictions on participating in the discussion or voting on a matter in which they have a disclosable pecuniary interest are set out below. A member or co-opted member may make application to be relieved from either or both of the restrictions.

(B) The circumstances in which a dispensation may be granted are:-

- (i) That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would impede the transaction of business (the meeting would be inquorate).

- (ii) That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter. This assumes that members are predetermined to vote on party lines on the matter, in which case, it would be inappropriate to grant a dispensation to enable them to participate.
- (iii) That the dispensation is in the interests of persons living in the Sheffield City Region.
- (iv) That it is otherwise appropriate to grant a dispensation.
- (v) Any dispensations granted must be formally recorded

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