

Enterprise Cheshire + Warrington

Code of Conduct and Conflict of Interest Policy

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Introduction

This policy is intended as a guide to indicate the standards of conduct and accountability which are expected of members, co-opted members and employees (referred to collectively as staff), to assist them in carrying out their role. This policy is not intended to be a definitive or authoritative statement of the law or good practice.

All staff and members of the Board agree to accept the provisions of this policy.

Public Service Values

Public service values are at the heart of ECW's (Enterprise Cheshire and Warrington) purpose. High standards of personal and corporate conduct are expected, based on the principles laid down by the Nolan Committee on Standards in Public Life for those holding public office, namely:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

An extract from the report of the Nolan Committee setting out these Principles in more detail can be found in **Appendix 1**.

Skill, Care and Diligence

All staff and members of the Board should in their work for ECW exercise such skill as they possess, and such care and diligence as would be expected from a reasonable person in the circumstances.

Conflicts of Interest

In relation to ECW, conflict of interest may arise where a person's public duty is influenced, or may be seen to be influenced, by their personal or business interests including those of a family member or close friend.

Conflicts of interest can arise in many situations and are an inevitable fact of organisational life. The policy seeks to address how staff can mitigate the risks of damage to the reputation of the organisation or themselves personally. Where possible, staff and members of the Board should seek to avoid putting themselves in a position where there is a conflict (actual or potential) between their

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personal and/or professional interests and their duties to ECW. They should not allow any conflict of interest to arise which might interfere with the exercise of their independent judgement.

If an interest of any kind (including an interest of a spouse or partner of a member of staff or Board or close relative of the member of staff or Board of their partner or spouse) is likely or would be perceived as being likely to interfere with the exercise of a staff or Board members independent judgement, then:

- The interest, financial or otherwise, should be reported to the ECW secretariat
- The nature and extent of the interest should be disclosed to the Board before the matter giving rise to the interest is considered
- If the member concerned is present at an ECW related meeting at which such matter is considered, they should not take part in the consideration or vote on any question with respect to it; and withdraw from that meeting where required to do so by a majority of the members present at the meeting.

Staff and members of the Board should not receive gifts, hospitality or benefits of any kind from a third party which might be seen to compromise their personal judgement or integrity.

The secretariat will maintain a Register of Staff & Board Members Interests which will be open for public inspection. Staff and members of the Board must disclose routinely to the Board all business interests, financial or otherwise, which they may have, for entry on the Register.

Collective Responsibility

The Business Advisory Board, Sub-boards and Committees operate by Members taking majority decisions in a corporate manner at meetings. Therefore, a decision of the Board, Sub-Board or Committee, even when it is not unanimous, is a decision taken by the Members collectively and each individual Member has a duty to stand by it, whether they were present or not at the meeting when the decision was taken.

If a member disagrees with a decision taken, their duty is to have any disagreement discussed and recorded in the minutes.

Openness and Confidentiality

Because of ECW's public accountability, as a general principle, agendas, minutes and other papers relating to meetings of the Board, Committee and Strategy Boards are normally available to public inspection when they have been approved for publication by the Chair.

There will be occasions when the record of discussions and decisions will not be made available for public inspection; for example, when the Board, Sub-board or Committee considers sensitive issues or named individuals and for other good reasons. Such excluded items will be circulated in confidence to relevant Members.

Some confidential items are likely to be of a sensitive nature for a certain period only (for example information relating to a proposed commercial project). The relevant Board or Committee should consider how long such items should be treated as confidential and such items should be regularly reviewed to consider whether the confidential status should be removed or whether the public

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interest in disclosure outweighs that confidential status and the item made available for public inspection.

It is important that the Board or Committee has full and frank discussions to take decisions collectively. To do so, there must be trust between members with a shared corporate responsibility for decisions. Members should keep confidential any matter which, by reason of its nature, the Chair or Members of the Board or Committee are satisfied should be dealt with on a confidential basis.

Members should not make statements to the press or media or at any public meeting relating to the proceedings of the Board without first having obtained the approval of the Chair. It is unethical for Members to publicly criticise, canvass or reveal the views of other Members which have been expressed at meetings of the Board.

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Appendix 1 – The Seven Principles of Public Life

The following is an extract from the Second Report of the Nolan Committee on Standards in Public Life, May 1996.

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 duties, 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 it.

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.