

## Dudley Town Board

### Conflicts of Interest Policy – *draft to be approved at Board 10<sup>th</sup> May 2024*

Version	Date drafted & Author	Approved	Date for review/revision
V1	25.3.2024 EA		30.4.2025

#### 1. Introduction

This Conflicts of Interest Policy relates to the activity of the Dudley Town Board and applies to all members of the Board and any sub-boards / committees and support staff.

All members of the Board, and any sub-boards / committees and support staff, are considered to agree to this Conflicts of Interest policy on accepting a seat on the board and make their explicit commitment to the highest standards of conduct in dealing with the business of the Town Board.

The Town Board recognises the potential for actual or perceived conflicts of interest to arise throughout the conduct of its business.

The Board will support its members to conduct board business effectively, while minimising exposure to disadvantageous outcomes and criticism arising from such potential conflicts.

The Board further recognises and accepts that this requires the highest standards of conduct, integrity, accountability, transparency, openness, and probity at each stage of the board's business.

The Board shall act impartially, and in the public interest throughout the conduct of its business. The Board will apply the standards and procedures set out in this document and any related policies of Dudley MBC to address the circumstances in which actual or perceived conflicts of interest might arise.

This policy is to ensure that any conflicts of interest which may arise in the Board's business processes are recorded and managed. This is to protect the integrity of the Board and to give stakeholders confidence in the probity of the Board's decision-making. Therefore, it helps to protect the reputation of the Board and of its members.

#### 2. Declaration of Interest Process

All Board members are required to complete a declaration of interest form on joining the Board. This will be logged and retained by the Council and advice provided in relation to any interests identified.

All Board members should take personal responsibility for declaring their interests before the Town Board considers any decisions. A record will be kept of action taken in response to any declared interest and where necessary this information will be recorded in the central register held by the Council.

Any new interests to be declared following the completion of the initial form should be declared at the start of the next board meeting and the record updated accordingly.

The Board will adopt the Dudley MBC policy on gifts and/or hospitality and will maintain a register of such gifts provided to individual Town Board members or the Town Board as a whole.

The following provisions shall apply to all Board members should they be faced with conflicts of interest:

- Should a Board member be faced with a conflict of interest the person shall immediately declare the nature of the conflict/potential conflict and withdraw from any business where the conflict would be relevant.
- Whenever a person has an interest in a matter to be discussed at a meeting the person will not be:
  - Entitled to remain present at the meeting during discussions of the matter.
  - Counted in the quorum in relation to the matter.
  - Entitled to vote on the matter.

The Board may, at any time, authorise a person to remain in the meeting whilst a matter in which they have or may have a conflict of interest is discussed, provided that the conflict of interest is declared and the person subject to the conflict of interest shall not be entitled to vote on the matter.

### 3. Financial and non-financial interests to be declared

An interest in any project or business to be considered by the Town Board where either:

- it relates to or is likely to affect
  - any body of which you are a member or in a position of general control or management and to which you are appointed or nominated;
  - any employment or business carried on by you;
  - any person or body who employs or has appointed you;
  - any person or body, other than the Town Board that has made a payment to you in respect of your election or co-option or any expenses incurred by you in carrying out your duties;
  - any person or body who has a place of business or land in the Town Board area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
  - any contract for goods, services or works made between the Town Board and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
  - the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £250;
  - any land in the Town Board area in which you have a beneficial interest;
- a decision in relation to that project or business might reasonably be regarded as affecting your well-being or financial position or the wellbeing or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of your the Town Board area.

In sub-paragraph (b) above, a relevant person is:

- a member of your family or any person with whom you have a close association; or
- any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- any body of a type described in sub-paragraph (a)(i) or (ii)

### 4. Process for requesting exemptions:

- Exemption requests must be made in writing to the Chair, a minimum of five working days before the date of the relevant board.
- The request must clearly set out the agenda item with which there is potential conflict (or could be perceived conflict) and the reasons why an exemption would be relevant in this case.

**Commented [EA(1)]:** While awaiting feedback from Steve G I've borrowed this from Truro's town Board  
<https://www.trurotownfund.com/peetheez/2020/09/Code-of-Conduct-for-Truro-Town-Deal-Boards-v1.0-090420-Final.pdf>

- The matter may be dealt with in advance of the meeting by written resolution if time allows, alternatively Board members at the start of the meeting will consider the request and vote on the matter. The decision will be made on a two-thirds majority vote and in the event of a tied vote, the Chair shall have the casting vote.
- Only those Board Members who are not themselves interested in the matter can vote and be counted in the necessary quorum for the meeting.
- Any decision to authorise a conflict must be justifiable as promoting the success of the LTPFT Investment Plan for the benefit of the wider community.
- All such decisions will be recorded and published.

DRAFT