

Each partnership must promote shared values; agree and monitor a code of conduct; and agree and monitor procedures for dealing with conflicts of interest.

Shared values

The Council is unlikely to get the full benefits from a partnership unless the people involved have good relationships. This is so even if the partnership has put in place appropriate governance arrangements.

However, the partnership may well have partners with different organisational cultures. And partners' representatives may also have different individual perspectives. This may make it difficult for partners and representatives to work together.

A partnership should therefore develop **shared values**, which will create a culture of trust and respect, and encourage all partners to participate.

These values should reflect the General Principles governing the conduct of Members of relevant authorities¹, and should include:

- **trust and respect;**
- **teamwork; and**
- **openness between the partners.**

The partnership should put its shared values into practice by:

- **adopting** relevant codes and protocols that define expected standards of behaviour:
- having procedures in place to enable alleged **breaches** of these codes and protocols to be investigated; and
- **monitoring** compliance with these codes and protocols.

The partnership's [performance management framework](#) and/or appraisal system should also cover compliance with these procedures.

The partnership may also **promote** its shared values by including training about the specific skills and knowledge required for partnership working in its training strategy. The partnership should also include training about relevant procedures in its training strategy.

It may also be appropriate for the partnership's [performance management framework](#) to include non-technical performance targets, relating to conduct and complaints.

¹ As issued by the Secretary of State in accordance with Section 49 of the Local Government Act 2000.

The partnership must also set out how information about its values and procedures is shared, in its [stakeholder involvement strategy](#).

Code of conduct

The partnership should agree a code of conduct². This should set out how it expects representatives on the partnership to behave.

The code should promote reflect the General Principles governing the conduct of Members of relevant authorities³ which currently are:

- selflessness;
- honesty and integrity;
- objectivity;
- accountability;
- openness;
- personal judgement;
- respect for others;
- duty to uphold the law;
- stewardship; and
- leadership.

The code should also address:

- equal opportunities;
- behaviour during meetings;
- behaviour outside meetings; and
- confidentiality.

It could also address:

- hospitality and gifts; and
- conflicts of interest – but these may be addressed in a separate document.

Conflicts of interest

It is likely that conflicts of interest will arise from time to time.

These may arise from:

- the **personal interests** of a representative; or
- the **corporate interests** of partners.

It is important to demonstrate that the partnership does not allow decisions to be influenced by prejudice, bias or conflicts of interest. The partnership should therefore show how conflicts of interest will be dealt with. This could be set out:

- in its code of conduct; or
- in other documents such as the governing document which sets out their arrangements for meetings.

² Partnerships should be careful to ensure that any Code of Conduct adopted is compatible with the Council's Member Code of Conduct and Officer Code of Conduct.

³ As issued by the Secretary of State in accordance with Section 49 of the Local Government Act 2000.

Interests of Members and council officers who act as representatives

Members and council officers who are appointed to be directors of a company, or trustees of a charitable trust, owe their primary duty to the body⁴, rather than to the Council. However, when Members and council officers are Council representatives, they must also follow the relevant codes of conduct that the Council has adopted.

Members have to follow the **Members' Code of Conduct** when they act as a representative, unless the Code conflicts with their legal obligations to the partnership⁵.

In practice, this generally means:

- Members have to comply with the **general obligations** in Part 1 of the code, when they represent the Council on a partnership; and
- if they have a prejudicial interest in a matter being considered by the partnership, they must not try to improperly influence the decision about it⁶.

The Code's requirements about disclosing interests at meetings do **not** apply when a Member attends meetings of the partnership⁷. (They only apply when Members attend meetings of the Council). Members will, however, have to follow the **partnership's** procedures about conflicts of interests.

Officers have to follow the Officer Code of Conduct, when they are representing the Council on the partnership. In particular, they must report any conflict of interest to their relevant chief officer.

There are also statutory obligations that require officers to declare their interest in relation to a contract that the Council may be entering into⁸. These will still apply when they are representing the Council on a partnership.

Procedures

The partnership should adopt a clear procedure that sets out:

- how the partnership **defines** a conflict of interest;
- when and how representatives should **declare** conflicts of interest;
- how conflicts of interest should be **recorded** (for example, in the minutes of the relevant meeting, or in a separate register); and
- how they will be **dealt with** (for example, if it is the chair who decides whether the representative can participate in the meeting); and

⁴ See further Briefing note available from the Assistant Chief Executive (Corporate Governance) for more information on these duties.

⁵ Paragraph 2(5)(b) of the Code. This is relevant where the Code's provisions conflict with the legal obligations of company directors or the trustees of charitable trusts. In the view of the Standards Board for England this rarely occurs.

⁶ Paragraph 12(1)(c) of the Code.

⁷ Except where a partnership is a joint committee.

⁸ Section 117 Local Government Act 1972.

- **sanctions** if the procedure is not followed.

A partnership may also set up separate **registers** to record:

- representatives' **ongoing interests**⁹;
- **gifts or hospitality** received by representatives in their capacity as representatives of the partnership¹⁰.

Conflicts arising from the corporate interests of partners may need to be dealt with under the partnership's [dispute resolution](#) procedure.

⁹ The partnership should specify which interests the representatives should list. These will vary depending on the nature of the partnership, but may include representative's interests in land, organisations or companies.

¹⁰ The partnership could require gifts and hospitality to be approved before acceptance. They could also require refusals to be registered.