

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

CODE OF CONDUCT FOR NON-COUNCIL MEMBERS

INTRODUCTION

The Code of Conduct ensures the regulation of the business of the Southern Inshore Fisheries & Conservation Authority (IFCA) pursuant to and in accordance with The Southern Inshore Fisheries & Conservation Order 2010 No. 2198 ('Southern IFCA Order 2010'). The Code of Conduct has been adopted by IFCA in order to fulfil its obligations under section 27(2) of the Localism Act 2011¹ and is consistent with the following Principles of Public Life:

SELFLESSNESS: Holders of public office should act solely in terms of the public interest.

INTEGRITY: Holders of public office should not place 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.

INTERPRETATION

(1) In this Code of Conduct:

- a) 'Co-opted Member' shall mean a person who has specific experience and knowledge pertinent to discussions, who is invited to attend or contribute to a Meeting at the discretion of the Chairman.
- b) 'Disclosable Pecuniary Interests' are those defined under The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012².

¹ [Localism Act 2011 \(legislation.gov.uk\)](http://legislation.gov.uk)

² [The Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012 \(legislation.gov.uk\)](http://legislation.gov.uk)

- c) 'Meeting' shall mean any meeting of The Authority, Sub-Committee or Advisory Panel with the exception of Southern IFCA Working Groups.
- d) 'Member' shall mean either:
 - i. a 'General Member', namely a person appointed by the Marine Management Organisation and includes at least one employee of the MMO as defined under paragraph (5, 2b) Southern IFCA Order 2010.
 - ii. an 'Additional Member', namely a person appointed by either the Environment Agency or Natural England as defined under paragraph (5, 2c) Southern IFCA Order 2010.
 - iii. a 'Substitute Member', namely a person deputising for an Additional Member or for a MMO employee.
- e) 'Pecuniary Interest' shall mean those interests which may lead to the possibility of financial or material gain in connection with professional decision-making.
- f) 'Prejudicial' shall mean those interests which may lead a member of the public with knowledge of the relevant facts to reasonably regard them as so significant that it is likely to prejudice your judgement of the public interest.
- g) 'Non-Pecuniary Interest' shall mean those interests which refer to goals, benefits, commitments or obligations that are not directly linked with material gain.
- h) 'Organisational Interest' shall mean those interests which relate to situations where Members are representing organisations that may receive income or have links or affiliations with relevant industry groups or other entities.
- i) 'Relevant Person' shall mean a Member or Co-opted Member's husband or wife, civil partner, co-habiting partner or family member, or any person with whom a Member or Co-opted Member has a close association, to include employees and business partners.
- j) 'Sensitive Information' means information relating to an interest which, following disclosure could lead to a Member or Co-opted Member, or person connected with the Member or Co-opted Member, being subject to violence or intimidation.

APPLICATION

- (2) This Code of Conduct applies at all times when undertaking duties as a Member or Co-opted Member of The Authority.
- (3) All Members and Co-opted Members are required to comply with the Code of Conduct.
- (4) Any person who considers a Member or Co-opted Member of The Authority to have demonstrated non-compliance with this Code of Conduct, may make a formal complaint in line with The Authority's Complaints Procedure. If a complaint is upheld, this may lead

to formal censure, adverse publicity or removal of a Member or Co-opted Member from the Authority or any other position.

- (5) All Members and Co-opted Members have a responsibility to work constructively with Authority staff, Council Members, partner organisations and the wider community to manage the marine environment and inshore fisheries of the Southern IFCA District in a sustainable and balanced way, taking full account of all the economic, social and environmental needs of the District.

GENERAL OBLIGATIONS

- (6) Members and Co-opted Members:

- a. must treat others with respect.
- b. must not use, or try to use, their position improperly to obtain an advantage or disadvantage for themselves or any other person or body.
- c. must not use The Authority's resources improperly for political purposes or any other purposes forbidden by The Authority.
- d. must not do anything that compromises, or is likely to compromise, the impartiality of those who work for The Authority.
- e. must not bully anyone.
- f. must not intimidate, or try to intimidate, anyone who has complained about you or who may be involved with a complaint about you.
- g. must not disclose information that you know, or ought to know, is confidential, without authority or a legitimate reason.
- h. must not prevent, or try to prevent, anyone from obtaining information to which they are entitled by law.
- i. must not do anything that may cause The Authority to breach any of the equality laws that prohibit discrimination on any grounds.
- j. Must, when making decisions on behalf of or part of The Authority, have regard to any relevant advice provided to you by The Authority's Chief Officer, where such advice is offered pursuant to The Authority's statutory duties.

DECLARATIONS OF INTEREST

- (7) Members and Co-opted Members are required to declare any interests that may impact on their duties as a Member or Co-opted Member of The Authority in accordance with paragraphs (9) to (19).
- (8) If a Member or Co-opted Member is unable to decide whether an interest should be declared, guidance should be sought from the Chairman or Chief Executive Officer.

MEMBERS AND CO-OPTED MEMBERS REGISTER OF DISCLOSABLE INTERESTS

- (9) A Southern IFCA Register of Members' and Co-opted Members Disclosable Interests will be available for public inspection at the Southern IFCA office and on the Southern IFCA Website (in accordance with paragraph (29,5a and 5b) of the Localism Act 2011)

MEMBERS NOTIFICATION OF DISCLOSABLE INTERESTS

- (10) Within 28 days of appointment and prior to exercising functions as a Member of The Authority, Members must notify the Chief Executive Officer of all Disclosable Pecuniary Interests, Non-Pecuniary Interests and Organisational Interests via completion of a Southern IFCA Register of Interest Form (Annex A).
- (11) Where a person becomes a Member as a result of re-appointment, paragraph (10) applies only as regards any interests not previously entered on the Southern IFCA Register of Interest Form.
- (12) Members must, within 28 days of becoming aware of any new Disclosable Pecuniary Interests, Non-Pecuniary Interests or Organisational Interests, notify the Chief Executive Officer via completion of an updated Southern IFCA Register of Interest Form.

CO-OPTED MEMBERS NOTIFICATION OF DISCLOSABLE INTERESTS

- (13) Prior to exercising functions as a Co-opted Member of The Authority, Co-opted Members must notify the Chief Executive Officer of all Disclosable Pecuniary Interests, Non-Pecuniary Interests and Organisational Interests via completion of a Southern IFCA Register of Interest Form.
- (14) Co-opted Members must, within 28 days of becoming aware of any new Disclosable Pecuniary Interests, Non-Pecuniary Interests or Organisational Interests, notify the Chief Executive Officer via completion of an updated Southern IFCA Register of Interest Form.

MEMBERS AND CO-OPTED MEMBERS REGISTER OF NON DISCLOSABLE INTERESTS

- (15) Where a Member or Co-opted Member considers that the information relating to any interest is Sensitive Information, then with agreement from the Chief Executive Officer and Chairman of The Authority, this information will be captured on the Southern IFCA Register of Interest Form, but will not be disclosed, in accordance with paragraph (32) of the Localism Act 2011.

DECLARATION OF INTERESTS AT MEETINGS

- (16) Members and Co-opted Members will declare any interests either by stating 'Pecuniary', 'Non-Pecuniary', 'Organisational' and/or 'Prejudicial' followed by the nature of the interest at any Meeting in which they attend where a relevant matter is being considered.
- (17) Declarations of interests can be presented either at the commencement of a Meeting or at the point where an interest becomes apparent, and in both cases, prior to participation in any discussion of a relevant matter by the membership, in order to allow for open and transparent discussions to take place.

PARTICIPATION IN MEETINGS WHERE A PECUNIARY INTEREST IS REGISTERED

- (18) Members or Co-opted Members who have declared a Pecuniary Interest are able to make representations, answer questions or give evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose.

- a) In doing so, the Member or Co-opted Member must ensure that their contributions relate only to the specialist knowledge or experience for which the Member or Co-opted Member was appointed to The Authority and do not seek to improperly influence a decision about that business.
- b) A Member with a Pecuniary Interest is unable to vote on the relevant matter, unless a dispensation has been granted in accordance with paragraph (33) of the Localism Act 2011.

PARTICIPATION IN MEETINGS WHERE A PREJUDICIAL INTEREST IS REGISTERED

- (19) Members or Co-opted Members who have declared a Prejudicial Interest are able to make representations provided that the public are also allowed to attend the meeting for the same purpose.
 - a) In doing so, the Member or Co-opted Member must ensure that their representations relate only to the specialist knowledge or experience for which they were appointed to The Authority and do not seek to improperly influence a decision about that business.
 - b) Following representation and prior to discussion by the wider membership, the Member or Co-opted Member must withdraw from the meeting and is unable to vote on the relevant matter.

DISCLOSURE OF INFORMATION

- (20) Members and Co-opted Members must not disclose information received in confidence, or information acquired which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - a) you have the consent of a person authorised to give it
 - b) you are required by law to do so
 - c) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - d) the disclosure is reasonable and in the public interest and made in good faith and in compliance with the reasonable requirements of The Authority.

Annex A

SOUTHERN IFCA REGISTER OF INTEREST FORM 2022

In accordance with the Southern IFCA Code of Conduct for Non-Council Members, you must disclose any interests that may impact your duties as a Member or Co-opted Member of The Authority, which are of relevance to you and any Relevant Person³.

Under paragraph (29) of the Localism Act 2011, Southern IFCA are required to establish and maintain a Register of Members and Co-opted Members Interests, which is available for inspection and published on the Authority's website (with the exception of any interests which fall under the definition of Sensitive Information⁴)

Member or Co-opted Member's name:

[Click or tap here to enter text.](#)

Please complete the boxes below with the details of any interests that you hold.

PART 1: DISCLOSABLE PECUNIARY INTERESTS⁵

1. Employment, Office, Trade, Profession Or Vocation

Please describe below any employment, office, trade, profession or vocation carried on for profit or gain, together with the name of your employer, which may be related to the roles, responsibilities and interests of Southern IFCA:

[Click or tap here to enter text.](#)

2. Sponsorship

Please describe below any payment or provision of any other financial benefit (other than from the Authority), including payments from a trade union, in respect of any expenses incurred in carrying out duties as a Member or Co-opted Member for which payment and/or profits are received by a Member or Co-opted Member or Relevant Person. NB: Sponsorship payments are disclosable where they were made within the twelve months prior to the time that you make a notification of the interest.

[Click or tap here to enter text.](#)

3. Contracts

Please disclose any contract that has not yet been discharged, for the provision of goods or services or the execution of works that is made between The Authority and a Member or Co-opted Member or Relevant Person, for which payment and/or profits are received by a Member, Co-opted Member or Relevant Person.

[Click or tap here to enter text.](#)

³ As defined in paragraph (1,h) of the Code of Conduct

⁴ As defined in paragraph (1,j) of the Code of Conduct

⁵ Full details of disclosable pecuniary interests can be found in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

4. Land

Please describe below any beneficial interest in land or property (terrestrial or marine) within the Southern IFCA District.

[Click or tap here to enter text.](#)

5. Licences

Please describe below any licence to occupy land (alone or jointly with others) in the Southern IFCA District for a month or longer.

[Click or tap here to enter text.](#)

6. Corporate Tenancies

Please disclose below any tenancy where:

- (a) the landlord is the Authority; and
- (b) the tenant is a body in which you or a Relevant Person has a beneficial interest.

[Click or tap here to enter text.](#)

7. Securities

Please describe below any beneficial interest in securities of a body where:

- (a) you are aware that a body has a place of business or land in the Southern IFCA District; and, 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 of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

[Click or tap here to enter text.](#)

PART 2: NON PECUNIARY INTERESTS

8. Please describe below of any:

- (a) body or Organisation of which you are a member or in a position of general control or management and to which you are appointed or nominated by The Authority.
- (b) body or Organisation of which you are a member exercising functions:
 - iii. of a public nature
 - iv. directed to charitable purposes
 - v. one of whose principal purposes includes the influence of public opinion or policy, of which you are a member or in a position of general control or management

- vi. any other interest that you consider may be perceived to influence your decision making on a particular matter.

[Click or tap here to enter text.](#)

PART 3: ORGANISATIONAL INTERESTS

9. To be completed by persons appointed by either the Environment Agency or Natural England only.

Organisational Interests shall means those interests which relate to situations where Members or Co-opted Members are representing Organisations that may receive income or have links or affiliations with relevant industry groups or other entities.

[Click or tap here to enter text.](#)

DECLARATION: I declare that the information set out above is a true and complete record of the disclosable pecuniary interests that I must disclose in accordance with the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (Sections 1-7 of this document) and with the Southern IFCA Code of Conduct for Non-Elected Members (Sections 8- 9).

Signature of Member or Co-opted Member:

[Click or tap here to enter text.](#)

Date of declaration:

[Click or tap to enter a date.](#)