

## 1. Introduction

- 1.1 All Board Members of the Kent and Medway Economic Partnership (KMEP) **must** abide by this register of interests policy to retain their position on the board. KMEP is a joint decision-making body, is accountable to Kent County Council (as the official accountable body) and makes formal recommendations to Kent County Council (for Growing Places Funding).
- 1.2 All Board Members of the Business Advisory Board (BAB) are strongly encouraged to abide by this register of interests policy. BAB is an advisory board and does not act as a decision-making body.

## 2. Register of Interests Policy

- 2.1 The actions of KMEP's Board Members will impact on how the KMEP as a whole is viewed, and can have both a positive and negative impact on KMEP. It is essential that the KMEP can demonstrate the highest standards of probity in all activity. There must therefore be transparency on the part of those who are in a position of authority, power or influence.
- 2.2 As a Member of the KMEP, it is your responsibility to comply with the provisions of this Policy.
- 2.3 This Policy applies to all KMEP Members and their nominated representatives.

## 3. Definitions

- 3.1 In this Policy the following phrases have the following meanings:
  - 'body controlled by the KMEP' - means a company or similar organisation where any member of the KMEP owns a majority of the shares or is entitled to nominate a majority of the members or directors or any company owned by such a body.
  - 'body in which the relevant person has a beneficial interest' - means a firm in which you or your spouse or partner is a partner or a body corporate of which the relevant person is a director (whether or not remunerated), or in the securities of which you or your spouse or partner have a beneficial interest.
  - 'Code Interest' – means those additional interests and relationships set out in 8.2 below, which are not covered by Disclosable Pecuniary Interests, and which the KMEP have determined as being so significant that they should be registered.
  - 'Disclosable Pecuniary Interest' - is an interest defined as such by the Localism Act 2011 or regulations made thereunder. The KMEP is made up of representatives from

both local authorities and local businesses. Whilst it is acknowledged that the principles of the Localism Act 2011 do not apply to business partners, KMEP has adopted those principles relating to disclosable pecuniary interests so that they are applicable to all Members of the KMEP.

- ‘any member of the KMEP’ – means all local authorities and business partners who make up the membership of the Kent & Medway Economic Partnership.

#### **4. Registration of Interests**

- 4.1 You are required to register details of your Disclosable Pecuniary Interests and your Code Interests, within 28 days of becoming a Member of the KMEP in the Register of Members’ Interests held by the Secretariat.
- 4.2 You must keep your entry in the register of interests up to date by notifying the KMEP Secretariat of any changes to your interests within 28 days of the change occurring.
- 4.3 You must review your register of interests before each board meeting and decision making committee meeting, submitting any necessary revisions to the KMEP Secretariat and representative of the Accountable Body S151 Officer at the start of the meeting.
- 4.4 A copy of the form required to be completed to register your interests can be downloaded from the KMEP website.

#### **5. Publication of the Register of Interests**

- 5.1 The KMEP Secretariat will arrange for the Register of Interests to be published on the KMEP’s website.
- 5.2 Where the nature of one or more of your interests is such that you and the KMEP Secretariat consider that disclosure of details of the interest could lead to you, or a person connected with you, being subject to violence or intimidation then copies of the Register available for inspection and any published version of the Register will not include that specific detail but shall state that you have declared an interest, details of which have been withheld in accordance with this Policy.
- 5.3 You must notify the KMEP Secretariat within 28 days of becoming aware of any change of circumstances which means that information excluded from the register is no longer sensitive information.
- 5.4 You must review your entry on the register of interests annually and notify the KMEP Secretariat of any changes.

#### **6. Declaration of Interests at Meetings**

- 6.1 A meeting means any meeting of KMEP, including its sub-groups.
- 6.2 Where any matter to be considered at a meeting of the KMEP at which you are present which relates to or may have an impact upon a body or matter in which you have a Disclosable Pecuniary Interest or a Code interest, you must disclose the existence and nature of that interest to the meeting.
- 6.3 Where a declaration has been made, you must:

- withdraw from the room where the meeting considering the business is being held at the time that item of business is being discussed; and
- not participate in any debate or vote on the matter.

6.4 When declaring an interest at a meeting you need not disclose the nature of the interest if you and the KMEP Secretariat have agreed that it ought not appear on the public register of interests, but you must otherwise comply with the rules about declarations of interest.

6.5 Board Members are required to declare an interest on decisions, irrespective of whether or not they are able to attend the meeting at which the decision is to be taken. Where a Board member declares an interest, a substitute member is unable to vote on their behalf.

6.6 All declarations of interest made at meetings will be recorded together with any actions undertaken by KMEP as a result of the declaration. This record will form part of the formal minutes of the meeting and which are published on the KMEP website.

## **7. Disclosure of Interests in Discussions and Correspondence**

7.1 If you have an interest in any matter which would require you to declare it at a meeting, and that matter is raised in any discussion or correspondence, whether in person, by telephone or email or otherwise, with any member, employee, contractor or agent of the KMEP you must:

- make a full disclosure of that interest at the outset of any discussions or correspondence, or as soon as the matter is raised; and
- not seek improperly to influence a decision about that matter.

## **8. Interests to be Declared and Registered**

8.1 You have a disclosable pecuniary interest if you or your partner has an interest in the following:

- Any employment, office, trade, profession or vocation carried on for profit or gain;
- Any payment or provision of any other financial benefit (other than from the KMEP) made or provided within the previous twelve months in respect of any expenses incurred by the member in carrying out duties as a Member, or towards election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992;
- Any contract for goods, services or works which has not been fully discharged between the relevant person (or a body in which the relevant person has a beneficial interest) and any member of the KMEP;
- Any beneficial interest in any land in the KMEP's area;
- Any licence of any land in the KMEP's area (alone or jointly with others) to occupy land for a month or longer;
- Any tenancy where to the Member's knowledge (a) the landlord is any member of the KMEP and (b) the tenant is a body in which a relevant person has a beneficial interest;
- Any beneficial interest in securities of a body where:
  - that body (to the Member's knowledge) has a place of business or land in the area of the KMEP; 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.

8.2 Further KMEP has determined that you will also have an interest, known as a Code Interest, in matters falling within any of the descriptions below:

- Any contract for goods, services or works which has not been fully discharged between you, your spouse or partner or a body in which the relevant person has a beneficial interest and a body controlled by any member of the KMEP;
- Any contract with any member of the KMEP which has expired within the last 2 years and which was, when it was in force, a disclosable pecuniary interest.
- Any tender, bid or quotation submitted within the last 2 years to any member of the KMEP which would, if accepted, have amounted to a disclosable pecuniary interest. Tenders, bids or quotations are not required to be registered until 28 days after the last date for the submission of tenders, bids or quotations.
- Any body of which you are a member or in which you hold a position of general control or management and to which you have been appointed or nominated by any member of the KMEP;
- Any other body of which you are a member or in which you hold a position of general control or management –
  - a) which exercises functions of a public nature;
  - b) which is directed to charitable purposes; or
  - c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);
- Any matter which might reasonably be regarded as affecting the wellbeing or financial position of:
  - a) yourself;
  - b) a body in which you have a Disclosable Pecuniary Interest or a Code Interest; or
  - c) a friend, relative or close associate;

to a greater extent than the majority of other members of the public affected by the decision.