



Formal establishment of the Health and Wellbeing Board

SUMMARY

- 1.1 The Shadow Health and Wellbeing Board was established by Council on 23 May 2012. It had already existed as a sub-group of the local strategic partnership prior to this. Under the Health and Social Care Act 2012, it will formally move from shadow to full status from 1 April 2013 as it becomes an established committee of Derby City Council.
- 1.2 This report seeks to outline the effect of the board being formally established as a council committee.

RECOMMENDATION

- 2.1 To note the council's obligations in terms of openness, transparency and publicity, detailed in paragraphs 4.1 to 4.4.
- 2.2 To note the council's established rules relating to committee procedures, detailed in paragraphs 4.5 to 4.8.
- 2.3 To note the anomaly between existing council procedures and the Health and Social Care Act 2012 relating to membership, detailed in paragraphs 4.9 and 4.10, and to agree the proposed resolution detailed in paragraph 4.11.
- 2.4 To note the scrutiny arrangements arising from the Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013, detailed in paragraphs 4.12 to 4.15.
- 2.5 To note paragraphs 4.16 to 4.20, detailing the council's Code of Conduct for members of committees and the requirement for all members of the Health and Wellbeing Board, including council officers and representatives of external organisations, to comply with it and declare any Disclosable Pecuniary Interests (DPIs).
- 2.6 To agree that all members of the shadow board not already bound by the Code of Conduct will attend a training session to be arranged in April, where compliance with the Code of Conduct can be confirmed in order that members can legitimately partake in proceedings.

REASON FOR RECOMMENDATIONS

- 3.1 To ensure members of the board are aware of the effect of the formal establishment as a committee of the council.

SUPPORTING INFORMATION

Public right to attend meetings and inspect agendas and reports

- 4.1 The Local Government (Access to Information) Act 1985 requires that all reports and agendas are published five clear working days in advance of a meeting. This is to both enable the public to understand the business being considered at the meeting and to ensure those participating in the meeting are in a position to fully contemplate the implications of any decisions/recommendations put before them.
- 4.2 The default position with all council committees is that the business they consider is open to the public unless the information is specified as either 'confidential' or 'exempt', explained below.
- 4.3 Confidential information is that which has either been given to the council by a Government department on terms which forbid its disclosure, or which cannot be publicly disclosed because of a court order.
- 4.4 Exempt information is that which has been specified as such under Section 100(A) of the Local Government Act 1972. The full list of exemptions under the Act is included at Appendix 2.

Quorum

- 4.5 Under Rule CP93 of the Council Constitution, the quorum of the Health and Wellbeing Board shall be three.

Voting

- 4.6 All members of the board are voting members. The voting members are detailed at Appendix 3.
- 4.7 Under Rules CP70 and CP103-104 of the Council Constitution, where voting is required it will be by show of hands. The presiding Chair shall have a casting vote, where required, and any member wishing that their vote be recorded in the minutes may require it by stating so immediately after the vote has taken place.

Inclusion of items on the agenda

- 4.8 Rule CP96 of the Council Constitution enables any member of a committee to request an item be included on an agenda provided sufficient notice is given.

Membership

- 4.9 Membership of the board is partly determined by requirements of the Health and Social Care Act 2012 and partly by local arrangements. Derby's arrangements were agreed by Council and are attached at Appendix 3.

- 4.10 Under Rule CP101 of the Council Constitution, members who are unable to attend a meeting cannot send substitutes. However, this is somewhat against the spirit of the Act which intended representation from a cross-section of organisations. Moreover, while Council agrees the composition of the committee, it does not need to agree the individual names for representatives of other organisations.
- 4.11 It is therefore proposed that representatives of organisations outside of Derby City Council be permitted to send substitutes of suitable seniority and that Rule CP101 be only applied strictly to those representatives of Derby City Council. This interpretation of Rule CP101 is at the discretion of the council's Monitoring Officer.

Scrutiny arrangements

- 4.12 The Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013 reinforce existing powers that enable the council's Adults and Public Health O&S Board to review and scrutinise any matter relating to the planning, provision and operation of the health service in the local area.
- 4.13 The regulations also reinforce the need for reviews to invite interested parties to comment on matters. It is also specifically set out that reviews must take account of relevant information provided to it by a Local Healthwatch organisation when that organisation has referred a matter to the board for consideration.
- 4.14 There is an established path for the council's overview and scrutiny boards to make recommendations to other committees, Council Cabinet or member of the Council Cabinet. The Health and Wellbeing Board will be part of that family of council committees to which matters can be referred from 1 April 2013.
- 4.15 The regulations also specify that overview and scrutiny boards can also make reports to responsible bodies (any health service provider) and that the bodies in receipt of that referral will be required to respond within 28 days.

Code of Conduct – Declarations of Disposable Pecuniary Interests (DPIs)

- 4.16 Under the Localism Act 2011, all councillors and co-opted members of council committees are required to comply with a code of conduct, attached at Appendix 4. As part of this, committee members are required to declare DPIs affecting them and their partners, and the council is required to publish this information.
- 4.17 There is no provision in the Health and Social Care Act which disapply this requirement to those appointed to Health and Wellbeing Board, even if they are from outside organisations or are council officers.
- 4.18 To comply with the Localism Act, all members of the Health and Wellbeing Board will be required to complete and return a DPI form, attached at Appendix 5, and a declaration form confirming compliance with the Code of Conduct, attached at Appendix 6.

OTHER OPTIONS CONSIDERED

- 5.1 Not applicable.

This report has been approved by the following officers:

Legal officer	Janie Berry, Director of Legal and Democratic Services and Monitoring Officer
Financial officer	N/A
Human Resources officer	N/A
Estates/Property officer	N/A
Service Director(s)	Derek Ward, Director of Public Health
Other(s)	Cath Roff, Strategic Director of Adults, Health and Housing Phil O'Brien, Head of Democratic Services

For more information contact:	David Walsh 01332 643655 david.walsh@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications Appendix 2 – Exemptions under Section 100(A) of the Local Government Act 1972 Appendix 3 – Membership of the Health and Wellbeing Board Appendix 4 – Members' Code of Conduct Appendix 5 – Disposable Pecuniary Interest (declaration form) Appendix 6 – Code of Conduct compliance form

IMPLICATIONS

Financial and Value for Money

1.1 None

Legal

2.1 None

Personnel

3.1 None

Equalities Impact

4.1 None

Health and Safety

5.1 None

Environmental Sustainability

6.1 None

Property and Asset Management

7.1 None

Risk Management

8.1 None

Corporate objectives and priorities for change

9.1 Ensuring members of the Health and Wellbeing are best placed for the committee to serve it role in *“creating a city for all, through strong leadership and excellent customer focused services”*

**Exempt information under Section 100(A) of the Local Government Act 1972
As defined in Rule AI15(1) of the Council Constitution**

Exempt information means information in the following categories that committees of the Council can resolve to consider in private:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

provided that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Membership of the Health and Wellbeing

Derby City Council

Name	Role	Responsible for appointing
Councillor Bayliss	Leader of the Council	Statutory (Chair)
Councillor Hussain	Cabinet Member for Adult Social Care and Health	Leader – appointed 23/5/12
Councillor Rawson	Cabinet Member for Children and Young People	Leader – appointed 23/5/12
Councillor Skelton	Councillor	Leader – appointed 23/5/12
Councillor Webb	Councillor	Leader – appointed 23/5/12
Councillor Williams	Councillor	Leader – appointed 23/5/12
Councillor Winter	Councillor	Leader – appointed 23/5/12
Adam Wilkinson	Chief Executive	Council – appointed 23/5/12
Cath Roff	Strategic Director for Adults, Health and Housing	Statutory
Andrew Bunyan	Strategic Director for Children and Young People	Statutory
Derek Ward	Joint Director for Public Health	Statutory

Southern Derbyshire Clinical Commissioning Group

Dr Sheila Newport	GP Chair	Statutory (Vice Chair)
Andy Layzell	Chief Operating Officer	Council – appointed 23/5/12

Derbyshire Hospitals NHS Foundation Trust

Sue James	Chief Executive	Council – appointed 23/5/12
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Others

Steve Trenchard	Chief Executive <i>Derbyshire Healthcare Foundation Trust</i>	Council – appointed 23/5/12
Doug Black	Medical Director <i>NHS Commissioning Board Local Area Team</i>	Council – appointed 23/5/12
Andy Waldie	Deputy Chief Fire Officer <i>Derbyshire Fire and Rescue Service</i>	Council – appointed 23/5/12
	<i>A representative of Derbyshire Police</i>	Council – appointed 23/5/12
	<i>A representative of Derbyshire Ambulance Service</i>	Council – appointed 23/5/12
Matthew Allbones	Operations Director <i>Community Action Derby</i>	Council – appointed 23/5/12
Prof Guy Daly	Dean of Faculty of Education Health and Science <i>University of Derby</i>	Council – appointed 23/5/12
Dionne Reid	Chief Executive Officer <i>Women's Work (Derbyshire) Ltd</i>	Council – appointed 23/5/12
Steve Studham	Chair <i>Derby City LINK</i>	Statutory

**DERBY CITY COUNCIL
MEMBERS' CODE OF CONDUCT**

Adopted 18 July 2012

The General Principles of Public Life

You should behave in a way consistent with the following principles:

• Selflessness	You should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.
• Honesty and Integrity	You should not place yourself in situations where your honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
• Objectivity	You should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
• Accountability	You should be accountable to the public for your actions and the manner in which you carry out your responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to your particular office.
• Openness	You should be as open as possible about your actions and those of your authority, and should be prepared to give reasons for those actions.
• Leadership	You should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

THE MEMBERS' CODE OF CONDUCT

Adopted 18 July 2012

Under The Localism Act 2011 the Council must promote and maintain high standards of conduct by its members and adopt a Code of Conduct.

Part 1 General provisions

Introduction and interpretation

1.—(1) This Code applies to **you** as a member of Derby City Council.

(2) You should read this Code together with the general principles at page 2 (prescribed in Section 28 of the Localism Act).

(3) You must comply with the provisions of this Code.

(4) In this Code—

“interest” means a pecuniary or other interest required to be notified under this Code

“meeting” means any meeting of—

(a) the authority;

(b) the executive of the authority;

(b) any of the authority’s or its executive’s committees, sub-committees, joint committees, joint sub-committees, or area committees;

“member” includes a co-opted member and an appointed member.

“partner” means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners

“pecuniary interest” a disclosable pecuniary interest under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and this Code.

“Register of Interests” means the Council’s register of members’ interests maintained under section 29(1) of the Localism Act 2011

“Sensitive Interest” means an interest whose disclosure to the public could lead to you, or a person connected with you, being subjected to violence or intimidation.

Scope

2.—(1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you act in your official capacity as a member of your authority. That is when you:

(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or

- (b) act, claim to act or give the impression you are acting as a representative of your authority.
- (2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.
- (3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.
- (4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).
- (5) Where you act as a representative of your authority—
 - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3.—(1) You must treat others with respect.

(2) You must not—

- (a) do anything which may cause your authority to breach any equality laws
- (b) bully any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be—
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) Involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

4. You must not—

- 1) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (ii) 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
 - (iv) the disclosure is—
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
- 2) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

- (1) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
- (2) must, when using or authorising the use by others of the resources of your authority—
 - (i) act in accordance with your authority's reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

must have regard to any applicable Code of Recommended Practice on Local Authority Publicity made under the Local Government Act 1986¹.

7.—(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

- (a) your authority's chief finance officer; or

¹ A copy of the Code of Recommended Practice on Local Authority Publicity can be found at <http://www.communities.gov.uk/publications/localgovernment/publicitycode2011>

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2 Pecuniary Interests

You must disclose the pecuniary interests listed below. There can be a criminal penalty if you do not.

8. Notification of Pecuniary Interests

A pecuniary interest is an interest of yourself or your Partner within the following descriptions:

Subject	Prescribed description
Employment , office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the member in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(a)
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority – (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge) – (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body

where-

- (a) that body (to the member's knowledge) has a place of business or land in the area of the relevant authority; and
- (b) 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.

9. Non-participation where you have a pecuniary interest

- (1) Where you have a pecuniary interest in any business of your authority you must disclose the interest and withdraw from the room or chamber where a meeting considering the business is being held unless
 - (a) you have obtained a dispensation from the authority's Monitoring Officer or Standards Committee;
 - (b) It is a meeting at which the public can speak in which case you may address the meeting but must then immediately withdraw
- (2) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.
- (3) Where an executive member may discharge a function alone and becomes aware of a pecuniary interest in a matter being dealt with or to be dealt with by them, the executive member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

10. Dispensations

- (1) The Council may grant you a dispensation, but only in specified circumstances, to enable you to participate and vote on a matter in which you have a pecuniary interest.
- (2) Applications for dispensation must be made to the Monitoring Officer or his representative before the meeting at which the matter is to be discussed.

11. Offences

- (1) It is a criminal offence to
 - (a) Fail to notify the Monitoring Officer of any pecuniary interest within 28 days of election

- (b) Fail to disclose a pecuniary interest at a meeting if it is not on the register
 - (c) Fail to notify the Monitoring Officer within 28 days of a pecuniary interest that is not on the register that you have disclosed to a meeting
 - (d) Participate in any discussion or vote on a matter in which you have a pecuniary interest
 - (e) As an executive member discharging a function acting alone, and having a pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
 - (f) Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a pecuniary interest or in disclosing such interest to a meeting
- (2) The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale² and disqualification from being a councillor for up to 5 years.

12. Notification of Gifts and Hospitality

- (1) You must, within 28 days of receipt notify the Monitoring Officer of any gifts and hospitality you have received with an estimated value of offers over £100
- (2) You must disclose the receipt of that gift or hospitality and its nature and extent where it is relevant to the matter under consideration unless it was registered more than 3 years before

14. Interests arising in relation to overview and scrutiny committees

- (1) In any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
 - (a) that business relates to a decision made (whether implemented or not) or action taken by the executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken,
- (2) You may only attend a meeting of the overview and scrutiny committee for the purpose of answering questions or giving evidence relating to the business, and you must leave the room

² Currently £5000.

where the meeting is held immediately after making representations, answering questions or giving evidence.

Part 3
Registration of Members' Interests

14. Registering your interests

- (1) You must notify the Monitoring Officer of any interest you have within 28 days of:
- (a) becoming a member
 - (b) disclosing an interest in any matter being considered at a meeting (if that interest is not already on the Register of Interests)
 - (c) (if you are an executive member) becoming aware of an interest in any matter to be dealt with, or being dealt with
- (2) Any interests notified to the Monitoring Officer will be included in the register of interests.
- (3) A copy of the register will be available for public inspection and will be published on the authority's website.

Sensitive interests

- 15.—**(1) Where you consider that you have a sensitive interest, and the Monitoring Officer agrees:
- (a) if the interest is entered on the Register of Interests, any copy of the Register of Interests made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld
 - (b) if the interest is not entered on the Register of Interests, at any relevant meeting you must disclose the fact that you have a disclosable interest, but not the nature of the interest
- (2) You should, within 28 days of becoming aware of any change of circumstances which means that your interest is no longer sensitive, notify the Monitoring Officer.



Derby City Council

**Derby City Council
Members' and Co-opted Members'
Disclosable Pecuniary Interests and Gifts & Hospitality**

<p>Councillor's Full Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>_____</p>
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Declaration:

I, [please state name]....., a Member of Derby City Council, (the Council) give notice that I have set out my interests in the appropriate areas of the attached form and have put 'NONE' where I have no such interest.

I understand and acknowledge that:-

1. I must complete, sign and return this notice within 28 days of the Authority's Local Code of Conduct being adopted or within 28 days of my election or appointment to office.
2. I must register my disclosable pecuniary interests and gifts and hospitality of over £100 by providing written notification to the Council's Monitoring Officer of the details required as set out in this form.
3. I must, within 28 days of declaring an unregistered interest at a Council meeting provide written notification to the Monitoring Officer of that interest.
4. **Disclosable pecuniary interests include not only my interests but also the interests of my spouse or civil partner, a person with whom I am living as husband or wife or a person with whom I am living as if they were a civil partner, so far as I am aware of the interests of that person.**
5. The Localism Act 2011 created specific criminal offences in relation to the disclosure of pecuniary interests (Part 1 of this form). I understand it is a criminal offence to:-

- (a) Fail to register a Disclosable Pecuniary Interest (DPI) of which I am aware of within 28 days of my election or re-election;
- (b) Take part in the debate or vote at any meeting where I have a registered or unregistered DPI;
- (c) Fail to declare at a meeting and/or take part in the debate or vote if I am aware I have a DPI which is not yet registered or notified to the Monitoring Officer;
- (d) Fail to register unregistered DPIs that I have declared at meetings within 28 days of that declaration;
- (e) Provide false or misleading information in relation to any registration or be reckless as to its accuracy;
- (g) Take any steps or further action on a matter in which I have a DPI other than referring it elsewhere;

in each case without reasonable excuse, and I recognise any such failure is a direct contravention of the Localism Act 2011 and a criminal offence; and may be investigated by the Police and referred to the Director of Public Prosecutions. I understand that upon conviction a Member or co-opted may be fined up to a maximum of £5,000 and disqualification for up to 5 years.

- 6. If I feel I have an interest which, if disclosed on a public register, could lead to myself or a person connected to me being subject to violence or intimidation, then I can disclose this as a sensitive interest to the Monitoring Officer and if he agrees need not declare it on this form but only on a confidential form not available for public inspection.

Member's Signature	
Date	
Monitoring Officer's Signature	
Date	

1. Disclosable Pecuniary Interests

Please answer all parts of this form. You must enter information in every box.
 If you do not have an interest in a particular question please put "None".
 All of your interests must be properly recorded in the appropriate areas.
 Your disclosable interests include those of your partner (*see definition at the end of this form)

Please provide details of :-

Disclosable pecuniary interests	You	Your partner
<p>a) Employment, office, trade, profession or vocation</p> <p>Any employment, office, trade, profession or vocation carried on for profit or gain.</p>		
<p>b) Sponsorship</p> <p>Any payment or provision of any other financial benefit (other than from the Council) made or provided to you within the last 12 months in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>		

Disclosable pecuniary interests	You	Your partner (*See below)
<p>c) Contracts</p> <p>Any contract made between you or your partner or a firm/company in which one of you has a “beneficial interest” (<i>see definition at the end of this form</i>) and the Council;</p> <ul style="list-style-type: none"> 1) under which goods or services are to be provided or works are to be executed; and 2) which has not been fully discharged. 		
<p>d) Land</p> <p>Any beneficial interest in land in the Council’s area.</p>		
<p>e) Licences</p> <p>Any licence (alone or jointly with others) to occupy land in the Council’s area for a month or longer.</p>		
<p>f) Corporate tenancies</p> <p>Any tenancy where (to your knowledge)—</p> <ul style="list-style-type: none"> i. the landlord is the Council; and 		

<p>ii. the tenant is you or your partner or a firm or company in which you or your partner have a beneficial interest (<i>see definition at the end of this form</i>).</p>		
<p>g) Securities</p> <p>Any beneficial interest in securities (<i>see definition at the end of this form</i>) of a body (e.g. firm/company) where—</p> <ol style="list-style-type: none"> 1) that body (to your knowledge) has a place of business or land in the Council area 2) either— <ol style="list-style-type: none"> a. the total nominal value of the securities (see below) exceeds £25,000 or one hundredth of the total issued share capital of that body; or b. 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 you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class. 		

Definitions

* **“Partner”** means your spouse or civil partner, a person with whom you are living with as husband or wife, or a person with whom you are living as if they were a civil partner

***“Beneficial Interest”** In (c) & (f) means;

- ❖ a firm in which you or your “partner” are a partner
- ❖ a company in which either of you are a director
- ❖ a firm or company in which either of you have “securities” worth more than £25,000 or 100th of the issued share capital.

***“Securities”** means shares, debentures, debenture stock, loan stock, bonds, unit of collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description other than money deposited with a building society

2. Gifts & Hospitality

Please provide details of any gifts or hospitality valued at over £100 that you have received in the last 12 months or, if later, since you became a member of the Council. (Any received after initial completion of this form must be referred to the Monitoring Officer within 28 days)

a) Who provided the gift/hospitality	Nature of the gift/hospitality	Estimated value of the gift/hospitality

NB: This does not apply to hospitality provided to the Mayor or Deputy Mayor in that capacity at official events or the gifts received by them but retained by the Council



Derby City Council

UNDERTAKING

TO OBSERVE THE CODE OF CONDUCT

I

being an elected member of Derby City Council
undertake to observe the Council's Code of Conduct

Dated 18 July 2012

.....

This undertaking was made and signed before me

.....

Proper Officer

Or

Nominee