



Community Councillor Declaration of Interest

(Adapted from Standards Commission for Scotland- Councillors Code of Conduct)

The key principles of the Code of Conduct for Community Councillors, especially those which specify integrity, honesty and openness along with the Scheme of Establishment requires Community Councillors to declare interests at Community Council meetings. The intention is to produce transparency in regard to interests which might, or be thought to influence, your actions as a Community Councillor.

Responsibility

It is a Community Councillor's responsibility to make decisions about whether they have to declare an interest or make a judgement as to whether a declared interest prevents them from taking part in any discussions or voting. They are in the best position to assess their personal circumstances and to judge how these circumstances affect their role as a Community Councillor in regard to a particular matter. Community Councillors can seek advice from the Chair of their Community Council.

In making decisions for which Community Councillors are personally responsible, they are advised to err on the side of caution and this guidance has been designed to help them make an informed decision.

The objective test

In making a decision to declare an interest Community Councillors must always comply with the 'objective test' which is:-

'whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a Community Councillor'

Scope

This guidance is primarily aimed at Community Council meetings. However, the principles relating to declarations of interest are not confined to such meetings. Community Councillors must apply these principles no less scrupulously in any other meeting or activity they are carrying out in their role as a Community Councillor.

Interests that require a declaration

Interests that may require to be declared can be financial or non-financial. Most of the interests to be declared will be their personal interest but, on occasion, they will have to consider whether the interests of other persons require them to make a declaration.

The following table will help a Community Councillor make a decision.

Your Financial Interests	
Interest	Description
Remuneration	e.g. if you are employed, self-employed, the holder of an office, a director of an undertaking, a partner in a firm, undertaking a trade, profession, vocation or any other work.
Related Undertakings	e.g. directorships that are not remunerated but the company is a subsidiary or a parent of a company in which you hold a remunerated directorship or a Subsidiary or parent company to the company in which you are a director and receive a remuneration.
Contracts	e.g. where you (or a firm in which you are partner, or have a related undertaking or shares) have made a contract with the Community Council of which you are a member: (i) Under which goods or services are to be provided, or works to be executed, and (ii) Which has not been fully discharged
Houses, Land and Buildings	e.g. where you own or have any other right or interest in houses, land and buildings.
Interest in shares and Securities	e.g. where you have an interest in shares comprised of the share capital of a company or other body and the nominal value of the share is: (i) Greater than 1% of the issued share capital, or (ii) Greater than £25,000
Gifts and Hospitality	e.g. a gift or hospitality which could give rise to real or substantive gain or a reasonable suspicion of influence on your part to show favour or disadvantage to any individual or organisation

Your Non-Financial Interests	
Private and personal interests in which members of the public might reasonably think could influence your actions, speeches or votes as a Community Councillor	e.g. membership or holding office in public bodies, companies, clubs, societies, organisations, voluntary organisation

Financial/Non-Financial Interests of another person

Community Councillors should also consider whether to declare any financial/non-financial interests of certain other persons, if they fall under any of the interests listed in the table above, if they are:-

- (i) A spouse, a civil partner or a co-habitee
- (ii) A close relative, close friend or close associate
- (iii) An employer or a partner in a firm
- (iv) A body (or subsidiary or parent of a body) of which they are a remunerated member or director
- (v) A person from whom they have received a gift or hospitality

Making a declaration

There is no need to declare an interest if it is so remote or insignificant that it could not reasonably be taken to fall within the objective test.

If, however, community Councillors consider that they have an interest to declare in relation to any matter which is to be considered, they should do this as soon as is practicable at the meeting where the interest arises, and should identify the item of business it relates to. They do not need to give full details of the interest but the declaration should be sufficiently informative to enable others to understand the nature of the interest.

Community Councillors must withdraw from the meeting room until discussion of and voting on the relevant item where they have a declarable interest is concluded.