

WESTWELL PARISH COUNCIL (WPC)

DECLARATIONS OF INTEREST PROTOCOL

THIS SHORT SUMMARY DOES NOT REPLACE THE “CODE OF CONDUCT” BUT SHOULD BE READ IN CONJUNCTION WITH IT, AND IS PRIMARILY AIMED AT GUIDING COUNCILLORS IN THE RIGHT DIRECTION.

The first working principle to establish is the basic concept that no prejudicial interest can arise unless it is first established that a personal interest exists.

1. The Councillor must consider first ‘Do I have a personal interest in the business on the agenda?’

- If the answer to that question is ‘No’ – then that is the end of the matter. The councillor can remain in the meeting, speak and vote on the matter.
- If the answer is ‘Yes’ or ‘Very Likely’ then the councillor must decide if that personal interest can be construed as being also a Prejudicial Interest.

2. Your Personal Interest will be a Prejudicial Interest if either of the following conditions are met:

- The matter being discussed affects your financial position or that of any person with whom you have a personal interest.
- Where a member of the public who knows the relevant facts would reasonably think your personal interest is so significant that it may prejudice your judgement.

A Councillor who declares a Prejudicial Interest should then leave the room, unless members of the public are allowed to make representations, give evidence, or answer questions on the matter. Once you have finished speaking or when the meeting decides you have finished, you may not vote and you must leave the meeting (**unless a relevant *Dispensation has been granted**).

3. Your Personal Interest will also be an OSI (Other Significant Interest) if the following condition is met:

- a reasonable person with knowledge of the relevant facts may regard the interest as so significant than it would affect the majority or residents or inhabitants in the affected area and may prejudice your judgement

A Councillor who declares an OSI in relation to any item will need to leave the meeting before the debate and not vote on that item (**unless a relevant *Dispensation has been granted**). However, prior to leaving, the Councillor may address the Committee in the same way that a member of the public may do so.

4. A Councillor who declares a Disclosable Pecuniary Interest (DPI) in relation to any item will need to leave the meeting and not vote for that item (**unless a relevant *Dispensation has been granted**).

CONCLUSION The decision to declare an interest will always turn on the particular facts and it is clearly necessary for all Councillors to grasp the rationale and thinking behind this and if in doubt seek advice from your clerk or the monitoring officer.

***DISPENSATIONS**

A council can decide that a councillor with a declaration of interest can participate and vote on a council motion. This is called ‘**granting a dispensation**’. If you think you should be able participate in the discussion and vote on the matter, you put your request in writing to the council. Your clerk will advise. As a councillor, you can vote on your own request for a dispensation. *The Good Councillors Guide*