

## SECTION A: CODE OF CONDUCT FOR MEMBERS Part 1

### General Provisions

#### 1 Introduction and Scope

- 1.1** The Greater Manchester Combined Authority is determined to promote and maintain high standards of conduct by its Members, Co-opted Members and those councillors from Greater Manchester's districts appointed to roles in which they act on behalf of the GMCA. The GMCA has adopted a Code of Conduct for Members in line with its obligations under section 27(2) of the Localism Act 2011.
- 1.2** This Code mandatorily applies to those acting as Members of the GMCA (including the Mayor and Substitute Members), voting Co-opted Members of the GMCA's committees or Appointed Members of Joint Committees, and references to "official capacity" are to be construed accordingly.
- 1.3** Compliance with this Code is a statutory requirement for those identified in paragraph 1.2. To promote good governance the GMCA strongly recommends voluntary compliance with the Code by non-voting Co-opted Members of the GMCA's committees and by elected members from Greater Manchester's ten districts when they otherwise act for or represent the GMCA. Where a member is only subject to the Code through voluntary compliance (as described in this paragraph) they will not in law be subject to the statutory obligations relating to member conduct under Chapter 7, Part 1 of the Localism Act 2011 nor can the conduct of such a member, insofar as it concerns that member's GMCA role, amount to any of the criminal offences referred to in this Code. However, the conduct of a member who has agreed to voluntarily be subject to the Code may be considered under the GMCA's arrangements for determining whether a member has breached the Code.
- 1.4** In this Code – 'meeting' means any meeting of:
- the GMCA; or
  - any of the GMCA's Committees or Sub-Committees, Joint Committees or Joint Sub-Committees.
- 1.5** This Code does not have effect in relation to a member's conduct other than where it is in that member's official capacity.
- 1.6** This Code will be reviewed every two years by the GMCA's Standards Committee or earlier if required by a change in legislation.

## 2 General Principles

- 2.1** The Code and the associated guidance are based on the following general principles.
- 2.2** Members must behave according to the highest standards of personal conduct in everything they do when acting as a Member or voting Co-opted Member (or in the case of those voluntarily subject to compliance with the Code in accordance with paragraph 1.3 above, where they are otherwise acting on behalf of the GMCA). They must observe the following principles of conduct, some of which are set out in law. The seven principles of Standards in Public Life known as the Nolan Principles underpin the provisions of the GMCA's Code of Conduct for Members. They are set out in paragraphs 2.3 to 2.9 below.
- 2.3** Selflessness: holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- 2.4** Integrity: holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- 2.5** Objectivity: in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- 2.6** Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- 2.7** Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- 2.8** Honesty: holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- 2.9** Leadership: holders of public office should promote and support these principles by leadership and example.
- 2.10** Where those covered by this Code act as a representative of the GMCA:
- (a) on another relevant authority, they must, when acting for that other authority, comply with that other authority's code of conduct; or

- (b) on any other body, they must comply with this Code, unless it conflicts with any other lawful obligations to which that other body may be subject.

**2.11** It is an individual's responsibility to comply with this Code. Failure to do so may result in a sanction being applied by the GMCA. A failure by a Member coming within the scope of paragraph 1.2 above to declare a Disclosable Pecuniary Interest may result in a criminal conviction and an unlimited fine and/or disqualification from office for a period of up to 5 years.

### **3 General Obligations for Members**

#### **3.1 You must not:-**

- a. Do anything which may knowingly cause the GMCA to breach the Equality Act 2010;
- b. Bully or be abusive to any person;
- c. Intimidate or attempt to intimidate any person who is or is likely to be:
  - a complainant
  - a witness, or
  - involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with the GMCA'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, the GMCA.

#### **3.2 You must not:**

- a. 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 to do so by law;
  - iii. 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 reasonable and in the public interest; and
    - is made in good faith and in compliance with the reasonable requirements of the GMCA; or
- b. prevent another person from gaining access to information to which that person is entitled by law.

**3.3** You must not conduct yourself in such a way which could reasonably be regarded as bringing your office or the GMCA into disrepute.

**3.4** You:

- a. must not use or attempt to use your position as a Member improperly to confer on or secure for myself or any other person, an advantage or disadvantage; and
- b. must, when using or authorising the use by others of the resources of the GMCA:
  - act in accordance with the GMCA's reasonable requirements;
  - ensure that such resources are not used improperly for political purposes (including party political purposes); and
- c. must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

**3.5** When reaching decisions on any matter you must have regard to any relevant advice provided to you by:

- a. The GMCA's Treasurer (section 73 officer); or
- b. The GMCA's Monitoring Officer

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

**3.6** You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the GMCA.