



DRAFT
**Operation and Terms of
Reference**

Governance and engagement

“Shaping places requires strong local leadership. This guidance sets out how this can be achieved through a partnership approach which fully engages local communities in planning for the future of their area”

HM Government – Creating strong, safe and prosperous communities
– Statutory Guidance July 2008

Purpose of this document

It is the intention of this document to describe how the various statutory partner organisations will jointly engage with the community of the Central area and, together with that community, cultivate an inclusive and responsive forum for the better development of the community.

Objectives of the Forum

The Forum will provide:

- The opportunity for residents of the Central area to raise concerns about public services provided by any public body having an influence on the quality of life of those living and working in the area;
- A means of holding to account those who provide services in the name of the community;
- A means of influencing the future shape of service delivery;
- An opportunity for direct involvement in the provision of services and facilities for the benefit of the area;
- A means of determining the use and monitoring of the Community Fund
- A means of sharing information and gathering the views of the community.

Operation of the Forum

The Forum will meet on not less than five occasions in each municipal year at a venue suitable for the proper conduct of business.

Each meeting (lasting no more than 3 hours) will consist of two parts:

- Open (the community session)

- Formal (the Partnership Board)

The open part of the meeting will be open to any resident or interested party and will provide an opportunity for:

- Feedback from previous meetings
- Information giving (e.g. presentations requested from service providers such as the Highways Authority)
- Question and answer sessions (allowing local concerns to be raised)
- The community to find solutions to local issues
- Reports on actions taken to deliver the Community Development Plan

The formal part of the meeting will generally be shorter and will provide the opportunity for the Board to take decisions necessary for the furtherance of Forum business. The formal part of the meeting will be open to all but only voting members (i.e. The Board) will generally be able to speak.

The overriding intention must be to make the Forum and its business accessible to as wide an audience as possible. Formality in the meetings should be as restricted as possible and provision for input should be constructed in such a way as to allow anonymous contributions for those who are not comfortable with speaking in public (e.g. suggestion boxes and post-it boards).

The Community Fund

Selby District Council has agreed to provide a Community Fund for local determination (initially £20,000 p.a.). Other partner bodies may wish to add to this fund in due course. The Fund will be divided into two halves, the first of which will be used at the discretion of the Board to help resolve local issues or enhance local services. The second will be used to provide or enhance local facilities and will be allocated to projects or schemes on the recommendation of a sub-group of the Forum according to agreed criteria.

Support to the Forum

Selby District Council will provide:

- Senior Officer support and advice to the Forum
- Notes of each meeting
- The funding for the venue
- A web site for the display and dissemination of Forum information

The Community Development Plan

In order to set a direction for the development of the Central area and facilities available for that area it is proposed that a Community Development Plan be

created. This Plan will be wide ranging and could cover any issue which has an impact on the quality of life of those who live and work in the area. The plan will link directly to the Sustainable Community Strategies at District and County level and will provide a real opportunity for communities to influence the future shape of the community.

The Plan should not be confused with village design statements or parish plans but could both influence or be influenced by either.

Regular reports on the delivery of the action plan, which will form part of the Community Development Plan, will be fed back to the Forum (and to the community at large through the web site, Citizenlink, parish newsletters, etc.)

The Statutory Partners

Though there is currently no statutory requirement for the formation of community engagement mechanisms, the following statutory bodies have agreed to support a partnership response to community concerns which should lead to a more seamless delivery of services and a more cost effective use of combined resources:

- Selby District Council
- North Yorkshire County Council
- North Yorkshire Police
- North Yorkshire Fire and Rescue

Admitted Partners

In addition to the statutory partners listed above, the following will have voting rights on the partnership board:

- Up to *six* representatives of the town council and parish councils within the area
- Up to *four* other community representatives co-opted by the board

The Partnership Board

The partnership board will be accountable to the community encompassed by the Central Community Engagement Forum (CEF) and will conduct its business in public (except where confidentiality issues preclude it from doing so) immediately following the open meeting of the CEF.

Membership of the Board

Selby District Council

- 10 councillors whose wards are included, wholly or in part, within the CEF area

Ian Chilvers
Iain Nutt
David Fagan
Joyce Dyson
Wendy Nichols
Melanie Davis
Steve Shaw-Wright
Jude Thurlow
Mark Crane
Doreen Davies

North Yorkshire County Council

- 3 councillors whose divisions are included, wholly or in part, within the CEF area

Dave Peart
Brian Marshall
Karl Arthur

North Yorkshire Police

C Witty

North Yorkshire Fire and Rescue

M Upton

Admitted Partners

6 parish/Town Council reps
4 co-opted reps

The Board will be chaired by a district councillor nominated by SDC and the Board will elect its own Vice Chair.

All members of the Board, statutory and admitted, will have equal voting rights.

The members of the Board shall have the necessary delegated authority from their own organisations to secure speedy decision making.

Quorum

Meetings of the Board will be quorate if there are not less than one third of voting members present.

Voting

Voting shall be by a show of hands. Each voting member of the Board will have an equal vote. In the event of a tied vote, the Chair of the meeting shall have a second and casting vote.

Standards of conduct

It is important to uphold the highest standards of conduct in the operation of the partnership and members of the Board and attendees from the partner organisations will agree to be bound by the code of conduct included at Appendix A to this document.

The Board will treat its members with due respect and promote a healthy and free debate in furtherance of the Forum's interests.

Information sharing and confidentiality

For the purposes of effective partnership working, the partners agree to share such information as is relevant to the efficient and effective delivery of the Forum's business.

Where any information is confidential, the person giving that information shall designate it as so and the partners will be bound by that confidentiality.

The Board will agree any release of information in the form of press releases.

Financial Management

As the accountable body on behalf of the Partnership Board, the District Council will comply with its published financial regulations and procurement policies and will ensure that financial records are available for inspection at reasonable times.

Risk Management

Each of the partners will have in place their own risk registers but Selby District Council will prepare, on behalf of the Partnership Board, a corporate risk statement for agreement of and monitoring by the Board.

Code of Conduct for members of the partnership Board

PART 1 - GENERAL PROVISIONS

1.SCOPE

- (a) A Member of the Board must observe the Board's Code of Conduct whenever he/she -
 - (i) conducts the business of the Board;
 - (ii) acts as a representative of the Board;

2. STANDARDS OF BEHAVIOUR

- (a) This Code of Conduct shall not have effect in relation to the activities of a Member of the Board undertaken other than in an official capacity.
- (b) Where a Member of the Board acts as a representative of the Board on another relevant body, he/she must, when acting for that other body, comply with that other body's Code of Conduct
- (c) In this code, "Member of the Board" includes a co-opted Member of the Board.

3. GENERAL OBLIGATIONS

- (a) A Member of the Board must -
 - (i) promote equality by not discriminating unlawfully against any person;
 - (ii) treat others with respect; and
 - (iii) not do anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the Board.
- (b) A Member of the Board must not -

- (i) disclose information given to him/her in confidence by anyone, or information acquired which he/she believes is of a confidential nature, without the consent of a person authorised to give it, or unless he/she is required by law to do so; nor
 - (ii) prevent another person from gaining access to information to which that person is entitled by law.
- (c) A Member of the Board must not in his/her official capacity, or any other circumstance, conduct himself/herself in a manner which could reasonably be regarded as bringing the Board into disrepute;
- (d) A Member of the Board -
 - (i) must not in his/her official capacity, or any other circumstance, use his/her position as a Member of the Board improperly to confer on or secure for himself/herself or any other person, an advantage or disadvantage.
 - (ii) must, when using or authorising the use by others of the resources of the Board -
 - (aa) act in accordance with the Board's requirements; and
 - (bb) ensure that such resources are not used for other purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Board.
- (e) A Member of the Board must when reaching decisions have regard to any relevant advice provided to him/her by -
 - (i) An appointed advisor to the Board
 - (ii) The accountable officer for the Board's finances

PART 2 - INTERESTS

4. PERSONAL INTERESTS

- (a) A Member of the Board must regard himself/herself as having a personal interest in any matter if a decision upon it might reasonably be regarded as affecting himself/herself to a greater extent than an ordinary resident of the area or the well-being or financial position of himself/herself, a relative or a friend or –
 - (i) any employment or business carried on by such persons;

- (ii) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (iii) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000;
- (b) In this paragraph -
- (i) “relative” means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and
 - (ii) “partner” means a member of a couple who live together.

a. DISCLOSURE OF PERSONAL INTERESTS

A Member of the Board with a personal interest in a matter who attends a meeting of the Board at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

Where a Member of the Board considers he/she has such a personal interest in a matter, he/she must always declare it, but it does not then necessarily follow that the personal interest debars the Member of the Board from participation in the discussion and voting.

b. PREJUDICIAL INTEREST

- (a) Subject to sub-paragraph (b) below, a Member of the Board with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member of the Board’s judgement of the public interest;
- (b) A Member of the Board may regard himself/herself as not having a prejudicial interest in a matter if that matter relates to -
 - (i) another relevant Board of which he/she is a Member
 - (ii) another public Board in which he/she holds a position of general control or management;

- (iii) a body to which he/she has been appointed or nominated by the Board as its representative;

c. PARTICIPATION IN RELATION TO DISCLOSED INTERESTS

- (a) Subject to sub paragraph (b) below a Member of the Board with a prejudicial interest in any matter must -
 - (i) withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless he/she has obtained a dispensation.
 - (ii) not seek improperly to influence a decision about that matter.
- (b) For the purpose of this paragraph, “meeting” means any meeting of -
 - (iii) the Board; or
 - (iv) any of the Board’s Committees/Boards, Task and Finish Groups or Advisory Committees.

PART 3 - BEHAVIOUR

5. RESPECT AND COURTESY

For the effective conduct of the Board’s business there must be mutual respect, trust and courtesy in all meetings and contacts, both formal and informal, between Member of the Boards and Officers of the partner organisations. This too plays a very important part in the Board’s reputation and how it is seen in public. It is very important that both Members of the Board and Officers remember their respective obligations and to do what they can to avoid criticism of other Members of the Board, or other Officers, in public places.

6. CONCLUSION

It is hoped that, by following good practice and securing sensible and practical working relationships between Members of the Board and others, we can provide one of the cornerstones of a successful public Board.