



## **Guidance on Council Code of Conduct and completion of Register of Members' Interests**

### **Code of Conduct**

1. Council approved a new Code of Conduct at its meeting held on 23 June 2017.
2. This guidance supports the Code of Conduct and sets out in more detail the principles which should govern the conduct of members of Council and procedures for the registration and declaration of interests.
3. The Memorandum of assurance and accountability between HEFCE and the University requires that Council complies with the seven principles set out by the Committee on Standards in Public Life, known as the Nolan Principles, namely: selflessness; integrity; objectivity; accountability; openness; honesty; and leadership.
3. The Principles and Values, and Roles, Responsibilities and Relationships are set out in the Code of Conduct and apply to all members of Council.
5. Members of Council must not:
  - act in a way which will bring Council or the University of Sussex into disrepute;
  - use information gained in the course of their membership of Council for personal gain;
  - use their membership of Council to promote or assist in any of their other activities.
6. As a general guide, members of Council should not take any action which cannot be publicly explained. The overriding principle which should be applied is that members must declare any matter which may give rise to a conflict of interest or of trust in fulfilling their role as a member of Council.

### **Register of Interests**

7. It is a normal expectation in public life that those having responsibility for decisions, particularly those which have financial considerations and effects, should ensure that they distance themselves from any possibility of a conflict of interest between any of their personal activities and matters with which they are involved as members of a public body. To facilitate good practice and to reinforce Council's commitment to propriety at all times, a Register of Interests is maintained and updated on an annual basis (and amended during the year as relevant changes of notifiable interests arise). The Register records financial and other relevant interests of all members of Council and is available for inspection by Council members, members of the University, and other *bona fide* enquirers.
8. As a guide, members of Council should ask themselves whether members of the public, knowing the facts of the situation, would reasonably conclude that the interest

involved might influence the approach taken to Council's actions. If so, the interest would be deemed to be sufficient for an entry to be made in the Register of Interests. The Register asks members to record interests arising in the following areas of activity:

- all directorships registered under the Companies Act, whether or not they are remunerated;
  - remunerated employment, office or profession or other activity;
  - other interests, for example: clients or business relationships which they know to have a direct connection with the University and its associated companies or which might affect their business; any significant shareholdings in organisations which they know to have business with the University or its associated companies; unremunerated posts, honorary positions and other connections which may give rise to a conflict of interest or of trust.
9. Members of Council are also asked to record relevant interests, where they are both known and material, held by members of their immediate family, that is to say, spouse, partner, parents, children and siblings.
10. It is not intended or expected that personal, political or religious affiliations should be declared.

#### **Declaration of Interest**

11. Any Council member who has a clear and substantial interest in a matter under consideration by Council or one of its sub-committees must declare that interest at any meeting where the matter is to be discussed, whether or not that interest has already been declared and recorded in the Register of Interests. Declarations must make clear the nature of the interest and whether it carries either direct or indirect financial interests to the individual member. Such declarations will be recorded in the minutes of the meeting. Each meeting of Council and its sub-committees will start with a request for declarations of this nature to be made.
12. Where such an interest constitutes a direct or indirect financial interest, the member involved should not speak, participate in or otherwise seek to influence any decision taken by Council or the sub-committee relating to the matter under discussion, and should, if requested by the Chair, withdraw from the meeting.
13. Members of Council who hold office with or are employees of other bodies which receive funds from the University of Sussex or its associated companies may participate in general discussions and decisions regarding such bodies but should withdraw, if requested to do so by the Chair, and not speak, participate in or otherwise seek to influence any decision taken by Council or a sub-committee which relates principally to the particular body with which they are associated.
14. Where a member of Council has an interest which is not financial, but which is relevant to the business of Council or a sub-committee, that interest must be declared. Where the interest is substantial, the member involved should not speak, participate in or otherwise seek to influence any decision taken by Council or the sub-committee and should withdraw from the discussions and decisions relating to that interest, if requested to do so by the Chair. Where an interest arises from membership of a public body and where there is no financial interest, full participation in the discussion and decision is allowable. (A public body is deemed

as any institution or organisation wholly or significantly supported through public funds, a professional organisation or a representative group.)

15. Council members should ask themselves whether members of the public, knowing the facts of the situation, would reasonably conclude that the interests involved might influence the approach taken to the action of Council or the sub-committee. If so, the interest would be deemed to be sufficient for the member to withdraw, if requested by the Chair.
16. Members of Council must not agree to participate in committees or other groups acting on behalf of the University of Sussex or its associated companies where there is a clear possibility that a conflict of interest will regularly arise.
17. No member of Council who is employed by or is a student of the University of Sussex shall, solely by the virtue of remuneration for services as an employee or of student status, be deemed for the purposes of this Code to have a declarable interest.
18. A member of Council will not lobby, canvas, represent or carry a mandate for any other organisations of interests. Members who are staff or students recognise that their duties as members of Council take precedence over their duties or obligations as a member of staff or as a student or arising from their association or connection with other organisations.

#### **Acceptance of Gifts and Hospitality**

19. The Code of Conduct requires Council members to declare hospitality and gifts from third parties, other than hospitality of nominal value. In their role as members of Council, individuals should always refuse offers of gifts other than those of nominal value or hospitality which they judge to be excessive. In general, meals may be accepted provided that they are working or other recognised proper occasions and the apparent costs of the hospitality are reasonable. Attendance at social events where the invitation is clearly made because of a connection with the University of Sussex is acceptable provided the hospitality is not excessive.
20. More detailed guidance on the University's policy on gifts and hospitality is set out in the Finance Regulations.

#### **Compliance with the Code**

20. If members of Council have difficulty in complying with this Code or are in doubt concerning a particular matter arising from it, they should contact the Secretary to Council who will provide appropriate advice.

#### **Criminal Convictions and Bankruptcy**

21. On an annual basis, members of Council are also asked to complete and return the attached declaration concerning criminal convictions and bankruptcy.

#### **Governors' Liability Insurance**

22. On an annual basis members of Council will be asked to complete and return a formal declaration to ensure eligibility for Governors' Liability Insurance.

## **Role Description for members of Council**

23. The role description for members of Council is set out at:

<http://www.sussex.ac.uk/ogs/committees/council/membership>

Governance Office  
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