



**HEALTH AND WELLBEING BOARD: 13 JUNE 2013**

**REPORT OF THE COUNTY SOLICITOR**

**OPERATING PRINCIPLES AND CODE OF CONDUCT FOR CO-  
OPTED MEMBERS OF THE HEALTH AND WELLBEING  
BOARD**

**Purpose**

1. The purpose of this report is to present the proposed Code of Conduct for co-opted members of the Health and Wellbeing Board and the operating principles to ensure the effective governance of the Board.

**Background**

2. The Localism Act places the County Council under a duty to promote and maintain high standards of conduct by members and co-opted members of the Authority. In discharging this duty the Authority must adopt a Code dealing with the Conduct which is expected of members and co-opted members of the Authority, when acting in that capacity. The Corporate Governance Committee is responsible for advising the County Council on the form of its Code of Conduct, the latest version of which was approved by the County Council at its meeting on 20 March 2013.
3. The Health and Wellbeing Board was established by the Health and Social Care Act 2012. This Act defines both the functions and membership of the Board and confirms that it is a Committee of the County Council. In addition, the Localism Act 2011 defines all members of County Council Committees who are not elected members as co-opted members and states that co-opted members must be signed up to the Council's Code of Conduct.

**Operating Principles**

4. The proposed operating principles for the Health and Wellbeing Board, attached as Appendix 1 to this report, clarify the meaning of the relevant legislation. They also confirm the requirement for all members of the Board to complete a register of interests, which must be made publicly available, and to declare particular types of interests at meetings. To fail to comply with either requirement constitutes a criminal offence.

### **Code of Conduct**

5. Officers of the County Council have been considering the application of the County Council's Code to co-opted members of the Health and Wellbeing Board and have concluded that there are areas where it cannot sensibly be applied and others where some modification or explanation is required. Accordingly, a proposed Code of Conduct to apply specifically to co-opted members of the Health and Wellbeing Board has been prepared, based on the County Council's Code with the necessary changes. A copy of the proposed Code of Conduct is attached as Appendix 2 to this report.
6. The proposed Code deals particularly with the potential confusion which arises from the rules about Disclosable Pecuniary Interests, a matter which is dealt with in some detail in Paragraph 4.2 of the proposed Code.

### **Next Steps**

7. The proposed Code of Conduct for co-opted members of the Health and Wellbeing Board will be considered by the County Council's Corporate Governance Committee in September, together with the Board's views, prior to being submitted to the September meeting of the full Council for approval.
8. Co-opted members of the Health and Wellbeing Board will be required to complete their register of interests within 28 days of the adoption of the Code.

### **Resource Implications**

9. None arising from this report.

### **Equal Opportunities Implications**

10. None arising from this report.

### **Recommendation**

11. The Health and Wellbeing Board is recommended to:-
  - (a) Approve the Operating Principles for the Health and Wellbeing Board;
  - (b) Approve the proposed Code of Conduct for co-opted members of the Health and Wellbeing Board for submission to the Corporate Governance Committee and County Council.

**Officer to Contact**

David Morgan  
County Solicitor, Leicestershire County Council  
Tel: 0116 305 6007  
Email: [david.morgan@leics.gov.uk](mailto:david.morgan@leics.gov.uk)

**Background Papers**

Member's Code of Conduct – Part 5A of Leicestershire County Council's  
Constitution

**Appendices**

Appendix A – Proposed Operating Principles for the Health and Wellbeing  
Board

Appendix B – Proposed Code of Conduct for Co-opted Members of the Health  
and Wellbeing Board

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