

**YORKSHIRE AND HUMBER ASSEMBLY
CONSTITUTION**

YORKSHIRE AND HUMBER ASSEMBLY CONSTITUTION

1. Title

The name of the organisation is the Yorkshire and Humber Assembly (the Assembly).

The Assembly is designated as the Regional Chamber under the Regional Development Agencies Act 1998; and, when so authorised by the Secretary of State, performs the functions of the Regional Planning Body, the Regional Housing Board and the Regional Transport Board.

2. The Region

The geographical area covered by the Assembly shall comprise the county of North Yorkshire (including the districts of Harrogate, Craven, Ryedale, Selby, Hambleton, Scarborough, and Richmondshire) and the unitary authorities of Calderdale, Leeds, Bradford, Wakefield, Kirklees, Rotherham, Doncaster, Sheffield, Barnsley, North Lincolnshire, North East Lincolnshire, East Riding of Yorkshire, York and Kingston upon Hull.

3. Membership

The following authorities, organisations and agencies will be members (Partners) of the Assembly:

- I. Local Authorities in membership of Local Government Yorkshire & Humber (the LGYH), (Local Authority Partners).
- II. Representatives of sector groupings listed at **Annex A**. (Social, Economic and Environmental Partners).
- III. Representatives of the National Park Authorities listed at **Annex C**. (National Parks Partners).

4. Observers

These will include the Government Office for Yorkshire and the Humber, the Regional Development Agency (Yorkshire Forward), the Environment Agency, the Natural England, Police Authorities, the Highways Agency and such other organisations as the Assembly may determine from time to time.

5. Purpose

To act as the strategic regional partnership, to promote the economic, social and environmental well-being of Yorkshire and the Humber in the interests of all those who live and work in the Region. In so doing, the Assembly will act transparently and openly, consult widely, and encourage sustainable, partnership approaches to the attainment of the Assembly's objectives. The

Assembly will also seek consensus, respect the principle of subsidiarity, avoid duplication and focus on those matters that require, or would benefit from, a co-ordinated approach across the Region.

6. Objectives

- I. To prepare, in consultation with other appropriate authorities, organisations and agencies within the Region, an Integrated Regional Framework for the promotion of the sustainable economic, social and environmental well-being of the Region, and deliver the actions required to achieve this.
- II. To promote the region's interests and identity, secure commitment to and involvement in the delivery of the approved Integrated Regional Framework and ensure that the framework is kept under review.
- III. To act as the Regional Planning Body, Regional Housing Body, Regional Transport Body and carry out such other regional functions as may be authorised by the Secretary of State from time to time.
- IV. To seek to ensure that the Partners in preparing Policies, Plans and Guidance take into account and follow the principles in the Integrated Regional Framework at (I) above and lead work to decide overall priorities and aims for other strategies and plans in line with the Integrated Regional Framework.
- V. As the designated Regional Chamber to scrutinise Yorkshire Forward (the RDA); influence its work; ensure regional accountability of the RDA; and to exercise any other functions remitted to such designated bodies.
- VI. To consult and work closely with other regional authorities, organisations, agencies and non-departmental public bodies to make them aware of the purpose and objectives of the Assembly and to encourage them to participate fully in the Assembly's work.
- VII. To strengthen the scrutiny of and influence over other regional authorities, organisations and agencies and non-departmental government bodies as may be appropriate; and strengthen the relationship with the Government Office for Yorkshire and the Humber.
- VIII. To influence and work closely with Central Government, MPs, MEPs, national, regional and European Union institutions and other international bodies so that their plans and strategies better meet the needs of the region.

7. Representation at Meetings of the Assembly

- I. Each of the principal local authorities in membership of the LGYH will be represented at meetings of the Assembly by one elected member (normally the Leader). The local authority from which the Chair is drawn

will be entitled to appoint another elected member to represent them.

- II. There will be representation from the sector groupings listed in **Annex A**, as agreed by the Assembly and reviewed from time to time, and the National Park Authorities listed in **Annex C**.
- III. Each Partner may appoint an authorised substitute, to attend meetings, to speak and vote on behalf of their organisation in the absence of their nominated representative.
- IV. Should a vacancy arise during the year, the Regional Executive Board will seek a replacement nomination from the Partner organisation to cover the period until the next AGM.

8. Voting at Meetings of the Assembly

- I. The Assembly will act, whenever possible, on the basis of consensus but, in the event of a vote being called for, any questions coming before the Assembly will be decided in accordance with II below (see also 14 III), except that National Parks Partners shall only be entitled to vote when any decision is taken relating to the exercise by the Assembly of its functions as Regional Planning Body under the Planning and Compulsory Purchase Act 2004.
- II. Where business cannot be conducted on the basis of consensus, then the Local Authority Partners shall have between them 60% of the vote, and the Social, Economic and Environmental Partners shall have between them 40% of the vote as set out in the voting arrangements in **Annex D**. Observers are not entitled to vote. The Chair is not entitled to vote. However, on those occasions when the Deputy Chair is undertaking the role of Chair, that person will be entitled to vote in his or her own right.
- III. On the request of any Partner, the voting on any question will be recorded so as to show whether each Partner present and voting gave their vote for or against that question.
- IV. Motions to amend the Constitution must be approved by two thirds of the Partners entitled to vote.

9. Meetings of the Assembly

- I. The Assembly will meet at least three times each year, including the holding of an Annual General Meeting in June or July which will be open to the public and widely promoted. It will conduct the following business:
 - a. Appoint from amongst the Local Authority Partners, the Chair of the Assembly
 - b. Appoint from amongst the social, economic and environmental Partners, the Deputy Chair of the Assembly
 - c. Approve the Regional Executive Board for the ensuing year

- d. Approve the appointment of Honorary Treasurer
 - e. Receive from the Regional Executive Board the Annual Report for the preceding year
 - f. Confirm the accounts of the Assembly for the preceding financial year and to consider the report of the Auditor thereon, as presented by the Regional Executive Board
 - g. Approve a schedule of meetings of the Assembly for the ensuing year
 - h. Approve any amendments to the Assembly's constitution
 - i. Approve any amendments to the Governance Arrangements for the Assembly.
 - j. If required, approve and keep under review a scheme for the payment of allowances to members.
- II. Should a vacancy arise during the year for Chair, Deputy Chair or member of the Regional Executive Board, a further nomination will be sought to cover the period until the next Annual General Meeting. The appointment will be approved by the Regional Executive Board at its next meeting.
 - III. At or prior to its last meeting before the end of the financial year the Assembly will approve the business plan and budget for the forthcoming financial year.
 - IV. An extraordinary meeting of the Assembly will be called by the Secretary within 10 working days of receipt of a written request, specifying the business to be considered at the meeting, signed by one third or more of the Partners.

10. Election of Office Holders

- I. The LGYH will nominate the Chair of the Assembly.
- II. The Social, Economic and Environmental Partners will nominate the Deputy Chair of the Assembly. Arrangements for receiving nominations for the Deputy Chair will be as follows:

A meeting of Social, Economic and Environmental Partners will be called by the Secretary to consider the nomination for the Deputy Chair. The procedure for conducting this meeting is set out at **Annex B**.
- III. The Chairs and Deputy Chairs of the Functional Boards and the Sustainable Development Board will be nominated from amongst the Assembly Partners. For each Board the Chair and Deputy will be a Local Authority Partner and an SEE Partner in any combination.
- IV. On receipt of valid nomination(s) for the Chair and Deputy Chair of the Assembly, the Functional Boards and the Sustainable Development Board voting will be on the basis set out at paragraph 8 II. Election will be by a simple majority of the Partners present and voting at the Annual General Meeting.

- V. The Chair and Deputy Chair of the Assembly will be appointed for a two-year term. The Chairs and Deputies of the Functional Boards and the Sustainable Development Board will be appointed for a one-year term.
- VI. The Deputy Chair of the Assembly will be the Chair of the Scrutiny Board.
- VII. For so long as they continue to be representatives of the Assembly the Chair and/or Deputy-Chair and/or the Chairs and Deputies of the Functional Boards and the Sustainable Development Board may only be removed from office during the period for which they have been elected by a special resolution of the Assembly. This resolution must be approved by a majority of the members present and entitled to vote at the meeting at which the resolution is moved.

11. The Regional Executive Board

- I. The Regional Executive Board shall comprise:
 - The Chair and Deputy Chair of the Assembly (nominated as set out in para 10)*
 - One Local Authority Partner from each sub-region (nominated by the sub regional local authority partnership)*
 - One Local Authority Partner from each city region (nominated by the City Region Partnership) *
 - The Chairs of the Housing, Planning and Transport Boards [or their Deputy Chair if the Chair is already a member via another route] (nominated as set out in para 10)*
 - Social, Economic and Environmental Partner representatives (Nominated as set out in para 11 III below with the number to be determined as set out in Annex E)*
 - One local authority Rural Representative (nominated by LGYH)*
 - The Chair of LGYH (if not a member via another route)*
 - One local authority Chief Executive (nominated by the regional Chief Executives Group)
 - Observers (at least 2, one from each of Yorkshire Forward and the Government Office)

**Denotes a voting member*
- II. If necessary, after the Annual General Meeting and before the first meeting of the Regional Executive Board, another Local Authority representative(s) will be sought to secure inclusive political representation from the following political parties: Labour, Conservative and Liberal Democrat ensuring a minimum of one representative for each party.
- III. The Social, Economic and Environmental Partners will agree their membership of the Regional Executive Board at the meeting called to consider the nomination for Deputy Chair (para 10 II above).

- IV. The Regional Executive Board will advise the Assembly on matters relating to the attainment of the Assembly's objectives. It will be authorised to act generally on behalf of the Assembly between meetings on urgent matters, which cannot wait until the next meeting and routine matters within agreed policy guidelines. It will report back to the next meeting, in a manner approved by it, on action taken.
- V. In addition the Regional Executive Board will advise the Assembly on specific issues as requested, receive reports on the achievement of objectives in the Integrated Regional Framework and assess progress.
- VI. The Regional Executive Board will normally meet every month. Other meetings of the Regional Executive Board may be called by agreement between at least three members, including the Chair and one social, economic and environmental Partner.
- VII. The Regional Executive Board will act, wherever possible on the basis of consensus, but in the event of a vote being called for, each voting member will have one vote. Decisions will be made by a simple majority of members present and voting.
- VIII. The Regional Executive Board shall, consider a draft business plan and Budget for the Assembly for the forthcoming financial year. It shall recommend the draft business plan and budget to the Assembly at its last meeting before the end of the financial year, having due regard to the budget setting processes of the Assembly's financial contributors.
- IX. The Regional Executive Board will recommend Honorary Treasurer as set out in para 15 below.
- X. The Regional Executive Board will appoint representatives to serve on any other body to present the views of the Assembly to any meeting of such other body.
- XI. The Regional Executive Board will ensure that proper books and accounts are kept and present a Statement of Accounts and Balance Sheet to the Annual General Meeting of the Assembly. The Regional Executive Board will also consider the Auditor's Report and present it to the first available meeting of the full Assembly following completion.
- XII. The Regional Executive Board will ensure that activity to deliver the Assembly Business Plan is regularly monitored and that an Annual Report is prepared and presented to the Annual General Meeting.

12. Boards/Groups

- I. The Assembly may establish Boards and Groups as it considers appropriate from time to time. Without prejudice to the generality of the foregoing there shall be the following Boards:

- a) Functional - Regional Planning Board, Regional Housing Board and Regional Transport Board. They shall operate in line with government rules and guidance issued from time to time as directed by the Regional Executive Board;
 - b) Scrutiny Board; and
 - c) Sustainable Development Board
- II. Their composition, terms of reference and appointments (including appointment of the relevant Chair and Deputy Chair) shall be determined by the Assembly.
 - III. Such bodies shall operate in accordance with the Governance Arrangements document as adopted at the Annual General Meeting. In the event of any conflict between the Governance Arrangements and this constitution then the provisions in the constitution shall prevail.
 - IV. In relation to voting all Boards are required to ensure that as far as possible the 60:40 Local Authority, SEE partner proportional split is maintained.
 - V. The Regional Executive Board shall oversee the work of all the Boards and Groups including the Functional boards with the exception of the Scrutiny Board, which will report directly to the Assembly.
 - VI. The Regional Executive Board will recognise the special circumstances of the Sustainable Development Board. This Board is charged which acting independently in relation to the provision of advice on sustainable development and may therefore direct their own work programmes and report to the Assembly, the Regional Executive Board, other Boards and Groups or external organisations and bodies as appropriate.

13. Conduct of Business

- I. Notice of meetings will be given by the Secretary. The period of notice for meetings of the Assembly shall be not less than 10 working days.
- II. An agenda specifying the business to be transacted at a meeting will be circulated by the Secretary not less than five working days before Assembly and Regional Executive Board meetings. Agendas for meetings of the Assembly and the Regional Executive Board will be determined by the Chair and Deputy Chair in consultation with the Executive Directors, in the Executive Coordination Team.
- III. At meetings of the Assembly and the Regional Executive Board, the Chair will preside. In the absence of the Chair at any meeting, the Deputy Chair will preside. In the absence of both, a chair will be appointed from amongst those present.
- IV. In addition to what is set out above, if required, the Assembly may adopt standing orders to formally regulate its conduct of business.

- V. A quorum for the Assembly shall be one third of the local authorities in membership and one-third SEE Partner members.
- VI. A quorum for the Regional Executive Board shall be five including representatives from three Local Authority Partner members and two SEE Partner member.
- VII. The Chair and Deputy Chair, on the advice of the Secretary, will decide prior to circulating papers if an item is to be handled as a Confidential Agenda Item. The principles for determining those items to be deemed Confidential will be the exempt and confidential categories as set out in the Local Government Act 1972.
- VIII. Items deemed Confidential may only be considered by Members (including Observer Members) unless specific exclusions are agreed by the Assembly, or relevant meeting, on the advice of the Secretary. Prior to consideration of the Confidential Item the Assembly (or relevant meeting) will determine who else may remain in attendance.

14. Corporate Responsibilities

- I. The Assembly will adopt the Principles, Codes, and Guidance applying from time to time to Local Authorities relating to standards of openness and probity as defined in the Local Government Act 2000 (and any modification of it) which are attached at **Annex F**. Assembly Partners will be required to make written confirmation of their observance of them.
- II. The Assembly is fully committed to equality and opposes all forms of discrimination. It will work positively to promote inclusivity within its membership and the wider community.
- III. The Assembly shall act, whenever possible, on the basis of consensus and the views expressed publicly by the Chair and Deputy Chair of the Assembly will reflect this approach.
- IV. In making appointments to other bodies, the Assembly will seek to ensure balance in relation to the composition of the Assembly and in relation to the diversity of the Region.
- V. The process for nomination of Local Authority Partners is set out in the constitution for the LGYH. The process for nomination of Social, Economic and Environmental Partners and National Parks Partners should be as inclusive and transparent as possible. In all cases, the mechanism for nomination and the name of the nominee should be notified to the Secretary as soon as possible after the AGM.

15. Honorary Treasurer

There shall be an Honorary Treasurer of the Assembly who shall be

responsible for keeping the accounts of the Assembly. The Honorary Treasurer shall be the Director of Finance or such other officer of Wakefield MDC as may be nominated by the Council from time to time.

16. Advice to Political and other Groups

Political and other groups reflecting the diverse membership of the Assembly shall be entitled to such reasonable advice and support services from the regional officer team and advisers of the Assembly as is necessary to enable them to function effectively within the Assembly and as agreed from time to time by the Regional Executive Board.

17. Appointment of Staff

- I. The Assembly will secure such staff to act on its behalf as it shall consider necessary from time to time and shall designate an officer to act as the Secretary to the Assembly for the purposes set out in this constitution. The Assembly shall be managed by two Executive Directors appointed by the Assembly. The Assembly may delegate such functions to such of the officers as it may consider appropriate from time to time.
- II. Officers may sub delegate their functions as they consider appropriate from time to time.

18. Finance and Administration

- I. The Assembly's financial year will run from 1st April to 31st March.
- II. A report will be prepared on the budget for the Assembly by the Regional Executive Board. This shall be approved at the last meeting of the Assembly before the end of the financial year. Subscriptions towards the costs of the Assembly shall be levied on Local Authority Partners and other Partners/Members as considered appropriate from time to time, the amount of the levy being determined each year by the Regional Executive Board. The Assembly may make arrangements with other organisations to collect subscriptions on its behalf.
- III. The Assembly may not invest, lend or borrow money or acquire or dispose of land and buildings without obtaining specific approval at a meeting of the Assembly.
- IV. The Secretary or an Executive Director, and the Chair or any member of the Regional Executive Board of the Assembly shall be authorised to sign documents drawn up in pursuance of the purpose, objectives and current policies of the Assembly.
- V. Accounts of all funds held by or on behalf of the Assembly shall be prepared annually and shall be audited by accountants qualified in accordance with the Local Government Finance Act 1988.

- VI. There shall be an Executive Co-ordination Team (ECT) comprising the Chair and Deputy Chair of the Assembly and the Assembly's two Executive Directors to co-ordinate implementation of the Assembly's corporate strategy, budget and business plans and to provide a forum for discussion of reports to be considered by the Regional Executive Board and the Assembly. Further details of the operation of the ECT are set out in the Assembly's Governing Arrangements.
- VII. Indemnity – each local authority partner, by accepting membership of the Assembly, undertakes jointly with each of the other constituent authorities, whilst it is in membership, to underwrite any liabilities that are not ultra vires and may be incurred in the name of the Assembly with its authority by any officer of the Assembly or by any individual representing any member of the Assembly or by and on behalf of any member of the Assembly.

19. Property and Assets

- I. Any property or assets acquired for use by the Assembly will be held by and in the name of a Partner of the Assembly for and on behalf of all other Partners who will indemnify the Partner concerned in respect of any liability which may arise in consequence of their holding any such property or assets.
- II. In the event of a dissolution of the Assembly any property or assets held as above will be sold and, after deduction of any expenses properly attributed to such sale, the proceeds of sale will be distributed amongst Partners of the Assembly as at the date of the Assembly's dissolution, in accordance with Clause 21 below.

20. Resignation

- I. Any Partner wishing to terminate their membership of the Assembly must give not less than 12 months notice in writing to the Secretary. In the case of local authority Partners, if the expiry of the termination notice falls part way through a financial year the Partner will still be liable for that year's full subscription as set by the Regional Executive Board.
- II. The settlement of any financial issue relating to membership will be a matter for negotiation between the resigning Partner and an Executive Director who will report the outcome of the negotiations to the Regional Executive Board for approval.

21. Dissolution

- I. A motion for the dissolution of the Assembly must be approved by three quarters of the Local Authority Partners of the Assembly and three quarters of the Social, Economic and Environmental Partners.

- II. Following approval of a motion for the dissolution of the Assembly, the Executive Directors will ensure that the Assembly's assets are disposed of, that its liabilities are satisfied and that the responsibility for receiving proceeds or meeting liabilities is apportioned amongst the Partners as determined by the Assembly.

22. Review of this Constitution

This constitution shall be reviewed no later than five years from the date of approval.

For Approval at the YHA AGM
12 July 2007

YORKSHIRE AND HUMBER ASSEMBLY CONSTITUTION

The Sector Groupings (providing the Social, Economic and Environmental Partners)

Sector	No of Representatives
Health	1
Environment	1
Business	3
Trades Union Congress	1
Rural	1
Faith	1
Voluntary and Community	1
Further Education	1
Higher Education	1
Yorkshire Culture	1
Learning and Skills Councils	1
BME Regional Panel	1
Town and Parish Councils	1

Procedure to nominate the Deputy Chair of the Assembly and to agree the membership of the Regional Executive Board amongst the Social, Economic and Environmental Partners.

Introduction

1. Yorkshire and Humber Assembly

- 1.1 Members of the Yorkshire and Humber Assembly will comprise all Local Authority Partners within Local Government Yorkshire & Humber (the LGYH); and representatives from Social, Economic and Environmental Partners (SEE) as listed at Annex A and representatives from the National Parks Partners listed at Annex C.
- 1.2 The LGYH will nominate the Chair of the Assembly.
- 1.3 Representatives from Social, Economic and Environmental Partners will nominate the Deputy Chair of the Assembly.
- 1.4 Both the Chair and the Deputy Chair of the Assembly will be appointed for a two-year term, subject to confirmation at the intervening AGM.

2. Regional Executive Board

- 2.1 Members of the Regional Executive Board will be appointed for a one-year term (from one Annual General Meeting to the next).

3. Scope of Procedure

- 3.1 This procedure relates to the nomination and appointment of the Deputy Chair of the Assembly and other appointments from the Social, Economic and Environmental Partners onto the Regional Executive Board. The sector groupings providing the SEE partner membership of the YHA are identified in Annex A of the YHA constitution. The Deputy Chair is appointed for two years, subject to annual confirmation at the YHA AGM; SEE partner members (as with all members) of the Regional Executive Board are appointed for a one-year term (from one Annual General Meeting to the next).

4. Procedure

4.1 Notified Vacancy

- 4.1.1 The election of Deputy Chair of the Assembly will take place at the Annual General Meeting of the Assembly.

- the Annual General Meeting will therefore approve the nomination for a new Deputy Chair as proposed by Social, Economic and Environmental Partners.

4.1.2 Regional Executive Board members are appointed for a one-year term. At the Annual General Meeting, the Assembly will therefore:

- approve the nominations for new Regional Executive Board members as proposed by Social, Economic and Environmental Partners.

4.1.3 Any of these positions may also become vacant throughout the year. The same procedure for appointing members to the post of the Deputy Chair of the Assembly or a Regional Executive Board member will apply for the outstanding term of the appointment with the appointment being confirmed at the next available Regional Executive Board meeting.

4.1.4 Once a vacancy has been notified, the Secretary will arrange a Voting Meeting of the Social, Economic and Environmental Partners.

4.2 Nominations

4.2.1 The Secretary will provide representatives from the Social, Economic and Environmental Partners with nomination forms and candidate forms for the vacant post(s).

4.2.2 Nominations will need to be submitted using a 'Social, Economic and Environmental Partners Nomination Form'.

4.2.3 Nominees agreeing to their name going forward will need to submit a 'Social, Economic and Environmental Partners Candidate Form' within 10 calendar days from issue.

4.2.4 Social, Economic and Environmental Partners and their organisations will receive the candidate forms and an invite to a Voting Meeting to be held before the Annual General Meeting.

4.2.5 Voting will be by representatives of the Assembly's Social, Economic and Environmental Partners, either the Assembly member or their authorised representative.

4.2.6 Written notification (email, fax or letter) of any substitute must be received by the Secretary at least 3 working days prior to the meeting to confirm that the substitute has been properly delegated to act on behalf of the organisation at the Voting Meeting.

4.3 Voting Meeting

- 4.3.1 A non-contesting representative of the Social, Economic and Environmental Partners will chair the Voting Meeting.
- 4.3.2 At the Voting Meeting there will be a secret ballot of those present and eligible to vote. Numbered ballot papers will be used so that voting can be scrutinised after the event, if required.
- 4.3.3 Votes will be cast on the first past the post basis. An Executive Director will act as returning officer.
- 4.3.4 In the event of a tie, this will be resolved either by tossing a coin or by drawing lots, as appropriate.
- 4.3.5 The results of the Voting Meeting will be minuted and recommended appointments will be formally forwarded to the Annual General Meeting.

4.4 Appointment

- 4.4.1 Subject to formal approval at the Annual General Meeting, those nominated will be appointed for the appropriate term of office (i.e. two years as Deputy Chair of the Assembly or one year as a Member of the Regional Executive Board).

YORKSHIRE AND HUMBER ASSEMBLY CONSTITUTION

National Parks Partners

- Yorkshire Dales National Park Authority
- North York Moors National Park Authority

YORKSHIRE AND HUMBER ASSEMBLY CONSTITUTION

Voting Arrangements for Partners on the Yorkshire and Humber Assembly.

General

1. The total number of votes will be 177 (excluding those available to the National Park Authorities). These will be split 60% to Local Authority Partners and 40% to Social, Economic and Environmental Partners.
2. The National Park Authorities will have one vote each to be used when any decision is taken relating to the exercise by the Assembly of its functions as Regional Planning Body under the Planning and Compulsory Purchase Act 2004

Local Authority Partners

3. Local Authority Partners in the Assembly are allocated 106 votes distributed as determined by the Local Government Association voting scheme and set out in the table below.

	Votes
West Yorkshire	
Bradford	9
Calderdale	4
Kirklees	7
Leeds	15
Wakefield	7
Sub Total	42
South Yorkshire	
Barnsley	5
Doncaster	5
Rotherham	5
Sheffield	11
Sub Total	26
Humberside	
Hull	5
East Riding	7
North East Lincolnshire	4
North Lincolnshire	4
Sub Total	20

	Votes
North Yorkshire	
North Yorkshire CC	7
Craven	1
Hambleton	1
Harrogate	1
Richmondshire	1
Ryedale	1
Scarborough	1
Selby	1
Sub Total	14
York	4
TOTAL	106

Social, Economic and Environmental Partners

4. The Social, Economic and Environmental Partners are allocated 71 votes (40%) distributed as determined by the Social, Economic and Environmental Partners from time to time.

5. Arrangements agreed at the Annual Meeting on 13 July 2006 are as follows:

71 Votes to be divided equally between 15 Partners listed at Annex A, each receiving 4.733 votes.

YORKSHIRE AND HUMBER ASSEMBLY CONSTITUTION

Membership of the Regional Executive Board

The number of Social Economic and Environmental Partners on the Regional Executive Board will be determined by the number of local authority partners in membership of the Regional Executive Board drawn from these categories - sub regions, city regions, local authority rural representative and Chair of LGYH - as follows:

Local Authority Partners (60%)	Social, Economic & Environmental Partners (40%)
9	5
8	5
7	4
6	4
5	3
4	3

YORKSHIRE AND HUMBER ASSEMBLY

CODE OF CONDUCT FOR YHA MEMBERS, OBSERVERS AND BOARD MEMBERS

INTRODUCTION

This Code of Conduct customises the Local Authorities (Model Code of Conduct) Order 2007, as adopted as part of the Assembly Constitution.

All Members, Observers, Board Members, and other Group Members must sign an undertaking to observe the YHA's Code.

PART I GENERAL PROVISIONS

Scope

1. (1) You must observe the YHA's code of conduct whenever you:
 - (a) conduct the business of the YHA;
 - (b) conduct the business of the office to which you have been elected or appointed by the YHA; or
 - (c) act, claim to act, or give the impression you are acting as a representative of the YHA,and references to your official capacity shall be construed accordingly.
- (2) The YHA's code of conduct shall not, apart from paragraphs 3.2(c), 5 and 6(a) below, have effect in relation to your activities other than where it is in an official capacity, or where that conduct amounts to a criminal offence of which you are convicted (in respect of conduct before or after appointment).
- (3) Where you act as a representative of the YHA on any other body, you must, when acting for that other body, comply with the YHA's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject or where that body has a similar code.

General Obligations

2. You must adhere to the following general principles:-

(a) **Selflessness**

You should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

(b) **Honesty and Integrity**

You should not place yourself in situations where your honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

(c) **Objectivity**

You should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

(d) **Accountability**

You should be accountable to the public for your actions and the manner in which you carry out your responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to your particular office or role.

(e) **Openness**

You should be as open as possible about your actions and those of the YHA, and should be prepared to give reasons for those actions.

(f) **Personal Judgement**

You may take account of the views of others, including their political groups, but should reach your own conclusions on the issues before you and act in accordance with those conclusions.

(g) **Respect for Others**

You should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. You should respect the impartiality and integrity of the YHA's employees.

(h) **Duty to Uphold the Law**

You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

(i) **Stewardship**

You should do whatever you are able to do to ensure that the YHA uses its resources prudently and in accordance with the law.

(j) **Leadership**

You should promote and support these principles by leadership, and

by example, and should act in a way that secures or preserves public confidence.

- 3.1 You must treat others with respect.
- 3.2 You must not:
 - (a) do anything which may cause the YHA to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);
 - (b) bully any person;
 - (c) intimidate or attempt to intimidate any person who is or is likely to be:
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a someone (including yourself) has failed to comply with the YHA's or his or her authority'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 YHA.
4. 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 by law to do so;
 - (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:
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the YHA; or
 - (b) prevent another person from gaining access to information to which that person is entitled by law.
5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the YHA into disrepute.
6. You:
 - (a) must not use or attempt to use your position with the YHA improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of the YHA:
 - (i) act in accordance with the YHA's reasonable requirements;
 - (ii) 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, as appropriate.

7.1 When reaching decisions on any matter you must have regard to any relevant advice provided to you by the officers of the YHA.

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

Part II Interests

8. Personal Interests

8.1 You have a personal interest in any business of the YHA where either:

- (a) it relates to or is likely to affect:
 - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the YHA;
 - (ii) any body:
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
 - (iii) any employment or business carried on by you;
 - (iv) any person or body who employs or has appointed you;
 - (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (vi) any person or body who has a place of business or land in the YHA's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (vii) any contract for goods, services or works made between the YHA and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (ix) any land in your authority's area in which you have a beneficial interest;
 - (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description

- specified in paragraph (vi) is, the tenant;
- (xi) any land in the YHA's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the YHA's area.

8.2 In paragraph 8.1(b), a relevant person is:

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in paragraph 8.1(a)(v) or 8.1 (a)(ii).

9. Disclosure of Personal Interests

9.1 Subject to paragraphs 9.2 to 9.7, where you have a personal interest in any business of the YHA and you attend a meeting of the YHA at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

9.2 Where you have a personal interest in any business of the YHA which relates to or is likely to affect a person described in paragraph 8.1(a)(i) or 8.1(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

9.3 Where you have a personal interest in any business of the YHA of the type mentioned in paragraph 8.1(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

9.4 Paragraph 9.1 only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

9.5 Where you have a personal interest but, by virtue of paragraph 13, sensitive information relating to it is not registered in the YHA's register of interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

10. Prejudicial Interest Generally

10.1 Subject to paragraph 10.2, where you have a personal interest in any

business of your authority you also have a prejudicial interest in that business where 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 your judgement of the public interest.

- 10.2 You do not have a prejudicial interest in any business of the YHA where that business:
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of the YHA in respect of the scheme of allowances, payments or indemnities given to YHA members.

11. Effect of Prejudicial Interests on Participation

11.1 Subject to paragraph 11.2, where you have a prejudicial interest in any business of the YHA:

- (a) you must withdraw from the room or chamber where a meeting considering the business is being held, whenever it becomes apparent that the business is being considered at that meeting, unless you have obtained a dispensation from the Secretary to the YHA;
- (b) you must not seek improperly to influence a decision about that business.

11.2 For the purposes of this Part, "meeting" means any meeting of -

- (a) the YHA;
- (b) the Regional Executive Board of the YHA;
- (c) any of the YHA's or its Regional Executive Board's, committees or sub-committees; or
- (d) Boards, Commissions or sub-groups.

Part III Registration of Interests

12. Registration of Interests

12.1 Subject to paragraph 13, you must, within 28 days of:

- (a) this Code being adopted by the YHA; or
- (b) your election or appointment to office (where that is later), register in the YHA's register of interests details of your personal interests where they fall within a category mentioned in paragraph 8.1(a), by providing written notification to the Secretary of

the YHA.

12.2 Subject to paragraph 13, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph 13.1, register details of that new personal interest or change by providing written notification to the Secretary of the YHA.

13. Sensitive Information

13.1 Where you consider that the information relating to any of your personal interests is sensitive information, and the Secretary of the YHA agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

13.2 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph 13.1 is no longer sensitive information, notify the Secretary to the YHA asking that the information be included in your register of interests.

13.3 In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Declaration and Undertaking

I, (please PRINT name), as a Member/Observer/Board Member of the Yorkshire and Humber Assembly, declare that I will duly and faithfully fulfil the requirements of the role according to the best of my judgement and ability.

I undertake to observe this Code of Conduct, which is expected of all Members of the Yorkshire and Humber Assembly.

I have completed a Register of Interests Form and undertake to provide updated information within 28 days of any change of circumstances relating to my Interests.

Signed: _____

Date: _____