

Chadderton Neighbourhood Board

Terms of Reference for FY 25/26

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Purpose

The primary purpose of the Chadderton Neighbourhood Board is to deliver the Government's *Plan for Neighbourhoods* programme in Chadderton and the surrounding areas over the next decade. The programme is the successor to the *Long-Term Plan for Towns* programme that the Board delivered from April 2024-March 2025 whilst known as the Chadderton Town Board.

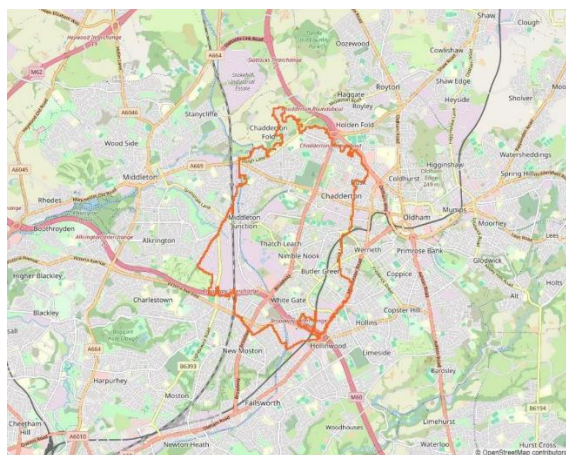
The *Plan for Neighbourhoods* prospectus includes three new objectives for investment and calls on the Board to refocus and work in close partnership with the local community and the accountable body (Oldham Council) to deliver investment to improve the physical and social infrastructure of Chadderton in the interests of local people. Therefore, the Board will update its membership to bring together those with a deep connection to the area, such as local businesses, grassroots campaigners, workplace representatives, faith and community leaders, and other relevant organisations. The Board will also revisit the community engagement and wider outputs of the *Long-Term Plan for Towns* to build on work to date and refocus on the three objectives for investment: "thriving places", "stronger communities" and "taking back control".

The Board will be responsible for developing a Regeneration Plan comprising a 10-year shared vision for the area and investment plans to set out a pathway to delivery, in the process considering opportunities to attract and combine new and existing private, public, and philanthropic funding sources. The Board will provide accountability and challenge to ensure that the new programme priorities are progressed and delivered in a timely, cost-efficient way.

Area of Coverage

The geographical boundary set by the Ministry of Housing, Communities and Local Government (MHCLG) covers the wards of Chadderton North, Chadderton South and Chadderton Central, plus small parts of the Coldhurst, Werneth and Failsworth East wards (see Figure 1 or "Built Up Areas" map layer at [Oldham Council Web Maps](#)). The original selection criterion was based on a most deprived Built-Up Area (BUA) assessment, looking at populations of between 20,000 and 100,000.

Figure 1: area of coverage



Scope

The role of the Board is to act collaboratively to:

- Shape and steer priorities for investment to meet three strategic objectives, which are “thriving places”, “stronger communities” and “taking back control”.
- Ensure that the £20m endowment for Chadderton is distributed fairly and effectively over the 10 years of the *Plan for Neighbourhoods* programme.
- Convene powers and responsibilities for making change.
- Steer the long-term, 10-year vision for Chadderton with local people, by providing resource and expert support to community groups to empower them to co-develop the vision, investment plans and pipeline of projects.
- Plan and initiate community engagement to actively engage with the communities of Chadderton, advising local people of opportunities and empowering them to participate and submit ideas for interventions based on what matters to them.
- Develop and agree an evidence-based Regeneration Plan comprising 10-year vision and 4-year investment plan, for submission to MHCLG by 28 November 2025.
- Develop and agree further documents (such as investment plans for after years 0-4), as directed by MHCLG.
- Develop a clear programme of interventions, which may involve targeted support, universal support, or a combination of targeted and universal support for local communities.
- Ensure accountable use of resources.
- Ensure an effective communications plan is deployed.
- Act as ambassadors/champions for Chadderton.
- Provide a regular forum for considering and resolving key strategic issues.
- Clarify and set programme requirements and direction.
- Monitor high-level risks and issues.
- Establish any such task and finish groups, consultative bodies or equivalents as it considers necessary to assist in the delivery of its functions.
- Take an overview of planning decisions affecting, and development opportunities arising within, the delivery area.

Accountability

The Board serves as an advisory body to the Council, which is the lead local authority for the Chadderton endowment as specified by MHCLG in March 2025.

The Board is a sub-board of the Growth Board. The Growth Board will support the work of the Board and will ultimately endorse and promote the Regeneration Plan and any associated strategic documents.

Membership

Board membership must reflect the skills, knowledge and sector-experience required to deliver the programme in partnership with the community and the Council.

As a minimum the Board will require someone who holds a prominent role in the community and has a passion for the place to fulfil the role of independent chair, as invited by the Council following consultation with the local MP, plus:

- Oldham Council Elected Members (two individuals)
- Local Member(s) of Parliament
- A senior representative from the Police

Additional representation may be drawn from the following categories:

- Community partners (e.g. chairpersons or equivalent representatives from community groups, faith groups, local charities, neighbourhood forums, neighbourhood watch, local

tenancy groups, youth groups, local Council for Voluntary Service (CVS), and workplace representatives such as trade unions)

- Local businesses and social enterprises (e.g. the chair or board members from the local Chamber of Commerce or Business Improvement District, key local employers or investors in the town, and registered social housing providers)
- Culture, arts, heritage and sporting organisations (e.g. local sports club directors or fan representatives, local heritage groups and directors of local museums)
- Public agencies and anchor institutions (e.g. local schools, higher education and further education institutions, mayors of combined authorities or their representatives, relevant government agencies for that area, for example, Integrated Care Boards, relevant health care providers, for example GPs from local practices or senior NHS staff, relevant senior local authority officers, for example, a Director for Economic Development to ensure coordination with wider plans, and a representative from other relevant local agencies)

Board members are expected to promote and gain the support of their organisations or umbrella groupings for the Regeneration Plan.

The Council will be the Secretariat Lead for the Board during FY 25/26. The future of the Secretariat Lead will be reviewed and agreed during the Annual General Meeting.

The Council will ensure that Board membership complies with equality duties.

Conduct of Board members

In line with the principles of public life, the operations of the Board must be transparent. Members of the Board must adhere to the Seven Principles of Public Life (also referred to as the 'Nolan Principles'):

1. Selflessness – Board members should act solely in terms of the public interest.
2. Integrity – Board members must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
3. Objectivity – Board members must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
4. Accountability – Board members are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
5. Openness – Board members should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
6. Honesty – Board members should be truthful.
7. Leadership – Board members should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Each member of the Board must comply with their organisation's Code of Conduct (or like document). All Members of the Board generally, and all Members of the Board specifically who may not be subject to a Code of Conduct (or like document), must be aware of and comply with the generality of the Council's Code of Conduct for Members (but not with any requirement to register interests) at Appendix 2 to this document.

Chair / Vice-Chair

An independent Chair will be appointed at each AGM of the Board (to be proposed by one Board member and seconded by another, then put to a full vote by those voting members who are present).

An independent Vice-Chair will also be appointed at each AGM of the Board (to be proposed by one Board member and seconded by another, then put to a full vote by those voting members who are present). The Vice-Chair will be required to act in the absence of the Chair.

If both the Chair and the Vice-Chair are absent from a meeting of the Board, the members of the Board present shall appoint one of their number to chair that meeting.

Meeting arrangements

The frequency of meetings was agreed by the Board during its AGM on 30 June 2025: once a month until the end of November, and then once every two months until the end of March. The Chair may determine to hold an emergency or special meeting of the Board and shall specify such reason when the meeting is convened.

The Secretariat Lead or other nominated Officer of Oldham Council shall give notice to the members of the Board no later than five clear working days prior to the meeting, unless the meeting is convened at shorter notice.

The Secretariat Lead or other nominated Officer of Oldham Council shall issue copies of the agenda and reports to members of the Board at least five clear working days before the meeting, unless the meeting is convened at shorter notice in which case the agenda and reports will be available as soon as available. Where reports are prepared after the agenda has been issued, such reports will be circulated to members of the Board as soon as the reports are available.

Papers to be made available to the public

The Board will publish membership and governance arrangements (including minutes of meetings and decision logs) on Oldham Council's website.

When issuing copies of the agenda and reports to members of the Board, the Secretariat Lead or other nominated Officer will make such papers available for public inspection on the Council's website. In making papers available for public inspection, there is no requirement to make available information which is confidential and no absolute requirement to make available exempt information.

Confidential information means information given to the Council [or to an individual or an organisation represented on the Board] by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

Exempt information means information falling within the following categories:

1. Information relating to any particular individual.
2. Information which is likely to reveal the identity of any individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Council [or an organisation represented on the Board], or a Minister of the Crown, and any employees of, or office holders under, the Council [or an organisation represented on the Board].

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information reveals that the Council [or an organisation represented on the Board] proposes:
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Certain of the above exemptions are conditional, and these are detailed in Appendix 1 to this document.

There is a discretion as to whether exempt information can be made available to the public and the public interest test must be applied. In all cases, before determining to withhold information from the public, the report author must be satisfied that, in all circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

At meetings of the Board, the Board shall determine whether to maintain the exemption claimed in respect of reports withheld from public inspection.

Meeting Procedures

Business to be transacted

1. Appointment of Chair – to be undertaken at the first meeting of the Board and at subsequent Annual General Meetings;
2. Appointment of Vice-Chair – to be undertaken at the first meeting of the Board and at subsequent Annual General Meetings;
3. Apologies for absence;
4. Notice of any urgent business to be accepted onto the agenda and of reasons for that urgency;
5. Declarations of interest;
6. Minutes of the previous meeting; and
7. Any procedural business as listed on the agenda or accepted as urgent business including
 - i. Consideration of the Terms of Reference of the Board; and/or
 - ii. Membership issues; and/or
 - iii. Determination as to whether to maintain any exemption claimed in respect of reports withheld from public inspection
8. Substantive business for the meeting as shown on the agenda or accepted as urgent business.

Quorum

No business shall be transacted unless there is a quorum of 7 or more voting members in attendance, provided that those voting members in attendance include at least one Elected Member of Oldham Council and one representative of the private sector.

If a quorum is not present ten minutes after the scheduled start of the meeting, the meeting shall not be held. If a meeting in progress becomes inquorate, the meeting shall cease immediately and no further business shall be considered.

Apologies for absence

In reporting any apology for absence, any substitute members in attendance will make themselves known and, if attending in place of a voting member, confirm whether they are authorised to vote.

Declarations of Interest

Each member of the Board shall declare such interests in the business listed on the agenda as may be required by their own organisation's Code of Conduct (or like document) and, if so required, leave the meeting for the duration of the consideration of that business.

Members of the Board not subject to a Code of Conduct (or like document) should have regard to the Council's Code of Conduct at Appendix 2 and declare such personal, prejudicial and pecuniary interests as are indicated by paragraphs 8, 9 and 11-13 of that Code.

Minutes

Minutes of the previous meeting are submitted only for consideration as to whether those minutes are a correct record. No other substantive consideration shall be permitted on consideration of the submitted minutes.

Only those parts of the minutes that do not contain confidential or maintained exempt information shall be published to the public.

The Board will publish draft minutes of meetings following the meeting within 10 working days, and final minutes once approved by the Board within 10 working days.

Voting

The Chair and the Board will seek to reach decisions by consensus. In the event of a vote, the vote shall be taken by a show of hands from all those present and eligible to vote. The Chair shall not have a second and casting vote.

In the event of any dispute concerning the conduct of the content and intention of the Council's Procedure Rules will be considered and applied.

Complaints

Complaints about any matter related to the Board may be submitted through the Council's complaints arrangements and be considered, so far as possible, through the Council's complaints processes.

Complaints about individual members of the Board should be made to that member's employing or nominating body or, in respect of individuals, whatever formal complaints arrangements may apply to that individual.

Whistleblowing

Any person wishing to use whistleblowing procedures concerning any matter related to the Board would be encouraged to make such concerns known to the lead council which shall, so far as is appropriate, follow the procedures in Oldham Council's Whistleblowing Policy at Appendix 3 to this document.

Notwithstanding, an employee of a constituent organisation could use the established procedures for their own organisation though concerns may need to be shared with the Lead Council in order for a proper consideration of matters raised.

Review of Terms of Reference

These Terms of Reference will be reviewed on an annual basis and in any event be submitted to the Annual General Meeting for re-affirmation.

APPENDIX 1

Qualifications and definitions applying to exempt information

1. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

“Financial or business affairs” includes contemplated, as well as past or current, activities;

Information is not exempt if it must be registered under

- (a) the Companies Acts (as defined in section 2 of the Companies Act 2006);
- (b) the Friendly Societies Act 1974;
- (c) the Friendly Societies Act 1992;
- (d) the Co-Operative and Community Benefits Societies Act 2014;
- (e) the Building Societies Act 1986; or
- (f) the Charities Act 2011.

“Registered” in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act).

2. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Council, or a Minister of the Crown, and any employees of, or office holders under, the Council.

“Employee” means a person employed under a contract of service.

“Labour relations matter” means—

- (a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or
- (b) any dispute about a matter falling within paragraph (a) above; the enactments in paragraph (a) applying, with the necessary modifications, also to office-holders under the authority.

“Office-holder”, in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority.

Information that falls within any of paragraphs 1-7 is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority (the Council) can grant itself planning permission or permission in principle under Regulation 3 of the Town and Country Planning General Regulations 1992.

APPENDIX 2

THE CODE OF CONDUCT

Part 1 General provisions

1. Introduction and interpretation

- 1.1 This Code applies to you as a member of the Council.
- 1.2 It is your responsibility to comply with this Code. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and /or disqualification from office for a period of up to 5 years. In this Code - “meeting” means any meeting of:
 - a. the Council
 - b. any of the Council’s committees or sub-committees, joint committees or joint sub-committees; “member” includes a co-opted member and an appointed member
 - c. the Executive or any Committee of the Executive

2. Scope

- 2.1 Subject to sub-paragraphs (2) and (3), you must comply with this Code whenever you:
 - a. conduct the business of the Council (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - b. act, claim to act or give the impression you are acting as a representative of the Council,
 - c. and references to your official capacity are construed accordingly.
- 2.2 This Code does not have effect in relation to your conduct other than where it is in your official capacity.
- 2.3 Where you act as a representative of the Council -
 - a. on another relevant authority, you must, when acting for that other authority, comply with that other authority’s code of conduct; or
 - b. on any other body, you must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. General obligations

- 3.1 You must treat others with respect.
- 3.2 You must not:
 - a. do anything which may cause your authority to breach the Equality Act 2010;
 - 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 member (including yourself) has failed to comply with 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 Council.

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:
 - a) reasonable and in the public interest; and
 - b) made in good faith and in compliance with the reasonable requirements of the Council; 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 Council into disrepute.
6. You:
- a. must not use or attempt to use your position as a member 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 your authority:
 - i. act in accordance with the Council's reasonable requirements; and
 - 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.

7. Decisions

- 7.1 When reaching decisions on any matter you must have regard to any relevant advice provided to you by
- a. The Council's chief finance officer; or
 - b. The Council's monitoring officer,
- where that officer is acting pursuant to his or her personal statutory duties.

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

Part 2 - Disclosable pecuniary interests

8. Notification of disclosable pecuniary interests

- 8.1 Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'.

[Note: Existing members and co-opted members of the Council to notify the Monitoring Officer of disclosable pecuniary interests within 28 days of the adoption of the Code]

- 8.2 A 'disclosable pecuniary interest' is an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in the table below.

- 8.3 "Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the 12 month period prior to notification of the interest in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation Act) 1992 (a).
Contracts	Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and the Council - (a) under which goods or services are to be provided or works are to be executed: and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Oldham Borough.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Oldham Borough for a month or longer.
Corporate Tenancies	Any tenancy where (to your knowledge) - (a) the landlord is the Council: and (b) the tenant is a body in which you or your partner has a beneficial interest.
Securities	Any beneficial interest in securities of a body where - (a) that body (to your knowledge) has a place of business or land in the area of the Oldham Borough and (b) either - (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

- 8.3 For the purposes of the above
- "a body in which you or your partner has a beneficial interest" means a firm in which you or your partner is a partner or a body corporate of which you or your partner is a director, or in the securities of which you or your partner has a beneficial interest.
 - "director" includes a member of the committee of management of an industrial and provident society.

- c. "land" excludes an easement, interest or right in or over land which does not carry with it a right for you or your partner (alone or jointly) to occupy the land or receive income, and
- d. "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

9 Non-participation in case of disclosable pecuniary interest

- 9.1 If you are present at a meeting [of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority, or the executive or committee of the executive] and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting:
- a. You must not participate in any discussion of the matter at the meeting.
 - b. You must not participate in any vote taken on the matter at the meeting.
 - c. If the interest is not registered, you must disclose the interest to the meeting.
 - d. If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

10 Offences

- 10.1 It is a criminal offence to:
- a. Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election.
 - b. Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register.
 - c. Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting.
 - d. Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest.
 - e. As an executive member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
 - f. As an executive member discharging a function acting alone, and having a disclosable pecuniary interest in a matter, taking any steps in relation to such a matter.
 - g. Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting.
- 10.2 The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.

Part 3 - Other interests

11 Notification of personal interests

- 11.1 In addition to the disclosable pecuniary interests notifiable under the Localism Act 2011, you must, within 28 days of:
- a. this Code being adopted by or applied to your authority; or
 - b. your election or appointment to office (where that is later), notify the Monitoring Officer in writing of the details of your other personal interests, where they fall within the categories set out in paragraph 11.2 below for inclusion in the register of interests.

- 11.2 You have a personal interest in any business of your authority where it relates to or is likely to affect:
- a. any body of which you are in a position of general control or management and to which you are appointed or nominated by your authority;
 - b. any body -
 - i. exercising functions of a public nature;
 - ii. directed to charitable purposes; or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are in a position of general control or management;
 - c. the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25.

12 Disclosure of interests

- 12.1 Subject to paragraphs 12.4 to 12.7, where you have a personal interest described in paragraph 11.2 above or in paragraph 12.2 below in any business of your authority, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of your authority 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.
- 12.2 You also have a personal interest in any business of your authority where 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 electoral ward, affected by the decision;
- 12.3 In paragraph 12.2, a *relevant person* is -
- a. a member of your family or any person with whom you have a close association;
 - 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 11.2(a) or (b).
- 12.4 Where you have a personal interest in any business of the Council which relates to or is likely to affect a body described in paragraph 11.2(a) or 11.2(b)(i), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- 12.5 Where you have a personal interest in any business of the Council of the type mentioned in paragraph 11.2(c), (gifts and hospitality) 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.
- 12.6 Where you have a personal interest but, by virtue of paragraph 16, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- 12.7 Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

13 Non-participation in case of prejudicial interest

- 13.1 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 and where that business -
- a. affects your financial position or the financial position of a person or body described in paragraph 12.3 ;or
 - b. relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 12.3.
- 13.2 Subject to paragraphs 13.3 and 13.4, where you have a prejudicial interest in any business of your authority:
- a. You must not participate in any discussion of the matter at the meeting.
 - b. You must not participate in any vote taken on the matter at the meeting.
 - c. If the interest is not registered, you must disclose the interest to the meeting.
 - d. If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.
- 13.3 Where you have a prejudicial interest in any business of the Council, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.
- 13.4 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of your authority in respect of -
- a. school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - b. statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay; and
 - c. any ceremonial honour given to members.
- 13.5 Where, as an executive member, you may discharge a function alone, and you become aware of a prejudicial interest in a matter being dealt with, or to be dealt with by you, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.

14 Interests arising in relation to overview and scrutiny committees

In any business before an overview and scrutiny committee of the Council (or of a sub-committee of such a committee) where:

- a. that business relates to a decision made (whether implemented or not) or action taken by the executive or another of the authority's committees, sub-committees, joint committees or joint sub-committees; and
- b. at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken, you may attend the meeting of the overview and scrutiny committee for the purpose of explaining the reasons for the decision, or answering questions or giving evidence relating to the business, but you cannot participate otherwise in the discussion or in any vote on the matter.

Part 4 - General Matters Relating to Parts 2 and 3

15. Register of Interests

Subject to paragraph 16 any disclosable pecuniary interests or personal interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

16. Sensitive Interests

This paragraph applies where you consider that disclosure of the details of a disclosable pecuniary interest or a personal interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees. In these circumstances, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2) of the Localism Act 2011.

17. Dispensations

The Council may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest or a prejudicial interest.

Appendix 3

Whistleblowing Policy

1. Introduction

- 1.1 Whistleblowing occurs when a person raises a concern about dangerous, illegal activity or any wrong-doing within their organisation. It can involve sharing potentially vital information about health and safety risks, environmental factors, possible fraud, harm of children or vulnerable adults, covering up for someone and many more.
- 1.2 Oldham Council is committed to openness, probity and accountability. It expects employees and others with serious concerns about the council's work to come forward and voice them.
- 1.3 This policy encourages and enables employees to raise serious concerns inside the council rather than ignore the concerns or disclose them outside. It is essential these factors are addressed immediately, so employees should 'blow the whistle' as early as possible to prevent any real damage being done.
- 1.4 This policy includes any occasion when an employee is concerned that their:
 - colleagues or the council are acting unlawfully
 - colleagues or councillors are breaching the council's Codes of Conduct and its other operational or financial rules.
- 1.5 Throughout this process, employees will be given full support from Senior Management, concerns will be taken seriously and the council will do all it can to help employees throughout the investigation. This policy is also approved locally by the trades unions where additional support is available.
- 1.6 This policy provides guidance on how issues should be raised with the council. This does not preclude any employee from reporting an issue with the police in conjunction with the whistleblowing process where it is believed that criminal activity is involved.
- 1.7 Other procedures exist to register a grievance about an employee's own employment. If an employee has an individual complaint relating to their employment, for example, their contract of employment, pay, conditions, this should be raised under the Council's Grievance Policy.
- 1.8 The policy respects confidentiality and helps employees to raise concerns without fear of reprisal.
- 1.9 This document details:
 - How employees can raise a concern
 - How employees are safeguarded when raising a concern
 - How the council will respond
 - What employees can do if the council response does not resolve their concern

2. Employees Covered by this Policy

- 2.1 This Policy applies to all:
 - employees of Oldham Council
 - employees of contractors working for the council, for example, agency staff, builders and drivers

- employees of suppliers
- those providing services under a contract or other agreement with the council in their own premises, for example, care homes, and;
- voluntary workers working with the council.
- people who in the course of their work come into contact with employees of council

3. Policy Statement

3.1 Employees are often the first to realise that there may be something seriously wrong within the council. Whistleblowing is viewed by the council as a positive act that can make a valuable contribution to the council's efficiency and long term success. It is not disloyal to colleagues or to the council to make a disclosure.

3.2 The council is committed to achieving the highest standards of service delivery. To help achieve these standards, the council encourages freedom of speech.

4. Aims of the Policy

4.1 The aim of this Policy is to encourage employees and others who have serious concerns about any aspect of the council's work to come forward and voice those concerns at the earliest opportunity.

5. Procedure

5.1 How Employees can Raise a Concern

5.1.1 The first step depends on the seriousness and sensitivity of the issues involved and who is thought to be involved. Whenever possible, employees should normally raise concerns with their immediate manager or superior. If an employee believes that management is involved, they should approach the Audit and Counter Fraud Team. They can be contacted on 0161 770 4897 or by email at investigations@oldham.gov.uk.

5.1.2 Employees will not be expected to prove the wrongdoing, but will need to demonstrate to the person contacted that there are sufficient grounds for concern.

5.1.3 Concerns should be raised in writing. See Whistleblowing Form at the end of this policy.

5.1.4 If an employee does not feel able to put the concern in writing, they can telephone or meet a member of the Internal Audit and Counter Fraud Team (or one of the Appropriate Officers (see 5.1.5 below). They are used to working in complete confidence and are trained to listen carefully.

5.1.5 Alternatively, advice and guidance on how matters of concern may be pursued can be obtained from the Appropriate Officer. Within the council these are:

Director of Legal Services (Monitoring Officer)	0161 770 4822
Head of Corporate Governance	0161 770 4783
Director of People	0161 770 4695
Director of Finance	0161 770 4902
Chief Executive	0161 770 3542

5.1.6 The final route is to invite a trade union or a professional association to raise the matter through

the council's Whistleblowing procedure on the employee's behalf.

5.2 How Employees are Safeguarded when Raising a Concern

5.2.1 This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions.

5.2.2 The Act makes it unlawful for the council to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

5.2.3 The Public Interest Disclosure Act 1998 and Employment Rights Act 1996 clearly define what types of disclosure qualify employees for protection against dismissal and detrimental treatment by your employer. These are known as 'protected disclosures.'

The following qualify as a protected disclosure:

- Criminal offences (section 43B(1)(a), ERA 1996).
- Breach of any legal obligation (section 43B(1)(b), ERA 1996).
- Miscarriages of justice (section 43B(1)(c), ERA 1996).
- Danger to the health and safety of any individual (section 43B(1)(d), ERA 1996).
- Damage to the environment (section 43B(1)(e), ERA 1996).
- The deliberate concealing of information about any of the above (section 43B(1)(f), ERA 1996).

5.2.4 A disclosure will also be protected if the information disclosed is of a nature that shows that any of the above is likely to be deliberately concealed.

5.2.5 Harassment or Victimisation

The council will not tolerate harassment or victimisation by those involved with the matters of concern or from others. It will take action to protect employees when they raise a concern in the public interest. The council takes its responsibilities in this seriously as it is responsible as the employer for any detriment caused.

Due regard and sensitivity will be exercised by all involved in the process to ensure that employees do not suffer detrimental treatment as a result of raising a complaint.

5.2.6 If employees are already the subject of disciplinary or redundancy procedures, those procedures will not be halted as a result of an employee whistle-blowing.

5.2.7 Anonymous Allegations

This policy as a whole encourages employees to put their name to the allegation.

Although concerns expressed anonymously are much less powerful they will be considered taking into account:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from other, attributable, sources.

Employees will be unable to be told the outcome of any investigation of a concern which was brought forward anonymously.

5.2.8 Confidentiality

The council will do its best to protect employee identity when they raise a concern and do not want their name to be disclosed.

It is important to note that the investigation process may ultimately need to reveal the employee as the source of information. On some occasions a statement by the employee may be required as part of the evidence.

5.2.9 Untrue Allegations

If an employee makes an allegation in the public interest and reasonably believed it to be true, but it is not confirmed by the investigation, no action will be taken against the employee.

If, however, an employee makes malicious or frivolous allegations, or repeated allegations which have no foundation, disciplinary action will be taken against the employee.

5.3 How the Council will Respond

5.3.1 The action taken by the council will depend on the nature of the concern. The matters raised may:

- be investigated internally;
- be referred to the Police;
- be referred to the External Auditor;
- form the subject of an independent inquiry.

5.3.2 To protect individuals and the council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Most matters will, initially, be investigated internally. Concerns or allegations which fall within the scope of specific current procedures (for example, child protection or discrimination issues) will normally be dealt with through those routes.

5.3.3 Within ten working days of a concern being received, the council will write to the employee:

- acknowledging that the concern has been received;
- indicating how it proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- informing the employee as to whether any initial enquiries have been made; and
- informing the employee as to whether further investigations will take place and, if not, why not.

5.3.4 Some concerns may be resolved by immediate action without the need for an investigation.

5.3.5 The amount of contact between the Officer(s) considering the issues and the employee will depend on the nature of the matters raised, the potential difficulties involved and the amount and clarity of the information the employee provided. If necessary, further information will be sought.

5.3.6 When any meeting is arranged with the employee as a whistle blower, they have the right to be accompanied by a Trades Union or professional association representative, or a colleague who is not involved in the area of work to which the concern relates.

5.3.7 The council will act as necessary to minimise any difficulties which employees may experience as a result of raising a concern. For instance if, later, employees are required to give evidence in criminal or disciplinary proceedings, the council will advise the employee directly as to the procedure.

- 5.3.8 The council accepts that employees need to be assured that the matter has been properly addressed so, subject to legal constraints, the employee will receive information about the outcomes of any investigations.

5.4 What Employees Can Do if the Council Response Does Not Resolve their Concern

- 5.4.1 This policy is intended to provide employees with an avenue to raise concerns and to have them resolved inside the council. The council hopes its investigations, and the action arising from them, will resolve their concern. If not, and the employee feels it is right to take the matter outside the council, employees should seek advice from the council's Monitoring Officer to ensure correct procedures are followed and that confidential information is not disclosed.

6.0 The Monitoring Officer

- 6.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. S/he maintains a record of concerns raised and the outcomes (but in a form which does not endanger employee confidentiality).
- 6.2 Details of all concerns raised and subsequent information will be retained for five years. The purpose of this is to ensure that a central record is kept which can be cross-referenced with other complaints in order to monitor any patterns of concern and to assist the Head of Corporate Governance in monitoring the effectiveness of this policy.