

What is a prejudicial interest?

A prejudicial interest is one which a member of the public who knows the relevant facts would reasonably think is **so significant** that it is likely to affect your judgement of the public interest.

You must ask yourself whether a member of the public – if he or she knows all the facts – would think that your personal interest was **so significant** that it would probably affect your decision on the matter. If he or she would think your judgement would be affected, then you have a prejudicial interest.

You would also have a prejudicial interest if you are involved in an Overview and Scrutiny Committee meeting which is checking a decision taken by another committee which you are a member of. However, you can be called to attend the Overview and Scrutiny Committee meeting to give evidence or answer questions on the matter.

What is not a prejudicial interest?

The Model Code of Conduct sets out some general exceptions from prejudicial interests. It says that you may not have a prejudicial interest if the matter relates to:

- Another relevant authority which you are a member of, for example, a parish council or a joint authority
- Another public authority in which you hold a position of general control or management
- An organisation where you represent your authority
- Your authority's functions relating to housing if you hold a tenancy or lease with the authority and are not more than two months behind with your rent (as long as the matter does not relate to your particular tenancy or lease)
- Your authority's functions relating to school meals, transport and travelling expenses if you are a parent or guardian of a child in full-time education (unless it relates particularly to a school your child attends)
- Your authority's functions relating to sick pay if you are receiving this, or are entitled to this, from your authority; or
- Your authority's functions relating to Members' allowances or payments made under section 173 to 176 of the Local Government Act 1972, or section 18 of the Local Government and Housing Act 1989.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest in a matter being discussed at a meeting, you must

leave the room. You cannot take part in discussions on that matter or try to improperly influence anyone else's decision on the matter. It is important that you leave the room so you and your authority are seen to be acting in an appropriate and unbiased way, and to remove pressure from the remaining members.

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