

Registers of Members' Interests – guidance note

This guidance is designed to help Commissioners, Committee and Panel members complete their Register of Interest disclosures. If you have any concerns or specific queries, please contact governance@historicengland.org.uk

Registers of Interest record any significant, ongoing, interest that a member may have. Registers are maintained for Commissioners, Committee and Panel members. They are published on our website, along with this guidance, and are reviewed twice a year by the Audit and Risk Assurance Committee.

A separate Register is maintained for members of the Executive Team.

1. General

- 1.1. Members are appointed to Historic England Committees and Panels on the understanding that they will:
 - a. not misuse information gained in the course of their public service for personal gain or for political purposes;
 - b. not seek to use the opportunity of public service to promote their private interests or those of connected persons, firms, business or other organisations.
- 1.2. Members should declare any personal or business interests that may conflict with their role as a Commissioner or member.

2. Nature of Interests to be disclosed

- 2.1. Members are required to declare direct and indirect pecuniary and non-pecuniary interests.
- 2.2. A **direct pecuniary interest** arises where an individual, or a member of their immediate family, stands to gain or lose financially from a particular decision. Where statutory casework is concerned, the link may not be immediately obvious. For example, one architect might be more likely to gain permission for a site on which they are working if they can influence a favourable decision on a similar nearby development.
- 2.3. An **indirect pecuniary interest** arises where a member may be in a position to influence or appear to influence a discussion, so that their employer or business partner, for example, stands to benefit.
- 2.4. **Non pecuniary interests** are any non-financial interests that members of the public would think might influence, or appear to influence, a member's conduct, or influence his or her actions. They might include membership of a club or similar organisation, or a friendship with an applicant who is asking for permission or consent.

3. Maintaining Registers of Interest

- 3.1. Members will be asked to record their interests in the relevant register on appointment. Thereafter they will be asked to update their entries twice a year in advance of the register being submitted to the Audit and Risk Assurance Committee for scrutiny. All members must submit a return, even if it is just to confirm that no changes are required. This is part of the assurance to the Audit and Risk Assurance Committee that registers are up to date.
- 3.2. Members should also proactively ask to update their Register entry whenever their circumstances change in such a way that requires a change or addition to the Register.
- 3.3. It is acknowledged that it can be difficult for members to know exactly what may be considered relevant when they are updating their register entries. Members are therefore urged to err on the side of caution and record anything that may have the potential to create a conflict of interest. In addition to the general advice above, members may find the following specific guidance helpful:

Consultancies and/or Direct Employment

- 3.4. Members should record their ongoing employment and any ongoing consultancy work. They should do this whether or not it is relevant to the work of Historic England. They should explain briefly the nature of their work.

Fee paid Work

- 3.5. Members should record any discrete or occasional pieces of paid work where relevant to the work of Historic England. This may include, for example:
 - a. Projects commissioned by Historic England;
 - b. Projects grant aided by Historic England;
 - c. Media work (written articles/television or radio broadcasts);
 - d. Lecturing;
 - e. Consultancy/advisory work;
 - f. paid board appointments and/or directorships.

Shareholdings

- 3.6. Any shareholdings held either directly or through a related party should be declared where:
 - a. the interest held is 3% or more of the nominal value of the issued share capital of the company; or
 - b. there is potential for a perceived relevance to Historic England activities.

Fellowships, Trusteeships and Board Appointments to Voluntary Bodies

- 3.7. All fellowships and trusteeships should be recorded.
- 3.8. Membership of voluntary bodies relevant to the work of Historic England should be recorded only where this involves appointment to a board or committee/panel.
- 3.9. Ordinary membership of an organisation like the National Trust, the Victorian Society, the Woodland Trust, the Royal Horticultural Society, the Twentieth Century Society, which simply involves the payment of an annual subscription, need not be recorded.

Related Party Disclosures

- 3.10. Where a direct link could be made between a member and a related party with an interest in a relevant entity, such as partnerships, companies or trusts, this should be disclosed. Related parties could include close/immediate family members and/or members of the same household. For example, if a member's spouse or partner is trustee of a relevant body, this should be disclosed.

Other Interests

- 3.11. There is space for members to disclose any other interest that may not fit clearly under one of the previous headings.

4. Interests relating to meeting business

- 4.1. In addition to recording their interests in the relevant Register, members should declare these interests, or any specific interests relating to agenda items, at the start of, or during, any meetings they are attending.
- 4.2. Members may also give notice in writing to the Governance Team in advance of a meeting so that consideration can be given to whether it is appropriate for the member to receive papers relating to their disclosure.
- 4.3. Chairs are given guidance on how to deal with potential conflicts of interest and will decide whether or not the member concerned can participate in, or listen to, the discussion on the item in question, or whether they should leave the room.
- 4.4. All declarations of interest will be recorded in the minutes of the meeting.

**Reviewed
January 2022**