



Agenda item B2

From: Kay Goldsmith, Clerk to the Authority, KEIFCA

To: Kent and Essex Inshore Fisheries and Conservation Authority – 14 September 2026

Subject: Terms of Reference and Standing Orders

Classification: **Unrestricted**

Summary:

This report asks Members to review the changes to the existing Terms of Reference and Standing Orders for KEIFCA following receipt of a report from the AIFCAs in establishing best practice with respect to declarations of interest at meetings.

Recommendation:

1. Members are asked to **APPROVE** the changes to the Code of Conduct for Non-Elected Members in the Terms of Reference and Standing Orders as described within the report

Introduction

The Localism Act 2011 established the statutory basis for transparent registration, declaration and management of Members' financial interests. For IFCAs, it provides the legal framework needed to balance the value of Members' expertise with the need for impartial, defensible and publicly trusted decision-making.

In March 2026 the Association of Inshore Fisheries and Conservation Authorities (AIFCA) commissioned Your Clerk LLP to develop national guidance on declarations of interest for IFCA members. This was based on the recommendation of the [IFCAs conduct and operations report published by DEFRA](#). Your Clerk LLP has held meetings with the clerks to the IFCAs to discuss current practice and based on the outcome of this work, has issued best practice guidance (Appendix 1).

Amendments to the KEIFCA Code of Conduct

To bring KEIFCA's Code of Conduct for Non-Elected Members in line with best practice and legislation, it is proposed to make changes to the document to clarify the position with regards to:

- Disclosable Pecuniary Interests (DPIs)
- Other Significant Interest
- Sensitive Interests
- Disclosure of interests at meetings
- Dispensations – *see below*
- Gifts and hospitality

The proposed revisions can be found in Appendix 2 (for Code of Conduct changes see page 18 – 21, nos: 4 – 7). It is also proposed to remove the detailed wording from section 9.6 from the Standing Orders, as this is covered fully in the Code of Conduct. In summary:

- To bring the Code in line with the Localism Act 2011, reference to prejudicial and personal interests has been removed and replaced with Disclosable Pecuniary Interests (DPIs), Other Significant Interest, and Sensitive Interests.
- Confirmation of the requirement to register DPIs with the Clerk (part 4.1) has been added.
- Confirmation of the requirement to register gifts and hospitality (part 7) has been added.
- The process for granting dispensations has been added (part 6), further detail below.

Dispensations

Recognising the value the expertise of Members can bring to debates, dispensations may be used in limited circumstances under Section 33 of the Localism Act 2011. A dispensation can permit a Member with a relevant DPI to participate and/or vote on a particular item for a specified period, up to a maximum of four years. This allows IFCA's to transparently manage situations where a Member would ordinarily be barred from participating because of a DPI but they hold expertise that is deemed vital to the discussion.

Applications for dispensations should be submitted to the Clerk who will review and make a recommendation to the Authority at their next meeting.

When considering such requests, the following will be considered:

- Does the matter affect the financial position of that Member; or, that of a person connected to them; and
- Could a reasonable member of the public, knowing the facts, perceive that this connection might influence their judgment or objectivity

If the Authority grants a dispensation, the dispensation will be recorded and published on the KEIFCA website. It will be reviewed at the time of expiry or if there are changes to the individual's circumstances.

Recommendation:

1. Members are asked to **APPROVE** the changes to the Code of Conduct for Non -Elected Members in the Terms of Reference and Standing Orders as described within the report.