

Meeting: Standards

Agenda Item: 5

Portfolio Area:

Date: 21 June 2010

ANNUAL DECLARATION OF MEMBERS' INTERESTS

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1. PURPOSE

- 1.1. To consider arrangements for Members' annual renewal of their registers of interests

2. RECOMMENDATIONS

- 2.1. To endorse the convention of this Council that all Members should complete their register of interests annually but not to recommend that this requirement is included in the Code of Conduct.
- 2.2. To approve the arrangements set out in 4.2 for the annual renewal by Members of their register of interests
- 2.3. To instruct the Solicitor to the Council to write to all members advising them of the arrangements and to follow the procedures approved for these purposes

3. BACKGROUND

- 3.1 Under the statutory Code of Conduct all Members are required to complete their registers of interests within 28 days of being elected or, in the case of the Independent Members, appointed. Furthermore Members must notify the Borough Solicitor (Monitoring Officer) of any changes to their interests within 28 days
- 3.2 The Borough Solicitor is required to maintain the Register which is available for public inspection. The Register entries are also publicised on the Council's website.
- 3.3 Although gifts and hospitality received by Members are also included in the Register these are recorded in a separate paper record at Stevenage.
- 3.4 Members are not required under the Code of Conduct or general law to recomplete their Register entries except in the circumstances set out above. However, for some years the Standards Committee has urged Members to renew their entries annually whether or not there have been any changes. This

minimises the risk of changes being inadvertently overlooked by Members and draws the Council's attention to the importance of the Code and requirements of openness and transparency. Most important it is an acknowledgment and demonstration by Members that ethical standards are at the centre of corporate governance.

- 3.5 There is no formal process for these annual declarations and there has been uncertainty both over the status of this requirement and the timetable for compliance.

4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1. It would be possible to amend the Code of Conduct to include these provisions but it is suggested this might not be best course because it is a symbolic process rather than a substantive issue and arguably compliance in this case has a greater value by being voluntary in nature rather than compulsory. The Code as it stands has been subject to a great deal of legislative scrutiny and is already lengthy and comprehensive. Any further complexity could risk making it less accessible both to the Council and the public. Changes to the Code of Conduct, in any event, can only be made by the Council.
- 4.2. Currently the Borough Solicitor provides a refresher seminar for all Members on the Code of Conduct in June or July every year. This has provided an opportunity to remind Members to renew their Registers and provide the appropriate forms for completion. Most registers entries are received back at this stage. A reminder could be sent if necessary 28 days after the original request. If any Members fail to respond to the reminder this could be raised with relevant party leader, say, after a further 21 days.
- 4.3 Assuming that the procedure set in 4.2 above would not form part of the Code of Conduct the Standards Committee would not be able to use its statutory powers to investigate or sanction any Member who failed to comply. It could, however, instruct the Borough Solicitor to report on compliance

5. BACKGROUND DOCUMENTS

- Background documents
- Borough Solicitor's letter to Members 3 June 2010