

STANDARDS COMMITTEE	AGENDA ITEM No. 5
13 JANUARY 2010	PUBLIC REPORT

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REPORT OF THE MONITORING OFFICER

R E C O M M E N D A T I O N S
1. <i>That the Standards Committee recommend whether members should permit their registered interests to be posted on the Council's website.</i>

1. CONTENTS OF REPORT

1.1 At the Council meeting on 2 December 2009, Councillor Goldspink moved the following motion:

“That this Council:

- (i) Agrees that, as a matter of policy, in the interests of ease of access, openness and transparency and to be consistent with the spirit of the Standards Board for England's National Code of Conduct, Members' interests will be automatically published online via the Council's website, unless a Member specifically requests otherwise, in which case a note to that effect will appear on the website instead.”

1.2 It was agreed that this matter be referred to the Standards Committee to recommend whether to publish the register of Members' interests on the Council's website before a final decision was taken by full Council.

2. ITEMS FOR CONSIDERATION

2.1 Under the Code of Conduct Members are required to register certain interests in order to:

- ensure public confidence in the probity of the Council,
- maintain the accountability of its members and
- maintain transparency in local government decision making.

2.2 This has, since the introduction of the Code, been a public register (*section 81(6) Local Government Act 2000*) and the duties apply equally to Parish Councillors as they do to Council Members.

2.3 Since 2007 members are also required to declare any gifts and hospitality received which have a value of £25 or more and to declare the name of the person or organisation making the donation within 28 days of receiving it. This is also a public register.

2.4 The Code of Conduct requires all members to complete a register of interests form at the beginning of their term of office and whenever the Council adopts a new Code, whichever is the earliest. Members have an obligation to report any changes to the Monitoring Officer within 28 days which ensures that the register is always kept up to date.

2.5 A copy of the register of interests form for this Council is attached at Appendix 1. Members will note that on the last page Councillors may request that their information is placed on the website.

- 2.6 Members will of course be concerned that sensitive or confidential information may be included on the website. There is provision within the Code for the member to request and the Monitoring Officer to agree that sensitive information does not need to be included in the register.
- 2.7 Standards for England say that sensitive information is that 'which a member considers could create a serious risk that the member or someone in their household would be subjected to violence or intimidation' if the information became publicly available. Cited examples include employees of companies conducting scientific research or where the Member is a magistrate or judge in criminal cases where they may be likely to receive threats.
- 2.8 In order to exclude sensitive information from the website the Monitoring Officer must agree that the information is sensitive and can therefore be withheld.
- 2.8 Members should be aware that the most recent consultation on the Code of Conduct (December 08) asked whether the rules in relation to sensitive information ought to be revised. The outcome of that consultation is still awaited.
- 2.9 A brief survey of other Councils' websites by the Deputy Monitoring Officer has revealed that the majority of Councils, which have a webpage dedicated to the Standards Committee, do have a public register of Members' interests. These tend to be the larger authorities e.g. the London boroughs and the County Councils. Some of those Councils withhold further information from the website e.g. home addresses for their Members.
- 2.10 An extract from the website of the pages relating to the Standards Committee of this Council are included at Appendix 2. It is suggested that, if Members are in favour of publishing the registers on the website, development of these pages be carried out in conjunction with the Strategic Governance Board which aims to provide pages relating to the Council-wide governance agenda.

3. MATTERS FOR CONSIDERATION

- 3.1 It is suggested that members might wish to consider:
- Whether it is appropriate for details of Members interests to be placed on the website
 - Whether the register of gifts and hospitality ought also to be placed on the website
 - Whether any information (other than sensitive information) ought to be withheld from the website.

4. CONSULTATION

- 4.1 A copy of this report has been sent to each parish council. Any responses received from the parish councils will be reported verbally to the Committee.

5. APPENDICES

Appendix 1: Copy of the register of interests form

Appendix 2: Webpages relating to the Standards Committee