

MEMBERS' REGISTER OF INTERESTS AND GIFTS AND HOSPITALITY FORMS	
STANDARDS COMMITTEE	CLASSIFICATION:
MEETING DATE (2021/22) 16 February 2022	OPEN
WARD(S) AFFECTED N/A	
Director Dawn Carter-McDonald, Director of Legal and Governance and Monitoring Officer	

1. SUMMARY

- 1.1 This report proposes the adoption of revised forms in respect of both declarations of interest and declarations of gifts and hospitality following the receipt of comments from Councillors and the adoption of the Council's new Councillors Code of Conduct.

2. RECOMMENDATIONS

- (i) **That the Standards Committee endorse the revisions to the Declarations of Interest Form & Declaration of Gifts and Hospitality Form for use with effect from May 2022**

3. BACKGROUND

- 3.1 In September 2019, the Standards Committee recommended that a review be undertaken of the Members' Declaration of Interests Form and established a Member Working Group for that purpose.
- 3.2 The Standards Committee received a report on 13 February 2020 providing an update on the work of the Member Working Group, including the proposal to adopt a revised version of the Register of Interest form. This was agreed.
- 3.3 Following the adoption of the revised form, a number of queries and comments were received from Councillors. Some considered that the layout of the form, in terms of how it dealt with the declarations required in respect of spouses and civil partners, was confusing. Concerns were also raised as to the lack of guidance on how to complete the form within the form itself. Finally, some queries were raised as the wording within the form appeared to contradict the content of guidance previously circulated.
- 3.4 In addition, the adoption of the new Councillor Code of Conduct ("the Code") by Full Council on 26 January 2022, has necessitated a further short review of the

form to ensure that the requirements of the new Code have been fully addressed within the form.

4. PROPOSED AMENDMENTS

4.1 In terms of the Register of Interest form:

- The layout is proposed to be amended to:
 - Clearly highlight which interests are disclosable pecuniary interests and which are other disclosable interests; and
 - To use a vertical rather than horizontal format and separation as between the Councillor and their spouse, civil partner etc.
- Guidance has been added in each section to aid understanding of what matters ought to be disclosed.
- A declaration has been added to the end of the form to ensure that Councillors are fully aware of their responsibilities as regards declaring interest under the Localism Act 2011 and the consequences of failing to comply.

The proposed revised form is at **Appendix 1** to this report.

4.2 Members of the Committee will recall that guidance on the interests is also provided within the new Councillor Code of Conduct Guidance, which was endorsed by both this Committee and also full Council.

4.3 Given the requirement under the new Code for Councillors, which in the Code is defined as any elected member and voting co-optee, to declare not only gifts and hospitality over the value of £25 which have been accepted but also any such gifts and hospitality which have been declined, it is proposed that the gifts and hospitality declaration be separated from the Register of Interest form. The proposed new form is at **Appendix 2** of the report.

4.4 The rationale for this proposal is that it is likely that Councillors will need to update this on a more frequent basis than interests, given the requirement for declarations to be made within 28 days of acceptance or refusal.

4.5 As with the declaration of interests form, the opportunity has also been taken to add a declaration at the end of the form to ensure that Councillors are fully aware of their responsibilities under the Code of Conduct as regards gifts and hospitality.

4.6 Rather than formally re-issue any new form at this stage, given the impending elections in May 2022, it is proposed that the amended form come into use with effect from after the elections. This would avoid Councillors having to complete a new form for the last quarter of their term of office. Of course, Councillors remain subject to the legal requirement to update their Register of Interests Form and declare any gifts or hospitality accepted within the appropriate time frames.

6. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

6.1 There are no financial implications arising from this report.

7. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

7.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests for both members of the Council and co-optees. It is a matter for the Council to determine what matters ought to be entered into that register and by virtue of the adoption of the Code of Conduct, the Council has determined those matters.

7.2 Section 30 of the Localism Act 2011 provides that a member or co-optee must, before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the Council, notify the Monitoring Officer of any disclosable pecuniary interests which the person has at the time when the notification is given.

7.3 The Council's new adopted Code of Conduct requires the disclosure of gifts and hospitality accepted or declined with a value of £25 or more.

7.4 The use of forms enables members and co-optees to easily comply with these requirements whilst maintaining consistency in the manner in which such declarations are made.

APPENDICES

Appendix 1 - Register of Interests Form

Appendix 2 - Gifts and Hospitality Declaration Form

BACKGROUND PAPERS

None

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