

Report to Standards Committee

8 June 2016

By the Monitoring Officer

For Decision

Not exempt



**Horsham
District
Council**

Register of Interest Form

Executive Summary

Section 29 of the Localism Act 2011 requires the Monitoring Officer to maintain a Register of Interests of Members. This report requests Members to consider alternative forms to used to send to Members to collect information for the Register of Interests. The alternatives are the current form or an alternative form which collects the minimum of information as required by the Localism Act 2011.

Recommendations

The Committee is recommended:

- (i) To consider the alternative Register of Interest Forms.

Reasons for Recommendations

- (i) To ensure that the appropriate information is collected from Members to maintain the Register of Members Interests.

Background Papers: Standards Committee Documents

Relevant Legislation

Wards affected: All

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BACKGROUND INFORMATION

1 Introduction

The purpose of this report

- 1.1 The purpose of this report is for the Committee to consider the format of the Register of Interest Form that Members need to complete.

Background

- 1.2 Section 29 of the Localism Act 2011 requires the Monitoring Officer to maintain a Register of Interests of Members. As such upon election Members are required to complete a Register of Interest Form detailing their interests. The completed form then becomes the register entry for that Member.
- 1.3 Following the implementation of the new Standards arrangements at Horsham under the Localism Act 2011 the format of the Register of Interest Form provided for both Disclosable Pecuniary Interests in accordance with the Localism Act 2011 and also those categories of interest that had arisen under the previous Standards regime.
- 1.4 At the March 2016 Standards Committee the Monitoring Officer highlighted that the Register of Interest Form collected more information than was necessary to strictly comply with the requirements of the Localism Act 2011. The Committee asked the Monitoring Officer to design an alternative form for consideration by the Committee.

2 Statutory and Policy Background

Statutory background

- 2.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to maintain a Register of Interests of Members

Relevant Council policy

- 2.2 The Council's policy is set out in its Constitution and through the activities of this Committee and Council.

3 Details

Consideration of Register of Interest Forms

- 3.1 The alternative forms are set out at appendix 2 and appendix 3.
- 3.2 Appendix 2 contains the current detailed form. The form collects more information than is strictly required under the Localism Act 2011 as it includes those categories of information that were relevant under the pre-Localism 'standards regime'. There has been one standards complaint alleging that a Member did not complete a particular question on the form. The question that was not completed was in one of the pre-Localism categories and was not actually required under the new

arrangements under the Localism Act. Indeed this complaint has helped to prompt this review of the forms.

- 3.3 Appendix 3 contains a much reduced form that requests only information relating to Disclosable Pecuniary Interests as required under the Localism Act 2011.

4 Next Steps

- 4.1 The Committee is asked to consider the alternative forms and recommend the form to be used for collecting Register of Interest information.

5 Outcome of Consultations

- 5.1 The Senior Leadership Team are consulted on reports.

6 Other Courses of Action Considered but Rejected

- 6.1 Not applicable.

7 Staffing Consequences

- 7.1 There are no specific staffing consequences flowing from this report.

8 Financial Consequences

- 8.1 There are no specific staffing consequences flowing from this report.

9 Other Consequences of the Proposed Action

- 9.1 Other consequences of the proposed action are set out in Appendix 1.

Appendix 1

Consequences of the Proposed Action

What are the risks associated with the proposal? Risk Assessment attached Yes/No	Failure to keep Members up to date with developments in the ethical framework may lead to a diminution of ethical standards amongst Members. No.
How will the proposal help to reduce Crime and Disorder?	Creating the right climate for decision-making and ensuring adequate probity measures are in place will ensure that the Council's duty to seek to reduce crime and disorder is properly taken into account.
How will the proposal help to promote Human Rights?	There is a positive obligation on the Council under the Human Rights Act 1998 to have regard for human rights. The Convention rights are scheduled in the Act. The creation of the right climate for decision-making and adequate probity measures will ensure that human rights are regarded and in some cases enhanced.
What is the impact of the proposal on Equality and Diversity? Equalities Impact Assessment attached Yes/No/Not relevant	The current code of conduct includes the expectation of respect for others defined in the General Principles as: "Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability". In addition there is a general obligation in the code in which members undertake "Not to do anything which may cause your authority to breach any of the equality enactments." No.
How will the proposal help to promote Sustainability?	Where possible electronic means of communication are used.