
Ethics Committee

9 December 2021

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Finance and Corporate Services

Ward(s) affected:

None

Title: Review of Guidance on Declaration of Member Interests

Is this a key decision?

No

Executive Summary

At its meeting in January 2019, the Committee considered a report on a review of the guidance currently issued to elected members on the declaration of interests. The Committee resolved to authorise the Monitoring Officer to:

- (a) update and streamline the FAQs as set out in the report
- (b) produce a Step-by-Step Guide to the Declaration of Members' Interests; and
- (c) delete the hard copy register of interests form and guidance notes from the Member Information pages of the Intranet.

The Monitoring Officer was also requested to bring the revised and new documents to a future meeting of the Committee for consideration.

As reported at previous meetings the hard copy register of interests form and guidance notes have been deleted from the Member Information pages of the Intranet. This report is to advise the Committee that officers have been working on revisions to the online FAQs on the Registration of Interests and on a step by Step-by-Step Guide to the Declaration of Members' Interests. The work has now been undertaken in light of the new guidance issued by LGA in July 2019.

Recommendations

The Ethics Committee is recommended to:

- (1) Review the draft “Declaration of Interests – A Quick Guide for Elected Members”, with reference to the Local Government Associations Guidance to the Model Code of Conduct, published in July 2021; and
- (2) Make any further comments or recommendations including recommendations as to how the guidance will be brought to the attention of and publicised with Members.

List of Appendices included:

“Declaration of Interests – A Quick Guide for Elected Members”

Other useful background papers can be found at the following web addresses:

Guidance on the Local Government Association Model Councillor Code of Conduct:
<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Review of Guidance on Declaration of Interests

1. Context (or background)

1.1 In 2018, the Committee considered a report on a review of the guidance currently issued to elected members on the declaration of interests. It reviewed the current guidance and resolved to authorise the Monitoring Officer to:

- (a) produce a Step-by-Step Guide to the Declaration of Members' Interests; and
- (b) delete the hard copy register of interests form and guidance notes from the Member Information pages of the Intranet.

The Monitoring Officer was also requested to bring the revised and new documents to a future meeting of the Committee for consideration.

1.2 As reported at previous meetings the hard copy register of interests form and guidance notes have been deleted from the Member Information pages of the Intranet. This report is to advise the Committee that officers have been working on a Step-by-Step Guide to the Declaration of Members' Interests. The work has also now been undertaken in light of the new Guidance issued by LGA in July 2019.

2. Guidance on the Local Government Association Model Councillor Code of Conduct

2.1 The LGA produced Guidance on the Model Code of Conduct (Guidance) in July 2021. The Guidance clarified that there are three types of interest:

1. Disclosable Pecuniary Interests (DPIs)
2. Other Registerable Interests (ORIs)
3. Non-Registerable Interests (NRIs); and

that there are then two situations following this:

1. Registration; or
2. Declaration

2.2 Members **must declare the interest**, not participate, not vote and leave the room when:

<i>It is a...</i>	<i>Unless...</i>
DPI	The Member has dispensation
ORI ("directly relates to")	The Member has dispensation or members of the public can speak
NRI ("directly relates to")	The Member has dispensation or members of the public can speak
NRI ("affects")	The Member has dispensation or

	members of the public can speak OR if it is a less serious interest (having applied the test) when the Member can just declare it but stay, participate and vote
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The Guidance includes a useful flowchart which has been adapted for the Council in the guidance at the Appendix of this Report. Please note that at the date of preparation of this Report Lawyers in Local Government have requested that the LGA update the bottom left box in their flowchart in relation to NRI's to include that if the NRI is a less serious interest (having applied the test) that the Member can just declare it but stay, participate and vote. This has been included in the Council version at the Appendix.

3. Options considered and recommended proposal

- 3.1 **Option 1:** do nothing. This is not recommended as the Committee has already resolved to revise the guidance.
- 3.2 **Option 2:** approve the new guidance document. Officers have removed the outdated hard copy of the register of interests form from the members' information section on the Intranet. The intention is for the new guidance to be available for the start of the 2022/23 municipal year. It will also be incorporated into training provided for newly elected and existing councillors early in the new municipal year.

Recommendations:

The Ethics Committee is recommended to:

- (1) Review the draft "Declaration of Interests – A Quick Guide for Elected Members", with reference to the Local Government Associations Guidance to the Model Code of Conduct, published in July 2021; and
- (2) Make any further comments or recommendations including recommendations as to how the guidance will be brought to the attention of and publicised with Members.

4. Results of consultation undertaken

There has been no consultation as there is no proposal to implement at this stage which would require a consultation.

5. Timetable for implementing this decision

Any actions arising from this report will be implemented as soon as possible.

6. Comments from Director of Finance and Director of Law and Governance

6.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

6.2 Legal implications

There are no specific legal implications arising from this report. The issues referred to in this report will assist the Council in complying with its obligations under section 27 of the Localism Act 2011.

7. Other implications

None

7.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

Not applicable.

7.2 How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report.

7.3 What is the impact on the organisation?

No direct impact at this stage

7.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

7.5 Implications for (or impact on) the environment

None

7.6 Implications for partner organisations?

None at this stage

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Names of approvers for submission: (officers and members)				
Graham Clark	Lead Accountant – Business Partnering	Finance	24.11.2021	25.11.2021
Barry Hastie	Director of Finance and Corporate Services	Finance	25.11.2021	30.11.2021
Julie Newman	City Solicitor and Monitoring Officer	Law and Governance	22.11.2021	23.11.2021
Cllr Walsh	Chair of Ethics Committee		25.11.2021	29.11.2021

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