



# Committee Report

<b>Date:</b>	<b>7 July 2016</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Members Registration of Interests</b>
<b>Report of:</b>	<b>Head of Committee and Governance Services</b>
<b>Financial Summary:</b>	<b>There are no financial implications</b>
<b>Report Author and Contact Details:</b>	<b>Mick Steward, Head of Committee and Governance Services</b> <b>Tel: 7641 3134; <a href="mailto:msteward@westminster.gov.uk">msteward@westminster.gov.uk</a></b>

## **1. Executive Summary**

- 1.1 The Standards Committee at its meeting on 17 March 2016 agreed that as part of the review of the Members' Code of Conduct Councillors be asked to confirm their compliance with the Code by signing a declaration.
- 1.2 To streamline the process for members it was suggested at the meeting that the Code of Conduct declaration form be merged with the register of interests form. This will reduce and simplify the number of forms needed to be signed by Members.
- 1.3 To increase transparency and assist the Council in promoting and maintaining high standards of ethical behaviour the Moden.gov facility allowing Members to update their own register on interests be implemented.

## **2. Recommendations**

- 2.1 That the Councillors be asked to confirm their compliance with the Members' Code of Conduct by signing a declaration;
- 2.2 That the declaration referred to in 2.1 above be included as part of the register of interests form.
- 2.3 The Mod.gov facility which enables Members to update their register of interests online be introduced.

### **3. Code of Conduct**

- 3.1 A recent review of the Council's Code of Conduct was undertaken in order to ensure that the City Council has sufficient and robust arrangements in place to promote and maintain high standards of conduct by its Members. As part of the review the Codes adopted by other local authorities were assessed and the views of the Independent Persons reflected.
- 3.2 At the Standards Committee meeting held on 17 March 2016 Members approved the revised Code and were of the opinion that it is an easier document to follow which retains the statutory provisions. To ensure members were fully aware of their requirements under the revised Code the Committee suggested that all members should be required to sign a declaration that they would comply with the Code. In order to avoid the need to sign a separate declaration it is proposed to include this as part of the register of interests form and members will then be able to sign both when a member is elected/re-elected. A draft can be viewed in Appendix A. This amalgamated form could be implemented quickly and can be utilised until, if the Committee is in agreement, the online register of interests is introduced.
- 3.3 The form has had the following proposed declaration added: "Having been elected to the Office of Councillor of Westminster City Council I declare that I undertake to observe the Code as to the conduct which is expected of Members of the City Council".
- 3.4 The General Purposes Committee is due to recommend to Council (13.7.16) that the revised Members Code of Conduct be included in the Council's Constitution.

### **4. Online Register of Interests**

- 4.1 Every elected member is required to notify the Monitoring Officer (within 28 days of being elected) of all current "disclosable pecuniary interests" of which they are aware, and update the register within 28 days of being re-elected. The Localism Act 2011 provides that this will cover the interests not just of the member, but also of his/her spouse, civil partner or person with whom he/she lives as if they were spouses or civil partners, in so far as the member is aware of his/her partner's interests.
- 4.2 Disclosable pecuniary interests are:
- any employment, office, trade, profession or vocation;
  - any sponsorship of the member, including contributions towards their election expenses and payments or financial benefits from a trade union;
  - any contracts between the member and the authority;
  - any land the member has an interest in and lies within the area of the authority;
  - any licences the member holds to occupy land in the area;
  - any corporate tenancies; and
  - certain securities they hold

- 4.3 Currently, the Council holds paper copies of Members' interests and these are updated when a member contacts Committee Services with the relevant information who makes the necessary updates. A scanned copy is then published onto the Council's website.
- 4.4 The Committee Services team's Mod.gov software offers a number of facilities relating to Members' Register of Interests. The functions include the following:
- The publication of the Members' Register of Interests on the internet;
  - A facility for Members to fill in/update their Register of Interests forms on-line via the intranet; and
  - E-mail reminders sent to Members to keep their entry in the Register of Interests up to date.
- 4.5 In order to improve the administration of the Members' Register of Interests and to improve the accessibility of the Register both to Council Members and members of the public it is recommended that the intranet update facility be implemented. This will enable Members who wish to do so to submit their forms electronically.
- 4.6 If there is agreement for Members to submit Register of Interests forms electronically via the intranet, it is proposed that officers should review all forms/updates prior to their inclusion in the published Register (as they do currently with hard copy forms) to ensure that forms have been completed correctly and, as far as possible, all the relevant information provided.
- 4.7 Officers in Committee Services are in the process of being trained in the use of the DPI facility on Modern.Gov. Currently the system allows members of the public to view the register of interests for each councillor through the council website. It is planned in future for Members to be able to update their entries directly on-line, with support from staff if required. Any updates entered by members are automatically forwarded to Committee Services officers for review prior to publishing. Having the register on Modern.Gov, means that it can be kept up to date at all times by the Members themselves.
- 4.8 Before the publication of the Register and the implementation of the intranet update facility, all Members will be contacted with details of how this will work and will be provided with training if necessary. It is therefore suggested that officers seek to implement the facility to allow Members to update their Register of Interests online and send Members regular e-mail reminders of the need to keep their entry in the register up to date. Utilising the software will establish more efficient ways of working; maximise quality and accuracy in terms of data management; reduce printing and circulation costs where possible; and use new technologies to support governance activities and deliver wider benefits.
- 4.9 Officers will provide a practical demonstration at a meeting of the Standards Committee to demonstrate how Councillors would be able to update their register of interests form online. It will also provide an opportunity to answer any practical questions members may have regarding the system.

- 4.10 It should be noted that the introduction of this facility will not replace the option for Members to send updates to Officers. The Mod.gov system has also recently been used to launch improved arrangements for Members to access Committee papers on line. The same password will be able to be used for both purposes.

## **5.0 Financial Implications**

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

## **6.0 Legal Implications**

- 6.1 Members are required to declare their disclosable pecuniary interests under the Localism Act 2011 and regulations made thereunder. The transfer of the register to Modern.Gov aids transparency and assists the Council in promoting and maintaining high standards of ethical behaviour as is required under section 27 of the Localism Act 2011.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact:  
Mick Steward, Head of Committee and Governance Services;  
Tel: 020 7641 3134; [msteward@westminster.gov.uk](mailto:msteward@westminster.gov.uk)**



# City of Westminster

## REGISTER OF MEMBERS' INTERESTS

RETURNING COUNCILLORS NEED NOT FILL THIS IN UNLESS THEIR EXISTING INTERESTS HAVE CHANGED. THEIR CURRENT FORM WILL BE SENT FOR UPDATING. PLEASE INFORM MICK STEWARD IF YOU DO NOT NEED TO FILL THE FORM IN: TEL: 020 7641 3134; EMAIL: MSTEWARD@WESTMINSTER.GOV.UK

I, \_\_\_\_\_, a member of Westminster City Council, give notice that:

*\* I have no interests which are required to be declared under the Westminster City Council's Code of Conduct for Members and Co-opted Members*

OR

**\* I have set out below under the appropriate headings my interests which I am required to declare under the Westminster City Council Code of Conduct for Members and Co-opted Members , and have put "None" where I have no such interests under any heading.**

(\* Please delete as appropriate)

AND

*Having been elected to the office of Councillor of Westminster City Council I declare that I undertake to observe the Code as to the Conduct which is expected of members of the City Council.*

CATEGORY	INTEREST
<p>1. Any employment, office, trade, profession or vocation carried on for profit or gain.</p>	
<p><b>2. Sponsorship</b></p> <p>Any payment or provision of any other financial benefit (other than from the City Council) made or provided within the relevant period in respect of any expenses incurred by the Member in the carrying out of your duties as a Member or towards my election expenses. This includes any payment or financial benefit from a Trade Union within the meaning of the Trade Union and Labour Relations (consolidation) Act 1992</p>	
<p><b>3. Contracts</b></p> <p>Any contract which is made between you (or a body in which you have a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>	
<p><b>4. Land</b></p> <p>Any beneficial interest in land which is within the area of the City Council.</p>	

CATEGORY	INTEREST
<p><b>5. Corporate Tenancies</b></p> <p>Any tenancy where to your knowledge:</p> <ul style="list-style-type: none"> <li>(a) The landlord is the City Council; and</li> <li>(b) The tenant is a body in which you have a beneficial interest</li> </ul>	
<p><b>6. Securities</b></p> <p>Any beneficial interest in securities of a body where:</p> <ul style="list-style-type: none"> <li>(a) That body to your knowledge has a place of business or land in the area of the City Council; and either <ul style="list-style-type: none"> <li>(i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body;</li> <li>(ii) If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you have a beneficial interest which exceeds one hundredth of the total issued share capital of that class.</li> </ul> </li> </ul>	
<p><b>7. Gifts and Hospitality</b></p> <p>You must, within 28 days of receipt, notify the City Council's Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which you have accepted as a member from any person or body other than the City Council.</p>	

CATEGORY	INTEREST
<p><b>8.</b> Any body of which you are a Member or in a position of general control or management and to which you are appointed or nominated by your authority.</p>	
<p><b>9.</b> Any body:</p> <ul style="list-style-type: none"> <li>(a) exercising functions of a public nature;</li> <li>(b) directed to charitable purposes, or</li> <li>(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)</li> </ul> <p>of which you are a Member or in a position of general control or management.</p>	



I recognise that it can be a criminal offence to:

- Fail to notify the Monitoring Officer of any disclosable Pecuniary Interest within 28 days of election. These are those required in Sections 1 to 8 above.
- Fail to disclose a disclosable Pecuniary Interest at a meeting if it is not on the register.
- Fail to notify the Monitoring Officer within 28 days of a disclosable Pecuniary Interest that is not on the register that you have disclosed to a meeting.
- Participate in any discussion or vote on a matter in which you have a disclosable Pecuniary Interest.
- As an executive member discharging a function acting alone, and having a disclosable Pecuniary Interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable Pecuniary Interest or in disclosing such interest to a meeting.

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a Councillor for up to 5 years.

SIGNED:

DATE:

RECEIVED  
Signed:

DATE:

**PLEASE RETURN THIS FORM TO MICK STEWARD,  
COMMITTEE AND MEMBERS' SERVICES,  
WESTMINSTER CITY HALL, 64 VICTORIA STREET,  
LONDON, SW1E 6QP**