

<b>Subject:</b>	Recommendations from Internal Audit		<b>Status:</b>	For Publication	
<b>Report to:</b>	Standards Committee Council		<b>Date:</b>	20 <sup>th</sup> September 2011 28 <sup>th</sup> September 2011	
<b>Report of:</b>	Director of Business		<b>Portfolio Holder:</b>	Finance and Resources	
<b>Key Decision:</b>	No	Forward Plan	No	General Exception	No
<b>Special Urgency:</b>	No				
<b>Community Impact Assessment:</b>	Required:	No		Attached:	No
<b>Biodiversity Impact Assessment:</b>	Required:	No		Attached:	No
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<b>1.</b>	<b>RECOMMENDATION(S)</b>
1.1	That the Standards Committee recommends to Full Council that the Members Register of Interests be published on the Council's website.
1.2	That the Standards Committee recommends to Full Council that the Members' Code of Conduction within Part 5 of the Constitution be amended as follows:-  Part 3, Paragraph 13 will be amended to add point (3): 3) That members update their Register of Interests on an annual basis after each election to confirm that there are no changes or to confirm that changes have occurred since they last submitted their interests. This will apply to all members, and not just new or re-elected members.

**2. PURPOSE OF REPORT**

2.1 To inform members of recommendations made by the Internal Auditors which suggest that the Members Register of Interests be published and made available to the public. In addition it is suggested that the Members Code of Conduct within the Constitution be amended to require all members to confirm or update their register of interests on an annual basis, and not just new or re-elected members.

**3. CORPORATE PRIORITIES**

3.1 The matters discussed in this report impact directly all the Council's corporate priorities:

- **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

**4. RISK ASSESSMENT IMPLICATIONS**

4.1 Publishing the register on the web site would encourage Councillors to adopt the highest ethical standards and so help to avoid breaches of the Councillors Code of Conduct and potential damage to the Council's reputation. It will also ensure that members keep their register up to date.

**5. BACKGROUND AND OPTIONS**

**Publication of Members Register of Interests**

5.1 Members are required under the Code of Conduct to record financial and certain other

personal interests in a register available for public inspection. Any changes to those details also have to be notified to the Monitoring Officer within 28 days of the change taking place. Currently the register is kept in a paper copy format and is available for public inspection at the Council's offices at Futures Park.

- 5.2 The Councils Internal Auditors (Lancashire County Council) have recommended that is good practice for information included in the register to be available through the Council's web site.
- 5.3 Publishing the registers on the web site would make the information much more readily accessible, would accord with best practice, and would demonstrate the Council's commitment to openness and high ethical standards.
- 5.4 Standards for England recommend the following as good practice:-  
Some authorities may consider it appropriate for their Register of Interests to appear on their website. This would certainly be a step towards greater openness regarding members' interests and The Standards Board would encourage such a move. However, our view is that information on the Register of Interests relating to individual councillors should only be posted on an authority's website with the consent of the individual councillor concerned. The Standards Board believes that failure to obtain consent constitutes a breach of the Data Protection Act 1998. If a member is of the opinion that there is sensitive information which would expose a member to the risk of violence or intimidation then they can approach the Monitoring Officer to ask that sensitive information is withheld.

#### **Amendment of Members Code of Conduct**

- 5.5 A recent audit carried out by the Council's Internal Auditors (Lancashire County Council) recommended that:-  
'The Code of Conduct for Members should be amended to additionally require all members to update their entries in the register of interests, or confirm no changes, annually within 28 days of each Council election.'
- 5.6 It is recommended that the Constitution be amended as outlined in paragraph 1.2 of this report to ensure that current members, newly elected members and re-elected members complete, confirm and update their Register of Interests on an annual basis.

#### **COMMENTS FROM STATUTORY OFFICERS:**

##### **6. SECTION 151 OFFICER**

- 6.1 There are no financial implications arising from this report.

##### **7. MONITORING OFFICER**

- 7.1 Subject to legal parameters referred to within the body of the report, it is good practice to publish such interests on the website to ensure that the public / local community have confidence in the transparency of decision making at Rossendale Borough Council. This will contribute to the overall ethical well being of the Council, ensuring we have a culture of high ethical standards, which the public and our partners can have confidence in.

##### **8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

- 8.1 There are no human resources implications.

##### **9. CONSULTATION CARRIED OUT**

- 9.1 Legal Services Department.

##### **10. CONCLUSION**

10.1 It is important that Members interests are kept up to date and that the public have access to this information. This encourages a culture of transparency and trust.

Appendices/Background Papers	
Document	Place of Inspection
Council's Constitution – Members Code of Conduct	<a href="http://www.rossendale.gov.uk/site/scripts/download_info.php?downloadID=455&amp;fileID=2961">http://www.rossendale.gov.uk/site/scripts/download_info.php?downloadID=455&amp;fileID=2961</a>