



Haringey Council

Agenda item:

Standards Committee

on

10 June 2010

Report Title: **New Procedure for Advance Declaration of Members' Interests**

Report of: **Monitoring Officer**

Wards(s) affected: **All**

Report for: **Non Key Decision and Recommendation to full Council**

1. Purpose

1.1 To propose a new procedure and "form" to facilitate the advance declaration of Members' interests at meetings of the full Council.

2. Recommendations

2.1 Members of the Committee are asked to approve the proposed new procedure, as described in this report, and the related form, attached as the Appendix to this report, in order to facilitate the advance declaration of Members' interests at meetings of the full Council.

2.2 If approved, Members of the Committee are requested to recommend the use of the new procedure and form to the next meeting of the full Council.

Report Authorised by: **John Suddaby, Monitoring Officer**

Contact Officer: **Terence Mitchison, Principal Project Lawyer, Corporate**
8489 5936 Terence.Mitchison@haringey.gov.uk

3. Local Government (Access to Information) Act 1985

3.1 Local Government Act 2000, and the Members' Code of Conduct – May 2007

4. Financial Implications

4.1 There are no specific financial implications.

5. Legal Implications

5.1 The legal implications are stated in the body of this report.

6. Equalities and Community Cohesion Implications

6.1 There are no specific equalities and community cohesion implications.

7. Report

- 7.1 The statutory Members Code of Conduct contemplates that each Member makes an individual oral “disclosure” (usually described in practice as a “declaration”) at an official meeting when he/she has a personal/prejudicial interest in an item of business on the agenda. This has been the practice adopted at Haringey Council and although there may have been some instances of less than clear oral declaration there have been relative few problems associated with this approach.
- 7.2 But there have been instances recently at meetings of the full Council when a great many Members had the same interest in an item, for example, a debate on public transport policies where the majority of Members had a personal interest either because they themselves were holders of a “freedom pass” or because a family member, such as a parent or grand-parent, was a freedom pass holder.
- 7.3 In the instance referred to above, the declaration of the personal interest involved each Member in turn rising to make the same, or a very similar, oral declaration. This proved very time-consuming and not conducive to the efficient running of the Council meeting.
- 7.4 Councillors have, therefore, asked the Monitoring Officer to look into some more efficient means for conducting the declaration of Members’ interests at full Council meetings.
- 7.5 The means now proposed involves the use of a new “template” or official form as shown in the Appendix to this report. The form has a table with three columns inviting Councillors (1) to state the agenda item or items in respect of which they are declaring an interest, (2) to state whether the interest is solely a “personal” one or also a “prejudicial” interest, and (3) to explain the nature of the interest being declared, for example, because the item is likely to affect the Councillor’s home.
- 7.6 Below the table there is space for Councillors to sign and date the form. There are instructions for the use of the form and guidance overleaf by way of a reminder about the main factors giving rise to a personal or a prejudicial interest together with contact details for obtaining more detailed legal advice.
- 7.7 The intention is that Councillors would use the new form at all full Council meetings in place of the traditional individual oral declarations. The form is for completion in advance of the Council meeting and Councillors are requested to forward it to the Deputy Head of Member Services no later than 5.00 p.m. on the day of the meeting. If this proves impossible then the form can still be handed in

at the meeting itself.

- 7.8 Once the forms had been received and checked, the Deputy Head of Member Services would provide the Mayor with a statement of the interest being declared and the names of the Councillors making the same declaration in respect of the specified agenda item or items. The Mayor would then read out these details at the start of the Council meeting at the appropriate point.
- 7.9 There is no specific guidance from Standards for England on the “collective” declaration of personal interests or the use of a form for making written declarations in advance of a meeting. However, provided the individual Councillor has used a clear and agreed process (a signed and dated form) to make a declaration to the meeting the existence and nature of the interest, it should make no difference that the oral announcement is made by another i.e. the Mayor. Although the proposed procedure would apply to all declarations of interests at a Council meeting, Members would still be able make an oral declaration if for any reason (e.g. not being aware in advance of their interest) they have not made use of the form.
- 7.10 It is hoped that use of this procedure for all declarations of interests at Council Meetings will improve the efficiency and effectiveness of the declaration process. If the Standards Committee approve the proposed advance declaration procedure and the draft “form”, then the Committee are requested to recommend this to the next meeting of the full Council for official adoption for future use by Councillors.

8. Use of Appendices

Appendix - Proposed template for a new “Form for Advance Declaration of a Member’s Interest in an Item or Items of Business at a Meeting of the Full Council”.