

CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	STANDARDS COMMITTEE
DATE:	12 DECEMBER 2013
TITLE OF REPORT:	ANNUAL REVIEW OF REGISTERS
PURPOSE OF THE REPORT:	TO ASSIST THE STANDARDS COMMITTEE IN ITS ANNUAL REVIEW OF REGISTERS
REPORT BY:	SOLICITOR- CORPORATE GOVERNANCE
CONTACT OFFICER:	AWENA PARRY, SOLICITOR – CORPORATE GOVERNANCE (ext 2563)

1. INTRODUCTION & BACKGROUND

The annual review of registers is a regular feature of the Standards Committee's Work Programme.

The following documents are attached to this report:-

Enclosure 1 – Review of the Registers - General Advice Note (October 2013)

Enclosure 2 – Draft letter to all Councillors and Co-opted Members.

2. PROCESS AND TIMESCALE

2.1 It is proposed that the process begins at the end of January 2014 with a report being presented to the March meeting of the Standards Committee.

2.2 As there are 30 Councillors, it is proposed that the independent Members of the Standards Committee will review the registers of 6 Councillors , selected at random

2.3 The Registers are

- “Standing” Register i.e pre-registration of interests,
- Declarations at Meetings
- Gifts and Hospitality.

All three registers are available on line and the General Advice Note (**Enclosure 1**) provides guidance on the process of reviewing the registers.

3. RECOMMENDATIONS

3.1 The Committee is requested to approve the letter at **Enclosure 2**, to be sent out following the meeting on 12.12.13.

3.2 To allocate Councillors to independent members of the Committee.

3.3 To agree to conduct the review between the end of January 2014 and the end of February 2014 and to report findings back to the Solicitor (Corporate Governance) in time to formulate a formal report to the Standards Committee on 12 March 2014.

REVIEW OF THE REGISTERS - GENERAL ADVICE NOTE (OCTOBER 2013)

The review documents will include the following:-

1. **The Standing Register** – This appears online and the link is “Councillors and voting Co-opted Members – declaration of interests”

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/councillors/councillors-and-voting-co-opted-members-declarations-of-interest/>

This is completed within 28 days of election and then updated as and when changes occur. An annual letter is sent to all Members to remind them of the requirements in the Code of Conduct which expects Members to update this Register within 28 days of any material change to the relevant interests. The entries in this Register are available for public inspection online but are not interactive i.e. Members may only update in hard copy. Do you think it would be useful if they were interactive?

The form used is the standard statutory form required under the Code of Conduct and therefore modifications are not possible.

These forms are checked when received at the Council, for clear signature, date, voids in the forms (which are not permitted) and clarity of content. The versions online are typed. You should also check them for the above details.

Any forms that have not been updated since the last election (May 2008) should be highlighted.

You should have regard to the previous advices issued by the Standards Committee. These are contained in Enclosure 1 with the Report.

One concern has been the anomalies between membership of outside bodies, as recorded by the Council, when compared with declarations of membership of outside bodies as made by some Members. The Council's current list of outside bodies and including a list of School Governors is at Enclosure 3.

There have been previous cases where forms appeared to have been completed prior to Members being appointed to outside bodies but the forms were not updated after such appointments were made. Members have been reminded that whenever they are appointed to an outside body or cease to be a member of an outside body, they are required to update their entry in the standing register within 28 days of the change.

2. **The Register of Declarations of Interests at Meetings**

Aside from the earlier advices offered by the Standards Committee, as referred to in paragraph 1 above (Enclosure 1), you may wish to express a view as to whether or not the data provided in these forms has improved as a result of the said forms having been revised by the Standards Committee.

Does your review indicate whether or not some Members are having difficulty with the new forms? If so, is there any further advice that you might wish to issue?

It has also become apparent in the past that some Members are not always providing a clear enough description of their land holdings. Members have been reminded of the need to provide an accurate and full description of parcels of land and property holdings, and the same principle can be extended to buildings.

Is there any indication that Members are still declaring interests that are not relevant? In undertaking the analysis of previous declarations of interests at meetings previously it was discovered that the forms generally seemed to be a bit rushed and sometimes quite illegible and they felt members should be making more of an effort to complete them in a way that will make sense to the reader (i.e. a member of the public without specific knowledge or expertise of the code). Generally, as a matter of principle these forms should “stand alone” for the public to understand what the interest is and how it relates to and is linked with the agenda item under consideration, and whether it is a personal interest or personal and prejudicial, thereby resulting in the Member needing to leave the meeting.

It was also found that certain Members were being unnecessarily cautious in their declarations at meetings, specifically in relation to family members employed by the Council, where there appeared to be no item on the agenda to which the interest related. This created the impression that some Members may not be properly addressing their minds to their obligation to declare interests and may have, mistakenly, formed the view that such general/blanket declarations provide some kind of immunity.

Are they providing enough information about what the interest is and how it relates to Agenda items? If you wish to look at this issue in more depth, then Agenda, Reports and Minutes are available on the Council’s website. We will be happy to provide hard copies if required.

Is there any indication that Members are struggling with the distinction between declaring a personal interest (which permits them to remain in a meeting) and declaring personal and prejudicial interests (which requires them to leave meetings)?

Some of the forms reviewed previously showed a lack of understanding by the members of the difference between both interests. The form used for declaration of interests at meetings was changed to try and make the process easier for members.

Are there any changes that you wish to suggest to the form in order to assist Members or to improve clarity or transparency for the public?

Would it be useful for these forms to appear online? Obviously they do not need to be interactive as they are completed during the course of meetings. (The Committee’s attention is drawn to the Report of the Corporate Web and Information Manager which is item 4 of the Agenda).

During the previous audit it was discovered that some Members were declaring interests at meetings but then neglecting to complete the declaration of interest at

meetings form. Members have been reminded of the requirement to complete these forms and submit them to the relevant Committee Clerk before the end of the meeting at which the interest is declared.

3. **Register of Gifts and Hospitality – This appears online and the link is “Councillors”**

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/councillors/>

This Register is also open to public inspection but, the forms may only be completed in hard copy. You may wish to make a recommendation here about providing an interactive facility?

(The Committee’s attention is drawn to the Report of the Corporate Web and Information Manager which is item 4 of the Agenda).

Declarations must be made within 28 days of any gift or hospitality having been received above the £20 limit.

Again, the Standards Committee has improved the registration form (which was submitted with its Protocol on Gifts and Hospitality, 5.9 in the Constitution, currently at page 253).

You are asked to review the registrations to see whether there is compliance with the Protocol. Is sufficient information being provided? Are the registrations timely? Do you think the new form provides greater clarity and transparency? Can you suggest any further improvements or advice that needs to be issued to Members?

Of concern may be the fact that so few (12 altogether in 12 months) registrations have been made, particularly with regards to hospitality. You may wish to ask the Monitoring Officer to undertake further enquiries or to issue a reminder to Members about their obligations.

**ADRAN Y DIRPRWY PRIF WEITHREDWRAIG
DEPARTMENT OF THE DEPUTY CHIEF
EXECUTIVE**

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Ein Cyf – Our Ref.
Eich Cyf – Your Ref.

Holl Gynghorwyr ac Aelodau Cyfetholeidg

All Councillors and Co-opted Members

Annwyl Gynghorydd/Aelod Cyfetholedig

**PAR: ADOLYGIAD O'R COFRESTRAU
DATGAN DIDDORDEB GAN Y
PWYLLGOR SAFONAU**

Ysgrifennaf i'ch atgoffa bydd y Pwyllgor Safonau yn cynnal ei adolygiad blynyddol o'r Cofrestrau sy'n cael eu dal gan y Cyngor ynglŷn â datganiadau o ddiddordeb gan Gynghorwyr / Aelodau Cyfetholedig.

Cyn i hynny ddigwydd yn ystod Mis Chwefroir rhoddir cyfle i Gynghorwyr ac Aelodau Cyfetholedig edrych ar eu manylion yn y Cofrestrau a'u gwirio. Byddwch yn gwerthfawrogi bod yn rhaid rhoi gwybod am unrhyw newid o fewn 28 diwrnod i'r newid hwnnw gael ei wneud.

Mae 3 Cofrestr yn awr ar-lein a gellir eu gweld trwy ddilyn y cyswllt canlynol :-
<http://www.ynysmon.gov.uk/cyngor-a-democratiaeth/cynghorwyr-democratiaeth-ac-etholiadau/cynghorwyr/cynghorwyr-ac-aelodau-cyfetholedig-syn-pleidleisio-datganiadau-diddordeb?redirect=false>

Dear Councillor/Co-opted Member

**RE: REVIEW OF REGISTERS OF
DECLARATION OF INTEREST BY THE
STANDARDS COMMITTEE**

I write to remind you that the Standards Committee will be carrying out its annual review of the Registers in respect of declarations of interest by Councillors / Co-opted Members which are held by the Council.

Before that takes place during February 2014 the opportunity is given to Councillors and Co-opted Members to look at their details in the Registers and to check them. You will appreciate that any changes must be notified within 28 days of the change having occurred.

The 3 Registers are now available on line and can be accessed by the following link :-
<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/councillors/councillors-and-voting-co-opted-members-declarations-of-interest/>

Er mwyn bod o gymorth, amgaeaf gyda hwn gopi o ddogfen o'r enw "Canfyddiadau Adolygiad o ddiddordebau Aelodau ac Aelodau Cyfetholedig"

In order to assist, I enclose herewith a copy of a document entitled "Findings of Review of Interests of Members and Co-opted Members"

Felly, byddwn yn ddiolchgar pe baech yn edrych ar y dogfennau a'u gwirio.

Therefore, I should be obliged if you could consider the documents and check them.

Yn gywir / Yours sincerely

Awena Parry
Cyfreithiwr – Llywodraethu Corfforaethol / Solicitor – Corporate Governance