

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:**           **STANDARDS COMMITTEE**

**DATE:**               **MONDAY, 4 NOVEMBER 2013**

**REPORT BY:**       **MONITORING OFFICER**

**SUBJECT:**           **AUDIT OF DECLARATIONS OF INTEREST**

**1.00**   **PURPOSE OF REPORT**

1.01    To report to committee on the audit of the declarations of interest process.

**2.00**   **BACKGROUND**

2.01    Section 81 (1) of the Local Government Act 2000 and paragraph 15 of Flintshire's Members' Code of Conduct require Members to register certain categories of personal interest and to notify the Monitoring Officer of any changes to these registerable interests. The registerable interests are those listed in paragraph 10 (2) (a) of the Members' Code of Conduct. The register of such interests is maintained by the Monitoring Officer and available for public inspection.

2.02    Paragraph 11 of the Members' Code of Conduct requires a Member to disclose any personal interests arising from paragraph 10 (2) (a), (b) and (c) where it relates to business being considered at a meeting. Paragraph 11 (4) requires the Member to complete a written notification of any such disclosures unless that interest has been previously disclosed since the last date on which the Member was elected. Where no such written notice is provided the Member is deemed as not having declared a personal interest. It is therefore the Member's responsibility to ensure that where they wish to disclose a personal interest the required notification has been completed.

2.03    During August the absence of meetings gave the opportunity to undertake an audit of the extent of Member compliance. Three meetings of Cabinet, County Council, Planning Committee, Corporate Resources Overview & Scrutiny and Lifelong Learning Overview & Scrutiny were chosen at random. The number of interests declared at the meeting was compared with the number of Members who had completed the requisite notification of that interest. The results are shown in Appendix 1.

- 2.04 In addition a more subjective audit was undertaken where the Deputy Monitoring Officer considered the same meetings against the interests Members had registered to ascertain if Members had declared such interests at the meeting. The results of this exercise is shown in Appendix 2.

### **3.00 CONSIDERATIONS**

- 3.01 The responsibility for ensuring that notification is given whenever required rests with the individual Member concerned. Nevertheless, in order to assist Members after undertaking the audit it was decided to put in place more rigorous chasing up of the paperwork by the officers.
- 3.02 Committee Services are preparing a spreadsheet to record for each Member interests registered and those notified following a meeting. Where at a meeting a Member declares an interest that is not included on this they will be given a notification form and asked to complete it. Where the Member does not complete it at the time the Committee Officer will chase and failing a response the Democracy & Governance Manager will chase. If there is still no response the Monitoring Officer will contact the Member concerned. These arrangements do not alter the provision in the Members' Code that a failure to provide written notice, where it is required, means that the interest is deemed not to have been declared.
- 3.03 This is the first such audit that has been undertaken and it is the intention to undertake such audits annually during August to ensure that standards are maintained or improved.
- 3.04 Where the audit has shown failure to complete the requisite paperwork (Appendix 1) or a possible failure (Appendix 2) the individual Members concerned have been written to explaining that as things currently stand they are deemed not to have declared a personal interest, but this will not be the case if they complete written notification.

### **4.00 RECOMMENDATIONS**

- 4.01 To note the results of the audit.

### **5.00 FINANCIAL IMPLICATIONS**

- 5.01 None as a result of this report.

### **6.00 ANTI POVERTY IMPACT**

- 6.01 None as a result of this report.

**7.00 ENVIRONMENTAL IMPACT**

7.01 None as a result of this report.

**8.00 EQUALITIES IMPACT**

8.01 None as a result of this report.

**9.00 PERSONNEL IMPLICATIONS**

9.01 The workload involved in the audit has been accommodated within existing resources.

**10.00 CONSULTATION REQUIRED**

10.01 None as a result of this report.

**11.00 CONSULTATION UNDERTAKEN**

11.01 None as a result of this report.

**12.00 APPENDICES**

12.01 Appendices 1 and 2 – Results of exercises undertaken

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

Minutes of the meetings referred to in Appendix 1 and 2

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