

Committee(s)	Dated:
Standards Committee	2 nd October 2015
Subject: Update re: Co-opted Member Declarations	Public
Report of: The Town Clerk	For Information

Summary

At its May 2015 meeting, the Standards Committee endorsed a proposal in respect of the adoption and implementation of a consistent approach to the management and on-line publication of declarations of interest by the City Corporation's voting and non-voting Co-opted Members that serve on City Corporation committees. The proposal would result in all Co-opted Members (voting and non-voting) being required to submit and maintain a Declaration of Interests, including both pecuniary and non-pecuniary interests.

This report provides an update about the status of the Co-opted Members' Registers of Interest following circulation of correspondence by the Town Clerk in consultation with the Comptroller and City Solicitor in early August 2015 and the implementation of the new arrangements.

Recommendations

Members are asked to note the report and to consider any further steps it considers necessary to ensure compliance with the Code of Conduct.

Main Report

Background

1. At the meeting of the Standards Committee on 20th February 2015, an update report about the Annual Update to Members' Declarations was considered and a query was raised as to why only the Declarations of elected Members were published on-line and why there was a different arrangement in respect of the management of the Co-opted Members declarations.
2. It was noted that whilst the statutory provisions in relation to on-line registration only applied to those Co-opted Members who were entitled to vote on matters relating to the City Corporation's local authority or police authority functions, this did not preclude the Register of Interests of all Co-opted Members being made available on-line as a matter of policy. It was subsequently agreed, for the sake of consistency and greater transparency, that a Register of Interest should be completed by all Co-opted Members and thereafter published on-line.

3. Historically, the City Corporation's Co-opted Members have been categorised as voting or non-voting Co-optees serving on the City Corporation's Committees and only those Co-opted Members with voting rights have been requested to submit a register of interest form setting out their pecuniary interests.
4. During the 2014 annual update exercise, all Co-opted Members were contacted in writing and invited to submit a new or updated declaration. The voting Co-opted Members were reminded that submission was a statutory requirement but the non-voting Co-opted Members were advised that, whilst there was no statutory requirement, they were encouraged to submit a declaration in order to maximise transparency. Since that exercise commenced, fifty-one declarations had been received from the City Corporation's Co-opted Members, both voting and non-voting. To date, where completed registers of interest have been received, these have been retained on hard-copy file by the Town Clerk's Department.
5. At the meeting of the Standards Committee on 15th May 2015, Members agreed that they would like to implement a consistent approach to the management and publication of declarations of interest by both the City Corporation's elected and Co-opted Members. Consequently this would streamline the current arrangements whereby all elected and Co-opted Members, with or without voting rights, would be required, upon taking office, to submit a Members' Declaration form which would include their statutory pecuniary interest and any non-pecuniary interests that have been introduced as a requirement by the City Corporation.

Current Position

6. Whilst the Court of Common Council's consent to amend the current arrangements in respect of the management of Co-opted Members' declarations was not required, the Town Clerk submitted reports informing both the Policy and Resources Committee and the Court of Common Council of the future proposed changes in advance of implementation. These reports were both received.
7. Since the Standards Committee meeting on 15th May 2015, and also in light of the April Court of Common Council meeting, the Town Clerk undertook a review of all of the City's Co-opted Members. This review resulted in the production of a final list of 168 relevant Co-opted Members (both voting and non-voting) who would need to be contacted regarding the new arrangements.
8. Following consultation with the Comptroller and City Solicitor, the Town Clerk wrote to all 168 of these Co-opted Members, voting and non-voting, setting out the background to the new arrangements, providing guidance about these and specifying a deadline for the return of all declarations.
9. Taking into account the Committee's earlier acknowledgement that the City Corporation's Co-opted Members should be given plenty of notice about any

future changes, these letters were circulated to all at the beginning of August 2015. A response date of 25 September 2015 was specified. Where existing declarations were held on file for Co-opted Members these were re-circulated so that these individuals had the opportunity to refresh these where necessary.

10. Briefing sessions, hosted by the Comptroller and City Solicitor were also offered to all to provide an opportunity to discuss the new requirements in greater depth and to raise any specific/individual queries. The training sessions were scheduled for Wednesday 9th September 2015 2pm - 4pm and Friday 11th September 2015 10am – 12pm. There was a disappointing take up of these sessions which led to just three Co-opted Members attending the first training session and the second training session being cancelled due to lack of interest. However, those who did attend have stated that they found the sessions extremely useful.
11. The current position in respect of responses is that, of the 168 Co-opted Members that were contacted in early August 2015, 57 complete responses and 14 partial responses (only one form returned or references to updates to previous declarations where none are held on file) were subsequently received. This leaves 97 responses outstanding (approximately 58%). A further update will be provided at the meeting. Every time a response has been received, this has been logged and retained on file in the Town Clerk's Department.
12. With regard to the online publication of the Co-opted Members' declarations, work has begun into identifying how this might be technically possible using the current Committee Management System and is currently being trialled by members of the Committee and Member Services Team. The idea is that Co-opted Member Declarations will be accessible by navigating to the Committee that they are on, then viewing the Membership of this Committee and clicking on the Members' name. It is not proposed that any further details be provided other than their Committee appointment/s and Declarations.

Moving Forward

13. It is still envisaged that each Co-opted Member from whom we have received responses will, by the end of the year, have a register of interests that is accessible by the public, in the same way as elected Members have. The register will include all statutory pecuniary interests and non-pecuniary interests in line with the requirements for elected Members. The Standards Committee will be kept abreast of progress with implementation.
14. The Committee will now also need to provide a steer as to 'next steps' in terms of 'chasing' those Co-opted Members who are yet to reply or have only sent partial responses to the request for information. With regard to the issue of non-compliance, for the majority of Co-opted Members (i.e. those that are not voting Co-opted Members), non-compliance will not constitute a criminal offence. However, non-compliance could be deemed to be a breach of the

Code of Conduct and a complaint could therefore be investigated by the Standards Committee.

15. The next all-Member update will take place in April 2016 and it is proposed that Co-opted Members are also incorporated within all Annual Reviews going forward.

Corporate & Strategic Implications

16. The adoption and implementation of a consistent approach to the management and publication of declarations of interest by both the City Corporation's elected and Co-opted Members enhances transparency about the City of London Corporation's governance framework and those involved in decision-making processes.
17. The annual reminder to review and update all Members' declarations satisfies the objectives of the Standards Committee in seeking greater transparency about the City of London Corporation's governance framework and those involved in decision-making processes.

Conclusion

18. The adoption and implementation of a consistent approach to the management and publication of declarations of interest by both the City Corporation's elected and each of its Co-opted Members that serve on City Corporation Committees will ensure that there is a reasonable and consistent approach to the management of declarations of interest. The proposed approach, whereby all Co-opted Members are invited to submit a declaration of interest when they take office and then review this annually during the annual update exercise every April, will mean that all individuals who serve on City Corporation Committees are bound by the same requirements. This will enhance transparency of the City Corporation's decision making arrangements and ensure consistency in how declarations are managed. Publication of the declarations of interest on-line will further enhance transparency about the organisation's decision-making arrangements and highlight the important contribution that Co-opted Members make to the work of the City Corporation.
19. Members are invited to note the current position in respect of this exercise and the proposal in respect of the future arrangements for managing Co-opted Members' Declarations. Members are also asked to provide Officers with a steer as to any follow up with those Co-opted Members who are yet to respond to this request.

Background Papers

The Members' Code of Conduct (*as agreed on 16th October 2014*)

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