

SUBJECT:	Current Issues and Update on Standards Framework
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Joanna Swift – Head of Legal and Democratic Services and Monitoring Officer
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WARD/S AFFECTED	None

1. Purpose of Report

To consider compliance with requirements of the standards framework and review current notification documents.

RECOMMENDATION

1. **That the Committee note the current position on notification procedures.**
2. **That the Committee consider the draft Protocol with Thames Valley Police attached at Appendix 2 for reporting alleged breaches of disclosable pecuniary interests notifications**
3. **That the Monitoring Officer in consultation with the Chairman of the Committee and the Independent Person be authorised to agree the final version of the Protocol**

2. Reasons for Recommendations

To ensure the Council meets its statutory duty of promoting and maintaining high standards of conduct amongst its members

3. Content of Report

- 3.1 As members are aware the standards framework introduced by the Localism Act 2011 requires all elected members to notify the monitoring officer of their disclosable pecuniary interests (DPI's), within 28 days of taking office and thereafter within 28 days of any changes to their DPIs. Furthermore, under the Council's code of conduct members are also required to notify the monitoring officer of their personal interests within 28 days of taking office and again to notify any changes

within 28 days. Both sets of interests must be open to public inspection and published on the Council's website.

- 3.2 The Committee agreed a notification form for general use between ordinary elections at their meeting in September 2016 which is attached at Appendix 1 for ease of reference. Members are also able to update their interests form on the modern.gov system by logging into the extranet. Guidance on the procedure has been circulated in the Members' Bulletin and some members have already taken advantage of this facility. Further information will be circulated in October together with a reminder to check that Members' register entries remain accurate and up to date.
- 3.3 The failure to declare disclosable pecuniary interests is an offence under section 34 of the Localism Act punishable on conviction by a fine of up to £5,000. Complaints that a Member may have failed to declare a DPI are investigated by the Police and not by the monitoring officer. In consultation with the Economic Crime Unit at Thames Valley Police (which deal with this type of offence) and other monitoring officers in Buckinghamshire, the protocol attached at Appendix 2 is recommended for dealing with DPI complaints.

4 Consultation

Not applicable at this stage

5 Options

Members are asked to consider the acceptability of proposed Protocol with Thames Valley Police.

6. Corporate Implications

Financial – The cost of preparing or amending any forms or guidance would be met from within existing budgets

Legal – As set out in the report

Risks issues – Members could be at risk of prosecution or complaints if they fail to comply with the Localism Act requirements for declaration of pecuniary and non-pecuniary interests. The Council's decisions would be at risk of challenge if they are taken with bias or pre-determination

Equalities - None specific

7. Links to Council Policy Objectives

There are no direct links to the Council's main policy objectives. But the Council has a duty under the Localism Act 2011 to promote and maintain high standards of conduct

by its members. Ensuring that all members understand their obligations to declare pecuniary and non-pecuniary interests is a matter of good governance and is important in preserving the confidence of local communities.

8. Next Steps

Further guidance will be circulated on how members can use modern.gov to update their own interests' page.

Background Papers:	None except those referred to in the report
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