

SLOUGH BOROUGH COUNCIL

REPORT TO:	Standards Committee
DATE:	19 July 2022
SUBJECT:	Annual Update on Members' Register of Interests and Gifts & Hospitality
CHIEF OFFICER:	Monitoring Officer
CONTACT OFFICER:	Nick Pontone, Democratic Services Lead
WARD(S):	All
EXEMPT:	No
APPENDICES:	Appendix A – summary of Register of Interests 2021/22 Appendix B – summary of Gifts & Hospitality 2021/22

1 Summary and Recommendations

- 1.1 To provide the first annual update to the Standards Committee on the Members' register of interest and declarations of gifts & hospitality in the 2021/22 municipal year.

Recommendations:

The Committee is asked to note and comment on any aspects of the report.

Reason:

Members' registering and declaring interests and receipt of gifts and hospitality is a key part of the Councillors' Code of Conduct. This report sets out the processes in relation to such declarations and the activity in 2021/22 to provide both transparency and an opportunity to review and strengthen any of the Council's processes.

Commissioner Review

"Good decision making requires openness by the decision makers of any interests they may have which could have a bearing on their rationale for the decision. We therefore fully endorse the content of this report."

2 Report

Introduction

- 2.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interest for Members of the authority. This is to ensure that the authority, public and any other interested parties know of any interests a

councillor may have that might give rise to a conflict of interest. An accurate and up to date register is a core part of the Council's Ethical Framework, demonstrates openness and promotes accountability.

- 2.2 The Councillors' Code of Conduct in Part 5.1 of the Constitution sets out the relevant interests that should be declared and disclosed in both the register and at meetings. Members are personally responsible for registering and declaring their interests and are encouraged to seek advice from the Council's legal and democratic services officers.
- 2.3 There are three types of interest
 - Disclosable pecuniary interest (DPIs)
 - Other registerable interests
 - Non-registerable interests
- 2.4 DPIs must be registered within 28 days of election and whenever a change is required. DPIs include employment, land, directorships and contracts that may be held with the Council. The definition of these interests is shown in Appendix C. The Council also requires councillors to register and declare non-statutory interests which can include membership of outside bodies, political parties and other community bodies such as charities or school governorships.
- 2.5 The procedure at Slough Borough Council is that a councillor must complete a new registration of interest form at the start of their term of office. Any changes during the course of their term must then be notified within 28 days. The Council requires hard copy forms to be completed which must be signed and dated by the Member. The Monitoring Officer temporarily amended this process during the Covid-19 pandemic and accepted electronic submissions via email to maintain the accuracy of the register whilst the Council was operating remotely. The system has now reverted to hard copy forms only.
- 2.6 To ensure that all councillors review the accuracy of their register each year the process is being strengthened and all Members will be required to confirm they have reviewed their register and either confirm its accuracy or notify any changes on an annual basis.
- 2.7 Members must also declare any interest which relate to any matters on a meeting agenda and take any appropriate action. If a Member has a DPI they must not take any part in the decision and should leave the meeting room. Declarations, and the action taken, are recorded in the minutes and published on the Council website on each councillor's webpage. The registers for independent members are not published to recognise that these individuals are appointed as opposed to elected, however a record is kept, and the Monitoring Officer would consider whether this should be disclosed if a request was made to view it.

Activity in 2021/22

- 2.8 Appendix A shows the activity in relation to the register and declarations at meetings since the start of the 2021/22 municipal year. In summary it shows that:
 - All councillors elected or re-elected both May 2021 and May 2022 submitted a new register of interests form within the required 28 days of their election.

- A further 14 of the councillors who had not been required to submit a new register of interest form during the year, notified changes to their register during the year.
- 29 councillors made declarations at meetings. The majority of these declarations by volume related to the Planning Committee, for example a councillor declared that an application was in their ward or that they had been contacted by the applicant or an objector. In only a small minority of the total number of declarations was the interest considered by the Member to be a conflict which required them to either not take part in the decision or leave the room during consideration of the item. The minutes of meetings record whether or not a Member left the room having declared an interest.

Training

- 2.9 Annual training is provided on the Councillors' Code of Conduct, including declarations of interest. Newly elected councillors are required to complete this training before submitting their register of interest form. The councillors welcome and induction session was held on 12th May 2022. The three councillors elected for the first time were all present to receive the training and seven of the re-elected councillors received the refresher training.
- 2.10 Training was also given to the newly appointed independent person and the newly appointed independent members of Audit and Corporate Governance Committee. Whilst these individuals are not voting members of the committees, they are asked to complete a register of interest and abide by the Code of Conduct for Members in the same way as elected members are expected to.

Lesson learned and areas for improvement

- 2.11 Having conducted a review of the processes, the areas for improvement have been identified as:
- Maintaining accuracy – As stated in paragraph 2.6, a new process has been introduced this year to ensure all councillors review their register on an annual basis and confirm that is up to date or notify any changes.
 - Compliance – whilst the information provided in Appendix A provides a good level of assurance that councillors are submitting the required forms on time, updating their register when required and declaring interests at meetings, further consideration should be given to additional steps to ensuring councillors are declaring all relevant interests and taking the appropriate action when declaring an interest at a meeting. Members are strongly encouraged to seek advice if they are unsure what to declare and what action to take. Improving councillors' understanding beyond the basic processes will be a key part of future Member training, particularly following the whole council elections in 2024 when a comprehensive member induction and training programme will be run.
 - Outside bodies – councillors are required to register any outside bodies they are appointed to by the Council. Members appointed to outside bodies are reminded of the requirement to register them following their appointment.

Spot checks have revealed that there is not full compliance with this requirement. Whilst registering interests is a matter for each Member, democratic services will notify Members of any such discrepancies and require the register to be updated.

- Co-opted Members – arrangements have been put in place for the newly appointed independent person and independent members of Audit & Corporate Governance Committee. A review of the arrangements for the interests of other co-opted Members, for example to scrutiny panels, will be carried out later in the year.

Gifts and Hospitality

- 2.12 The Code of Conduct sets out the procedure for registering Members' gifts and hospitality. Councillors are advised not to accept gifts or hospitality, irrespective of the estimated value, if it could give rise to a real or substantive personal gain or reasonable suspicion of influence. However, it is recognised that there are occasions where gifts and hospitality are not refused and the Code requires Members to register any gift or hospitality with an estimated value of at least £50 within 28 days of receipt. The Code also requires members to register the refusal to accept gifts or hospitality of a significant value.
- 2.13 The Council strengthened the transparency last year and from June 2021 all registrations by Members have been published on each councillor's webpage. Older declarations are maintained in a file held by democratic services and available for public inspection. To further improve openness historic declarations of gifts and hospitality for current councillors will be added to the website by the end of August 2022.
- 2.14 Appendix B shows the gifts and hospitality declared by councillors since the start of the 2021/22 municipal year:
- There were a total of 8 declarations made by 4 councillors.
 - No declarations were made for the receipt of gifts or hospitality over an estimated value of £50.
- 2.15 The Council is not complacent about the relatively low levels of declarations of gifts and hospitality and will take further steps to regularly remind Members of their responsibilities under the Code of Conduct to declare any such matters.

3. Implications of the Recommendation

3.1 Financial implications

- 3.1.1 There are no financial implications arising from this report.

3.2 Legal implications

- 3.2.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of members' and co-opted members' interests and to make the register available for inspection and publish on the Council's website. The Relevant

Authorities (Disclosable Pecuniary Interests) Regulations 2012 set the disclosable pecuniary interests required to be registered under the Act.

3.3 Risk management implications

3.3.1 Failure to maintain an accurate register of interests could cause a reputational risk to individual councillors and the Council as a whole. The risks are mitigated by the measures detailed in this response to maintain an accurate register and ensure councillors understand their responsibilities to register and declare relevant interests.

3.4 Environmental implications

3.4.1 None.

3.5 Equality implications

3.5.1 The public sector equality duty (PSED) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

4. Background Papers

None

APPENDIX A**SUMMARY OF MEMBERS' REGISTER OF INTERESTS 2021/22**

COUNCILLOR	Start of term of office	Register published within 28 days of taking office	Most recent update	Number of Declarations at meetings 2021/22
Zaffar Ajaib	May 2019	Yes	May 2019	7
Shaida Akbar	May 2022	Yes	May 2022	0
Sabia Akram	May 2019	Yes	June 2022	2
Safdar Ali	May 2022	Yes	May 2022	0
Rob Anderson	May 2022	Yes	May 2022	1
Balvinder Bains	May 2022	Yes	May 2022	1
Joginder Bal	May 2021	Yes	July 2022	13
Jina Basra	May 2019	Yes	Nov. 2019	3
Madhuri Bedi	May 2021	Yes	May 2021	1
Puja Bedi	May 2022	Yes	May 2022	0
Ruqayah Begum	May 2019	Yes	June 2020	0
Preston Brooker	May 2022	Yes	May 2022	6
Martin Carter	May 2021	Yes	May 2021	2
Harpreet Cheema	May 2019	Yes	June 2022	0
Haqeeq Dar	May 2022	Yes	May 2022	6
Jemma Davis	May 2021	Yes	May 2021	5
Roger Davis	May 2022	Yes	June 2022	4
Harjinder Gahir	May 2019	Yes	May 2019	5
Bally Gill	May 2021	Yes	May 2021	0
Gurdeep Grewal	May 2021	Yes	June 2022	0
Christine Hulme	May 2019	Yes	Feb. 2022	3
Iram Hussain	May 2021	Yes	May 2021	0
Kamaljit Kaur	May 2021	Yes	Jan. 2022	4
Paul Kelly	May 2019	Yes	May 2019	3
Mushtaq Malik	May 2022	Yes	May 2022	0
Sandra Malik	May 2021	Yes	May 2021	0
Pavitar Kaur Mann	May 2019	Yes	April 2022	8
Fiza Matloob	May 2022	Yes	May 2022	1
Harjinder Minhas	May 2022	Yes	May 2022	1
Maroof Mohammad	May 2019	Yes	June 2022	2
Chandra Muvvala	May 2021	Yes	May 2021	2
Mohammed Nazir	May 2019	Yes	March 2022	0
Natasa Pantelic	May 2019	Yes	June 2022	1
Dilbagh Parmar	May 2022	Yes	May 2022	0
Satpal Parmar	May 2021	Yes	July 2021	5
Naveeda Qaseem	May 2021	Yes	May 2016	0
Waqas Sabah	May 2022	Yes	May 2022	1
Atiq Sandhu	May 2021	Yes	Nov. 2021	0
Dexter Smith	May 2019	Yes	March 2021	3
Wayne Strutton	May 2021	Yes	August 2021	1
James Swindlehurst	May 2019	Yes	Feb 2022	1
Anna Wright	May 2022	Yes	May 2022	0

FORMER MEMBERS (TO MAY 2022)				
Avtar Kaur Cheema	May 2018	Yes	May 2018	7
Arvind Dhaliwal	May 2018	Yes	May 2018	0
Mohammed Sharif	May 2018	Yes	May 2018	1

APPENDIX B**SUMMARY OF MEMBERS' REGISTER OF GIFTS & HOSPITALITY 2021/22**

COUNCILLOR	Number of Gifts & Hospitality Declared since May 2021 (by value)			
	Under £50	£50-500	Over £500	TOTAL
Zaffar Ajaib	0	0	0	0
Shaida Akbar	0	0	0	0
Sabia Akram	0	0	0	0
Safdar Ali	0	0	0	0
Rob Anderson	0	0	0	0
Balvinder Bains ¹	1	0	0	1
Joginder Bal	0	0	0	0
Jina Basra ¹	1	0	0	1
Madhuri Bedi	0	0	0	0
Puja Bedi	0	0	0	0
Ruqayah Begum	0	0	0	0
Preston Brooker	0	0	0	0
Martin Carter	0	0	0	0
Harpreet Cheema	0	0	0	0
Haqeeq Dar	0	0	0	0
Jemma Davis	0	0	0	0
Roger Davis	0	0	0	0
Harjinder Gahir	0	0	0	0
Bally Gill	0	0	0	0
Gurdeep Grewal ¹	1	0	0	1
Christine Hulme	0	0	0	0
Iram Hussain	0	0	0	0
Kamaljit Kaur	0	0	0	0
Paul Kelly	0	0	0	0
Mushtaq Malik	0	0	0	0
Sandra Malik	0	0	0	0
Pavitar Kaur Mann	0	0	0	0
Fiza Matloob	0	0	0	0
Harjinder Minhas	0	0	0	0
Maroof Mohammad	0	0	0	0
Chandra Muvvala	0	0	0	0
Mohammed Nazir	0	0	0	0
Natasa Pantelic	0	0	0	0
Dilbagh Parmar	0	0	0	0
Satpal Parmar	0	0	0	0
Naveeda Qaseem	0	0	0	0
Waqas Sabah	0	0	0	0
Atiq Sandhu	0	0	0	0
Dexter Smith	0	0	0	0
Wayne Strutton	0	0	0	0
James Swindlehurst ²	5	0	0	5
Anna Wright	0	0	0	0

FORMER MEMBERS (TO MAY 2022)				
Avtar Kaur Cheema	0	0	0	0
Arvind Dhaliwal	0	0	0	0
Mohammed Sharif	0	0	0	0
TOTAL	8	0	0	8

Notes:

1. Notified via email from Councillor Basra on 16th December 2021.
2. Four of these entries were submitted via a single form on 11th February 2022 for 4 occasional meals with other councillors and guests between November 2021 and February 2022 which were considered social events but declared for transparency.

Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.