

LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE Revising the register of Interests form	
REPORT OF Borough Solicitor	
FOR SUBMISSION TO Standards Committee	DATE 21 October 2024
<p>SUMMARY OF REPORT</p> <p>The Register of Interests form for councillors was last revised in March 2022 following the approval by Council of a new Councillor Code of Conduct. The revised form incorporated the new categories of interests as established in the Code. Following a review of the current form and approach to registering the interests of a councillor's spouse/partner or relevant others, this report recommends the reformatting of the form to enhance openness and provide a reminder to councillors and co-opted Members of their obligations.</p> <p>Local Government Act 1972 – Access to Information</p> <p>No documents that require listing have been used in the preparation of this report.</p> <p>Contact Officer: Cheryl Hardman Principal Committee Officer Camden Town Hall Judd Street London WC1H 9JE 020 7974 1619 cheryl.hardman@camden.gov.uk</p>	
<p>RECOMMENDATIONS</p> <p>That the Committee is asked to:</p> <ul style="list-style-type: none"> (i) Note and comment on the proposed revisions to the Register of Interests form; (ii) Subject to (i) above: <ul style="list-style-type: none"> a. Approve the proposed revised Register of Interests form as set out at Appendix B; 	

- b. Approve the proposed revised Guidance to completing the Register of Interests form as set out at Appendix D;
- c. Request that the Borough Solicitor circulate the revised form and guidance to all Members and co-opted Members, and update existing forms published on the Camden Council website as outlined in paragraph 2.4.

Signed: 
Borough Solicitor

Date: 9 October 2024

1. Purpose of Report

- 1.1. The Register of Interests form for councillors was last revised in March 2022 following the approval by Council of a new Councillor Code of Conduct. The revised form incorporated the new categories of interests as established in the Code. Following a review of the current form and approach to registering the interests of a councillor's spouse/partner or relevant others, this report recommends the reformatting of the form to enhance openness and provide a reminder to councillors of their obligations. For the purposes of this report, a councillor means a Member or co-opted Member.

2. Format of form

- 2.1. Statutory Disclosable Pecuniary Interests are interests of a councillor and their spouse or civil partner, or person with whom the councillor is living as if they were their spouse or civil partner. Councillors are also encouraged to register interests that do not fall under any of the Statutory Disclosable Pecuniary Interest or the Compulsory Registerable Non-Pecuniary Interest categories. These Voluntary Registerable Non-Pecuniary Interests apply to the councillor, their spouse/partner or a relative or close associate. The inclusion of interests related to close family members is of particular relevance to Finance for the disclosure of related party transactions in the end of year accounts.
- 2.2. The Register of Interests form, in paper and online, currently enables councillors to register the interests of their spouse/partner or others under each category by stating where an interest belongs to a spouse/partner or relative/close associate or by simply listing it as one of their own interests without distinction. With regards to the Statutory Disclosable Pecuniary Interests, it is not a statutory requirement to specify that an interest belongs to a spouse/partner as long as the interest is recorded. In law, the pecuniary interest of a councillor's spouse/partner is considered the interest of the councillor.
- 2.3. The Council's standard practice has been to leave it to the discretion of the councillor as to whether they wish to draw a distinction between their interests and those of others. This is a legitimate approach to the registering of Members' interests. However, by explicitly drawing a distinction in the form between the interests of the councillor and relevant others through the use of separate columns, councillors would have a prompt to remind them of their obligations and responsibilities to follow the Seven Principles of Public Life, in particular that of openness. It would also provide clarity to the public, providing reassurance that requirements to register interests were being fully complied with. The sensitive interests provisions in the Localism Act 2011 does allow for details about a registered interest for a spouse/partner to be excluded from the public register where the Monitoring Officer agrees that disclosure could lead to harm or intimidation.

- 2.4. The current Register of Interests form is attached at Appendix A and a proposed revised form with separate columns for the councillors and relevant others' interests is attached at Appendix B. Were the Committee to agree to the revising of the form, the online version would also be reformatted to align with the revisions. Existing interests would be added to the "myself" column unless it stated the interest belongs to another, in which case it would be added to the second column.
- 2.5. Were the Committee to approve a change in format of the Register of Interests form, guidance would also need to be revised and circulated to Members and co-opted Members. The current guidance is attached as Appendix C and a proposed revised guidance is attached at Appendix D.

3. Finance Comments of the Executive Director Corporate Services

- 3.1. There are no financial impacts resulting from this report.

4. Legal Comments of the Borough Solicitor

- 4.1. This is a report of the Borough Solicitor and there are no other legal comments.

5. Environmental Implications

- 5.1. There are no environmental implications.

6. Appendices

Appendix A – Current Register of Interests Form

Appendix B – Proposed Revised Register of Interests Form

Appendix C – Current Guidance to Complete Register of Interests Form

Appendix D – Proposed Revised Guidance to Complete Register of Interests Form

REPORT ENDS