

## STANDARDS COMMITTEE



<b>DATE</b>	<b>7 October 2013</b>
<b>PORTFOLIO</b>	<b>Resources &amp; Performance Management</b>
<b>REPORT AUTHOR</b>	<b>Monitoring Officer</b>
<b>TEL NO</b>	<b>01282 425011 x7140</b>
<b>EMAIL</b>	<b>dwilcock@burnley.gov.uk</b>

## Openness and Transparency on Personal Interests

## PURPOSE

1. To update the Committee on revised guidance to Members issued by DCLG.

## RECOMMENDATION

2. That the position with respect to the Burnley Council Code of Conduct be noted.
3. That the revised guidance be circulated to all Members of the Council and Clerks of each Parish or Town Council in the Borough.

## REASONS FOR RECOMMENDATION

4. To keep the Council's Code of Conduct (the Code) under review.
5. To ensure that Members of the Council receive up to date guidance on the Code of Conduct.

## SUMMARY OF KEY POINTS

6. The (DCLG) has recently published revised guidance on Personal Interests, with respect to membership of a Trades Union. The covering letter from DCLG and the Guidance to which it relates concludes that it is a legal requirement that such membership should be '*registered and declared*'. The Guidance and covering letter is attached to this report as an Appendix.
7. The Monitoring Officer takes the view that as membership of a Trades Union is not prescribed as a Disclosable Pecuniary Interest, there is no enforceable legal power to back compliance with this 'requirement', notwithstanding the inference from DCLG.
8. However, it has long been the position of this Council and the Standards Committee that openness and transparency are key to maintaining public confidence in the office of Councillor. With that in mind, when the Council adopted its new local Code last

year, it continued to be a requirement of the Code that all Members 'Notified' for the purposes of the Register of Members' Interests any '*Membership, general control or management of bodies exercising public functions, charitable purposes or influencing public opinion or policy...including...[a] trade union...*'. This local requirement is backed by the sanctions available to the Council for breach of the Code.

9. In conclusion, whilst the Council's policy position on transparency with respect to Trades Union membership is consistent with the DCLG position, it is important to differentiate the DCLG approach from our own so Members understand how we arrived at the current position.

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

10. None.

#### **POLICY IMPLICATIONS**

11. None.

#### **DETAILS OF CONSULTATION**

12. Not applicable.

#### **BACKGROUND PAPERS**

13. Letter from DCLG dated 20 September 2013.

#### **FURTHER INFORMATION**

**PLEASE CONTACT: Dave Wilcock x7140**

**ALSO:**