

**For General Release**

<b>REPORT TO:</b>	<b>ETHICS COMMITTEE 24 SEPTEMBER 2013</b>
<b>AGENDA ITEM NO:</b>	<b>6</b>
<b>SUBJECT:</b>	<b>UPDATE ON HEALTH AND WELLBEING BOARD MEMBERS' REGISTER OF INTERESTS</b>
<b>LEAD OFFICER:</b>	<b>COUNCIL SOLICITOR, DIRECTOR OF DEMOCRATIC AND LEGAL SERVICES &amp; MONITORING OFFICER</b>
<b>WARDS:</b>	<b>ALL</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> The Council has determined that the Ethics Committee shall be responsible for receiving reports from the Monitoring Officer on matters of probity and ethics for consideration.	
<b>FINANCIAL IMPACT</b> Implementation of the recommendations contained in this report shall be contained within existing budgets	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.:</b> N/A	

**1. RECOMMENDATIONS**

The Committee is asked to:

- 1.1 Note the contents of the report and instruct the Monitoring Officer accordingly.

**2. EXECUTIVE SUMMARY**

- 2.1 Following statutory amendments to the ethics regime, full Council adopted a new Code of Conduct and approved a new register of interests for Members' to complete.

**3. DETAIL**

- 3.1 Under Section 31 of the Localism Act 2011 ("the Act"), a Member or co-opted Member who has a disclosable pecuniary interest (DPI) must register these interests on the register held by the Monitoring Officer.
- 3.2 The Council established the Health and Wellbeing Board (HWBB) on 24 April and members of the Health and Wellbeing Board are regarded as Members of the authority for purposes of declaring and registering their interests under the Localism Act.

- 3.3 The Council is required, by the Localism Act 2011("the Act"), to establish and maintain a Register of Member's Interests. The Register has been established and is maintained by the Monitoring Officer, who holds the hard copy Register which is updated as and when the Monitoring Officer is notified of any changes by Members. Members of the public wishing to view the hard copy register can make arrangements to view it in person by contacting the Monitoring Officer.
- 3.4 In addition, the Council is required to ensure that the Members' Register of Interests is published on the Council's website.
- 3.5 All Members' of the Health and Wellbeing Board, bar one, have now completed their register of interests and the register is now available online. The member who has yet to complete their forms has been advised of the need to register their interests on a number of occasions both verbally by officers and in writing, including by the Head of Democratic Services and Scrutiny on the 9<sup>th</sup> of May, 21<sup>st</sup> of May and 21<sup>st</sup> of August 2013.
- 3.6 It is a criminal offence if, without a reasonable excuse, a Member fails to tell the Monitoring Officer about their disclosable pecuniary interests, either for inclusion on the register when newly elected, co-opted or appointed member, or to update the register if when a Member becomes aware of a disclosable pecuniary interest which is not recorded in the register but which relates to any matter that will be or is being considered at a meeting where that Member is present.
- 3.7 In respect of the member of the Board who has, thus far, failed to register their interests, the Committee is invited to instruct the Monitoring Officer to formally write to the member personally highlighting the requirements to register their interests and requesting compliance.
- 3.8 Given the amount of time which has elapsed between the HWBB being established and compliance by some members of the HWBB, despite numerous verbal and written prompts to comply, the Committee's guidance is sought on how matters of a similar nature might be dealt with in future.

#### **4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 5.1 There are no direct financial implications arising from this report.

#### **5. LEGAL IMPLICATIONS**

- 5.1 As set out in the body of the report.

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#### **CONTACT OFFICERS:**

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Services and Monitoring Officer  
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#### **BACKGROUND DOCUMENTS:**

None