

Date of issue: Tuesday, 3 March 2020

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| MEETING | AUDIT AND CORPORATE GOVERNANCE COMMITTEE |
| DATE AND TIME: | THURSDAY, 5TH MARCH, 2020 AT 6.30 PM |
| VENUE: | COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL |
| DEMOCRATIC SERVICES OFFICER: (for all enquiries) | SHABANA KAUSER 01753 787503 |

SUPPLEMENTARY PAPERS

The following Papers have been added to the agenda for the above meeting:-

* Item 7 was not available for publication with the rest of the agenda.

PART 1

| <u>AGENDA ITEM</u> | <u>REPORT TITLE</u> | <u>PAGE</u> | <u>WARD</u> |
|---------------------------|--|--------------------|--------------------|
| 7. | Revision of the Constitution – Registration of Interests | 1 - 4 | All |

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SLOUGH BOROUGH COUNCIL**REPORT TO:** Audit & Corporate Governance Committee**DATE:** 5 March 2020

CONTACT OFFICER: Sushil Thobhani, Service Lead Governance & Deputy
Monitoring Officer
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WARD(S): All**PART I**
FOR DECISION**REVISION OF THE CONSTITUTION – Registration of Interests****1 Purpose of Report**

The purpose of this report is to advise the Committee of the proposed amended wording of Paragraph 4.1 of the Councillors' Code of Conduct as agreed by the Member Panel on the Constitution and seek the approval of the Committee to place this revision before the Monitoring Officer and full Council for their respective approvals. This amendment was marked 'to follow' on the Revision of the Constitution - Agenda Item 7 (Paragraph 5.3.8)

2 Recommendation to Council

The Committee is requested to approve the revision to the Council's Constitution set out in this Report and to agree to this revision being placed before the Monitoring Officer and full Council for approval.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

The delivery of all these strategic priorities is dependent on the highest possible standards of openness, honesty and accountability. The adoption of the revisions to the Council's Constitution recommended in this report will serve to enhance the delivery of these priorities through good governance procedures.

4 Other Implications**(a) Financial**

There are no direct financial implications arising from this report.

(b) Human Rights Act and Other Legal Implications

There are no Human Rights Acts implications arising from this report. Local Authorities have a statutory duty to prepare, keep up to date and to publicise a constitution, whose contents are partly prescribed by statute and partly matters of local content, within a statutory framework.

Equalities Impact Assessment

There is no identified need for an EIA arising from the subject matter of this Report.

5 **Supporting Information**

- 5.1 At its meeting on 25th February 2020 the Member Panel on the Constitution considered revised wording for Paragraph 4.1 (Registration of Interests) of the Councillors' Code of Conduct. The Panel was advised that the Paragraph, as worded, did not state the legal position clearly. The Panel agreed that it should be reworded to state the legal position with regard what would constitute a criminal offence and that the Monitoring Officer would agree revised wording with the Chair of the Panel. It was agreed that the approval of the Audit and Corporate Governance Committee would be sought at its meeting on 5th March 2020 to place the revision before the Monitoring Officer and full Council for their respective approvals.
- 5.2 The proposed amendment is attached at Appendix 1 with changes shown track changed.

6. **Comments of other Committees**

The amendments proposed in this Report have been considered and approved by the Member Panel on the Constitution.

7. **Conclusion**

The revisions to the Council's Constitution recommended by this Report will enhance good governance by providing an updated, clearer and more robust guide for Members and Officers in the conduct of the Council's affairs.

8. **Background Papers**

None

9 **Appendices**

Appendix 1 Proposed amendments to Paragraph 4.1 of the Councillors' Code of Conduct

PROPOSED AMENDMENT TO PARAGRAPH 4.1 OF THE COUNCILLORS' CODE OF CONDUCT

“4.1 Registration of Interests

You must register in the Council's Register of Members' Interests your Disclosable Pecuniary Interests and your Personal Interests as set out in Appendix 2. You must Do so by writing to the Monitoring Officer within 28 days of :

- Your appointment as a Member of the Council; and
- Any change taking place in your interests

Failure without reasonable excuse to register a Disclosable Pecuniary Interest ~~is~~ A criminal offence as well as a Personal Interest is a breach of this Code”.

Under Section 34 of the Localism Act 2011 it is a criminal offence if a member

- (1) fails without reasonable excuse to inform the monitoring officer of any disclosable pecuniary interests which that member has before the end of the period of 28 days beginning with the day on which he or she became a member or provides information that is false or misleading knowing that the information is false or misleading or is reckless as to whether the information is false and not misleading; or
- (2) fails without reasonable excuse to inform the Monitoring officer of any disclosable pecuniary interests which that member has which are not already registered in the register of members' interests, before the end of the period of 28 days beginning with the day on which he or she is re-elected as a Member or provides information that is false or misleading knowing that the information is false or misleading or is reckless as to whether the information is false and not misleading; or
- (3) fails without reasonable excuse, at any meeting of the Council or of any committee, sub-committee, joint committee or joint sub-committee at which he or she is present, to declare any disclosable pecuniary which that member is aware that he or she has in any matter which is to be, or is being, considered at such meeting or provides information that is false or misleading knowing that the information is false or misleading or is reckless as to whether the information is false and not misleading; or
- (4) fails without reasonable excuse to inform the monitoring officer with 28 days of disclosing any disclosable pecuniary interests at a meeting of the Council or of any committee, sub-committee, joint committee or joint sub-committee if that interest is not registered in the register of members' interests or is not subject to a pending notification or provides information that is false or misleading knowing that the information is false or misleading or is reckless as to whether the information is false and not misleading.

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