



ISLINGTON

Corporate Resources
Town Hall, Upper Street, London N1 2UD

Report of : Director of Corporate Resources

Meeting of	Date	Agenda Item	Ward(s)
Standards	1st February 2007	9	-

Delete as appropriate	Exempt	Non-exempt
------------------------------	---------------	-------------------

If exempt under paragraph 10.4, category (1-15) of the Access to Information rules give reasons. Because: (please delete if not required)

Subject: REGISTER OF MEMBERS' FINANCIAL AND OTHER INTERESTS

1. Synopsis

This report seeks the Committee's views on whether the Register of Members' Financial and Other Interests should be placed on the Council's website for public inspection.

2. Recommendations

That the Committee consider the following options for the publication of the Register of Members' Financial and Other Interests

- (a) The register should be placed on the Council's external website in respect of all Members;
- (b) Individual Members should be allowed to opt out of having their details placed on the web;
- (c) Not to put the Register on-line and continue with the current arrangements of the public having to come into the Town Hall to view the register or
- (d) Allow Members to opt out having their home address on the web if the Monitoring Officer agrees in each case that there is a risk that their safety or that of their family would be compromised.

3. Background

- 3.1 Section 81(1) of the Local Government Act 2000 requires all Members to register their financial and other interests by written notification to the authority's Monitoring Officer. The register follows the prescribed list of areas set out in the Code of Conduct, namely:
- (a) any employment or business carried on by them;
 - (b) the name of the person who employs or has appointed them, the name of any firm in which they are a partner, and the name of any company for which they are a remunerated director;
 - (c) the name of any person, other than a relevant authority, who has made a payment to them in respect of their election or any expenses incurred by them in carrying out their duties;
 - (d) the name of any corporate body which has a place of business or land in the authority's area, and in which the member has a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
 - (e) a description of any contract for goods, services or works made between the authority and themselves or a firm in which they are a partner, a company of which they are a remunerated director, or a body of the description specified in sub-paragraph (d) above;
 - (f) the address or other description (sufficient to identify the location) of any land in which they have a beneficial interest and which is in the area of the authority;
 - (g) the address or other description (sufficient to identify the location) of any land where the landlord is the authority and the tenant is a firm in which they are a partner, a company of which they are a remunerated director or a body of the description specified in sub-paragraph (d) above;
 - (h) the address or other description (sufficient to identify the location) of any land in the authority's area in which they have a licence (alone or jointly with others) to occupy for 28 days or longer;
 - (i) written notification of their membership of or position of general control or management in any -
 - (i) body to which they have been appointed or nominated by the authority as its representative;
 - (ii) public authority or body exercising functions of a public nature;
 - (iii) company, industrial and provident society, charity or body directed to charitable purposes;

(iv) body whose principal purposes include the influence of public opinion or policy; and

(v) trade union or professional association.

Members are also required to update the register within 28 days of becoming aware of any changes. The register also needs to be made publicly available.

- 3.2 The current procedure is that Members are able to fill in the register on-line on the Council's intranet system. Members of the public who wish to view the register can do so by contacting the Head of Democratic Services who makes an appointment for them to view the register in the Town Hall.
- 3.3 This is the procedure followed by the majority of London authorities, although many still only have hard copies of the register.
- 3.4 Following a public question at the Council meeting on 5th December 2006 concerning putting the register on the Council's website, Councillor Allan, in his reply asked this Committee to consider the matter.

Arguments in favour of putting the information on the website.

- 3.5 Making information available on line allows for greater transparency. It could be argued that as Councillors have chosen to stand for public office, they have tacitly agreed that certain aspects of their lives should be open to public scrutiny.
- 3.6 Improving ease of access to information is in line with the Customer Access Strategy being implemented by the Council and it could argued that there is no logic in not making this information available electronically when it is available for public inspection in any event.
- 3.7 So far 13 out of the 32 London boroughs have put their registers on their Council's external website for the public to view. All those authorities that do publish their registers on-line have also been contacted and none reported any problems with the process.
- 3.8 Members of Parliament have their register of interests available on-line. However it is not as detailed as the register for local Councillors, for example, on land and property interest MPs do not have to specify the address just general location like South East England.

Arguments against putting the information on the website

- 3.9 Some of the information required to be disclosed is quite detailed and would amount to personal information within the meaning of the Data Protection Act 1998. While it would be lawful for this information to be disclosed as we are specifically required by the Code to do so, it could be argued that by putting the information on the website which is not such a requirement, we are going further than is necessary and exposing details about people's finances etc in a way which would not be the case if they were available only on inspection by those people who actually want to see them for a reason. By placing the information on the web, it would be more generally accessible, for instance by way of a Google search and could possibly be used by people accessing it for other purposes, including marketing etc.

3.10 By requiring people to declare on the website details of membership of clubs and societies, those people could be open to targeting by opponents of such movements e.g., in the past some Councillors have had their homes targeted by animal rights activists. Currently 2 Liberal Democrat Councillors, 11 Labour Councillors and Councillor Dawson do not give out their home address on the Council's website but use the Town Hall as a contact address.

3.11 The Standards Board for England were asked for their views about putting registers on the internet. They replied as follows:

'As you are aware, under the Local Government Act 2000 local authorities are required to have copies of the registers available for public inspection at an office of the authority. Whilst some local authorities have gone a step further and made the registers available on the internet, this is a matter for each individual local authority to decide as there is no specific requirement on local authorities to publish the registers on the internet. We would of course advise that local authorities have regard to the Data Protection Principles when considering publishing personal details of Members on the internet.'

3.12 The Leaders and Chief Whips of both groups and Councillor Dawson were asked for their views on putting the registers on-line. The Labour Group and Councillor Dawson are both happy for the registers to be published. The Liberal Democrat Group agree in principle to publishing the registers but highlight some of the problems about home addresses outlined above. The matter will be discussed at their next Group meeting on the 29th January and Councillor Stacy will give a verbal report to the Committee on the Group's views.

3.13 If registers were published on-line, they would be put on the web as PDF documents, as with all our Committee information. Every time a Councillor amended their declarations this would automatically be updated and published to the web at the same time.

3.14 If the Committee wanted to give the option to Councillors of not publishing their home addresses or not publishing their register at all this could be accommodated within the existing IT system.

4. Implications

4.1 Financial Implications

The cost of amending the current system to allow information to be automatically updated and possibly home addresses withheld would be in the region of £2,500. This can be met from within existing budgets.

4.2 Legal Implications

The Council must maintain a register of financial and other interests of members, and the register must be open to public inspection (section 81 (1) Local Government Act 2000 and The Local Authorities (Model Code of Conduct) (England) Order 2001). It is a matter for the Council's reasonable discretion whether the register is available on-line and, if so, whether personal details are excluded, having regard to data protection principles.

4.3 Equality Implications

Putting registers on-line would make them easier for the public to view at any time and make declarations more transparent.

5. Conclusion and reasons for recommendations

That the Committee consider whether the Register of Members' Financial and Other Interests should be published on the Council's website and whether they would want to give an opt out to Members of not publishing their home addresses.

Final Report Clearance

Signed by
Director of Corporate Resources Date

Received by
Head of Democratic Services Date

Report author : John Lynch
Tel : 020 7527 3002
Fax : 020 7527 3323
E-mail : john.lynch@islington.gov.uk