

NOT CONFIDENTIAL – for public release

**LINCOLNSHIRE POLICE AUTHORITY
ETHICAL STANDARDS COMMITTEE
4 MARCH 2010**

SUBJECT		REGISTER OF MEMBERS' INTERESTS
REPORT BY	DEPUTY CHIEF EXECUTIVE	
CONTACT OFFICER	JOHN KING, COMMITTEE AND ADMINISTRATION OFFICER TELEPHONE: (01522) 558635	
SUMMARY AND PURPOSE OF REPORT		
To consider whether to publish the registered interests of all 17 members of the Authority and 3 Independent Lay Members of the Ethical Standards Committee on the Authority's web site.		
RECOMMENDATION	That the report be considered.	

A. SUPPORTING INFORMATION

1. BACKGROUND

- 1.1 Under paragraph 12 of the Member Code of Conduct, Members must register in the Authority's Register of Members' Interests (maintained under section 81(1) of the Local Government Act 2000) details of their financial and other personal interests by providing written notification to the Authority's Monitoring Officer. Members are required to keep their declaration up to date by informing the Monitoring Officer of any changes within 28 days of the relevant event.
- 1.2 Under the Authority's Publication Scheme, the Register of Member's Interests must be made available either in an electronic format and/or in hard copy form for public inspection.
- 1.3 Members will be aware that the Authority's new web site was launched earlier this year. The opportunity was taken to publish the Register of Members' Interests along with declarations made for gifts and hospitality. However, the Registered Interests were subsequently removed following complaints from Members who did not want their home address and contact details to be published.
- 1.4 The Chairman of the Authority has invited the Committee to consider whether the Register of Members' Interests should be included on the Authority's website.

2. PUBLISHING MEMBER INTERESTS ON THE INTERNET

2.1 A number of authorities, including North Yorkshire police authority, publish details of Members' Interests on their websites. The home address and contact details of all 9 Councillor Members of the Authority are publicly available on the Lincolnshire County Council website. However there is scope for such information to be withheld if it is deemed appropriate e.g. if the public availability of information could pose a real risk of violence or intimidation against a Member, or put them in breach of a legal obligation of secrecy.

2.2 Standards for England issued the following advice in July 2004 (Bulletin No 20):

"Councils can publish their registers of members' interests online. Previously we had advised councils not to publish members' details online without their consent, based on advice from the Information Commissioner. The Information Commissioner now advises that councils can publish information already in the public domain as they see fit."

2.3 The issue regarding home address and contact information should not detract from the purpose of declaring interests in the Register which is one of openness and transparency. However, the Authority should have due regard to the principles of Data Protection when considering publishing personal details of Members on the internet.

2.4 An on-line Register will not replace the statutory paper version of the Register held by the Secretariat which must continue to be maintained in this way and made available for public inspection on request.

2.5 There are four clear options available to the Committee, which are set out below with reasons for suitability:

(a) Do not publish. The Authority is not obliged to do so but it may be perceived as being unnecessarily guarded about information that many think should be made readily available.

(b) Publish but with the safeguard that individual Members must give their consent first. This will generally improve the public perception of openness on the part of the Authority, although individual Members who refuse their consent may face questions as to why.

(c) Publish names and interests but omit home address and contact details. This option would assuage specific concerns detailed at paragraph (1.3) whilst demonstrating the Authority's commitment to greater openness and transparency.

(d) Publish. This would allow public access to information about all Members' Interests 24 hours a day, rather than just during office hours and is in the spirit of openness and transparency. Whilst personal safety concerns may be heightened by on-line access,

measures are available as outlined at paragraph (2.1) to minimise those concerns.

- 2.6 The Committee is invited to consider the options detailed above and to make a recommendation to the Authority.

B. FINANCIAL CONSIDERATIONS

None specific.

C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS

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.

Article 8 of the Human Rights Act 1998 (right to respect for private and family life) is relevant but any additional interference in having an on-line Register as well as a public Register would be justified as enhancing the openness of local democracy. Personal safety concerns may be heightened by on-line access to the information, but measures are available to minimise those concerns.

D. PERSONNEL, EQUAL OPPORTUNITIES AND DIVERSITY ISSUES

(including any impact or issues relating to Children and Young People under the Every Child Matters (ECM) framework.)

None.

E. RISK MANAGEMENT

Although the information is available in a paper format publishing the Register of Members' Interests on the Authority's website will help to promote openness and accountability and enhance the Authority's reputation.

E. REVIEW ARRANGEMENTS

None planned.

F. LIST OF BACKGROUND PAPERS

Date	Description	File
	None	