

Legal and Property Services
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Report

Subject : Register of Members Interests on Line
Report to : Standards Committee
Date : Monday 21 April 2008
Author : John Crawford

1. Summary:

To determine whether to recommend to Council that the Register of Members Interests ["the Register"] should be published on the Council's website.

2. Background:

This Committee has asked for a report on this matter. It has previously considered this matter. At its meeting on 20th September 2004 it resolved that it should not be published on line as satisfactory arrangements for public scrutiny already existed. A copy of the supporting report is attached as an Appendix.

3. An on line Register?

3.1 For:

- Greater openness
- Easier for Members to keep track of their individual interests
- Immediately accessible service

3.2. Against:

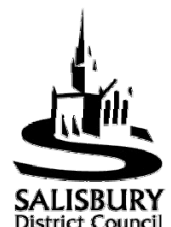
- Risk of public breaching the Data Protection Act 1998 if they publish details without an individual Member's consent
- Whilst the Monitoring Officer can agree that sensitive information that is likely to create a serious risk of violence or intimidation against a Member or someone who lives with them need not be included in the Register unless a Member raises a concern all information on the Register will be accessible on line

4. Options:

- Decline to recommend to Council that the Register should be published on line or
- Recommend to Council that the Register should be published on line



Awarded in:
Housing Services
Waste and Recycling Services



5. Consultation undertaken:

"Prescribed" internal consultees

6. Recommendations:

- Members decide whether to make a recommendation to Council that the Register be published on line

7. Background papers: None – published papers

8. Implications:

- **Financial:** none
- **Legal:** section 81 Local Government Act 2000 requires that the Monitoring Officer keeps a Register for Members and co-opted Members and that copies of the Register are made available for inspection at all reasonable hours. Information contained in the Register is personal data for the purposes of the Data Protection Act 1998
- **Human Rights:** Article 8 [right to respect for private and family life] is likely to be engaged but any additional interference in having an on line Register as well as a public Register would be justified as increasing an open system of local governance
- **Personnel:** creating a webpage would require Officer time
- **ICT:** an additional webpage would have an insignificant impact on capacity
- **Equality and diversity:** an online Register would increase choice of access channels and would give the public access at times convenient to them
- **Community safety:** none identified
- **Environmental:** online access may reduce public requests to photocopy the Register
- **Council's core values:** provide excellent service
- **Wards affected:** all

REPORT

REGISTER OF MEMBERS' INTERESTS ON-LINE

1. Purpose of Report :

To discuss whether Salisbury District Council's Register of Members' Interests should be published on the Council's web site.

2. Background :

2.1 Section 81 of the Local Government Act 2000 requires the Monitoring Officer of each Local Authority to establish and maintain a Register of Interests of the members and co-opted members of their Authority. The Register must be available for inspection by members of the public at all reasonable hours.

2.2 There is no statutory requirement for the Register to be made available on-line.

2.3 The Register of Interests contains personal information within the meaning of the Data Protection Act 1998. There has been some doubt over whether members' consent is needed for publication of the Register on-line and the Standards Board for England has previously suggested that this was the case. However, in their recently issued Bulletin 20 the Standards Board has stated that recent advice it has received from the Information Commissioner is that Councils can publish information already in the public domain on their web-sites. This therefore means that consent of Councillors would not be needed to publish the Register of Interests on-line.

3. Publication of the Register on-line.

It is considered that if the Register is to be published on-line this should be with consent of members and all entries should be published and not just those of the members who consent.

4. Recommendation

It is recommended that the Standards Committee debate this matter and determine a way forward.

5. Background Papers:

The Standards Board for England Bulletin 20.

6. Implications:

- **Financial** : None
- **Legal** : Contained within the Report
- **Human Rights** : None
- **Personnel** : None
- **Community Safety** : None
- **Environmental** : None
- **Council's Core Values** :
- **Wards Affected** : All