



Subject:	Conflicts of Interest
Date:	25 January 2019
Reporting Officer:	John Walsh, City Solicitor and Director of Legal & Civic Services
Contact Officer:	Sarah Williams, Programme Manager Stephen McCrory, Democratic Services Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	The purpose of this report is to establish procedures for noting interests declared following a recent adjudication by the Northern Ireland Local Government Commissioner for Standards.
2.0	Recommendations
	<u>Background</u>
2.1	The Commissioner for Local Government Standards made a number of recommendations in respect of a recent adjudication in relation to a complaint relating to declarations of interest. Analysis of the adjudication has also led the City Solicitor to make recommendations which he believes necessary to assist members to comply with the code.

	<p>You are asked to:</p> <ol style="list-style-type: none"> 1. Agree the recommendations in respect of administrative arrangements for declarations and absence from meetings, to include late arrival at meetings after a matter in which you may have had an interest has been discussed 2. Note that Members must declare interests in relation to the suspension/closing of funding if they have an interest in any active application being considered through that funding stream. 3. Note that the City Solicitor will establish workshop type training for party groups on declarations of interest to enhance members understanding of their obligations
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>Following a recent adjudication by the Northern Ireland Local Government Commissioner for Standards, the City Solicitor wishes to establish a procedure for declarations of interest.</p>
3.2	<p>The adjudication establishes the necessity of not only declaring an interest but also recording the fact that the member has left the room whilst the matter is under consideration. The committee clerk will routinely record the declaration and will also note that those members have left the room for the duration of the discussion on that item. It is necessary not only to declare the interest but the nature of the interest. If a member seeks to rely on a dispensation which would allow them to take part in the discussion then this must also be declared. If a member arrives late to a meeting and an item has been dealt with in respect of which they would have had to declare an interest if present they must make the committee clerk aware of this fact and it will be noted. This will be published with the minute. Members should be alert to checking minutes to ensure that the declarations and absence from the meeting have been properly recorded.</p>
3.3	<p>On the Commissioner's current interpretation of the Code your participation in a decision to close or suspend funding may be perceived as advantaging any active application which you may have promoted or in which you have an interest. Members will be reminded that declarations are required if they have any interest in active applications under consideration. The City Solicitor has written to the Commissioner to seek clarity in respect of this issue and that of dispensations relating to participation in decision making and decisions.</p>

3.4	The rules relating to declarations of interest appear relatively straightforward but are much more complex in their practical application. In addition no meaningful guidance is offered allowing members to know with any degree of certainty those interests which might be deemed to be significant. As members may have various scenarios they wish to explore with regard to their own situations it is suggested that workshop type training be given to groups with particular issues on which advice is sought made known in advance.
3.5	<u>Financial & Resource Implications</u> None.
3.6	<u>Equality or Good Relations Implications/Rural Needs Assessment</u> None.
4.0	Appendices – Documents Attached
	None