

Suffolk Coastal District Council

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Dear Malcolm

Thank you for your email of the 17 January which I received on 21 January and which we discussed over the telephone on 7 February. I said that I would reply in detail to your letter so that the matter could be considered by your Council at its meeting on 14 March.

Can I make a couple of preliminary points to begin with and before I comment fully on the contents of your letter. These are as follows:

1. With reducing resources, the Council has to look at how it operates across all of its practices and procedures, in order to ensure that they are as effective and efficient as possible. With that in mind, we are looking to provide our services electronically, wherever possible.
2. The requirements of the Localism Act 2011 oblige the Council to provide a complete register of members' interests online. That is not only the district councillors' register of interests forms, but also all of the parish councillors' forms. Under the previous standards regime, the Monitoring Officer had to hold paper copies of the forms only. There was not a statutory requirement to publish them online. You can appreciate that with 118 town and parish councils in the district and some 786 parish councillors, this was not an insignificant task to arrange for publication, on line. Therefore, bearing point 1 in mind, we wished to only have only one set of documents, and to hold them electronically. Hence the decision to develop our own, online system, without any paper copies.
- 3 I appreciate that a number of Town and Parish Councils were not happy with a wholly electronic system, initially, but with assistance from staff in the I.T team, and in my team, we have introduced a system which is secure, and, we think, easy to use and accessible. In fact, we have been approached by neighbouring authorities for assistance in setting up the same thing, where they had previously worked with paper copies being scanned in.

- 4 Members can go online and up-date their forms as and when changes occur, therefore, I do not see the need for changes to be reported and minuted, as I note the Parish Council does now.
- 5 I note the previous suggestion which you made to my colleague, Mrs Sandra Lewis, in I.T, about having an automated email sent to the Clerk, to notify them when a councillor has up-dated their online register. I know that Sandra was really pleased to have this suggestion, and said to you that she would consider it. I have spoken with her directly about it, and in fact, Sandra confirms that she has already asked for this change to be made to the eform, system, in the light of your suggestion, so that an alert can be sent to the Clerks as and when changes are made. This change to the eform will be made with the next update. I do not have a timescale from the I.T team at the moment, but I will keep you posted on this, thanks.
- 6 On an associated point, the system already has an alert built in so that if a councillor resigns, and the Clerk removes the councillor's form, our elections team is notified automatically. A notice of vacancy can then be sent to the Clerk, without the need for the Clerk to ring our offices to advise of the vacancy. Therefore, we cannot see why it cannot be adapted to give the alert which you have suggested, helpfully.

Turning to the specific points raised in your letter, I note what was resolved at the full Council to which minute 13.02.01 refers.

I note that Councillors are not updating their records on the on line register of interests database which the Council has provided. Instead, they are doing so via a paper form which is reported to Council and then sent to me.

I note, too, that in accordance with Section 29 of the Localism Act 2011, as your Parish Council has its own website, the register of interests forms are being published there, too.

To do all of this requires seven steps involving at least three people, postage and storage as follows

- a) the Parish Councillor to up-date a paper form
- b) the Parish Councillor to report it to the Parish Council
- c) you to minute it
- d) you to send the paper copy to me by post
- e) you to up-date the Parish Council website
- f) me/my team to up-date the District Council website details
- g) the District Council to store the paper form

This is in comparison to a Councillor simply going online to update the SCDC system, involving one person, and one action. If there is a link on the Melton Parish Council website to the District Council registers, then they are accessible and up-to-date via the Parish Council's website, as well as our own.

Aside from the logistical and resource implications of the seven steps, above, I can see a real issue about transparency and accuracy of the records arising which will not be of assistance to any Councillor, in my view.

If the up-dated paper copies are being scanned and put on the Melton Parish Council website, the District Council records will only be up-dated as and when the paper

version is sent to us, and put on our database. This means that the information will be at variance between the two websites, until the District Council records are updated. One can envisage a situation where the up-dated form may not be sent to the District Council, not received, or perhaps, not input for some time. Therefore, there will be two versions which are not the same. Which is the correct version for members of the public to rely on?

More significantly, you will appreciate that under the Localism Act 2011, it is a criminal offence not to complete the register of interests form or to take part in a debate when a member has a disclosable pecuniary interest. If there was a police investigation into a complaint about these things, there would be an evidential problem. Which register of interests form, the scanned or the electronic, is the correct one and at which date?

For all of these reasons, I think our system is simple, efficient and effective. It is transparent, up-to-date and therefore, accurate. We wish to continue to use it, across the district, and not have paper copies of the forms at all. It would not be sensible or wise from an evidential perspective to have more than one version of the form.

Therefore I would hope that all members of Melton Parish Council will be willing to use it to up-date their forms, and can be prevailed upon to do so, bearing in mind what we have set out to achieve, with a wholly electronic system.

I trust that this is a useful explanation. As I mentioned over the telephone, if it would be of assistance for me to attend a Parish Council meeting to explain my thoughts on this point, I would be willing to do so. Please note, however, that I have a meeting of the Council's Scrutiny Committee to attend on 14 March, so would not be able to do so on that evening, but perhaps another?

Meanwhile, if you have any further queries, please do not hesitate to contact me at the above reference.

Yours sincerely

Hilary Slater
Head of Legal and Democratic Services