

Register of Members' Interests

The Localism Act 2011 requires the council's Monitoring Officer to establish and maintain a register of members' and co-opted members' interests. The register must be available for public inspection at the council's offices and on its website.

The monitoring officer of a 'principal' council (which in Barnsley's case is Barnsley MBC) must also make the register of members' interests for parish councils in its area available for public inspection and on its website. Parish councils must also publish their register on their own website, if they have one.

The council is also required to maintain a members' code of conduct. Barnsley's code was approved by the Council on 5th July 2012. The code of conduct sets out certain financial ('pecuniary') and other ('non-pecuniary') interests that elected members are required to declare to the Monitoring Officer within 28 days of taking up office. This includes the pecuniary and nonpecuniary interests of the elected member's spouse or civil partner. The relevant interests are set out below:

(a) Any employment, office, trade, profession, or vocation, carried on for profit or gain.

(b) Any payment or other financial benefit (other than from the relevant council itself) made to a member to cover expenses incurred in carrying out their duties as a member, or towards their election expenses. This includes any payment or other financial benefit from a trade union, within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(c) Any contract made between the relevant person (i.e. the member, their spouse, or civil partner), or a body in which that person has a beneficial interest, and the relevant authority:

- (i) under which goods or services are to be provided, or works are to be executed; and
- (ii) which has not been fully discharged.

(d) Any beneficial interest in land which is within the area of the relevant authority.

(e) Any tenancy where (to the member's knowledge):

- (i) the landlord is the relevant authority; and
- (ii) the tenant is a body in which the relevant person has a beneficial interest.

(f) Any beneficial interest in securities of a body where:

- (i) that body (to the member's knowledge) has a place of business or land in the area of the relevant authority; and either:

- (ii) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- (iii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

On receipt of any disclosures, pecuniary or non-pecuniary, the Monitoring Officer must enter these in the relevant register of interests.

In addition, the council's code of conduct requires members to declare the following interests, to be added to the register of interests:

- (a) Membership of any body:
 - (i) to which the member is appointed or nominated by the relevant authority;
 - (ii) which exercises functions of a public nature;
 - (iii) which is dedicated to charitable purposes;
 - (iv) has as one of its principal purposes the influence of public opinion or policy (including any political party and trade union).
- (b) Membership of a private club or society.
- (c) Membership of any organisation that promotes secrecy amongst its members.

The Localism Act makes it a criminal offence if a member or co-opted member fails, without reasonable excuse, to disclose relevant interests. It is also a criminal offence to take part in council business at meetings, or act alone on behalf of the council, when prevented from doing so by a conflict caused by a disclosable pecuniary interest. The relevant magistrates' court, upon conviction, can impose a fine of up to level 5 (currently £5000), and issue an order disqualifying the person from being a member of the relevant authority for up to five years.

The borough council's register of interests and relevant parish council registers of interests are available for inspection at Barnsley Town Hall.