STANDARDS COMMITTEE 30 SEPTEMBER 2010

PROTOCOL IN RELATION TO MEMBERS' BUSINESS DEALINGS COUNCILLOR B McCLENNAN AND COUNCILLOR I KAY

Report of the Chief Solicitor

1. **Introduction**

The protocol for Members' business dealings with the Council requires that any Member proposing to enter into a business dealing with the Council should notify the Chief Executive in writing at the earliest opportunity. The Protocol requires that such notifications should be reported to the Standards Committee.

2. **Notices given by Councillor B McClennan and Councillor Ian Kay**

2.1 The purpose of this report is to inform the Committee that notifications have been received by and on behalf of the above named Members.

2.2 The circumstances are that Councillor McClennan is the Chief Executive of Education Business Connections Limited (EBC), a Sunderland based charity. Councillor Kay also undertakes work for the Company on an ad hoc basis. We agreed to meet to discuss their circumstances and to ensure they understood the Council's requirements, following their election in May. Both Councillors also attended a general training session on the Code of Conduct and I have given further advice in writing to Councillor McClennan in response to specific queries.

2.3 Councillor McClennan has been assiduous in giving notice of all contracts and grants between the company and these are included in her register of interests.

2.4 In April before election to the office of Councillor McClennan in her role as Chief Executive of EBC, submitted several tenders for work with the City Council (Commissioned Play and Positive Activity Service). Four tenders were submitted – three for provision of play-based activities in various areas of the city and a fourth for a distinct piece of work around community development. On each of the tenders it was made clear that she was a candidate in the forthcoming elections.

2.5 It has been agreed that Councillor McClennan will state she is a Councillor in all tender documents and grant applications. Further, Sunderland grants/contracts will be managed by her Assistant Chief Executive including delivery and compliance with all contract monitoring requirements. It is considered that these arrangements will minimise contact with Council officers in respect of Councillor McClennan's private business capacity. Further, in the interests of probity and transparency, if in fact she has any personal meetings then

two Council officers will be present and a note taken, a copy of which will be sent to the Chief Executive.

2.6 In relation to grants awarded by the Council since May, I gave appropriate advice to Members of the Area Committees on the need for those Members who were “close associates” of the Councillors to declare personal and prejudicial interests when the application were considered and to enable the issue of potential dispensations to be considered. Those Members concerned did make such declarations and withdrew from the meetings, but in the event there was no need to seek dispensations from this Committee as the numbers involved were fewer than half of the number of Members on the Committee.

3. Recommendations

That the contents of this report be noted.