

LONDON BOROUGH OF TOWER HAMLETS

**MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE
HELD AT 7.30 P.M. ON TUESDAY, 15 SEPTEMBER 2015
MP701, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON E14 2BG**

Members Present:

Matthew William Rowe (Chair)	
Eric Pemberton (Vice Chair)	
Councillor Shah Alam	(Member)
Councillor Sirajul Islam	(Member)
Councillor Abdul Mukit	(Member)
Councillor Andrew Wood	(Member)
Nafisa Adam	(Co-opted Member)
Mike Houston	(Co-opted Member)
Salina Bagum	(Co-opted Member)
Daniel Mc Laughlin	(Co-opted Member)

Observers:

Elizabeth Hall	(Independent Person)
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Apologies:

John Pulford MBE	(Co-opted Member)
Councillor Marc Francis	(Member)
Ezra Zahabi	(2 nd Independent Person)

Officers Present:

Janet Grant	(Legal Services, LPG)
Mark Norman	(Legal Services, LPG)
Elizabeth Dowuona	(Democratic Services Officer, LPG)

WELCOME

The Chair extended a warm welcome to all in attendance. He introduced Mr Daniel McLaughlin, who was in attendance at the Standards Advisory Committee for the first time. Mr McLaughlin's appointment as a co-opted member of the Standards Advisory Committee was for a term of office until February 2019, had been confirmed by Full Council meeting on 25th February 2015.

Mr McLaughlin spoke briefly about his career and the expertise he hoped to bring to the Committee. The Committee noted Mr McLaughlin's extensive professional experience in the field of fraud, corruption and compliance in the business services sector both in the UK and overseas. He also had experience of working in local authority, a lifelong resident and former long-term school governor in Tower Hamlets.

The Chair welcomed Mr McLaughlin on the Advisory Committee and his expertise in relation to the priority expert needs of the Advisory Committee.

APOLOGIES

Apologies for absence were received from Councillor Candia Ronald, Councillor Marc Francis and John Pulford.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING

That the minutes of the meeting held on 14th July 2015 be approved as a correct record of proceedings subject to a minor correction to Daniel McLaughlin's name (Mc be inserted before Laughlin).

3. REPORTS FOR CONSIDERATION

3.1 Annual Report of Investigations Under the Regulation of Investigatory Powers Act (RIPA)

Janet Grant (Enforcement & Litigation, Legal Services) introduced the Annual Report of Investigations under the Regulation of Investigatory Powers Act (RIPA). The report outlined the Council's use of covert investigations under the Regulation of Investigatory Powers Act 2000 ("**RIPA**").

Janet Grant briefly explained that there were circumstances in the discharge of its statutory functions in which it was necessary for the Council to conduct directed surveillance or use a covert human intelligence source for the purpose of preventing crime or disorder.

It was noted that Legal Services had received two requests in the 2015/16 Municipal year for authorisations to carry out directed surveillance or to use covert human intelligence sources (authorisations under Part 2 of RIPA). These requested were being processed albeit one was at an early stage.

It was also noted that both the Regulation of Investigatory Powers Act 2000 ("**RIPA**") and the Council's Enforcement Policy was being amended due to changes in legislation. A report was due to be submitted to Cabinet on 5th January 2016 as part of a Review of the Council's Enforcement Policy.

The annual RIPA report indicated that the Committee would be updated in due course on any enforcement action taken following the single authorisation

granted in 2014/2015. However, those matters had not yet reached a point where a report could be submitted.

The annual report also indicated that training needed to be arranged. This was however yet to be put in place due to difficulties with the previous supplier and the need for alternative arrangements.

Members asked a number of questions and made various comments relating to priorities for the use of RIPA as specified in the Council's enforcement policies, lack of training in 2014/15, comparative analysis of annual returns;

The following points were noted:

- That the aforesaid forthcoming review would include the priorities for using RIPA, as specified in its policies, namely –
 - Anti-social behaviour
 - Fly-tipping
 - Unlawful street vending of DVDs and tobacco
 - Underage sales of knives, tobacco, alcohol and fireworks
 - Fraud, including misuse of disabled parking badges and claims for housing benefit
 - Illegal money-lending and related offending
 - Breach of licences
 - Touting.
- That a bespoke training session had been organised for Members on the RIPA Act 2000 during the year, however, it did not go ahead due to the non-attendance of the approved course provider.

Members underlined the need for enforcement officers to ensure that the appropriate training was provided to both Members and officers on the Council's enforcement policy to ensure that there was targeted enforcement action towards perceived problems, that enforcement action that was inconsistent with the Council's objectives was discouraged and ensure that enforcement action was necessary and proportionate.

- That comparative analysis was necessary to over a period of time identify areas for action. The Chair also saw merit in collating benchmarking information on the use of use of RIPA to feed into a future review of the Council's enforcement policy and considered that it would assist the Committee for officers to undertake such an exercise in the future.
- That there was a need to ensure that the RIPA policy and the Authority's enforcement policies were being used efficiently and effectively.

Action by: Janet Grant (The Head of Legal Services)
Mark Norman (Interim Monitoring Officer)

RESOLVED

1. That the report be noted.
2. That the comments of the Standards Advisory Committee be noted.

3.2 Annual Report of the Independent Person to the Council

Mrs Elizabeth Hall presented the Annual Report of the Independent Person to the Council for 2015/16. The report set out the role of the Independent Person and her appointment to the Council in accordance with the provisions of the Localism Act 2011.

It was noted that the Annual Report would be considered by the Full Council on 16th September 2015 and that it was being submitted to the Standards Advisory Committee ahead of that meeting for information.

The Full Council, on 26 June 2013, approved the following appointments of the Independent Person, Ms Elizabeth Hall and Reserve Independent Person Ms Ezra Zahabi, each for a three-year term starting on 1 July 2013.

Mrs Elizabeth Hall outlined her duties as the Independent Person which included the following:

- To be available for consultation if an allegation of breach of the Members' Code of Conduct is received by the Council;
- Liaise as necessary with the Council's Monitoring Officer to consider complaints against Members and offer his/her impartial views on the case, including any investigations undertaken;
- Advise the Council prior to any decision to investigate an allegation or complaint relating to whether a Member has failed to comply with the Code of Conduct;
- Attend meeting of the Standards Advisory Committee and/or its sub-committees as required;
- Contribute to any review of the operation of the standards arrangements and complaints procedure established by the Council under the provisions of the Localism Act 2011;
- Be consulted by the Council's Monitoring Officer in respect of an allegation against a Member in other circumstances;
- Be consulted by a Member or Co-opted Member of the Council against whom an allegation or complaint had been made.
- The views of the Independent Person would be considered by the Standards Advisory Committee, the body responsible for recommending on the outcome of any complaints and any remedial action.

John Pulford, who could not attend the meeting, sent a written submission welcoming the report and requesting in particular his support for the views expressed in the last paragraph, to be recorded.

It was noted that the report had been submitted for information only. The Chair asked any Member with comments to email them to him directly.

RESOLVED -

That the report be noted.

4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

(i) New Members on the Standards Advisory Committee

The Chair requested that officers arrange induction training for Mr Daniel McLaughlin, newly co-opted Member of the Advisory Committee and the replacement member for Councillor Md Mufti Miah given the change in the political ratio of the Committee as a result of Councillor Md Mufti Miah's current membership on the Council as an Independent Member).

(ii) Work Programme

The Chair suggested that the Committee's standard items remain on the agenda to ensure that update reports were submitted consistently by officers. These were:

- Code of Conduct for Members – Complaints Monitoring
- Code of Conduct for Members - Revised Code and Complaint Handling Arrangements
- Report of Investigations Under the Regulation of Investigatory Powers Act (RIPA)

He asked Members and officers to consider other areas of work within the Committee remit which they would like be incorporated into a work programme:

(iii) Actions requested at the last meeting of the Advisory Committee on 14th July 2015

Item 6.4 Code of Conduct for Members - Revised Code and Complaint Handling Arrangements

- That persistent inappropriate behaviour or use of language which constituted breaches of the Members code of conduct should attract public sanctions.

Letter had been sent out by Meic Sullivan-Gould, Interim Monitoring Officer to all Members;

- That induction should be mandatory to all new Councillors including annual training for Councillors on quasi-judiciary bodies.
- *Training was held on 14 July 2015 attended by Councillors Marc Francis, Candida Ronald, Shah Alam, Mufti Miah, Andrew Wood, and Eric Pemberton, Salina Begum, John Pulford, Nafisa Adam, Michael Houston, Elizabeth Hall and Danny Hassell*
- That political groups could assist their Members by offering guidance in adhering to the Council's code of conduct, probity and the practical demonstration of life Standards in Public Life's Seven Principles (January 2013) and the principle that Elected Persons should comply with the same standards of behaviour that they require of the staff that they employ.

Item 6.5 Members' Attendance, Timesheets and Declaration of Interests: Monitoring Report

- That the Chair write to those Councillors who were not more than three months in arrears with their timesheets, drawing their attention to the importance of timely completion;

Action Completed

Two letters signed by the Chair were sent out on 28 August 2015 by the Service Head Democratic Services. The first was to the twelve councillors most in arrears with their timesheets - sent to Councillors Suluk Ahmed, Mahbub Alam, Shah Alam, Craig Aston, Chris Chapman, Julia Dockerill, David Edgar, Peter Golds, Abjol Miah, Md. Maium Miah, Md. Ansar Mustaquim and Andrew Wood.

- That the Chair and Independent Person on the Standards Advisory Committee meet political group Leaders to discuss the timesheet process and report back on any issues raised.

Action Completed

Chair met with Councillor Peter Golds – (Designated to lead on issues on Probity & Governance). Discussed issue of Conservative Group Members completing time sheets. No response had been received as at the time of this meeting.

- *Second letter sent to political group leaders, inviting them to discuss the timesheet process with Chair and Independent Person on the Standards Advisory Committee.*
- *Chair met with Councillor Peter Golds – (Designated to lead on issues on Probity & Governance). Discussed issue of Conservative*

Group Members completing time sheets and explored the possibility of Agenda Items on Overview & Scrutiny might have implications for the Standards Advisory Committee in terms of probity.

- It was agreed that the Advisory Committee receive further monitoring reports at six monthly intervals.

Action Completed

Next monitoring report due in January 2016.

The meeting ended at 8.30 p.m.

Chair, Matthew William Rowe
Standards (Advisory) Committee