

Meeting of the

# INVESTIGATION AND DISCIPLINARY SUB- COMMITTEE

---

Thursday, 28 July 2016 at 6.30 p.m.

---

## A G E N D A

---

### VENUE

LEGAL SERVICES MEETING ROOM, 6TH FLOOR, TOWN HALL,  
MULBERRY PLACE, LONDON E14 2BG

**Members:**  
To be confirmed

**PLEASE NOTE:**

The main substantive business to be conducted at the meeting is confidential and therefore there is no public right of access to that part of the meeting or to the relevant documents.

The quorum for this body is 3 of the total membership and this must include at least one Councillor and one Co-opted member.

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Matthew Mannion: Democratic Services, 020 7364 4651  
Email: [matthew.mannion@towerhamlets.gov.uk](mailto:matthew.mannion@towerhamlets.gov.uk)



**6. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION**

**6 .1 Code of Conduct for Members - Complaint Reference: 02/2016 9 - 26 All Wards**

To consider the report of the monitoring officer in respect of complaint reference 02/2016.

**7. ANY OTHER RESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

**This page is intentionally left blank**

# Agenda Item 3

## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

**Further advice**

For further advice please contact:-

Melanie Clay, Corporate Director, Law, Probity and Governance. Tel 020 7364 4801

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

| Subject   | Prescribed description  |
|---|---|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain.  |
| Sponsorship                                       | <p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>   |
| Contracts   | <p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>   |
| Land  | Any beneficial interest in land which is within the area of the relevant authority.   |
| Licences  | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.  |
| Corporate tenancies                               | <p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>  |
| Securities  | <p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) 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.</p> |

**This page is intentionally left blank**

# Agenda Item 4.1

|   |  |  |                     |                        |
|---|--|--|---------------------|------------------------|
| Committee:<br><b>Investigation &amp; Disciplinary Sub Committee</b> | Date:<br><b>28 July 2016</b>   | Classification:<br><b>Unrestricted</b> | Report No.<br>01/16 | Agenda Item No.<br>4.1 |
| Report Of:<br><b>Monitoring Officer</b>                             | Title:<br><b>Code of Conduct for Members - Complaint Reference 01/2016</b> |  | Wards Affected: N/A |                        |
| Originating Officer:<br><b>Melanie Clay</b>                         |  |  |                     |                        |

## 1. SUMMARY

- 1.1 This report informs the Sub-Committee of the successful local resolution of complaint reference .

## 2. RECOMMENDATION

- 2.1 That Members note the local resolution of this complaint and agree that this complaint is closed.

**LOCAL GOVERNMENT ACT, 2000 (SECTION 97)  
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS  
REPORT**

| Brief description of "background paper" | Name and telephone number of holder and address where open to inspection |
|---|--|
|---|--|

No unpublished background papers were relied upon to a material extent in the preparation of this report.

### **3. BACKGROUND**

- 3.1 Following the Council meeting held on 20 January 2016, Cllr. Saunders complained about comments made about her by Cllr. Oliur Rahman at that meeting.
- 3.2 Cllr. Saunders complained that during debate at the Council meeting on 20 January, Cllr. Rahman stated that she (Cllr. Saunders) had referred to Tower Hamlets as a 'Corbyn free zone'.
- 3.3 Cllr. Saunders denied ever having made such a comment and made a complaint to the Monitoring Officer as Cllr. Rahman did not retract his remarks when she raised a point of order at the Council meeting.
- 3.4 It is apparent from the webcast of the Council meeting that the comment made by Cllr. Rahman was:
- 'I believe that Cllr. Saunders said that Tower Hamlets is a Corbyn free zone.....'
- 3.5 Cllr. Saunders and Cllr. Rahman have agreed local resolution of the complaint. This was agreed on the basis that Cllr Rahman has in an email to the Deputy Monitoring Officer informed Cllr. Saunders as follows:
- 'On 20 January 2016, at the full Council I said 'I believe Cllr. Saunders said 'Tower Hamlets is a 'Corbyn free zone'. I accept my belief may have been wrong in saying that. I did not directly accuse you. If you watch the video, it will confirm that I said 'I believe'.
- 3.6 The Sub-Committee is therefore asked to note the local resolution of this complaint and agree that the complaint is closed.

### **4. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 4.1 There are no immediate financial implications arising out of this report.

### **5. LEGAL SERVICES COMMENTS**

- 5.1 This report has been prepared by the Monitoring Officer and incorporates legal comments.

**6. RISK MANAGEMENT IMPLICATIONS**

6.1 There are no specific risk management implications arising out of this report.

**7. ONE TOWER HAMLETS IMPLICATIONS**

7.1 There are no specific anti poverty or equal opportunity implications arising out of this report.

**8. SAGE IMPLICATIONS**

8.1 This report has no immediate implications for the Council's policy of strategic action for a greener environment.

**9. CRIME AND DISORDER REDUCTION IMPLICATIONS**

9.1 There are no specific crime and disorder reduction implications arising out of this report.

**10.1 EFFICIENCY STATEMENT**

10.1 This report is not concerned with proposed expenditure, the use of resources or reviewing/changing service delivery and an efficiency statement is not therefore required.

**This page is intentionally left blank**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

**This page is intentionally left blank**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

**Document is Restricted**

**This page is intentionally left blank**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

**Document is Restricted**

**This page is intentionally left blank**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

**Document is Restricted**

**This page is intentionally left blank**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

**This page is intentionally left blank**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

**Document is Restricted**

**This page is intentionally left blank**