

STANDARDS (ADVISORY) COMMITTEE

Thursday, 25 January 2018 at 7.00 p.m.

Room MP702, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG

This meeting is open to the public to attend.

Members:

Chair: John Pulford MBE Vice-Chair: Nafisa Adam

Fiona Browne, Mike Houston, Daniel McLaughlin, Councillor Marc Francis, Councillor Ayas Miah, Councillor Candida Ronald, Councillor Ohid Ahmed, Councillor Muhammad Ansar Mustaquim, Councillor Chris Chapman and Councillor Aminur Khan

Observers:

Elizabeth Hall (Independent Person)

Deputies:

Councillor Asma Begum, Councillor Abdul Mukit MBE and Councillor John Pierce

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

Contact for further enquiries:

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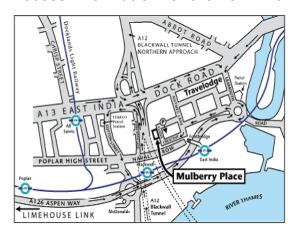
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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST 5-8

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

| 2. | MINUTES OF THE PREVIOUS MEETING(S) | 9 - 14 |
|------|--|---------|
| | To confirm as a correct record the minutes of the meeting of the Standards (Advisory) Committee held on 19 October 2017. | |
| 3. | REPORTS FOR CONSIDERATION | |
| 3 .1 | Alpha Square - Bribery Allegations | 15 - 18 |
| 3 .2 | Code of Conduct for Members - Complaint Monitoring | 19 - 34 |
| 3 .3 | Independent Person - Annual Report to Council | 35 - 40 |
| 3 .4 | Members Timesheets | 41 - 46 |
| 3 .5 | Members Register of Interests | 47 - 52 |
| 3 .6 | Personal Safety - A Guide for Members | 53 - 64 |
| 3 .7 | Work Plan | 65 - 68 |
| 4. | ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT | |
| | | |

5. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

"That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the

meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972."

NOTE: EXEMPT/CONFIDENTIAL SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

6. ANY OTHER EXEMPT/CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT

To consider any other exempt/ confidential business that the Chair considers to be urgent.

Next Meeting of the Committee:

Wednesday, 14 March 2018 at 7.00 p.m. to be held in the Room MP702, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG

Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE INTERIM 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 Interim 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:-

Asmat Hussain, Corporate Director, Governance & Monitoring Officer,

Telephone Number: 020 7364 4800

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 | 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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | 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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| 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 | Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— |
| | (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or |
| | (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. |



STANDARDS (ADVISORY) COMMITTEE, 19/10/2017

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE

HELD AT 7.05 P.M. ON THURSDAY, 19 OCTOBER 2017

COMMITTEE ROOM 1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON E14 2BG

Members Present:

Nafisa Adam (Vice-Chair in the Chair)
Fiona Browne (Co-Optee)
Councillor Marc Francis
Councillor Ohid Ahmed
Councillor Muhammad Ansar Mustaquim
Councillor Aminur Khan

Observers:

Elizabeth Hall – Independent Person (observer)

Apologies:

Mike Houston (Co-Optee)
Daniel McLaughlin (Co-Optee)
Councillor Ayas Miah
Councillor Candida Ronald

Officers Present:

Paul Greeno – (Senior Corporate and Governance Lawyer,

Legal Services)

Mark Norman – (Legal Adviser and Deputy Monitoring

Officer)

Asmat Hussain – (Corporate Director, Governance and

Monitoring Officer)

Antonella Burgio – (Democratic Services)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

That the minutes of the meeting held on 29th June 20107 be approved as a correct record of proceedings.

Matters Relating to the Minutes Raised by Members

Timesheets – A Member noted that the minutes indicated that following the discussion the Committee concluded that the Council's policy is to submit timesheets and reasoned that this position should be maintained unless Council resolves otherwise. The Corporate Director advised that she had not had sight of this policy but believed the approach to be a group requirement. Acknowledging arguments put forward around transparency of member activity it was agreed that the matter would be investigated and that, with the Chair's agreement, the issue would be revisited and a paper brought to a future meeting.

Attendance - Members asked that the inaccurate attendance data relating to two councillors that was published in the report be corrected.

Beverley McKenzie, Head of Members Support and Action by:

Antonella Burgio, Democratic Services Officer.

3. REPORTS FOR CONSIDERATION

3.1 Code of Conduct for Members - Complaint Monitoring and Associated **Matters**

Members:

noted the update provided.

• were informed that an electronic complaint form was now available which would be used to lodge future code of conduct complaints.

Responding to gueries from the Committee, the following information was provided.

Noting the email security issues around the usual email method of correspondence between officers and councillors for those members who did not participate in the Council provided email facility, Members were informed that in the first instance email would remain the Council's primary method of communication. However should officers fail to receive a response, there would be follow up via letter. Officers would be expected to follow up contact.

Concerning the implementation of the new on-line complaint process, the Corporate Director advised that the intention was to receive new complaints via a transparent process. She asked Elected Members to take back the form to their political groups to raise awareness.

Concerning what had prompted the spate of code of conduct complaints, the Committee was informed that there was no analysis available to indicate likely causes.

RESOLVED

That the content of the report and the discussion of the information contained in Appendix 1 be noted.

3.2 Dispensations Under Section 33 of the Localism Act 2011

Members noted:

- That matters related to this area of legalisation had not previously been considered by the Committee.
- That the types of dispensation which may be granted were general dispensations and individual dispensations.
- That a dispensation must be issued before the meeting at which the matter related it will be discussed.
- That a form would be created to assist members to make such requests.

Members discussed areas/matters where dispensations might be applied and felt that there was lack of clarity around dispensations for interests that related to Members' spouses/partners/children/property-leaseholders.

The Corporate Director agreed that a future report be brought to the Committee on dispensations, including those relating to property for the period January 2018 until the Local Elections in May 2018. The Vice-Chair requested that regular periodic reports on use of dispensations also be made to the Committee.

RESOLVED

- 1. That the specific dispensation granted by the Monitoring Officer detailed in paragraph 3.2 of the report be noted.
- 2. That the discussion of the proposed General Dispensation and future arrangements detailed in paragraphs 3.5 to 3.8 of the report be noted.
- 3. That responsibility related to expedited dispensations be delegated to the Chair and Vice-Chair of Standards Advisory Committee in consultation with the Corporate Director for Governance/Monitoring Officer.
- 4. That periodic reports on the use of dispensations be made to Standards Advisory Committee.

3.3 Constitution Review - Member/ Officer Relations' Protocol

Members noted:

- That the report concerned member-officer related matter and the relationships between them.
- That and additional section (Section 4) had been added as a result of the SOLACE programme on organisational culture.
- That the Member/Officer Relations Protocol would, subject to approval by Council, replace the previous protocol. If adopted by Council the protocol would be cascaded to all officers.

Members discussed the report and highlighted the following matters:

- the Committee had requested immediate officer/member protocol and that this matter be prioritised.
- The style of the protocol should be impartial and any emotive language revised.
- There needed to be guidance on what the relationship between Members and political advisors should be and whether these officers should be involved in political business. The Committee was advised that advisors should not be involved in party political business. However this matter would be investigated and guidance provided to Members.
- Political advisors should be exempted from paragraph 7.2 of the protocol.
- The legal framework around the allocation of political advisors.
- Some officers appeared to exhibit a politicised approach in regard to how information was communicated to councillors and this affected Members ability to review decision making. Members asked that there should be opportunity for transparency.
- Councillor behaviour at times did not reflect that expected by the protocol.
- Guidance on Officer Advice (S7) had not been circulated to all The Corporate Director agreed that this would be councillors. addressed.

RESOLVED

- 1. That the recommendation to Council for approval the revised draft Member/ Officer Relations' Protocol at Appendix 1 be endorsed; and
- 2. That it be noted that revised draft Member/ Officer Relations' Protocol has been reviewed at the Standards Advisory Committee on 19th October 2017.

3.4 Gifts and Hospitality

Members noted:

- The revised guidance around gifts and hospitality,
- The new forms for these types of declarations and
- The timescales in which such declarations should be made.

Members discussed the likely circumstances in which receipt of gifts and hospitality should be declared and noted , for transparency, the Corporate Director's advice that a proactive approach should be adopted and it is a requirement to declare where gifts and hospitality have been declined.

RESOLVED

- That the guidance provided to Members attached as Appendix 1 be noted.
- 2. That the Committee receive regular updates on the declarations made by Members.

3.5 Work Plan

Members noted:

- That the plan had been devised to provide a framework for the delivery and monitoring of the Committee's work.
- That the Code of Conduct report would be to be brought to the meeting in January 2018.
- In March 2018 work benchmarking other Standards Committees and their work would be undertaken.

Members were asked to consider when they wished the unscheduled titles in the programme to be brought forward for discussion.

RESOLVED

That the content of the work programme and discussion of the matter be noted.

4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

The Committee

Received the following written report from the Chair: "The Chair had a
meeting on 9 October, 2017 with Place Shaping Team Leader within
the Strategic Planning Department. They agreed the Planning Code of
Conduct should apply to members of the Council's Conservation and
Design Advisory Panel, although not all of the guidance would be
relevant. The Team Leader will seek advice from the Department's
management and will be writing to the Corporate Director,
Governance."

- Received feedback on the Declarations of Pecuniary Interest training delivered to Members in October. The Committee heard that a number of issues had been raised including declarations at regulatory committee meetings. The Corporate Director advised that all councillors would receive letter a responding to the issues raised during the training.
- Noted that in future the Whistleblowing Report will be reported only to Audit Committee.

5. **EXCLUSION OF THE PRESS AND PUBLIC**

The Committee did not resolve to exclude press and public as no exempt reports were considered at the meeting.

ANY OTHER EXEMPT/CONFIDENTIAL BUSINESS THAT THE CHAIR 6. **CONSIDERS URGENT**

Nil items.

The meeting ended at 9.01 p.m.

Vice- Chair, Nafisa Adam Standards (Advisory) Committee

Agenda Item 3.1

| Non-Executive Report of the: | The state of the s |
|--|--|
| Standards (Advisory) Committee | |
| 25 January 2018 | TOWER HAMLETS |
| Report of: Asmat Hussain, Corporate Director, Governance | Classification: Unrestricted |
| Alpha Square - Bribery Allegations | • |

| Originating Officer(s) | Mark Norman, Legal Adviser & Deputy Monitoring |
|------------------------|--|
| | Officer |
| Wards affected | All Wards |

DRAFT

Summary

This report provides background information relating to the bribery allegations in connexion with a planning application by the Far Eastern Consortium International (FECI) for a proposed major building development at Alpha Square in the Canary Wharf ward of Tower Hamlets as reported in the Sunday Times newspaper on 10 December 2017. In the event the planning application was rejected by the Strategic Development Committee in February 2016 and subsequently determined by the Mayor of London.

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Consider and note the content of this report.

1. REASONS FOR THE DECISIONS

1.1 Not applicable this report is for noting.

2. ALTERNATIVE OPTIONS

2.1 Not applicable this report is for noting.

3. <u>DETAILS OF REPORT</u>

- 3.1 At the end of November 2015, the Council's elected Mayor was first made aware by a whistleblower associated with FECI of allegations of potential bribery in connection with the Alpha Square planning application involving elected Members. There was limited information and the Mayor referred the matter to the Chief Executive and the Council's then Monitoring Officer, Ms Melanie Clay.
- 3.2 The Monitoring Officer conducted initial enquiries and more information became available to her between December 2015 and April 2016. On the basis of the information available to her, the Monitoring Officer decided that assistance would be required from forensic accountants in order to determine how best to deal with the allegations.
- 3.3 In May 2016 competitive quotations were obtained from three specialist external providers of forensic accounting and investigatory services. Ernst & Young (EY) were appointed on 7 June 2016 to review the allegations. Having interviewed two whistleblowers EY advised that the Monitoring Officer should consult with legal counsel experienced in bribery and corruption cases to provide advice (including as to the appropriate investigating authority) and report the matter to law enforcement as soon as possible.
- 3.4 The Council sought advice on the matter from Michael Bowes QC. Mr Bowes is a Deputy High Court Judge and is highly regarded as an expert in civil and criminal 'cross-over' work. His initial advice on 28 June 2016 in conference was that recordings and other material held by the whistleblowers should be obtained and held in secure conditions by EY.
- 3.5 Subsequently EY obtained the recordings and other material which counsel reviewed in July 2016. Having reviewed the evidence counsel provided written advice which contains sensitive material and remains confidential and subject to legal professional privilege.
- 3.6 Having regard to the advice provided by counsel, on 4 August 2016 the Chief Executive made a written report of the allegations to the Serious Fraud Office (SFO); in addition the allegations and all matters pertaining were restricted to a very small group on a "need to know" basis and there was no further internal investigation into the allegations to avoid the risk of potential prejudice to a criminal investigation.

- 3.7 On 28 September 2016 the SFO advised the Chief Executive that they had referred the matter to the National Crime Agency (NCA).
- 3.8 The Monitoring Officer has contacted the NCA who have advised that it would be inappropriate for the Agency to comment further on the matter at this stage. On 21 December 2017 the Mayor and Chief Executive wrote to the Director General of the NCA seeking to establish a constructive dialogue with the Agency so that the Council can carry out its necessary governance functions in relation to the allegations in a way which does not interfere with any ongoing criminal investigation.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 This is a noting report and as such there are no financial implications arising from this report. Costs associated with conducting the investigations referred to in the report have been met through Council Contingencies.

5. LEGAL COMMENTS

5.1 Any compliance or governance issues arising out of the allegations should be addressed once the extent of any criminal investigation has been determined by the NCA and in such a manner as not to prejudice any such investigation.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 This is a noting report with no immediate implications for One Tower Hamlets which will be assessed once any criminal and/or internal investigation is complete.

7. BEST VALUE (BV) IMPLICATIONS

7.1 This is a noting report with no immediate best value implications which will be assessed once any criminal and/or internal investigation is complete.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

8.1 This is a noting report with no immediate SAGE implications which will be assessed once any criminal and/or internal investigation is complete.

9. RISK MANAGEMENT IMPLICATIONS

9.1 The bribery allegations were reviewed by Ernst & Young who interviewed two whistleblowers and secured potential evidence which has been provided to the SFO and the NCA. The Council is seeking to establish a constructive dialogue with the NCA so that it can carry out its governance functions whilst minimising the potential prejudice to any ongoing criminal investigation.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

| 10.1 | The bribery allegations are currently being considered by the NCA and may be subject to a future criminal prosecution. |
|--------|--|
| Linke | d Reports, Appendices and Background Documents |
| Linke | d Report |
| | NONE. |
| Appe | ndices NONE |
| | cal Government Act, 1972 Section 100D (As amended) st of "Background Papers" used in the preparation of this report |
| | NONE |
| Office | er contact details for documents: |
| | N/A |
| | |
| | |
| | |

Agenda Item 3.2

Non-Executive Report of the:

Standards (Advisory) Committee

25 January 2018

Classification:
Unrestricted

Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer

Code of Conduct for Members - Complaint Monitoring

| Originating Officer(s) | Mark Norman, Legal Adviser & Deputy Monitoring |
|------------------------|--|
| | Officer |
| Wards affected | (All Wards); |

Summary

Appendix 1 to this report updates the Advisory Committee on the quarterly monitoring information for complaints and investigations relating to alleged breaches Council's Code of Conduct for Members.

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Note the content of this report and consider the information contained in Appendix 1.

1. REASONS FOR THE DECISIONS

1.1 The Council's arrangements for dealing with complaints of breach of the Code of Conduct for Members (paragraph 11) provide for the Monitoring Officer to report quarterly (or less frequently if there are no complaints to report) to the Advisory Committee on the number and nature of complaints received and action taken as a result.

2. <u>ALTERNATIVE OPTIONS</u>

2.1 Not applicable.

3. DETAILS OF REPORT

3.1 The Advisory Committee last considered a monitoring report at its meeting on 19 October 2017. Since that meeting an additional 7 complaints have been received and the updated monitoring information is contained in Appendix 1 to this report.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 This is a noting report and thus there are no financial commitments arising from the recommendations within the report.

5. LEGAL COMMENTS

- 5.1 The principal statutory provisions relating to standards of conduct are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by Members and Co-opted Members of the authority.
- 5.2 Sections 27 and 28 of the Localism Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about an alleged breach of the Code that has been investigated.

6. ONE TOWER HAMLETS CONSIDERATIONS

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

7. BEST VALUE (BV) IMPLICATIONS

7.1 The Council's arrangements for dealing with complaints of breach of the Code of Conduct for Members were revised in December 2016 to improve the transparency and efficiency of the process.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

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

9. RISK MANAGEMENT IMPLICATIONS

9.1 The provision of quarterly reports relating to the number and nature of complaints assists the Advisory Committee in exercising its oversight role in terms of promoting and maintaining high standards of conduct.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

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

Linked Reports, Appendices and Background Documents

Linked Report

NONE.

Appendices

Appendix 1 Complaints and investigation monitoring information

Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report

NONE

Officer contact details for documents:

N/A



Appendix 1: Code of Conduct for Members - complaints and investigation monitoring information

| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and investigation status | Hearing and out- come | Current status | Follow up |
|---------------------|---|---------------------------|-----------------------------------|---|---|---|-----------------------------|---|--|
| 001/2017 | April 2017 | Clear Up Project Board | Elected Member | Failure to declare interests and potential housing benefit irregularities. | N/A | | | Referred by internal auditors to DWP | |
| 002/2017 Page 23 | April 2017 | Clear Up Project Board | Elected Member | Alleged purchase of meals using Council budget without prior approval. Possible contravention of previous Code: 3.4 Disrepute. 3.5 (b) Improper use of Council resources. | 20.07.17 agreed with IP letter to councillor and no further investigation but MO also to report to IDSC for view | N/A | N/A | IDSC 21.09.17 agreed with proposal for letter and no further invest- igation. | Letter sent 27.09. 17 Closed |
| 003/2017 | April 2017 | Clear Up Project Board | Elected Member | Alleged undue influence of audit failure to register interests. Possible contravention of previous Code: 3.4 Disrepute. 8.1 Failure to register interests. | 20.07.17 agreed with IP letter to councillor and no further investigation but MO also to report to IDSC for view. | N/A | N/A | IDSC 21.09.17 agreed with proposal for letter and no further invest- igation. | Letter sent 27.09. 17 Closed |

| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and investigation status | Hearing and out- come | Current status | Follow up |
|---------------------|---|---------------------|-----------------------------------|--|--|---|-----------------------------|-------------------|--------------|
| 004/2017 Page 24 | 3 July 2017 | Member of Public | Elected Member | Alleged inappropriate conduct at meeting between local resident and councillor after a fire in residential block. Possible contravention of the Code: 2.2 Seeking to disadvantage complainant. 2.9 Not promoting equality and not treating complainant with respect. | 08.09.17 agreed with IP further preliminary enquiries required of potential witnesses. 19.10.17 Further meeting with IP to discuss outcome of preliminary enquiries and agreed NFA. | N/A | N/A | Closed | Closed |

| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and investigation status | Hearing and out- come | Current status | Follow up |
|---------------------|---|-----------------|-----------------------------------|--|--|--|-----------------------------|-------------------|--------------|
| 005/2017 Page 25 | 13 July 2017 | Poplar HARCA | Elected Members x2 | Alleged inappropriate conduct of councillors after fire in residential block. Possible contravention of the Code: 2.9 Failure to treat local residents with respect. 2.10 Failure to promote high standards by leadership and example. | IP potential conflict and withdrew from considering the complaint. Referred for investigation by MO following discussion with Deputy MO. | 02.10.17 Invest-igation underway. Janet Fasan DD Legal Services investigator. | | | |

| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and investigation status | Hearing and out- come | Current status | Follow up |
|---------------------|---|---------------------------|-----------------------------------|---|---|---|-----------------------------|---|--------------|
| 006/2017 Page 26 | 25 August 2017 | Member of Public | Elected Member | Alleged inappropriate content and circulation of video. Potential contravention of the Code: 2.9 Failure to treat with respect. 2.10 Failure to promote high standards by leadership and example. | 08.09.17 agreed with IP explore potential for local resolution of complaint. | N/A | N/A | Local resolution being pursued emails sent by MO to complainant 09.10.17 and 23.10.17. Further email and letter sent on 02.11.17. No replies. | Closed |
| 007/2017 | 5 April 2017 | Clear Up Project Board | Elected Member | Alleged failure to register interests in contravention of the current Code and the previous Code of Conduct. | 06.12.17 agreed with IP letter to councillor and no further investigation but MO also to report to IDSC for view. | | | MO met with councillor on 03.10.17 for initial comments. Awaiting IDSC. | |

| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and investigation status | Hearing and out- come | Current status | Follow up |
|---------------------|---|----------------|-----------------------------------|---|---|--|-----------------------------|-------------------|--------------|
| 008/2017 Page 27 | 8 September 2017 | Local Business | Elected Member | Alleged inappropriate conduct in communications with local business. Potential contravention of the Code: 2.2 Seeking to disadvantage complainant and confer advantage on another business. 2.7 Improper use of Council resource. | 11.10.17 MO met with councillor and obtained initial comments on complaint 19.10.17 MO agreed with IP to refer complaint for investigation. | 16.11.17 Invest-igation underway. Legal Services Team Leader – Enforcement & Litigation investigator. | | | |

| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and investigation status | Hearing and out- come | Current status | Follow up |
|---------------------|---|----------------|-----------------------------------|--|---|---|-----------------------------|---|--------------|
| 009/2017 Page 28 | 16 October 2017 | Elected Member | Elected Member | Alleged inappropriate conduct and potential contravention of the Code: 2.9 Not promoting equality and not treating another with respect. 2.10 Failure to promote high standards by leadership and example. | 19.10.17 MO agreed with IP that complainant should be required to complete conduct complaint form. Further meeting with IP arranged for 23.01.18. | | | 19.10.17 Complainant submitted complaint form also requests anonymity. 08.11.17 and 08.12.17 MO email to complainant anonymity not appropriate and asking to confirm wants to proceed. 05.01.18 confirmed to proceed. | |
| Reference | Date received | Complainant | Elected/Co- | Nature of Complaint | Date and | Date | Hearing | Current | Follow |

| number | by Monitoring Officer | | opted Member(s) | and potential breach(es) of the Code of Conduct | outcome of consultation with IP | investigation commenced and investigation status | and out- come | status | ир |
|---------------------|--------------------------|----------------|--------------------|---|---|--|------------------|---|---------------|
| 010/2017 Page 29 | 13 November 2017 | Elected Member | Elected Member | N/A conduct complaint form not submitted. | N/A conduct complaint form not submitted. | | | 22.11.17 MO email acknowled- ged complaint and asked complain- ant to complete conduct complaint form. No reply. 08.12.17 MO email repeated request to complete form. No reply. | Closed NFA |
| Reference | Date received | Complainant | Elected/Co- | Nature of Complaint | Date and | Date | Hearing | Current | Follow |

| number | by Monitoring Officer | | opted Member(s) | and potential breach(es) of the Code of Conduct | outcome of consultation with IP | investigation commenced and investigation status | and out- come | status | up |
|---------------------|---|---------------------|-----------------------------------|--|---|--|-----------------------------|---|--------------|
| 011/2017 Page 30 | 20 November 2017 | Member of Public | Elected Member | Inappropriate circulation of election leaflet. Potential contravention of the Code: 2.1 Lack of integrity 2.2 Not acting solely in the public interest 2.3 Not-operating fully and honestly with any scrutiny appropriate to the office of councillor. | 06.12.17 MO and IP initial discussion awaiting initial response from councillor. Further meeting with IP arranged for 23.01.18. | | | MO met with councillor to obtain initial response to complaint on 05.01.18. | |
| 012/2017 | 12 December 2017 | Member of Public | Elected Member | Awaiting completed conduct complaint form. | Meeting with IP arranged for 23.01.18. | | | MO met with councillor to obtain initial response on 05.01.18. | |
| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and | Hearing and out- come | Current status | Follow up |

| 013/2017 | 10 December | Member of | Elected | Alleged inappropriate | Meeting with | investigation status | | MO met | |
|---------------------|---|-------------|-----------------------------------|---|--|----------------------------------|-----------------------------|---|--------|
| Page 31 | 2017 | Public | Member | conduct at a local consultation meeting. Potential contravention of the Code: 2.2 Not acting solely in the public interest. 2.9 Not promoting equality and not treating complainant with respect. 2.10 Failure to promote high standards by leadership and example. | IP arranged for 23.01.18. | | | with councillor to obtain initial response to complaint on 05.01.18 | |
| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and | Hearing and out- come | Current status | Follow |

| | | | | | | investigation status | | | |
|---------------------|---|-------------------------|-----------------------------------|---|--|----------------------------------|-----------------------------|--|--------|
| 014/2017 Page 32 | 14 December 2017 | Member of the Public | Elected Member | Alleged inappropriate conduct at a local consultation meeting. Potential contravention of the Code: 2.2 Not acting solely in the public interest. 2.9 Not promoting equality and not treating another with respect. 2.10 Failure to promote high standards by leadership and example. | Meeting with IP arranged for 23.01.18. | | | MO met with councillor to obtain initial response to complaint on 05.01.18 | |
| Reference number | Date received by Monitoring Officer | Complainant | Elected/Co- opted Member(s) | Nature of Complaint and potential breach(es) of the Code of Conduct | Date and outcome of consultation with IP | Date investigation commenced and | Hearing and out- come | Current status | Follow |

| MO met with |
|-------------|
| |
| councillor |
| to obtain |
| initial |
| response |
| to |
| complaint |
| on |
| 05.01.18. |
| Conduct |
| complaint |
| form not |
| yet |
| completed. |
| completed. |
| |
| |

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Agenda Item 3.3

| Non-Executive Report of the: | Trong . | | | | |
|--|---------------------------------|--|--|--|--|
| Standards (Advisory) Committee | | | | | |
| 25 January 2018 | TOWER HAMLETS | | | | |
| Report of: Asmat Hussain - Corporate Director, Governance | Classification: Unrestricted | | | | |
| Independent Person - Annual Report to Council | | | | | |

| Originating Officer(s) | Mark Norman – Legal Adviser & Deputy Monitoring | | | | |
|------------------------|---|--|--|--|--|
| | Officer | | | | |
| Wards affected | All Wards | | | | |

Summary

The Independent Person is appointed by the Council in accordance with the provisions of the Localism Act 2011 to undertake duties in connection with the consideration of any complaints of alleged breach of the Code of Conduct for Members by the Mayor, a Member or Co-opted Member of the Council.

The Council's Independent Person is Elizabeth Hall and her annual report to the Council for 2017 is attached as Appendix A to this report.

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Consider and note the attached report.

1. REASONS FOR THE DECISIONS

1.1 The Advisory Committee is recommended to consider and note the attached report which was included as an agenda item for the Council meeting on 17 January 2018.

2. **ALTERNATIVE OPTIONS**

2.1 Not applicable.

3. **DETAILS OF REPORT**

- 3.1 Under the Localism Act 2011, the Council must promote and maintain high standards of conduct by Members and Co-opted Members of the authority. The Act also requires the Council to adopt a Code of Conduct for Members and put in place arrangements for dealing with any allegation that a Member or Co-opted Member has breached the Code.
- 3.2 In December 2016, the Council agreed a revised Code of Conduct for Members and revised arrangements for dealing with allegations of breach of the Code.
- 3.3 In accordance with the Localism Act 2011, the Council's arrangements include the appointment of at least one independent person whose views must be sought and taken into account by the authority before it makes a decision on any alleged breach of the Code which has been referred for investigation. In addition the Council's adopted arrangements provide for the views of the independent person to be sought before a decision is taken about whether an alleged breach of the Code should be referred for investigation.
- 3.4 The view of the Independent Person may also be sought by a Member or Coopted Member who has been complained about and by the Monitoring Officer in any other circumstances s/he considers appropriate.
- 3.5 The Independent Person attends the Advisory Committee and contributes to any review of the arrangements agreed by the Council to comply with the requirements of the Localism Act 2011.
- 3.6 Elizabeth Hall was appointed as Tower Hamlet's Independent Person by the Council in 2013 and her term of office will expire in June 2018. Ms Hall's annual report for 2017 is attached as Appendix A and will be considered by Council on 21 March 2018.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 There are no financial implications arising from the recommendations within this report.

5. **LEGAL COMMENTS**

- 5.1 The Localism Act 2011 introduced new arrangements to regulate standards of conduct by local authority Members and Co-optees. A key element of the arrangements is the appointment of at least one Independent Person.
- The Independent Person must be appointed following a public advertisement and recruitment process and her/his appointment must be confirmed by the majority of Councillors at a full Council meeting. As indicated in paragraph 3.3 above it is also a statutory requirement for the views of the Independent Person to be sought and taken into account by the authority before it makes a decision on any alleged breach of the Code which has been referred for investigation.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 There are no specific implications for One Tower hamlets arising from this report.

7. BEST VALUE (BV) IMPLICATIONS

7.1.1 There are no specific best value implications arising from this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no sustainable action for a greener environment implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There is a statutory requirement to appoint at least one Independent Person. A second Independent Person has now also been recruited. This will ensure the efficient operation of the Council's arrangements for dealing with alleged breach of the Code and that the Council is able to comply with statutory requirements in cases where the Independent Person is unable to act or has a potential conflict of interests.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no specific crime and disorder reduction implications arising from this report.

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

• Appendix A – Annual Report of the Independent Person 2017.

Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report
List any background documents not already in the public domain including officer contact information.

None

Officer contact details for documents:

N/A

Independent Person

2017 Annual Report to the Council

I was appointed as Independent Person (IP) in July 2013 for a three year term, in accordance with the Localism Act 2011; my term was subsequently extended by two years. I made my last report to the Council in September 2016.

Since then, we sadly lost the then Monitoring Officer (MO), Melanie Clay, in November 2016. I am delighted however that the Council appointed Asmat Hussain to that role a few months ago; I am very pleased to see how she is introducing a more systematic approach to complaints in relation to the Code of Conduct. It is also very pleasing that the new Code of Conduct complaints regime itself seems to have settled down and to be working well. In particular, incidents of poor behaviour are now being handled by local resolution and with input from Group Leaders and party whips, as they properly should be.

Since my last report there were no substantive complaints until the second half of 2017, when a number of cases have been coming forward on which I have been consulted. Some of these present serious allegations, on which, with my support, the MO has taken further action. (Complaints are reported quarterly to the Standards (Advisory) Committee by the MO).

Earlier in the year there were two historical cases with Code of Conduct elements which stemmed from the Clear Up Project; the substantive issues in both cases had been pursued and resolved and, given the lapse of time, the MO and I did not feel that it would be in the public interest to expend resources on further investigation. This was endorsed by the Investigation & Disciplinary Sub-Committee of the Standards (Advisory) Committee.

I very much welcome the way in which the Code of Conduct regime has been further strengthened, such as the seminars for Members. I hope that the importance of visibly high ethical standards is now firmly embedded, and that the Standards Advisory Committee will have greater prominence in its monitoring role.

My term of appointment will come to an end next July, when I shall submit a final report.

Elizabeth Hall

December 2017

Agenda Item 3.4

| Non-Executive Report of the: | |
|---|---------------------------------|
| Standards (Advisory) Committee | |
| 25 January 2018 | TOWER HAMLETS |
| Report of: Asmat Hussain, Corporate Director Governance | Classification: Unrestricted |
| Members' Timesheets Report | |

Members' Timesheets Report

| Originating Officer(s) | Beverley McKenzie , Head of Members' Support |
|------------------------|--|
| Wards affected | All |

Summary

This report updates the Committee on the requirement of Members' to complete timesheets and monitors the current submission of timesheets.

Recommendations:

The Standards (Advisory) Committee is recommended to:

- 1. Note the decision of the Governance Review Working Group to cease the requirement to submit timesheets.
- 2. Agree there is no requirement for this committee to monitor reports Members' timesheets.
- 3. Note the updated position for the submission of timesheets by Councillors and automatic publication of the attendance of Members at meetings.

1. REASONS FOR THE DECISIONS

- 1.1 The former Standards Committee received regular monitoring reports on the completion of the Members' timesheets and attendance by Members at Council and other formal meetings. This was considered at the time good practice and the most suitable way to enhance transparency and accountability of the elected Members at Tower Hamlets.
- 1.2 Following the decommissioning of the Standards Committee in July 2012, the Standards Advisory Committee (SAC) continued to receive regular reports on the completion and submission of the timesheets. It is however, noted that such activity is outside of the current agreed terms of reference for the SAC.
- 1.3 There is no statutory requirement for Members to report on their democratic activities nor does the submission of timesheets affect the Basic or Special Responsibility Allowances paid to Members.

- 1.4 In March 2016, at the Governance Review Working Group all group Leaders unanimously agreed to no longer require the submission of timesheets, and each political group were responsible to implement their own processes. The Labour group continue to submit their timesheets. Officers have continued to publish the details of all timesheets received on the Council website.
- 1.5 The validity of the data submitted by the Members on their timesheets is subjective, and Members are not required to provide supporting evidence.
- 1.6 Members' meeting attendance is reported in the official committee minutes and this is also included as a summary record for each member on their individual web page.

2. ALTERNATIVE OPTIONS

2.1 The Standards Advisory Committee may wish to continue to monitor the submission of timesheets and note those Members that opt to not submit a timesheet and encourage them to participate in this voluntary activity.

3. DETAILS OF REPORT

Timesheets – Current Position

3.1 In relation to the submission of timesheets the current position, as at 12th January 2018 and set out in Appendix 1 attached, is that 2 Members (4% of the total) have completed their timesheets up to and including November 2017. 42 Councillors (93%) are more than 3 months in arrears. An updated schedule will be tabled at the meeting to advise on the current position.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 There are no direct financial implications arising from this report.

5. LEGAL COMMENTS

- 5.1 Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. Each local authority must publish a code of conduct, and it must cover the registration of pecuniary interests, the role of an 'independent person' to investigate alleged breaches, and sanctions to be imposed on any councillors who breach the code. There is no requirement that it must include completion and submission of timesheets by members.
- 5.2 In the absence of any statutory requirement to complete and submit and as the Council's Code of Conduct for Members does not address this, the completion and submission of timesheets by members is discretionary rather than mandatory.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 There are no specific implications for One Tower Hamlets arising from the proposals in this report.

7. <u>BEST VALUE (BV) IMPLICATIONS</u>

7.1 The Committee meeting software provides an automated return on the Members attendance at meetings. This is published to the Members webpage and enables accountability to the electorate.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no implications arising directly from this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no risk management implications arising directly from this report.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 This report has no immediate implications for Crime and Disorder.

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

Appendix 1 – Members' Timesheet Monitoring report

Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report

None

Officer contact details for documents:

Beverley McKenzie, Head, Members Support 020 7364 4872



| | Member Timesheet Submission | | | | | | | | | | |
|--------------------|-----------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|--|--------------------|
| Political Group | Councillor | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 | Jun-17 | May-17 | Apr-17 | Total Submitted |
| Conservative | Councillor Craig Aston | | | | | | | | | | 0 |
| Conservative | Councillor Chris Chapman | | | | | | | | | | 0 |
| Conservative | Councillor Andrew Cregan | | | | | | | | | | 0 |
| Conservative | Councillor Julia Dockerill | | | | | | | | | | 0 |
| Conservative | Councillor Peter Golds | | | | | | | | | | 0 |
| Conservative | Councillor Andrew Wood | | | | | | | | | | 0 |
| Independent | Councillor Shafiqul Haque | | | | | | | | | | 0 |
| Labour | Councillor Khales Uddin Ahmed | | | | 24/10/2017 | 22/09/2017 | 25/09/2017 | 25/09/2017 | 26/09/2017 | 26/09/2017 | 6 |
| Labour | Councillor Rajib Ahmed | | | | 24/10/2017 | 02/11/2017 | 31/10/2017 | 24/10/2017 | 02/11/2017 | 31/10/2017 | 6 |
| Labour | Councillor Sabina Akhtar | | | | | | | | | | 0 |
| Labour | Councillor Amina Ali | | | | | | | | | | 0 |
| Labour | Councillor Asma Begum | | | | 07/11/2017 | 07/11/2017 | 07/11/2017 | 14/07/2017 | 14/07/2017 | 14/07/2017 | 6 |
| Labour | Councillor Rachel Blake | | | | 07/11/2017 | 07/11/2017 | 07/11/2017 | 07/11/2017 | 19/10/2017 | 19/10/2017 | 6 |
| Labour | Councillor Dave Chesterton | | | | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 6 |
| Labour | Councillor David Edgar | | | | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 6 |
| Labour | Councillor Marc Francis | 10/01/2018 | 11/01/2018 | 02/11/2017 | 13/10/2017 | 07/09/2017 | 11/08/2017 | 29/06/2017 | 29/06/2017 | 30/06/2017 | 9 |
| Labour | Councillor Amy Whitelock Gibbs | | | | 18/10/2017 | 18/10/2017 | 18/10/2017 | 18/10/2017 | 18/10/2017 | 18/10/2017 | 6 |
| Labour | Councillor Clare Harrisson | | 05/12/2017 | 21/11/2017 | 19/10/2017 | 22/09/2017 | | 25/07/2017 | 08/06/2017 | 11/05/2017 | 7 |
| Labour | Councillor Danny Hassell | 03/01/2018 | 06/12/2017 | 02/11/2017 | 13/10/2017 | 05/09/2017 | 05/09/2017 | 12/07/2017 | 01/06/2017 | 08/05/2017 | 9 |
| Labour | Councillor Sirajul Islam | | | | 18/10/2017 | 17/10/2017 | 17/10/2017 | 17/10/2017 | 12/06/2017 | 12/06/2017 | 6 |
| Labour | Councillor Denise Jones | | | | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 19/10/2017 | 6 |
| Labour | Councillor Aminur Khan | | | | | | | | | | 0 |
| Labour | Councillor Shiria Khatun | | | | | | | | | | 0 |
| Labour | Councillor Ayas Miah | | | | | | | | | | 0 |
| Labour | Councillor Abdul Mukit MBE | | | | | | | | | | 0 |
| Labour | Councillor Joshua Peck | | | | 02/01/2018 | 02/01/2018 | 02/01/2018 | 02/01/2018 | 02/01/2018 | 02/01/2018 | 6 |
| Labour | Councillor John Pierce | | | | | | | | | | 0 |
| Labour | Councillor Candida Ronald | | | | | | | | | | 0 |
| Labour | Councillor Rachael Saunders | | | | | | | | | | 0 |
| Labour | Councillor Helal Uddin | | | | 20/10/2017 | 20/10/2017 | 20/10/2017 | 20/10/2017 | 18/10/2017 | 18/10/2017 | 6 |
| PATH | Councillor Shafi Ahmed | | | | | | | | | | 0 |
| PATH | Councillor Shah Alam | | | | | | | | | | 0 |
| PATH | Councillor Abdul Asad | | | | | | | | | | 0 |
| PATH | Councillor Rabina Khan | | | | | | | | | | 0 |
| PATH | Councillor Abjol Miah | | | | | | | | | + | 0 |
| THIG | Councillor Ohid Ahmed | | | | | | | | | | 0 |
| THIG | Councillor Suluk Ahmed | | | | | | | | | | 0 |
| THIG | Councillor Mahbub Alam | | | | | | | | | | 0 |
| THIG | Councillor Gulam Kibria Choudhury | | | | | | | | | | 0 |
| THIG | Councillor Harun Miah | | | | | | | | | | 0 |
| THIG | Councillor Md. Maium Miah | | | | | | | | | + | 0 |

| | Member Timesheet Submission | | | | | | | | | | | |
|--------------------|---|--------|--------|--------|--------|--------|--------|------------|------------|------------|----|--------------------|
| Political Group | Councillor | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 | Jun-17 | May-17 | Apr-17 | | Total Submitted |
| THIG | Councillor Mohammed Mufti Miah | | | | | | | 28/07/2017 | 28/07/2017 | 28/07/2017 | | 3 |
| THIG | Councillor Muhammad Ansar Mustaquim | | | | | | | | | | | 0 |
| THIG | Councillor Oliur Rahman | | | | | | | | | | | 0 |
| THIG | Councillor Gulam Robbani | | | | | | | | | | | 0 |
| | Total submitted | 2 | 3 | 3 | 14 | 14 | 13 | 15 | 15 | 15 | 94 | 94 |
| | % of Council Members timesheets submitted | 4.44% | 6.67% | 6.67% | 31.11% | 31.11% | 28.89% | 33.33% | 33.33% | 33.33% | | |

0.933333333

Agenda Item 3.5

| Non-Executive Report of the: | |
|---|---------------------------------|
| Standards (Advisory) Committee | |
| 25 January 2018 | TOWER HAMLETS |
| Report of: Asmat Hussain, Corporate Director Governance | Classification: Unrestricted |
| Members Register of Interests | |

| Originating Officer(s) | Beverley McKenzie, Head of Members' Support |
|------------------------|---|
| Wards affected | (All Wards); |

Summary

This report updates the Committee on the Members' Register of Interests and the information published on the Council website.

Recommendations:

The Standards (Advisory) Committee is recommended to:

- 1. Note the information set out in Appendix 1 in relation to the completion of the register of interests during the current municipal year.
- 2. Note the arrangements for the publication of personal information for Councillors, including the exemptions for sensitive information.
- 3. Note the arrangements for the publication of Members contact details.

1. REASONS FOR THE DECISIONS

1.1 The report has been provided to the Standards Advisory Committee for noting and no decision is required.

2. <u>ALTERNATIVE OPTIONS</u>

2.1 The Committee could chose not to consider this report but it is recommended as good practise for the Standards (Advisory) Committee to keep itself up to date with issues around Member Interests.

3. **DETAILS OF REPORT**

Members' Register of Interests

- 3.1 Members are required to complete a declaration of their interests within 28 days of their appointment and thereafter they must notify any changes to this within 28 days of becoming aware of the change.
- 3.2 As a matter of good practice and for the purpose of clarity, Members are asked to provide a nil return if there are no changes to the register at the sixmonthly reminder. A reminder exercise was undertaken at the end of December 2017 and responses up to 12th January 2018 have been included in Appendix 1. A revised schedule will be tabled at the meeting to update on the current position. The next refresh will be done following the elections in May 2018.

Publication of the Register of Interest and Personal Details

- 3.3 The Declaration of Interests provided by members is published on the Member's web page. There has been some concern raised regarding the disclosure of the personal information and the possibility that the public could access a Member's personal information.
- 3.4 The Localism Act 2011(section 29) requires that the Members' register is available for inspection within the authority and that the register is published on the authority's website.
- 3.5 The Act makes provision for the non-publication of the sensitive interests, where the Member and the Monitoring Officer consider that the disclosure of the details of the interest could lead to the Member of a person connected with the Member to be subject to violence or intimidation.
- 3.6 In such situations, the Members' register of interest will continue to be published on the website, however, the specific details of the interest will be withheld and the item will reflect "Not shown on web site".

Publication of Member Contact Details

- 3.7 The Council also publishes the contact details for Members. The Town Hall address is used for all correspondence. Members choose to publish their personal mobile number or the office number.
- 3.8 Some Members prefer to use their personal email, rather than the council provided account, to conduct their Council business. Each Member is required to register as a Data Controller with the Information Commissioner. The Council will include the personal e-mail when publishing details on the website, Members' business cards and other publications.

- 3.9 Members are encouraged to use their Council email and avoid using their personal email for Council Business. This is in line with best practice across local government to ensure safe handling of residents' personal data. The Council's email system is protected by firewalls and advanced content filtering systems; filtering out spam and quarantining any suspect attachments.
- 3.10 Official correspondence will be forwarded to Councillors at their Council e-mail address. Officers will be authorised to send non-sensitive and non-personal information to the Members at their private e-mail address. It is the Councillors responsibility to check their Council email account.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 This is a noting report. There are no financial implications arising from the contents of the report.

5. LEGAL COMMENTS

- 5.1 Section 29 of the Localism Act 2011 provides that the Monitoring Officer must establish and maintain a register of interests of members and co-opted members of the authority. Section 29(5) of the Act provides that the Monitoring Officer must secure that a copy of the register is available for inspection at a place in the authority's area at all reasonable hours and that the register is published on the authority's website.
- 5.2 It is a requirement of section 30 of the Localism Act that a member or coopted notify the Monitoring Officer of any disclosable pecuniary interests for inclusion in the register within 28 days of becoming a member or co-opted member.
- 5.3 Section 32 of the Localism Act makes provision for sensitive interests. Section 32 applies to disclosable pecuniary interests and other interest which the authority has decided require registration. A sensitive interest is defined by section 32 as being where the member or co-opted member and the Monitoring Officer consider that the details of the interest could lead to the member or co-opted member or a person connected with them being subject to violence or intimidation.
- 5.4 If a sensitive interest is entered in the register, section 32(2) of the Act provides that copies of the register that are made available for inspection and any published version of the register, must not include details of the interest but may state that the member or co-opted member has an interest the details of which are withheld under section 32(2) of the Localism Act 2011.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 There are no specific implications for One Tower Hamlets arising from the proposals in this report.

7. BEST VALUE (BV) IMPLICATIONS

7.1 The Committee meeting software provides an automated register of the Register of Interest. This is published to the Members' webpage and facilitates transparency and accountability to the electorate.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

8.1 There are no SAGE implications arising directly from this report

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no risk management implications.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 This report has no immediate implications for Crime and Disorder.

Linked Reports, Appendices and Background Documents

Linked Report

none

Appendices

• Appendix 1 – Register of Interests Submissions

Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report

None

Officer contact details for documents:

• Beverley McKenzie, 0207 364 4872

Register of Interests Submissions

as of: 12 January 2018

| Political Group | Elected Members | Last Updated |
|-----------------|-------------------------------------|--------------|
| Labour | Councillor Khales Uddin Ahmed | 08/11/2017 |
| THIG | Councillor Ohid Ahmed | 20/03/2017 |
| Labour | Councillor Rajib Ahmed | 25/11/2016 |
| Path | Councillor Shafi Ahmed | 06/12/2016 |
| THIG | Councillor Suluk Ahmed | 29/09/2017 |
| Labour | Councillor Sabina Akhtar | 10/03/2017 |
| THIG | Councillor Mahbub Alam | 17/01/2017 |
| Path | Councillor Shah Alam | 10/01/2018 |
| Labour | Councillor Amina Ali | 12/04/2017 |
| Path | Councillor Abdul Asad | 10/01/2018 |
| Conservative | Councillor Craig Aston | 04/01/2017 |
| Labour | Councillor Asma Begum | 12/01/2018 |
| Labour | Mayor John Biggs | 11/01/2018 |
| Labour | Councillor Rachel Blake | 01/12/2017 |
| Conservative | Councillor Chris Chapman | 22/02/2017 |
| Labour | Councillor Dave Chesterton | 24/01/2017 |
| THIG | Councillor Gulam Kibria Choudhury | 04/01/2018 |
| Lib Dem | Councillor Andrew Cregan | 21/11/2016 |
| Conservative | Councillor Julia Dockerill | 25/06/2017 |
| Labour | Councillor David Edgar | 09/05/2017 |
| Labour | Councillor Marc Francis | 18/05/2017 |
| Labour | Councillor Amy Whitelock Gibbs | 07/08/2017 |
| Conservative | Councillor Peter Golds | 22/09/2017 |
| Independent | Councillor Shafiqul Haque | 22/11/2016 |
| Labour | Councillor Clare Harrisson | 22/11/2017 |
| Labour | Councillor Danny Hassell | 10/01/2018 |
| Labour | Councillor Sirajul Islam | 09/01/2018 |
| Labour | Councillor Denise Jones | 23/02/2017 |
| Path | Councillor Aminur Khan | 10/01/2018 |
| Path | Councillor Rabina Khan | 01/03/2017 |
| Labour | Councillor Shiria Khatun | 28/02/2017 |
| Path | Councillor Abjol Miah | 25/04/2017 |
| Labour | Councillor Ayas Miah | 10/05/2016 |
| THIG | Councillor Harun Miah | 10/01/2018 |
| THIG | Councillor Md. Maium Miah | 16/03/2017 |
| THIG | Councillor Mohammed Mufti Miah | 03/01/2018 |
| Labour | Councillor Abdul Mukit MBE | 15/01/2018 |
| THIG | Councillor Muhammad Ansar Mustaquim | 26/04/2016 |
| Labour | Councillor Joshua Peck | 14/11/2017 |
| Labour | Councillor John Pierce | 17/05/2017 |
| THIG | Councillor Oliur Rahman | 18/07/2017 |
| THIG | Councillor Gulam Robbani | 23/03/2017 |
| Labour | Councillor Candida Ronald | 05/01/2018 |
| Labour | Councillor Rachael Saunders | 09/05/2017 |
| Labour | Councillor Helal Uddin | 01/01/2018 |
| Conservative | Councillor Andrew Wood | 26/11/2016 |
| | | <u> </u> |

Register of Interests Submissions

as of: 12 January 2018

| Committee | Co-opted Members | Last Updated |
|--------------------|--------------------------|--------------|
| Grants Scrutiny | Margherita De Cristofano | |
| Grants Scrutiny | Sirajul Islam | |
| Health Scrutiny | David Burbidge | 13/12/2017 |
| Health Scrutiny | Tim Oliver | 19/12/2017 |
| Housing Scrutiny | Anne Ambrose | 04/10/2017 |
| Housing Scrutiny | Moshin Hamim | 19/12/2017 |
| O&S | Shabbir Chowdhury | 09/01/2018 |
| O&S | Joanna Hannan | 09/01/2018 |
| O&S | Asad M Jaman | |
| O&S | Fatiha Kassouri | 04/01/2018 |
| O&S | Dr Phillip Rice | 04/01/2018 |
| O&S | Christine Trumper | |
| SAC | Nafisa Adam | 04/01/2018 |
| SAC | Fiona Browne | 16/10/2017 |
| SAC | Mike Houston | 04/01/2018 |
| Independent Person | Elizabeth Hall | 24/12/2017 |
| Pensions | David Stephen Thompson | 04/01/2018 |
| SAC | Daniel McLaughlin | 12/01/2018 |

Agenda Item 3.6

| Non-Executive Report of the: | |
|---|---------------------------------|
| Standards (Advisory) Committee | |
| 25 January 2018 | TOWER HAMLETS |
| Report of: Asmat Hussain, Corporate Director, | Classification: Unrestricted |
| Governance | |

| Originating Officer(s) | Beverley McKenzie , Head Members Support and Mark |
|------------------------|---|
| | Norman Legal Adviser & Deputy Monitoring Officer |
| Wards affected | (All Wards); |

Summary

An important role of Councillors is to interact with members of the local community and represent constituents. Councillors often act as a bridge between their community and the Council, both representing residents in their dealings with the Council and also in representing the Council at ward level.

In the vast majority of cases this interaction happens successfully, but very occasionally this contact might become problematic and the attached guidance sets out what personal safety measures can be taken to prevent and if necessary deal with difficulties.

This issue has become more acute following a number of incidents nationally over that last year or so including physical attacks and online threats.

Recommendations:

The Standards (Advisory) Committee is recommended to:

- 1. Note the updated guidance on personal safety for Councillors attached as Appendix 1.
- 2. Agree the refreshed guidance be circulated to all Councillors

1. REASONS FOR THE DECISIONS

- 1.1 Councillors may on rare occasions find themselves in situations where they become anxious for their safety.
- 1.2 The attached guidance has been prepared to ensure that Councillors are reminded of good practice and where appropriate take preventative action to reduce the likelihood of these situations occurring.
- 1.3 In the unlikely event that a Councillor experiences difficulties the guidance provides information on reporting incidents and sets out the further assistance available from the Council.

2. ALTERNATIVE OPTIONS

2.1 Members were previously provided with guidance in August 2016. The Advisory Committee could recommend that there is no need to provide further guidance.

3. **DETAILS OF REPORT**

- 3.1 The attached guidance has been developed to set out proportionate and practical personal safety measures to reduce or prevent risk and deal with the rare circumstances when Councillors might find themselves in situations where they become anxious for their safety.
- 3.2 Councillors received general guidance regarding personal safety in August 2016. This guidance has now been refreshed to include further details on social media and additional support that the Council can provide to Councillors.
- 3.3 The guidance provides advice and information on the following topics:
 - Dealing with Constituents
 - Reporting Incidents
 - How Best to Ensure Safety at Ward Surgeries
 - Home Visits
 - Personal Callers at Your Home
 - Attendance at Meetings
 - Car Safety and Parking
 - Malicious and Nuisance Telephone Calls
 - Mail / Email
 - Training
 - Social Media
 - Assistance for Councillors from Legal Services
 - Flowchart of Actions to take in the event of harassment or abuse

4. <u>COMMENTS OF THE CHIEF FINANCE OFFICER</u>

4.1 There are no financial implications arising from this report.

5. LEGAL COMMENTS

5.1 As indicated in section 12 of the attached guidance, requests by Councillors for assistance from Legal Services in dealing with personal safety issues will be considered by the Corporate Director Governance or the Divisional Director – Legal.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 Councillors play an important role in helping ensure all communities within Tower Hamlets are supported by the Authority. They also play an important role in representing the Council to local businesses and residents. It is therefore vital to ensure that Councillors are able to engage with the public without putting their safety at risk.

7. BEST VALUE (BV) IMPLICATIONS

7.1 The report does not propose any direct expenditure. It is concerned with ensuring appropriate personal safety measures and support to Councillors. However, the ability of Councillors to work effectively with residents and businesses is important on a general level in supporting the Council's best value targets.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

8.1 There are no SAGE implications arising from this report

9. RISK MANAGEMENT IMPLICATIONS

9.1 The attached guidance will assist Councillors to mitigate against personal safety risks.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 Councillors can help safeguard against crime and ensure their personal safety by following the guidance provided.

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

• Appendix 1 – Personal Safety – A Guide for Members

Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report
List any background documents not already in the public domain including officer
contact information.

None

Officer contact details for documents:

• Beverley McKenzie – 0207 364 4872

TOWER HAMLETS

Personal Safety - A Guide for Members

Introduction

This guide aims to provide practical personal safety measures to reduce or prevent risk in circumstances where Members might be anxious for their personal safety.

Circumstances will vary and Members will take their own decisions about how to conduct their duties as Members while remaining easily accessible to their residents.

An important role of Members is to keep in touch with their communities which may include helping individuals with any problems they might have. Often this extends beyond just the delivery of council services. These contacts are usually rewarding and non-adversarial. However, Members may sometimes be in contact with angry and frustrated individuals and will need to deal calmly and sympathetically with difficult or sensitive situations.

By taking time to prepare for meetings, and following the advice set out in this guidance note Members can reduce any risk.

This note sets out advice on the following topics:

- 1. Dealing with Constituents
- 2. Reporting Incidents
- 3. How Best to Ensure Safety at Ward Surgeries
- 4. Home Visits
- 5. Personal Callers at Your Home
- 6. Attendance at Meetings
- 7. Car Safety and Parking
- 8. Malicious and Nuisance Telephone Calls
- 9. Mail/Email
- 10. Training
- 11. Social Media
- 12. Assistance for Members from Legal Services
- 13. Flowchart of Actions to take in the event of harassment or abuse

TOWER HAMLETS

Personal Safety - A Guide for Members

1. Dealing with Constituents

If you meet with a constituent or other individual and they make remarks that you find uncomfortable or inappropriate do not respond – this will most likely only make the situation worse, instead consider bringing the meeting to an end as quickly as possible; inform the person that you cannot continue the meeting and ask the person to leave.

2. Reporting Incidents

Any Member who feels at risk from abuse or physical harm at any time during a meeting with a constituent or other individual either at a surgery or a home visit should always vacate the premises immediately and report the incident. Do not wait to report the incident to officers, as this will cause unnecessary delay – phone the police immediately yourself:

- In an emergency phone the police on 999
- For non-emergency situations where you have felt at risk report the incident to the police on the non-emergency number 101.

Any incidents of concern, even if relatively minor or 'nearly happened', should be reported to the Head of Members Support on 0207 364 4872. This enables the Authority to undertake proper monitoring and decide if any action needs to be taken to prevent similar incidents reoccurring.

You should also inform your Party Whip and the Group Political Advisor, who will report the incident within the group. You should advise ward colleagues. If you have involved the police maintain contact with them and follow their advice.

3. How Best to Ensure Safety at Ward Surgeries

The arrangements each Member makes will vary accordingly to local circumstances. What follows are suggestions about how to make a surgery safe and effective – some apply wherever the surgery is held while others are good practice to be followed. Most Members will go through their entire service to the council without experiencing any problems but preparation and planning for ward surgeries and contact with constituents will reduce the already small risk further.

If you are at the stage of looking for suitable premises in which to hold a surgery, try to get a space with as many of the following features:

- Council premises (e.g. Idea Stores) during opening hours or other premises where there are many other people about.
- Premises where the names of any visitors for Members are recorded.
- Premises where there is a comfortable waiting area.
- The surgery (interviewing) room:
 - o Is in view of any reception or public area.



- Is connected to the reception by an alarm and there is a procedure for dealing with a call for assistance.
- Has a vision panel in the door.
- o Is decorated in calming (pastel) colours.
- Has a swift means of escape and any visitors are not able to lock the door from the inside.

General Safety Tips

- Do not hold surgeries alone in empty buildings.
- Try to use Council premises during opening hours (a list can be supplied on request).
- Check that your mobile phone is well charged, working and that you have a signal, as there may be reception blind spots.
- The layout of the room should suit you i.e. you should sit nearest to the door with the constituents seated on the other side of the table.
- Where possible use a room with a vision panel in the door.
- Ensure there is a swift means of exit and any visitors are not able to lock the door from the inside.
- Have a clear view of any reception or public area.
- Place seating at an angle of 45 degrees (seating directly opposite can be confrontational).
- If there is no separate waiting room, try to ensure that the waiting constituents are as far as possible away from those who you are talking to.
- Make sure there are no heavy items in the room that could be used as weapons.
- Have a clear and agreed procedure for dealing with a call for assistance.
- Ensure someone knows of your whereabouts. You should let colleagues or family know when you arrive, expect to finish, and inform them when you have finished.

4. Home Visits

It is for each Member to decide whether a particular visit should be made, especially if the person to be visited is unknown to the Member. The Council strongly recommends that you do not undertake home visits.

However, a home visit is most likely to be undertaken if the resident is elderly or disabled and mobility or other issues make holding a meeting elsewhere more problematic, or it may be that Members want to see for themselves conditions that are the subject of complaints. Before arranging a home visit, Members should always consider alternative options:

- Can contact be made by telephone or email?
- Can a meeting be arranged in a public place such as a community centre or café?
- Can the resident attend a ward surgery (if appropriate)?



If a home visit is undertaken, the following general personal safety issues should be considered and planned beforehand:

- Do not attend the property alone, take a ward colleague, or another person with you.
- Arrange the visit during normal working hours, if possible.
- Make sure there will be a record of your whereabouts. You should let colleagues or family know when you expect to finish, and arrange to confirm with them when you have finished.
- Assess the situation and mood of the resident. Note any other people in the property and their mood.
- If in any doubt or if you feel threatened, do not enter. Make an excuse and leave.
- Phone the police to report the incident in an emergency on 999, nonemergency 101, and follow the procedure for reporting the incident to the Head of Members Support and to your Group.

5. Personal Callers at Your Home

Most Members seek to maintain a balance between their personal and public lives and do not want to encourage any callers at their private homes. Good publicity by the authority as to how to contact Members and details of ward surgeries reduces the chances of unwanted callers.

6. Attendance at Meetings

As a Member you will attend various meetings. It is possible that, depending on the nature and outcomes of a particular meeting, members of the public may leave feeling angry or upset.

In circumstances where a meeting has become fraught, Members may wish to leave together, or ask a supportive resident to accompany them when they leave the meeting. If you are very concerned that there is a threat to you, phone the police on 999.

7. Car Safety and Parking

You need to take the same precautions as most car owners do:

- Consider whether an area will be dark and isolated when you return to your car.
- Park, where possible, under street lighting.
- Lock car doors as soon as getting into the car.
- Take boxes/bags to the car when other people are around.



8. Malicious and Nuisance Telephone Calls

Members can get the odd nuisance or abusive call, although infrequently, they can become the target of a persistent, anonymous caller who may have a grudge against the council. These calls need to be dealt with in accordance with police advice:

- Keep the caller talking.
- Note any clues the caller may provide as to their gender, accent etc.
- Listen for any clues as to the motive and intention of the caller.
- Write down the details immediately to assist police at a later stage.
- Listen for background noise which may provide valuable information (e.g. railway or industrial noises, machinery, music, animals etc.).
- Dial 999 and inform the police.
- Inform Members Support on 0207 364 4872.

9. Mail/Email

As with telephone calls, Members on rare occasions can become the target of a malicious anonymous letter or email. Any such letters or emails should be reported to the Police (via 999 if an imminent threat is present or via 101 if malicious) and reported to Members Support (0207 364 4872).

10. Training

To assist you to undertake your role as a Member with a minimum of personal risk, the council will arrange training for all Members. Training will be offered as part of the Member Development Programme.

Members may find websites such as the Suzy Lamplugh Trust informative in offering further advice: http://www.suzylamplugh.org/

But please remember above all else: **IN AN EMERGENCY PHONE THE POLICE ON 999**

11. Social Media

- Be careful about what personal information (for example, family links, home address, phone numbers etc.) you post on-line.
- Make sure you understand and know how to use the privacy settings on social media websites, so that you know how to control the type of information about you and who can and cannot see it.
- Be aware that social media websites' privacy policies change from time to time, so you should keep your privacy setting under regular review.
- Be wary of becoming 'friends' with people you don't know.
- Check your friends and followers regularly to ensure you are aware of who is following you.



- Let a friend or family member know if you arrange to meet someone in person who you've met online.
- While it might be appropriate to respond to people who disagree with your views or policies, if things become abusive it is best to withdraw from the conversation rather than feed it.

Reporting and Preventing Abuse on Social Media

Several social media platforms have developed tools to make reporting easier, to secure potential evidence and to prevent unwanted communications, including those that do not amount to a criminal offence. These include a report link, so that particular or multiple communications can be reported directly to the platform. Social media sites may then decide to remove content and disable or suspend accounts, although it is not technically possible for a platform to guarantee a user will not return once their account is closed.

If a matter is reported to the police they should make a data retention request to the platform so that evidence is secured for any investigation.

You can help to prevent abuse by:

- Taking screenshots of the offending material, which can be saved on or off the device (for example, cloud storage or a USB drive).
- Use the tools on most social media platforms to block or mute the person who has uploaded abusive content, so that they can no longer see posts or have a conversation with you.
- Unsubscribe or "un-follow" accounts that produce or share offensive material.
- Turn on login alerts, which prompt the platform provider to send a notification if someone tries to log into an account from a new place.

For further information on social media, please speak to the Communications Team.

When Is Offensive Content Criminal?

The Crown Prosecution Service sets out four categories of criminal offence:

- 1. Credible threats (to a person's life or safety or property).
- 2. Communications targeting specific individuals (including persistent harassment and ongoing abuse).
- 3. Breach of court orders (for example identifying people protected by law).
- 4. Communications which are grossly offensive, indecent, obscene or false.

The guidance makes the distinction between the first three categories, which will be robustly prosecuted and the last category to which a high threshold for



prosecution applies. In all cases, prosecutors will consider the full context of the communication and the public interest test.

For more information, go to The Crown Prosecution Service "Guidelines on prosecuting cases involving communications sent via social media".

Further cyber security advice can be found on the Government's website <u>Cyber Streetwise</u> and on the Government supported website <u>Get Safe Online</u>.

12. Assistance for Members from Legal Services

Legal Services will meet with Members as requested who are experiencing harassment or are concerned about the behaviour of any residents or other persons to discuss the range of legal options available to the Member.

Legal Services work closely with colleagues in the Community Safety Team and with external partners such as the police in dealing with instances such as these. Any matters which are criminal will be dealt with by the police.

If you feel you have suffered any harassment or feel threatened, please contact the Corporate Director, Governance or the Divisional Director - Legal.

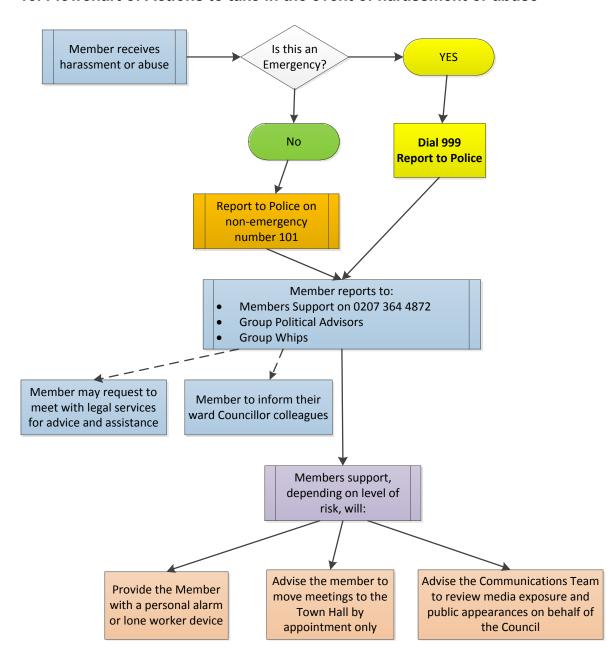
Legal Services will consider with the Member the most suitable course of action and explain to the Member the process, what evidence they need to provide and the timescales. Options under civil law include:

- Letter before action, which will warn the person to desist from that behaviour and advising that court proceedings will be started if the behaviour does not stop.
- Civil injunctions using section 222 of the Local Government Act 1972 (as amended), section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014 or section3 of the Protection from Harassment Act 1997. Injunctions will usually only be granted by the court on strong evidence and for more than one incident.

Members are always encouraged to take contemporaneous notes of any incidents and to include as much detail as possible, as this increases the likelihood of success of any legal action.



13. Flowchart of Actions to take in the event of harassment or abuse





STANDARDS ADVISORY COMMITTEE WORK PLAN 2017/18

Contact Officer: Antonella Burgio
Democratic Services

antonella.burgio@towerhamlets.gov.uk

Email: 020 7364 **4881**

Telephone: <u>www.towerhamlets.gov.uk/committee</u>

Website:

STANDARDS ADVISORY COMMITTEE WORK PLAN 2017/18

| REPORT TITLE | BRIEF SUMMARY/ACTIONS | LEAD OFFICER | OTHER CTTEE MEETINGS |
|---|---|--|---|
| 29 JUNE 2017 | | · | |
| Appointment of Chair Appointment of Vice Chair | Action 29/6 – appointments made | Democratic Services Officer | N/A |
| Terms of Reference & Housekeeping report | Action 29/6 – TOR noted. I&DSC sub established | Democratic Services Officer | N/A |
| Code of Conduct for Members – Complaints and Investigation Monitoring | Action 29/6 – verbal report noted | Acting Corporate Director for Governance | N/A |
| Whistleblowing Update | Action 29/6 - report noted | Senior Lawyer | |
| Clear Up Project – Final Report | Actions 29/6 – Project outcome noted | Acting Corporate Director for Governance | Council |
| Revised Planning Code of Conduct | Action 29/6 – report noted | Senior Lawyer | Strategic Development Committee 23/03/17 Development Committee 05/04/17 General Purposes 05/07/17 |
| Members Attendance, Timesheets and Declarations Monitoring | Actions 29/6 – Report noted. Query on whether timesheet submission remains mandatory | Head of Members' Support | |
| AOB | Action 29/6 – n/a | Democratic Services Officer | |

STANDARDS ADVISORY COMMITTEE WORK PLAN 2017/18

| REPORT TITLE | BRIEF SUMMARY/ACTIONS | LEAD OFFICER | OTHER CTTEE MEETINGS |
|--|-------------------------------|---------------------------------|---|
| 19 OCTOBER 2017 | | | |
| Code of Conduct for Members - Complaint Monitoring and Associated Matters | Action 19/10 – Report noted. | Deputy Monitoring Officer | |
| Dispensations Under Section 33 of the Localism Act 2011 | Actions 19/10 – Report noted. | Deputy Monitoring Officer | |
| Constitution Review – Member/ Officer Relations' Protocol | Actions 19/10 – Report noted. | Senior Lawyer | General Purposes Committee 12/10/17 |
| Gifts and Hospitality Forms and Guidance | Action 19/10 – Report noted. | Head of Members' Support | |
| Member Safety Protocol | Action 19/10 – Report noted. | Head of Members' Support | |
| ป Work Plan ปี | Action 19/10 – Report noted. | Democratic Services Officer | N/A |
| D) | | | |
| 25 JANUARY 2018 | | | |
| (SAC) Independent Person's Annual Report | | Chair and Independent Person | Council 21/03/18 |
| Code of Conduct for Members - Complaint Monitoring | | Deputy Monitoring Officer | |
| Members Personal Safety Guide | | Head of Members' Support | |
| Disclosable Pecuniary Interests Forms | | Head of Members' Support | |
| Members Timesheets | | Head of Members' Support | |

STANDARDS ADVISORY COMMITTEE WORK PLAN 2017/18

| | REPORT TITLE | BRIEF SUMMARY/ACTIONS | LEAD OFFICER | OTHER CTTEE MEETINGS |
|--------|---|----------------------------------|-----------------------------|----------------------|
| E | Bribery Allegation (new item) | | Deputy Monitoring Officer | |
| \ | Work Plan | | Democratic Services Officer | N/A |
| • | 14 MARCH 2018 | | | |
| ľ | Code of Conduct for Members - Complaint Monitoring | | Deputy Monitoring Officer | |
|) (| Revisions to the Code of Conduct | Report deferred from January SAC | Deputy Monitoring Officer | |
| | Member Induction Post- Elections | TBC | Head of Members' Support | |
| | Member) Election Training Jpdates | TBC | Head of Electoral Services | |
| | Standards Expected During an Election | TBC | Head of Electoral Services | |
| (| Other Reports TBA | | | |
| (| COMMITTEE BUSINESS TO BE SCHEDULED | | | |
| | Development of an On-line Member Handbook | | Head of Members' Support | |
| | The Role/Description of a Councillor | | Head of Members' Support | |
| 1 | Pilot for Roll-out of Electronic Devices for Councillors | | Divisional Director IT | |
| | | | | |