

# STANDARDS (ADVISORY) COMMITTEE

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Wednesday, 14 March 2018 at 7.00 p.m.

MP701, 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 Mustaqim, 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:**

Antonella Burgio, Democratic Services,  
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Web: <http://www.towerhamlets.gov.uk/committee>

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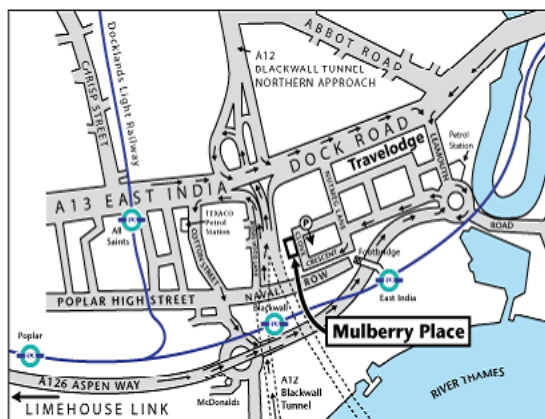
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## **APOLOGIES FOR ABSENCE**

### **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 25 January 2018.

### **3. REPORTS FOR CONSIDERATION**

#### **3.1 Code of Conduct for Members - Complaint Monitoring 15 - 32**

#### **3.2 Dispensations under section 33 of the Localism Act 2011 33 - 38**

#### **3.3 Review of Local Government Ethical Standards 39 - 46**

#### **3.4 Use of Council Resources - Party Political Literature 47 - 50**

#### **3.5 Members' Induction To Follow**

### **4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

To consider any other unrestricted business that the Chair considers to be urgent.

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# 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	<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>

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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE**

**HELD AT 7.00 P.M. ON THURSDAY, 25 JANUARY 2018**

**ROOM MP702, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON E14 2BG**

**Members Present:**

John Pulford MBE (Chair)  
Fiona Browne  
Mike Houston  
Councillor Marc Francis  
Councillor Ayas Miah  
Councillor Candida Ronald  
Councillor Ohid Ahmed

**Observers:**

Elizabeth Hall – Independent Person

**Apologies:**

Nafisa Adam (Vice-Chair)  
Councillor Muhammad Ansar Mustaquim (Member)

**Officers Present:**

Paul Greeno – (Senior Corporate and Governance Lawyer,  
Legal Services)  
Beverley McKenzie – (Head, Members Support, Democratic  
Services, LPG)  
Mark Norman – (Legal Adviser & Deputy Monitoring Officer)  
Antonella Burgio – (Democratic Services)

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

Councillor Frances declared a personal non-pecuniary interest in regard to agenda item 3.1 in that he was Chair of the Council's Strategic Development and Development Committees.

**2. MINUTES OF THE PREVIOUS MEETING(S)**

The minutes of the Standards (Advisory) Committee held on 19 October 2017 were presented.

**RESOLVED**

Subject to an amendment that the apologies of the Chair be recorded, the minutes were approved as a correct record of proceedings.

### **3. REPORTS FOR CONSIDERATION**

#### **3.1 Alpha Square - Bribery Allegations**

The Deputy Monitoring Officer introduced the report which concerned an allegation by a whistle-blower of bribery in connection with a planning application by the Far Eastern Consortium International for a proposed large building development at Alpha Square, Isle of Dogs.

The Committee was informed that the allegation had been referred to and considered by a Queen's Counsel (QC) experienced in addressing bribery and corruption cases. Having regard to advice offered by this QC, the Chief Executive reported the allegations to the Serious Fraud Office; the matter was then referred onward to the National Crime Agency (NCA). The NCA are still considering the matter and the Council was not in a position to pursue the matter further in order to avoid potential prejudice to any criminal investigation. The Mayor and Chief Executive wrote to the National Crime Agency in December 2017 seeking to establish a constructive dialogue and a response was currently awaited. The whistle-blower disclosed the allegations to the Sunday Times newspaper despite the continuing NCA investigation; however in the circumstances the Council is not able to pursue further action pending a decision by the National Crime Agency and the outcome of any police investigation.

Responding to Members' questions the Committee was informed that

It had not been possible to inform elected members of the details of the allegation before the whistle-blower had gone to the press since:

- Michael Bowes QC had advised that no information should be disclosed to avoid the risk of potential prejudice to the criminal investigation.
- The National Crime Agency have been pressed for a response but is only likely to reach a decision when they have reviewed all potential evidential material.
- There were potential criminal consequences of failing to follow the professional advice given by the QC;

While officers were sympathetic to members' view that ignorance of the facts of the matter had caused them to feel disadvantaged in the face of their constituents; it had not been possible to inform members of the matter because of the legal status of the matter and the advice given. Section 3 of the report, gave details that may be shared at this time in regard to chronology and actions taken.

#### **RESOLVED**

That the content of the report and discussion be noted.

### **3.2 Code of Conduct for Members - Complaint Monitoring**

The Deputy Monitoring Officer presented the report which outlined the current position on Code of Conduct for Members complaints . Details were provided at Appendix 1 to the report. A number of the complaints reported required consultation with the Independent Person and a meeting with the Monitoring Officer would take place in the forthcoming week. The Committee noted that Complaint Ref 007/2017 had recently been considered by the Investigation and Disciplinary Sub Committee which had agreed with the Monitoring Officer's recommendation to take no further action in respect of that complaint. The complaint will therefore be closed.

#### **RESOLVED**

1. That the content of the report, the monitoring information provided at Appendix 1 and discussion be noted
2. That it be noted that a further report will be brought to the Committee on 14 March 2018.

### **3.3 Independent Person - Annual Report to Council**

The Deputy Monitoring Officer introduced the report which informed the Committee about the annual report to full Council by the Independent Person appointed by the Council under the Localism Act 2011 to undertake duties in connection with complaints of alleged breaches of the Code of Conduct for Members. A copy of the report attached at Appendix A was provided for information. The Committee noted the matters reported.

The Chair advised that a second Independent Person had now been recruited to address the risks around efficient operation of the Council's arrangements for dealing with alleged breaches of the Code of Conduct. The Independent Person (Elizabeth Hall) highlighted that, during one such investigation, she had been unable to carry out her role due to a conflict of interest and therefore the Monitoring Officer had been required to seek the assistance of the Independent Person of another local authority to undertake her duties.

#### **RESOLVED**

1. That the annual report of the Independent Person be noted
2. That the recruitment of a second Independent Person be noted.

### **3.4 Members Timesheets**

The Head of Members' Support presented the report on issues relating to the completion, submission and monitoring of Members' timesheets.

The Committee was informed of the following matters:

- Following the Localism Act 2011, the statutory requirement to establish a standards committees had been removed in England although the Council had opted that one be retained in the Authority on a voluntary basis. The Advisory Committee was established in 2012 and has received all reports previously considered by the former Standards Committee including those related to monitoring timesheets.
- The Terms of Reference of the Standards Advisory Committee did not include the function of member timesheet monitoring and therefore this function was not within its remit.
- There was no statutory requirement for Members to report their democratic activities, nor did the submission of timesheets affect allowances paid to Members.
- The matter had been considered by the Governance Review Working Group which had recommended that the requirement to submit timesheets cease.

It was therefore proposed that Member timesheets should not continue to be monitored by the Committee.

In discussing the report, Members highlighted the following:

- The Governance Review Working Group was an advisory body only.
- There had been no referral to Council to cease the practice around completing and monitoring timesheets.
- Submission and monitoring of timesheets was a way of demonstrating accountability and transparency.

Officers then provided the following responses:

- It was acknowledged that the Governance Review Working Group was advisory and that no decision had been made by Council.
- The function of monitoring timesheets had not been included in the terms of reference of the new Standards (Advisory) Committee.
- There is no legislative requirement or enforceable arrangement requiring Members to submit timesheets of their activities and this practice was not generally operated in other councils.

The Committee, reflecting on the discussion, concluded that the underlying issue was one of transparency and accountability and asked Officers investigate what sort of alternative methods would enable this to be achieved.

## **RESOLVED**

1. That the recommendation of the Governance Review Working Group to cease the requirement to submit timesheets and the rational informing this be noted.
2. That Officers investigate and explore what alternative arrangements might achieve the desired transparency and accountability which Members wish to pursue.

3. That the update position for the submission of timesheets by Councillors and automatic publication of Members' attendance at meetings be noted.

### **3.5 Members Register of Interests**

The Head of Members' Support introduced a report which provided an update on the Member Register of Interests and submission of Member returns, noting that most Members had completed their returns during the past year.

The Committee noted security issues around the publication of personal information, and that Members and Co-optees were able to approach the Monitoring Officer to request that certain personal information related to the Register, if appropriate, be deemed sensitive and precluded from publication after assessment. This had been supported by Government following incidents and concerns around personal safety of those in public office or carrying out a public role.

The Committee also noted that there would be implications arising from the new General Data Protection Regulations in May 2018; the impacts of these were yet to be advised.

The Committee discussed the issue noting that some of them had had direct experience of the improper use of personal details by the public which had made them feel vulnerable. Members enquired whether in circumstances, where there were serious safety concerns, a case-by-case assessment should also be made of whether the specific details of the interest may also appropriately be withheld.

#### **RESOLVED**

1. That the information set out at Appendix 1 in regard to the completion of the Register of Interests during the current Municipal year be noted.
2. That the arrangements for the publication of personal information including exemptions for sensitive information be noted.
3. That the arrangements for the publication of Member contact details as set out in the report be noted.

### **3.6 Personal Safety - A Guide for Members**

The Head of Members' Support introduced the report which concerned guidance for Members on personal safety measures which may be taken in the event that contact with residents dealing with the Council becomes problematic.

The Committee:

- Welcomed the refreshed personal safety advice.
- Noted that in their dealings with residents, Members often found it helpful to hold their surgeries in Council premises.

**RESOLVED**

1. That the updated guidance on personal safety for Councillors at Appendix 1 be noted.
2. That this refreshed guidance be circulated to all Councillors.

**3.7 Work Plan**

The Committee noted the reports notified for forthcoming meeting and asked that the follow-on report arising from the discussion of agenda item 3.4 be included in the list of reports to be discussed.

**4. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

*Planning Code of Conduct*

The Chair advised that Planning officers had agreed to provide a copy of the Planning Code of Conduct to the Planning Committee for Consultation and Design to enable its members to address risks around ethics and probity in discharging their role. The Senior Lawyer agreed that the matter would be pursued following the meeting.

*Times of Future Scheduled Meetings*

The Clerk enquired whether Members wished to vary the time of meetings in the forthcoming Municipal year. The Committee advised that they did not wish the time of meetings to be changed.

**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.

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

Nil items.

The meeting ended at 8.05 p.m.

Chair, John Pulford MBE  
Standards (Advisory) Committee

<p>Non-Executive Report of the:</p> <p><b>Standards (Advisory) Committee</b></p> <p>14 March 2018</p>	
<p><b>Report of:</b> Asmat Hussain - Corporate Director, Governance</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Code of Conduct for Members - Complaint Monitoring</b></p>	

<b>Originating Officer(s)</b>	Mark Norman – Legal Adviser & Deputy Monitoring Officer
<b>Wards affected</b>	(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. ALTERNATIVE OPTIONS**

- 2.1 Not applicable.

## **3. DETAILS OF REPORT**

- 3.1 The Advisory Committee last considered a monitoring report at its meeting on 17 January 2018. Since the last monitoring report was prepared an additional 3 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 There are no specific financial implications arising from this 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.

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**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

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## 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 outcome	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	<b>Closed</b>
002/2017	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 investigation.	Letter sent 27.09.17 <b>Closed</b>
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 investigation.	Letter sent 27.09.17 <b>Closed</b>

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 outcome	Current status	Follow up
004/2017	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	<b>Closed</b>	<b>Closed</b> NFA

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 outcome	Current status	Follow up
005/2017	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 Investigation underway.  Janet Fasan DD Legal Services investigator.		Investigation report completed and findings subject to consultation with Independent Person.	

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 outcome	Current status	Follow up
006/2017	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 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.	<b>Closed</b>
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.			IDSC 17.01.18 agreed with proposal for letter and no further investigation.	Email sent 31.01.18 <b>Closed</b>

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 outcome	Current status	Follow up
008/2017	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 outcome	Current status	Follow up
009/2017	16 October 2017	Elected Member	Elected Member	<p>Alleged inappropriate conduct and potential contravention of the Code:</p> <p>2.9 Not promoting equality and not treating another with respect.</p> <p>2.10 Failure to promote high standards by leadership and example.</p>	<p>30.01.18 agreed with IP further enquiries required of potential witness.</p> <p>05.02.18 Agreed NFA with IP in light of outcome of enquiries.</p>				<b>Closed NFA</b>



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 outcome	Current status	Follow up
010/2017	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 acknowledged complaint and asked complainant to complete conduct complaint form. No reply. 08.12.17 MO email repeated request to complete form. No reply.	<b>Closed</b> NFA

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 outcome	Current status	Follow up
011/2017	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 pending initial response from councillor. 30.01.18 MO and IP discussed initial response received from councillor and agreed NFA.				<b>Closed NFA</b>

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 outcome	Current status	Follow up
012/2017	12 December 2017	Member of Public	Elected Member	N/A conduct complaint form not completed.	30.01.18 MO and IP agreed NFA if conduct complaint form not completed.			13.12.17 MO email acknowledged complaint and asked complainant to complete conduct complaint form. No reply. 31.01.18 MO email repeated request to complete form. No reply.	<b>Closed</b> NFA

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 outcome	Current status	Follow up
013/2017	10 December 2017	Member of Public	Elected Member	<p>Alleged inappropriate conduct at a local consultation meeting. Potential contravention of the Code:</p> <p>2.2 Not acting solely in the public interest.</p> <p>2.9 Not promoting equality and not treating complainant with respect.</p> <p>2.10 Failure to promote high standards by leadership and example.</p>	<p>30.01.18 MO and IP discussed initial response received from councillor. Agreed Deputy Monitoring Officer to obtain further background information.</p>				


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 outcome	Current status	Follow up
014/2017	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.	30.01.18 MO and IP discussed initial response received from councillor. Agreed Deputy Monitoring Officer to obtain further background 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 outcome	Current status	Follow up
015/2017	23 December 2017	Member of Public	Elected Member	N/A conduct complaint form not completed.	30.01.18 MO and IP agreed NFA if conduct complaint form not completed.			08.01.18 MO email acknowledged complaint and asked complainant to complete conduct complaint form. No reply. 31.01.18 MO email repeated request to complete form. No reply.	<b>Closed</b> NFA

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 outcome	Current status	Follow up
001/2018	2 January 2018	Member of Public	Elected Member	Alleged inappropriate handling of constituency issue. Potential contravention of the Code: 2.2 Not acting solely in the public interest. 2.9 Not treating another with respect. 2.10 Failure to promote high standards by leadership and example.	30.01.18 MO and IP discussed initial response received from councillor and agreed NFA.				<b>Closed NFA</b>
002/2018	9 January 2018	Elected Member	Elected Member	Alleged inappropriate text messaging. Potential contravention of the Code: Code of Conduct: 2.2 Not acting solely in the public interest. 2.9 Not treating another with respect.	MO obtained initial response from councillor and agreed NFA in consultation with IP by email on ?				<b>Closed NFA</b>

<b>Reference number</b>	<b>Date received by Monitoring Officer</b>	<b>Complainant</b>	<b>Elected/Co-opted Member(s)</b>	<b>Nature of Complaint and potential breach(es) of the Code of Conduct</b>	<b>Date and outcome of consultation with IP</b>	<b>Date investigation commenced and investigation status</b>	<b>Hearing and outcome</b>	<b>Current status</b>	<b>Follow up</b>
003/2018	30 January 2018	Member of Public	Elected Member	Improper use of Council resources contrary to paragraph 2.7 of the Code.	N/A			Reported as agenda item to the Advisory Committee meeting on 14.03.18	



Non-Executive Report of the:  <b>Standards (Advisory) Committee</b>  14 March 2018	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance	<b>Classification:</b> Unrestricted
<b>Dispensations under section 33 of the Localism Act 2011</b>	

<b>Originating Officer(s)</b>	Mark Norman – Legal Adviser & Deputy Monitoring Officer
<b>Wards affected</b>	(All Wards);

### Summary

This report informs the Advisory Committee of dispensations in relation to disclosable pecuniary interests (DPI's) under section 33 of the Localism Act 2011.

### Recommendations:

- (1) That the Advisory Committee note the dispensations granted by the Monitoring Officer detailed in paragraph 3.4 of the report.

## 1. **REASONS FOR THE DECISIONS**

- 1.1 This is a noting report informing members of the Advisory Committee of the dispensations granted by the Monitoring Officer at the Council meeting held on 17 January 2018.

## 2. **ALTERNATIVE OPTIONS**

- 2.1 Not applicable.

## 3. **DETAILS OF REPORT**

- 3.1 The Code of Conduct for Members requires that the Mayor, Councillors and Co-opted Members register any disclosable pecuniary interest (DPI) and other specified interests in the Register of Members Interests. If a Member has a DPI in relation to any matter to be discussed at a meeting they must:

- Not participate in any discussion of the agenda item, not vote on the matter and leave the room whilst the agenda item is discussed and voted on.

- 3.2 However, a Member who has a DPI in a matter to be discussed at a forthcoming meeting of the authority may make a written request before the meeting to the Monitoring Officer for a dispensation to enable them to participate in the discussion and vote.

- 3.3 A dispensation may be granted where the Monitoring Officer is satisfied that:

(a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;

(b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;

(c) granting the dispensation is in the interests of persons living in the authority's area; or

(d) it is otherwise appropriate to grant a dispensation.

Any grant of a dispensation must specify the duration of the dispensation up to a maximum of 4 years.

- 3.4 **Specific Dispensations:** The Monitoring Officer agreed to a dispensation for full Council on 17 January 2018, in relation to agenda items 7 and 12.16. Agenda item 7 was an Administration motion regarding housing in Tower Hamlets which would result in potential financial benefit or for Members or their spouse/partner as private sector landlords and/or tenants. Agenda item 12.16 was a motion regarding fire safety in Tower Hamlets. Members considered they might have a DPI because of the potential financial

implications either as Board members of RSL's/Housing Management companies which might be affected and/or because they (or their spouse/partner) are a landlord/tenant..

3.5 As regards agenda item 7 the Monitoring Officer was satisfied that without the dispensation:

- the number of persons prohibited from participating in the item of business at the Council meeting would impede the transaction of the business.

The Monitoring Officer therefore granted a dispensation for the duration of the Council meeting.

3.6 As regards agenda item 12.16 the Monitoring Officer was satisfied that without the dispensation:

- the representation of different political groups at the Council meeting would be so upset as to alter the likely outcome of any vote relating to the business.

And also following consultation with the Chair of the Advisory Committee that granting the dispensation was in the interest of persons living in the authority's area.

The Monitoring Officer therefore granted a dispensation for the duration of the Council meeting.

3.7 **General Dispensation:** There is a continuing General Dispensation to all Members to be present, speak and vote where they would otherwise have a DPI in the following matters:

(a) Housing: where the Councillor (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the particular tenancy or lease of the Councillor (their spouse or partner);

(b) Council Tax: setting the council tax or a precept: and

(c) Determining an allowance, travelling expense, payment or indemnity for Councillors.

3.8 Guidance issued by DCLG in September 2013 (Openness and transparency on personal interests) states that the DCLG view is that Members do not need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support because this is a decision affecting the generality of the public in the area rather than Members as individuals. Nonetheless the Monitoring Officer considers it prudent for the sake of completeness to include Council Tax in the General Dispensation.

3.9 The dispensation for Council Tax relates to a Member's DPI and does not affect a Member's obligation under Section 106 of the Local Government Finance Act 1992 to declare and not vote if they are 2 months or more in arrears with their Council Tax when voting on setting the Council's budget.

3.10 The General Dispensation will apply until the next Mayoral and local elections in May 2018 after which a further report will be submitted to the Advisory Committee.

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

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

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

5.1 Section 31(4) of the Localism Act 2011 provides that a Member who has a disclosable pecuniary interest in any matter to be considered at a meeting may not participate in any discussion, or vote on the matter. However, by virtue of section 33, an authority may, on a written request by a Member, grant a dispensation relieving the member from either or both of the restrictions in Section 31(4). This is reflected in paragraph 4.1 of the Code of Conduct for Members.

#### **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 IMPLICATIONS**

7.1 The Monitoring Officer will be introducing a standard application form for Members to complete when seeking a dispensation in order to make the process more efficient and transparent.

#### **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

8.1 There are no environmental implications arising out of this report.

#### **9. RISK MANAGEMENT IMPLICATIONS**

9.1 The introduction of a standard application form for Members to complete when seeking a dispensation should enable Members to better manage the requirement to make appropriate declarations of DPI's at meetings.

#### **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

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

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- NONE

#### **Appendices**

- NONE

**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

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<p>Non-Executive Report of the:</p> <p><b>Standards (Advisory) Committee</b></p> <p>14 March 2018</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Asmat Hussain, Corporate Director, Governance</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Review of Local Government Ethical Standards – CSPL Review</b></p>	

<b>Originating Officer(s)</b>	Mark Norman Legal Adviser & Deputy Monitoring Officer
<b>Wards affected</b>	All Wards

## Summary

The Committee on Standards in Public Life (CSPL) advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders. The CSPL is an advisory non-departmental public body, sponsored by the Cabinet Office. This report informs Members of a review of local government ethical standards being carried out by the CSPL.

## Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Consider and comment on the CSPL consultation document attached as Appendix 1.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The CSPL review includes a public stakeholder consultation which is particularly aimed (amongst others) at local authorities and standards committees.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Advisory Committee could choose not to contribute to a response to the consultation but this is not recommended.

## **3. DETAILS OF REPORT**

- 3.1 The Committee on Standards in Public Life announced in January 2018 that it is undertaking a review of local government ethical standards.

- 3.2 The review will consider all levels of local government in England and its terms of reference are to:

- examine the structures, processes and practices in local government in England for:
  - maintaining codes of conduct for local councillors
  - investigating alleged breaches fairly and with due process
  - enforcing codes and imposing sanctions for misconduct
  - declaring interests and managing conflicts of interest
  - whistleblowing
- assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
- make any recommendations for how they can be improved
- note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation

- 3.3 The review includes a public stakeholder consultation particularly aimed at local authorities and standards committees, local authority members and local authority officials, as well as local government think tanks, academics and representative bodies. The consultation opened on 29 January and will close on 18 May 2018. A copy of the consultation document is attached as Appendix 1.

- 3.4 The Monitoring Officer has sought comments from the political Group Leaders and Chief Whips on the consultation and will also be seeking views from the Independent Persons appointed by the Council. In addition, the Advisory Committee is asked to consider the attached consultation document and identify any particular areas for comment and suggest proposed responses.



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

4.1 There are no specific financial implications arising from this 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 Ethical governance arrangements ensure proper decision making and contribute to the Council's compliance with equalities legislation.

#### **7. BEST VALUE (BV) IMPLICATIONS**

7.1 Robust ethical governance arrangements ensure the proper, efficient and effective discharge of the Council's functions and contribute to compliance with the requirement to achieve best value.

#### **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)**

8.1 There are no immediate implications for the Council's SAGE policy.

#### **9. RISK MANAGEMENT IMPLICATIONS**

9.1 Robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct and protect ethical practice in local government.

#### **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

10.1 There are no crime and disorder reduction implications.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- NONE.

**Appendices**

- Appendix 1 Review of Local Government Ethical Standards: Stakeholder Consultation

**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

## Review of Local Government Ethical Standards: Stakeholder Consultation

The Committee on Standards in Public Life is undertaking a review of local government ethical standards.

Robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct, and to protect ethical practice in local government.

As part of this review, the Committee is holding a public stakeholder consultation. The consultation is open from 12:00 on Monday 29 January 2018 and closes at 17:00 on Friday 18 May 2018.

### Terms of reference

The terms of reference for the review are to:

1. Examine the structures, processes and practices in local government in England for:
  - a. Maintaining codes of conduct for local councillors;
  - b. Investigating alleged breaches fairly and with due process;
  - c. Enforcing codes and imposing sanctions for misconduct;
  - d. Declaring interests and managing conflicts of interest; and
  - e. Whistleblowing.
2. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
3. Make any recommendations for how they can be improved; and
4. Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

The review will consider all levels of local government in England, including town and parish councils, principal authorities, combined authorities (including Metro Mayors) and the Greater London Authority (including the Mayor of London).

Local government ethical standards are a devolved issue. The Committee's remit does not enable it to consider ethical standards issues in devolved nations in the UK except with the agreement of the relevant devolved administrations. However, we welcome any evidence relating to local government ethical standards in the devolved nations of the UK, particularly examples of best practice, for comparative purposes.

Submissions will be published online alongside our final report, with any contact information (for example, email addresses) removed.

### Consultation questions

The Committee invites responses to the following consultation questions.

Please note that not all questions will be relevant to all respondents and that submissions do not need to respond to every question. Respondents may wish to give evidence about only one local authority, several local authorities, or local government in England as a whole.

Please do let us know whether your evidence is specific to one particular authority or is a more general comment on local government in England.

Whilst we understand submissions may be grounded in personal experience, please note that the review is not an opportunity to have specific grievances considered.

- a. Are the existing structures, processes and practices in place working to ensure high standards of conduct by local councillors? If not, please say why.
- b. What, if any, are the most significant gaps in the current ethical standards regime for local government?

#### *Codes of conduct*

- c. Are local authority adopted codes of conduct for councillors clear and easily understood? Do the codes cover an appropriate range of behaviours? What examples of good practice, including induction processes, exist?
- d. A local authority has a statutory duty to ensure that its adopted code of conduct for councillors is consistent with the Seven Principles of Public Life and that it includes appropriate provision (as decided by the local authority) for registering and declaring councillors' interests. Are these requirements appropriate as they stand? If not, please say why.

#### *Investigations and decisions on allegations*

- e. Are allegations of councillor misconduct investigated and decided fairly and with due process?
  - i. What processes do local authorities have in place for investigating and deciding upon allegations? Do these processes meet requirements for due process? Should any additional safeguards be put in place to ensure due process?
  - ii. Is the current requirement that the views of an Independent Person must be sought and taken into account before deciding on an allegation sufficient to ensure the objectivity and fairness of the decision process? Should this requirement be strengthened? If so, how?
  - iii. Monitoring Officers are often involved in the process of investigating and deciding upon code breaches. Could Monitoring Officers be subject to conflicts of interest or undue pressure when doing so? How could Monitoring Officers be protected from this risk?

#### *Sanctions*

- f. Are existing sanctions for councillor misconduct sufficient?
  - i. What sanctions do local authorities use when councillors are found to have breached the code of conduct? Are these sanctions sufficient to deter breaches and, where relevant, to enforce compliance?

- ii. Should local authorities be given the ability to use additional sanctions? If so, what should these be?

#### *Declaring interests and conflicts of interest*

- g. Are existing arrangements to declare councillors' interests and manage conflicts of interest satisfactory? If not please say why.
  - i. A local councillor is under a legal duty to register any pecuniary interests (or those of their spouse or partner), and cannot participate in discussion or votes that engage a disclosable pecuniary interest, nor take any further steps in relation to that matter, although local authorities can grant dispensations under certain circumstances. Are these statutory duties appropriate as they stand?
  - ii. What arrangements do local authorities have in place to declare councillors' interests, and manage conflicts of interest that go beyond the statutory requirements? Are these satisfactory? If not, please say why.

#### *Whistleblowing*

- h. What arrangements are in place for whistleblowing, by the public, councillors, and officials? Are these satisfactory?

#### *Improving standards*

- i. What steps could *local authorities* take to improve local government ethical standards?
- j. What steps could *central government* take to improve local government ethical standards?

#### *Intimidation of local councillors*

- k. What is the nature, scale, and extent of intimidation towards local councillors?
  - i. What measures could be put in place to prevent and address this intimidation?

#### **Who can respond?**

Anyone with an interest may make a submission. The Committee welcomes submissions from members of the public.

However, the consultation is aimed particularly at the following stakeholders, both individually and corporately:

- Local authorities and standards committees;
- Local authority members (for example, Parish Councillors, District Councillors);
- Local authority officials (for example, Monitoring Officers);
- Think tanks with an interest or expertise in local government;
- Academics with interest or expertise in local government; and
- Representative bodies or groups related to local government.

## How to make a submission

Submissions can be sent either in electronic format or in hard copy.

### Submissions must:

- State clearly who the submission is from, i.e. whether from yourself or sent on behalf of an organisation;
- Include a brief introduction about yourself/your organisation and your reason for submitting evidence;
- Be in doc, docx, rtf, txt, ooxml or odt format, not PDF;
- Be concise – we recommend no more than 2,000 words in length; and
- Contain a contact email address if you are submitting by email.

### Submissions should:

- Have numbered paragraphs; and
- Comprise a single document. If there are any annexes or appendices, these should be included in the same document.

It would be helpful if your submission included any factual information you have to offer from which the Committee might be able to draw conclusions, and any recommendations for action which you would like the Committee to consider.

The Committee may choose not to accept a submission as evidence, or not to publish a submission even if it is accepted as evidence. This may occur where a submission is very long or contains material which is inappropriate.

Submissions sent to the Committee after the deadline of 17:00 on Friday 18 May 2018 may not be considered.

### Submissions can be sent:

1. Via email to: [public@public-standards.gov.uk](mailto:public@public-standards.gov.uk)
2. Via post to:

Review of Local Government Ethical Standards  
Committee on Standards in Public Life  
GC:07  
1 Horse Guards Road  
London  
SW1A 2HQ

If you have any questions, please contact the Committee's Secretariat by email ([public@public-standards.gov.uk](mailto:public@public-standards.gov.uk)) or phone (0207 271 2948).

Non-Executive Report of the:  <b>Standards (Advisory) Committee</b>  14 March 2018	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director, Governance	<b>Classification:</b> Unrestricted
<b>Use of Council Resources - Party Political Literature</b>	

<b>Originating Officer(s)</b>	Mark Norman, Legal Adviser & Deputy Monitoring Officer
<b>Wards affected</b>	All Wards

### Summary

This report informs members of the Advisory Committee of the action taken by the Monitoring Officer in relation to the use of Council resources and party political literature.

### 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 is a noting report.

**2. ALTERNATIVE OPTIONS**

2.1 Not applicable this is a noting report.

**3. DETAILS OF REPORT**

3.1 In January this year concerns were raised with the Monitoring Officer about the use of Council email addresses and Council contact telephone numbers in party political literature. Concerns were expressed both in relation to leaflets being circulated promoting prospective candidates for the Mayoral and Local elections which will take place on 3 May 2018 and in relation to historical party political leaflets designed to affect support for a particular political party.

3.2 This is a matter which affects all political parties and in response the Monitoring Officer contacted individual Members advising them to withdraw leaflets from circulation or to amend the contact details. In addition, the Monitoring Officer sent a letter to all political Group Leaders and party whips reminding them that Member email and telephone facilities supplied by the Council are resources of the authority and must be apolitical. In her letter the Monitoring Officer also advised that if any party continued to circulate political publications containing Council email addresses and Council contact telephone numbers, she would report the matter to the Standards (Advisory) Committee as a failure to comply with the Code of Conduct.

3.3 The Monitoring Officer determined that this would be sufficient action and sought compliance by 9 February 2018.

3.4 The Monitoring Officer has also contacted the Metropolitan Police and has shared relevant information for them to consider and if appropriate investigate.

**4. COMMENTS OF THE CHIEF FINANCE OFFICER**

There are no specific financial implications arising from this report.

**5. LEGAL COMMENTS**

5.1 Paragraph 2.7 of the Council's Code of Conduct for Members provides that members should act to ensure Council resources are used prudently. When using or authorising the use by others of Council resources, members must ensure that they are used only for legitimate Council purposes and not for any other purpose. In particular they must not be used improperly for political purposes (including party political purposes).



**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 Email and telephone facilities for Members form part of the wider fabric maintained at Council cost in order to ensure the proper discharge of Council functions. Section 3 of the Local Government Act 1999 requires the Council to achieve best value in the discharge of its functions. It would be contrary to this duty to permit the use of Council resources for party political purposes.

**8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)**

8.1 There are no implications for the Council's SAGE strategy arising out of this report.

**9. RISK MANAGEMENT IMPLICATIONS**

9.1 The action taken by the Monitoring Officer as outlined in this report was designed to ensure compliance with the Code of Conduct for Members, ensure political impartiality, limit potential reputational damage to the Council and maintain confidence in local democracy.

**10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

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

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**Linked Reports, Appendices and Background Documents**

**Linked Report**

- NONE

**Appendices**

- NONE

**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

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