

STANDARDS (ADVISORY) COMMITTEE

Thursday, 21 June 2018 at 6.00 p.m.

Committee Room 1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG

This meeting is open to the public to attend.

Members:

Chair: TBA

Vice-Chair: TBA

John Pulford MBE, Nafisa Adam, Fiona Browne, Mike Houston, Daniel McLaughlin, 2 Vacancies, Councillor Amina Ali, Councillor Ruhul Amin, Councillor Mohammed Ahabab Hossain, Councillor Gabriela Salva Macallan, Councillor Puru Miah, Councillor Leema Qureshi and Councillor Rabina Khan

Observers (Independent Persons):

Elizabeth Hall (Independent Person) and Rachel Tiffen (Independent Person)

Deputies:

Councillor Muhammad Harun, Councillor Shah Ameen and Councillor Shad Chowdhury

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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Tel: 020 7364 4881
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Web: <http://www.towerhamlets.gov.uk/committee>

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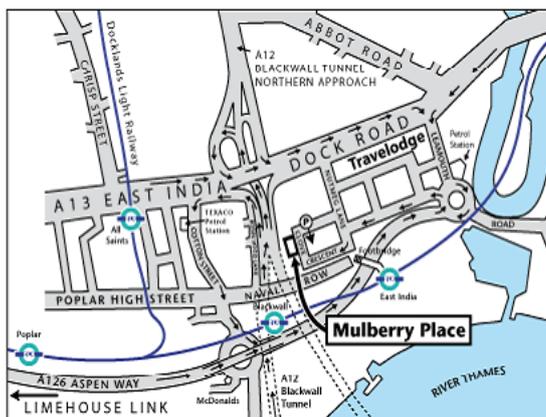
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APOLOGIES FOR ABSENCE

1. ELECTION OF CHAIR OF STANDARDS ADVISORY COMMITTEE

2. APPOINTMENT OF VICE-CHAIR OF STANDARDS ADVISORY COMMITTEE

3. 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.

4. MINUTES OF THE PREVIOUS MEETING 9 - 16

To confirm as a correct record the minutes of the meeting of the Standards (Advisory) Committee held on 14 March 2018

5. STANDARDS (ADVISORY) COMMITTEE TERMS OF REFERENCE, AND DATES OF MEETINGS 2018-19 17 - 32

6. REPORTS FOR CONSIDERATION

6 .1 Code of Conduct for Members - Complaint Monitoring 33 - 52

6 .2 Dispensations under section 33 of the Localism Act 2011 53 - 56

6 .3 Members' Induction Update 57 - 60

6 .4 Forward Plan 61 - 64

7. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

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

8. 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.

9. 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, 24 October 2018 at 6.00 p.m. to be held in Committee Room 1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG

Agenda Item 3

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 WEDNESDAY, 14 MARCH 2018

**MP701, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON E14 2BG**

Members Present:

John Pulford MBE (Chair)
Fiona Browne
Daniel McLaughlin
Councillor Marc Francis
Councillor Ohid Ahmed
Councillor Muhammad Ansar Mustaqim
Councillor Aminur Khan

Observers:

Elizabeth Hall – (Independent Person)

Apologies:

Nafisa Adam (Vice-Chair)
Mike Houston (Co-Optee)
Councillor Ayas Miah (Member)
Councillor Candida Ronald (Member)
Rachel Tiffen (Independent Person)

Officers Present:

Asmat Hussain – (Corporate Director, Governance and Monitoring Officer)
Beverley McKenzie – (Head, Members Support, Democratic Services, LPG)
Mark Norman – (Legal Adviser & Deputy Monitoring Officer)
Antonella Burgio – (Democratic Services)

NOTE

An apology was noted on behalf of Robert Curtis, Electoral Services Manager, who was unable to attend the meeting.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the meeting held on 25 January 2018 were approved as a correct record of proceedings.

3. REPORTS FOR CONSIDERATION

3.1 Code of Conduct for Members - Complaint Monitoring

The Deputy Monitoring Officer presented the report which provided quarterly monitoring information on complaints and investigations concerning the Member Code of Conduct. Details were reported at Appendix 1 and the Committee noted the current status of all of the complaints reported.

In discussion the Committee noted that some complaints had extended beyond the recommended timeline. Members were informed that this situation could arise due to time taken for responses from parties involved and for reasons of thoroughness in discharging the procedure and/or an investigation. The Corporate Director for Governance agreed that the causes of delays could be investigated/reviewed following the local elections to assess if improvements could be made.

The Committee enquired whether the Member Induction Programme should incorporate the establishment of an expectation that members respond promptly to enquiries related to ethics. The Corporate Director agreed that this may also be included in the review.

RESOLVED

1. That the content of the report be noted.
2. That the actions arising from the above discussion be taken forward.

3.2 Dispensations under section 33 of the Localism Act 2011

The Corporate Director Governance introduced the report which informed the Committee of the framework for dispensations under the Localism Act 2011 and their application since January 2018.

During discussion, the Committee noted:

- That it was a good governance practice to notify Members of how the section 33 power was being used.
- That the grant of specific dispensations for full Council on 17 January 2018 had enabled Members to continue to participate in the consideration of two items relating to housing in Tower Hamlets and fire safety respectively. Had these dispensations not been granted there would have been a significant impact on the discussion of the item.
- That the Register of Interests would be updated following the forthcoming Local and Mayoral elections.
- The clarification relating to dispensations on housing matters was provided by the Corporate Director Governance around self-employed councillors.
- That the Corporate Director Governance had written to individual Members providing guidance on the definition of a Disclosable

Pecuniary Interest (DPI) and the rationale for their use and how declarations should be made.

- The advice that even in situations where a decision is made by the Executive Mayor, a Member at a meeting may be required to declare a DPI as s/he may still have the ability to influence a matter during the discussion/debate..
- That failure to declare a DPI is a criminal offence.

The Committee raised a number of queries around how DPI's apply to self-employed councillors and felt that a guidance paper outlining how declarations should be made would provide clarity; Members asked that illustrative scenarios should be included. The Corporate Director Governance agreed that she would circulate more widely the guidance she had already provided.

RESOLVED

1. That the dispensations granted by the Monitoring Officer detailed in paragraph 3.4 of the report be noted.
2. That issues raised by the Committee be taken into account and a guidance paper including scenarios be developed and reported to a future meeting.

3.3 Review of Local Government Ethical Standards

The Deputy Monitoring Officer presented the report which informed the Members that the Committee on Standards in Public Life (CSPL) was undertaking a consultation as part of its Review of Local Government Ethical Standards (CSPL Review).

Members were invited to consider the consultation questions at Appendix 1 and offer their views. These would be collated and a response made to CSPL on behalf of the Committee. The Independent Person offered her view that she welcomed the review since it offered an opportunity for the effects of the Localism Act 2011, to be quantified. The Committee was advised that the Deputy Monitoring Officer would collate Members' responses and any individual responses that they may also wish to make. These would be circulated for comment prior to submission to CSPL.

The Committee considered the consultation under the headings listed below and their discussion is summarised:

The profile of Standards/Ethics Committees in Local Government –

The Committee was of the view that the status of such committees had diminished and there was a lack of profile for the role and effectiveness of ethics/standards committees. The endorsement of some form of statutory role for Members would add weight to the Committee's role.

In principle there was support for giving committees a higher profile. However in councils where there was much regeneration, there was also the need to take account of the risk around planning committees and the types of engagement that took place between developers and councillors.

Structures, processes and functions –

The Committee asked that the response also cover concern about how to deal with incidents where Members may have breached the Code but which did not result in a complaint triggering the process for investigating the matter. Members felt that a breach of the code whether or not referred to a hearing should be noted/referenced.

Codes of conduct –

The Committee noted that code of conduct had recently been reviewed and felt that on the whole it was now as strong as it could be in the context of the advisory status of the Committee. However, the endorsement of powers with statute would provide the strongest framework.

Noting the 6-month rule under LGA 1972, Members none the less felt that an element around member attendance should be included.

Allegations, investigations and decisions

The Committee noted the Monitoring Officer's (MO) advice that where a complaint against a councillor is withdrawn, the MO none the less has powers to pursue the matter, should the complaint be serious.

The Committee felt that:

- Complaints must go through a constituted forum.
- The decision making pool needs to be big enough to achieve a balanced decision.
- That the investigatory and decision making roles of the MO should be separated.

Sanctions, their scope and application –

The Committee felt that sanctions were weak and were not consistently applied. In the Committee's view also the approach taken relies on a reward/punishment arrangement without taking account of whether unintended consequences might arise from the imposition of sanctions. In the Committee's view the approach should be based on outcomes so that sanctions were proportionate and consistent.

The approach to declarations of disclosable pecuniary interests –

The Committee felt this was an area where more clarity was needed in regard to applying the requirement to disclose and when to disclose.

Whistleblowing –

This was not discussed.

Improving standards –

The Committee noted the recent review of the Code of Conduct.

Intimidation of local councillors –

See earlier comment on engagement between developers and councillors.

Other comments of the Committee -

The Committee noted that the consultation period was active mainly during the local election period and suggested that it should be extended to offer councils better opportunity to engage.

RESOLVED

1. That the Committee's responses and comments on the CSPL consultation as outlined in the above summary be noted.
2. That the feedback given be collated into a formal response on behalf of the Committee.

3.4 Use of Council Resources - Party Political Literature

The Deputy Monitoring Officer presented the report which informed the Committee of action taken by MO in relation to concerns raised about the use of Council resources for party political purposes (principally Council email and telephone numbers in party political leaflets).

The Committee noted the action taken by the MO in relation to individual Members and to political groups, and that a timeframe had been afforded to Members and the political groups in which they might rectify the misuse of resources.

The Committee was asked to express a view on a response should the activity recur.

In discussion the Committee:

- Was satisfied that a clear message had been communicated around the prohibition of using Council resources for election and party political business.
- Endorsed the action taken by the MO in treating the improper use of Council resources as a breach of the Code of Conduct both in this instance and in the event of any recurrence.
- Noted the matter had been reported to the Police and that no further action would be taken.
- Noted that serving Members will, for the duration of their term, have had literature and business cards giving contact facilities provided by the Council. This was permitted in discharging their role as elected representatives.
- Was of the view that the restriction was appropriate in ethical terms. Noted that some Members felt the position around use of resources

had not been communicated in good time, therefore some incidents of misuse had occurred due to lack of knowledge.

- Suggested that an article be published in a community newsletter asking residents to report any incidents.
- Noted that publication of Members' contact details was permitted in Council literature but must include party political emblems or materials.
- Noted that the Council and Police would work closely to deliver free and fair local elections.
- Noted that election advice would shortly be published by the Electoral Commission and the council has published its pre-election guidance for officers and Members on the intranet.

RESOLVED

That the content of the report and its discussion be noted.

3.5 Members' Induction

The Head of Members' Support presented the report which informed the Committee of induction arrangements for Members in the post-election period. The report also had recently been considered by General Purposes Committee.

The Committee noted the reasons for urgency submitted around the publication of the report in that it was necessary that the Committee, at this last meeting before the Local Elections, was able to review and comment on the induction programme and proposals for Members' personal development plans.

The Committee was informed that the programme would introduce alternative forms of learning and its design has been influenced by the role description of the term "Councillor". The programme sought to balance training needs and the programme of meetings. Mandatory training would be signposted and, notwithstanding length of service, Members expected to attend as required.

Responding to the report, Members:

- Noted that the induction was mainly scheduled to take place in May – June.
- Asked that training for new and experienced members should be differentiated to better suit each.
- Asked that the Members' requirement to receive training and fulfil their role on outside bodies should be highlighted.
- Asked that invitations to participate in the induction programme should be extended to all co-optees.
- Asked that training sessions include a written summary outlining the learning aims of each session.

- Suggested that the role description at Appendix B include a note that councillor core activities may fall into one or more categories.
- Noted the new web tools available to evaluate learning and that evaluation of performance would be undertaken by Groups.
- Were satisfied with the framework of the induction programme and the spread of events across the induction week.
- Asked whether training completed may be incorporated into a 'Continuing Development' framework for each Member.
- Asked that there be training on comprehension of financial papers.
- Asked that training on Declarations of Disclosable Pecuniary Interests be repeated.

Officers agreed to take forward matters raised by the Committee during the discussion.

RESOLVED

1. That the proposed indicative Member Induction Programme for 2018 as set out in Appendix A be noted.
2. That the Councillor role description at Appendix B, as agreed by the General Purposes Committee at their meeting on 8th February 2018 be noted.
3. That the actions requested by Standards Advisory Committee arising from the discussion of the report be noted and implemented as agreed.

4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

4.1 Mayor and Local Government Elections 2018 Update

The Corporate Director Governance introduced the report which provided information on the preparations for the Local and Mayoral Elections 2018.

The Committee was informed that:

- There had been an Candidates and Agents briefing in the week; this had been well attended.
- The Electoral Commission had published the combined elections timetable on their website.
- The sites of all Polling Stations had been secured and a RAG rating assigned to each station on the basis of a set of agreed criteria. Information concerning red-rated stations had been shared with the Police and additional resources requested. Additionally use of other forms of monitoring such as CCTV were being investigated.
- There was a comprehensive programme for the recruitment and training of all Election Staff and Police that would be involved in Polling Day and the Count.

- The Count venue would be the Excel Centre at the Royal Docks which offered good accommodation and security facilities. Additionally the previous use of this venue had generated positive feedback.
- The Council would participate in the Cabinet Office Postal Vote Pilot. This would involve the inclusion of advisory literature with postal votes and follow up checks of postal vote returns..
- A programme of planning meetings was taking place to determine what measures would be required to ensure the delivery of a free and fair election.

Responding to the report:

- Some Members of the Committee expressed the view that use of the Excel Centre did not reflect local democracy since the venue was out of borough. Some Members were of the view that reports of poor arrangements around the 2014 Count were inaccurate.
- The Committee acknowledged that arrangements for the current Poll were advanced but asked that the Council explore how future Counts could be held in borough.
- Some Members expressed their disappointment that they had not been consulted about the hire (and cost)of the Count venue.
- The Committee noted that the report had been previously been considered by General Purposes Committee.

The Corporate Director noted the comments offered and agreed that these would be conveyed at the next Election Planning meeting.

RESOLVED

That the content of the report and its discussion be noted.

The meeting ended at 8.35 p.m.

Chair, John Pulford MBE
Standards (Advisory) Committee

Non-Executive Report of the: Standards Advisory Committee 21 June 2018	
Report of: Matthew Mannion, Committee Services Manager	Classification: [Unrestricted]
Standards Advisory Committee Terms of Reference and Dates of Meetings 2018-19	

Originating Officer(s)	Antonella Burgio, Committee Services Officer
Wards affected	[All wards]

Executive Summary

This report:

- a. sets out the Terms of Reference, Quorum, Membership and Dates of meetings of the Standards (Advisory) Committee for the Municipal Year 2018/19 for the information of members of the Committee.
- b. Asks Members to approve the establishment of its Sub Committees to consider complaints relating to breaches of the Member Code of Conduct.

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Note its Terms of Reference, Dates of future meetings and timing thereof, as set out in Appendices 1, 2 and 3 to this report;
2. Establish the following sub-committees for the municipal year 2017/18, to be convened as required on an ad hoc basis with membership from amongst the members of the Standards(Advisory) Committee (SAC), including in each case a minimum of three members:-
 - Investigation and Disciplinary Sub-Committee
 - Hearings Sub-Committee

1. REASONS FOR THE DECISIONS

- 1.1 The decisions are required to enable Members to be aware of the arrangements of the Committee and to establish its Sub-Committees so that complaints against members can be investigated and where necessary answered.

2. ALTERNATIVE OPTIONS

2.1 There are no alternative options applicable to this report

3. ANNUAL ESTABLISHMENT, TERMS OF REFERENCE AND QUORUM, AND DATES OF MEETINGS

3.1 At the Annual General Meeting (AGM) of the full Council held on 23 May 2018, the Authority approved the proportionality and establishment of the Committees and Panels of the Authority, including the Standards (Advisory) Committee (SAC) and appointment of Members thereto.

3.2 It is customary that following the full Council AGM the committees that have been established note their Terms of Reference, Membership and Quorum for the duration of the Municipal Year. These are set out in Appendix 1 and 2 to the report respectively.

3.3 The dates of SAC meetings for the remainder of the Municipal Year, agreed by the full Council are set out in Appendix 3 to this report.

3.4 The Chair and Committee Members, last year agreed the meetings will take place at 7.00pm as this time is deemed to be more convenient for Members and public. Additionally any meetings that fall during the holy month of Ramadan are scheduled to commence at 5.30pm. However Members may wish to determine their own meeting time in the forthcoming municipal year and are permitted to offer their views to the Chair.

4. MEMBERSHIP

4.1 Full Council has agreed that the SAC shall comprise:

- Members of the Council (not including the Mayor or more than one Cabinet Member), appointed by the full Council in accordance with the requirements of political proportionality.
- Up to seven persons who are not Members or officers of the Council or any other relevant authority (i.e. Co-opted members) who will be entitled to vote at meetings.
- Co-opted members may serve as many terms of appointment as the full Council considers appropriate. A person may not be appointed as a co-opted member of the SAC or one of its sub-committees unless the appointment is approved by full Council.

The terms of office for current co-opted members of the SAC are as follows:-

Mr John Pulford MBE	appointed in 2013. The term expired in September 2017 and has been extended for 2 years to September 2019.
Ms Nafisa Adam	appointed in 2015, term expires in February 2019.
Mr Michael James Houston	appointed in 2015, term expires in February 2019
Mr Daniel McLaughlin	appointed in 2015, term expires in May 2019.
Fiona Browne	appointed in February 2017, term expires in February 2021
Vacancy	
Vacancy	

4.2 *Observers:*

With respect to the 'Independent Person' (IP) role introduced nationally under the standards regime resulting from the Localism Act 2011, a public recruitment exercise concluded in June 2013 with the recommendation to full Council (26 June 2013) to appointment Ms Elizabeth Hall as IP .

Ms Hall was appointed by Council as IP on 26 June 2016 for a term of 3 years. Council at its meeting on 20 July 2016 extended this appointment for 2 years. The term therefore ends on 24 June 2018.

To assist the Monitoring Officer to discharge her investigatory duties and enable continuity of the IP role, the Council has appointed a second IP. Ms Rachel Tiffen has been recruited and was appointed to this role on 17 January 2018 for a term of 4 years (ending on 16 January 2022).

Council has agreed that the IP should be invited to all SAC meetings in the capacity of observers.

4.3 *Chairing the Committee*

The full Council has agreed that the Chair and the Vice Chair of the SAC will be appointed from the co-opted members of the SAC.

4.4 *Quorum*

The quorum for meetings of the SAC and for each of its sub-committees is three of the total membership and this must include at least one councillor and one co-opted member. A co-opted member shall Chair the meeting.

5. SUB COMMITTEES

- 5.1 SAC Sub-Committees are established at the beginning of each municipal year. Their function is to consider allegations and the outcome of investigations into misconduct made against elected and co-opted Members and, where necessary. Following implementation of the Localism Act 2011, the compulsory arrangements for standards committees in England were withdrawn. However, Tower Hamlets Council has chosen to maintain these arrangements on to ensure that robust ethical arrangements for standards in public life are in place .
- 5.2 Sub-Committee membership is drawn from the membership of the parent committee and meetings can be convened as required on an ad hoc basis.

6. EQUALITIES IMPLICATIONS

- 6.1 When drawing up the schedule of dates, consideration was given to avoiding school holiday dates and known dates of religious holidays and other important dates where at all possible.

7. RISK MANAGEMENT IMPLICATIONS

- 7.1 The terms of reference for the Standards (Advisory) Committee and the accompanying appendices provides a means of ensuring the work of the Committee and its sub committees is noted.

8. COMMENTS OF THE CHIEF FINANCE OFFICER

- 8.1 Matters brought before the Committee under its terms of reference during the year will include comments on the financial implications of decisions provided by the Chief Finance Officer. There are no specific comments arising from this report.

9. COMMENTS OF LEGAL SERVICES

- 9.1 The information provided for the Committee is in accordance with Article 9 and paragraph 3.3.14 of the Council's Constitution..

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 – Standards Advisory Committee Terms of Reference
- Appendix 2 – Appointments to Committee
- Appendix 3 – Dates of Meeting

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:

Antonella Burgio, Democratic Services, 0207 364 4881

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APPENDIX 1

STANDARDS (ADVISORY) COMMITTEE TERMS OF REFERENCE

Article 9 - The Standards Advisory Committee and the Code of Conduct for Members

9.01 Code of Conduct

In accordance with the requirements of the Localism Act 2011 the Council has adopted a Code of Conduct for Members together with arrangements for dealing with any complaint of a breach of the Code including the appointment of an Independent Person. The Code of Conduct and the arrangements for dealing with any complaint of a breach of the Code are set out at Part 5.1 of this Constitution.

9.02 Standards Advisory Committee: Constitution

Council at its Annual Meeting will establish a Standards Advisory Committee using its powers under section 102(4) of the Local Government Act 1972.

The Standards Advisory Committee shall have the power to create sub-committees in order to discharge its advisory role.

9.03 Composition

The Standards Advisory Committee shall be comprised of Members of the Council (not including the Mayor or more than one Cabinet Member), appointed by the Council in accordance with the requirements of political proportionality; and up to seven persons who are not Members or officers of the Council or any other relevant authority (i.e. Co-opted members).

The Co-opted member(s) will be entitled to vote at meetings under the provisions of section 13(4)(e) of the Local Government and Housing Act 1989. The Standards Advisory Committee shall be chaired by a Co-opted member.

The Committee shall establish Hearings and other Sub-Committees in accordance with its terms of reference.

9.04 Appointment of Co-opted Members

A person may not be appointed as a Co-opted member of the Standards Advisory Committee or one of its sub-committees unless the appointment is approved by Council. The term of appointment shall be for four years unless otherwise determined by Council or the Co-optee does not continue to fulfil any required conditions as may be determined by the Authority from time to time. Co-opted

members may serve as many terms of appointment as the Council considers appropriate.

9.05 Roles and Functions

The Standards Advisory Committee has the following roles:

1. To recommend to the Monitoring Officer whether or not any complaint of a breach by the Mayor, a Councillor or a co-opted member of the Members Code of Conduct should be referred for investigation by the Monitoring Officer or an investigator appointed by the Monitoring Officer; and where a complaint has been subject to such investigation, to recommend whether or not the complaint should proceed to hearing. Where the Monitoring Officer considers that a complaint should not be subject to investigation or should not proceed to hearing, s/he shall convene an Investigation and Disciplinary Sub-Committee of the Standards Advisory Committee which shall make the final decision on the matter. The Investigation and Disciplinary Sub-Committee shall have the same Membership and quorum of the Standards Advisory Committee;
2. To receive regular quarterly reports from the Monitoring Officer on the numbers of complaints of the Code received, the decisions taken by the Monitoring Officer (in consultation with the Independent Person) on such complaints and investigation outcomes where the investigation determines there was no evidence of a failure to comply with the code or where the investigation outcome recommends a local resolution;
3. To convene a Hearings Sub-Committee of three Members of the Standards Advisory Committee comprising two of the co-opted members and one Councillor to consider any matter where the investigation finds evidence of a failure to comply with the Code and a local resolution is not possible or appropriate;
4. To make such recommendations to Council in respect of the matter as the Hearings Sub-Committee considers appropriate as a result of any matter referred including;
 - Reporting its findings to Council for information;
 - Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) removal from any or all Committees or Sub-Committees of the Council;
 - Recommending to the Mayor removal from the Executive, or from particular Portfolio responsibilities;
 - Recommending the Monitoring Officer arrange training for the member;
 - Recommending removal from outside appointments to which he/she has been appointed or nominated;
 - Recommending withdrawing facilities provided to the member by the Council, such as a computer, website and/or email and Internet access;

- Recommending excluding the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Executive Committee and Sub-Committee meetings; and
 - Recommending the Member to contact the Council via specified point(s) of contact.
5. To convene a Hearings (Appeal) Sub-Committee of at least three different Members of the Standards Advisory Committee (comprising two of the co-opted members and one Councillor) to consider any appeal against a finding of, or sanction recommended by, the Hearings Sub-Committee;
 6. To receive reports on compliance with any recommendation(s) made for sanctions to be applied in respect of any member;
 7. Promoting and maintaining high standards of conduct by the Mayor, Members of the Council, co-opted members including church and parent governor representatives and where the Committee considers that there may be issues of concern recommending that the Monitoring Officer considers and reports on the issues raised;
 8. Assisting the Mayor, Members of the Council, co-opted members including church and other faiths and parent governor representatives to observe the Council's Code of Conduct for Members;
 9. Advising Council on the adoption or revision of the Code of Conduct for Members;
 10. Monitoring the operation of the Code of Conduct for Members;
 11. Advising, training or arranging to train the Mayor, Members of the Council and co-opted members including church and other faiths and parent governor representatives on matters relating to the Code of Conduct for Members;
 12. To act as an advisory body in respect of any matters referred to the Standards Committee by the Local Strategic Partnership (LSP) or Community Forums in respect of probity issues arising out of the codes and protocols applicable to relevant members of the LSP and Community Forums as set out in the Community Forum handbook and as may be amended from time to time;
 13. To advise on allegations of Member breaches of the Protocols set out in the constitution as may be referred to the Committee by the Monitoring Officer and to make recommendations with regard to such allegations as maybe so referred;
 14. Advising on local protocols for both Officer and Member governance;
 15. To monitor and review Member and Officer Procedures for registering interests and declaring gifts and hospitality;
 16. To receive periodic reports on the Council's Ethical Governance arrangements, on whistle blowing arrangements and complaints; and
 17. As requested by the Monitoring Officer, to establish a Dispensations Sub-Committee to advise on any applications for dispensations in relation to participation at a meeting by a member with a Disclosable Pecuniary Interest.

9.06 Validity of proceedings

A meeting of the Standards Advisory Committee or one of its sub-committees shall only be quorate where at least three members of the Committee or sub-committee are present for its duration and such quorum must include at least one councillor and at least one co-opted member.

Part VA of the Local Government Act 1972 applies in relation to meetings of the Standards Advisory Committee or its sub-committees as it applies to meetings of the Council.

9.07 Hearings Sub-Committee and Hearings (Appeal) Sub-Committee

Any Hearings Sub-Committee or Hearings (Appeal) Sub-Committee shall comprise a minimum of three Members of the Standards Advisory Committee at least two of whom shall be co-opted members.

The Hearings Sub-Committee shall consider complaints referred to it that the Mayor, an elected or co-opted Member of the Council may have failed to comply with the Council's Code of Conduct for Members or local protocol where the complaint has been subject to an investigation arranged by the Monitoring Officer and shall make recommendations accordingly. The Hearings Sub Committee shall decide at the outset of the meeting whether it is in the public interest that the Hearing is held in a public or private session in accordance with relevant statutory guidance as advised by the Monitoring Officer.

The membership of the Hearings (Appeal) Sub-Committee shall not include any member who served on the Hearings Sub-Committee that considered the same complaint.

The Independent Person, or if that person is unable to act a reserve Independent Person, shall have the right to attend all meetings of the Hearings Sub-Committee or Hearings (Appeal) Sub-Committee as an observer but may not vote or participate in the decision making.

9.08 Attendance Requirements

In the event that any Member of the Committee does not attend three or more consecutive meetings of the Committee, the Committee may draw the attention of the Council to such non-attendance and may recommend that the member concerned be replaced on the Committee.

The Committee shall not do so without first giving the absent Member an opportunity to make representations (which may be made in writing) as to their non-attendance and any matters they wish the Committee to take into account.

9.09 Procedures

The Committee shall agree a set of procedures to enable it to discharge the arrangements under its Terms of Reference.

9.10 Confidentiality

The Committee and any of its Sub-Committees may meet in private in accordance with the relevant legislation as advised by the Monitoring Officer. Any meeting or part of a meeting that considers whether or not a complaint should be referred for investigation or, following an investigation should proceed to hearing, shall be held in private and all papers relating to that consideration shall remain confidential.

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APPENDIX 2**STANDARDS ADVISORY COMMITTEE**

(Seven Members of the Council (who may not include the Mayor or more than one other Cabinet Member) - plus up to seven co-opted members, one of whom shall chair the Committee)

<i>Labour Group (6)</i>	<i>PATH Group (1)</i>	<i>Conservative Group (0)</i>	<i>Co-opted Members (for information)</i>
Councillor Ahabab Hossain Councillor Amina Ali Councillor Gabriela Macallan Councillor Leema Qureshi Councillor Puru Miah Councillor Ruhul Amin Substitutes:- Councillor Muhammad HM Harun Councillor Shad Chowdhury Councillor Shah Ameen	Councillor Rabina Khan	None	Mr John Pulford MBE Ms Nafisa Adam Mr Michael Houston Mr Daniel McLaughlin Ms Fiona Browne Vacancy Vacancy

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APPENDIX 3

STANDARDS (ADVISORY) COMMITTEE

SCHEDULE OF MEETING DATES 2017/18

Thursday 21 June 2018
Wednesday 24 October 2018
Thursday 17 January 2019
Thursday 25 April 2019

Note

At its meeting on 20th March 2018, Council agreed that all meetings of its committees should start at 6.00pm or earlier. Therefore, going forward, meetings of Standards (Advisory) Committee will take place at 6.00pm, except during Ramadan where meetings will start at the earlier time of 5.30pm. the Committee will meet at the Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG,

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<p>Non-Executive Report of the:</p> <p>Standards (Advisory) Committee</p> <p>21 June 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain – Corporate Director Governance & Monitoring Officer</p>	<p>Classification: Unrestricted</p>
<p>Code of Conduct for Members – Complaint Monitoring</p>	

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

Executive 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:

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 14 March 2018. Since the last monitoring report was prepared one additional complaint has 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.

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 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	Closed
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 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 investigation.	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 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	Closed	Closed 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.	Investigation commenced 02.10.17. Investigation reports completed.		Councillors are no longer Members of the authority. Investigator found a breach of the Code and recommended local resolution. This was agreed with the IP and attempted prior to the local elections on 3 May 2018 without success.	Neither councillor has participated in further attempt to resolve the matter locally since election

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.	Closed NFA
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 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 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 resources.	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	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.	30.01.18 agreed with IP further enquiries required of potential witness. 05.02.18 Agreed NFA with IP in light of outcome of enquiries.			Closed	Closed 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
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.	Closed 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.			Closed	Closed 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
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.	Closed 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	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 complainant 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. Agreed NFA with IP on 13.04.18.			Closed	Closed 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
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. Agreed NFA with IP on 13.04.18.			Closed	Closed 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
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.	Closed 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.			Closed	Closed NFA
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 ?			Closed	Closed 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
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	Closed NFA
004/2018	01 March and 09 March 2018	Elected Member (mutual complaint)	Elected Member (mutual complaint)	Alleged inappropriate conduct and potential contravention of the Code: 2.2 Not acting solely in the public interest. 2.9 Not treating another with respect and bullying. 2.10 Failure to promote high standards by leadership and example.	21.03.18 Deputy MO agreed in consultation with IP that it would be premature to take further action pending police investigation of the mutual complaints which might result in the matter being referred for prosecution.			Awaiting outcome of police investigation.	

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Non-Executive Report of the: Standards (Advisory) Committee 21 June 2018	
Report of: Asmat Hussain - Corporate Director Governance & Monitoring Officer	Classification: Unrestricted
Dispensations - Section 33 Localism Act 2011	

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

Executive 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.

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 **General Dispensation:** The Monitoring Officer has granted a General Dispensation to all Members for their current four year term of office 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.
- 3.5 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.
- 3.6 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.
- 3.7 The General Dispensation will apply until the next Mayoral and local elections in May 2022 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 the contents of 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 has introduced a standard application form for Members to complete when seeking a specific 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.

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

Non-Executive Report of the: Standards (Advisory) Committee 21 June 2018	
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Member Induction Update	

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

Executive Summary

The report provides an update on the progress of the Member Induction programme for new and returning Members following the May 2018 Council elections. The report includes details on the statutory and non-statutory training that has been conducted.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Note the progress of the Member Induction programme.
2. Note the present completion level of the statutory committee training.

1. REASONS FOR THE DECISIONS

- 1.1 Member learning and development is provided to enhance knowledge of the Council, ensure that Councillors receive up to date information on services and are equipped with the training required to undertake their roles as Councillors.
- 1.2 In addition, Councillors appointed to regulatory committees are required to receive training on an annual basis. This must be completed prior to the Councillor being required to act on the Committee.

2. ALTERNATIVE OPTIONS

- 2.1 The progress of the Member Induction programme and compliance with the

training requirements for regulatory committees could be not reported to the Standards Advisory Committee and managed through internal processes only.

3. DETAILS OF THE REPORT

3.1 The political composition of the authority following the Council elections on 3rd May 2018 is:

Labour Group - 42 Councillors
 Conservative Group - 2 Councillors
 Ungrouped / People's Alliance of Tower Hamlets – 1 Councillor

3.2 This included the arrival of 28 newly appointed Councillors, of which 25 had no previous experience on the Council.

3.3 All Candidates were provided with the Members' Induction Programme and the Code of Conduct, prior to the election and all Councillors elected were made aware of the training dates following their election.

3.4 In the 5 weeks following the election a total of 15 sessions, covering 11 separate topics, have been held for the Councillors. The session details and attendance are as follows:

Chairing Skills	14
Corporate Parenting and Safeguarding of Children	34
Development / Strategic Development Committee	16
Effective Scrutiny	13
Ethics & Probity	30
Ethics & Probity 2	3
Ethics & Probity 3	1
Ethics & Probity-Autumn 2017	13
Governance & Decision Making	27
ICT, Info Governance, Mod.gov, Members Hub & Enquiries	50
Licensing	16
Making your ICT Kit Work for You	11
PREVENT and Civil Contingencies	38
Setting the Scene	46

3.5 The induction sessions continue to be delivered, in accordance with the agreed programme.

3.6 Ethics and Probity Training has been completed for all new Councillors. Returning Councillors that attended one of the Ethics and Probity sessions held in autumn 2017 were not required to repeat the session.

4. EQUALITIES IMPLICATIONS

- 4.1 There have been no equalities implications in the provision of the Member Induction programme. All sessions are tailored to the needs of those attending to ensure maximum participation and learning.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 Training for the regulatory committees has been conducted for the Licensing Committee and the Development/Strategic Development Committee. At the time of writing, there remain 2 members of the Licensing Committee that require training and 6 members of the Development/Strategic Development Committee that require training. The clerks of the committees are aware of the training requirement and additional training sessions are being arranged to ensure the members to attend the training, prior to taking part in any meeting.
- 5.2 Training for the Appointments and Employee Appeals committee has not yet been conducted. This will be arranged prior to any Councillors being required to act in those roles.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 Following the May 2018 Council elections, this report provides an update on the progress of the Members Induction programme.
- 6.2 There are no financial implications arising from the content of this report except cost of training which is met from existing budgets.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Council's Licensing and Planning Codes of Conduct (sections 6 and 4 respectively) include specific requirements for Councillors to attend mandatory training which must be completed before sitting as a member of the Development or Licensing Committees or any sub-committees. In addition, Section 27(1) of the Localism Act 2011 provides that the Council must promote and maintain high standards of conduct by Members and Co-opted Members of the authority. In discharging this duty the Council is required by section 27(2) of the 2011 Act to adopt a Code of Conduct which applies to all Members and Co-opted Members when acting in an official capacity. The Member Induction and Training Programme will assist the authority in discharging this statutory responsibility.
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Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

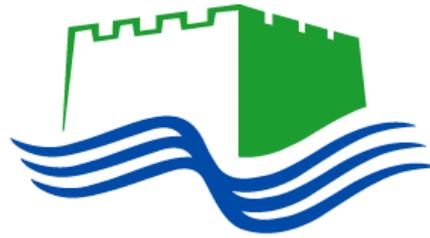
Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

- None

Officer contact details for documents:

n/a



TOWER HAMLETS

STANDARDS ADVISORY COMMITTEE WORK PLAN 2018/19

(June 2018 update)

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STANDARDS ADVISORY COMMITTEE WORK PLAN 2017/18

REPORT TITLE	BRIEF SUMMARY/ACTIONS	LEAD OFFICER	OTHER CTTEE MEETINGS
21 JUNE 2018			
Election of Chair Appointment of Vice Chair		Democratic Services Officer	N/A
Terms of Reference & Housekeeping report		Democratic Services Officer	N/A
Code of Conduct for Members: Complaints and Investigation Monitoring and Associated Matters		Corporate Director, Governance	N/A
Dispensations Under Section 33 of the Localism Act 2011		Deputy Monitoring Officer	
Member Training		Head of Members' Support	
Workplan		Democratic Services Officer	N/A
24 OCTOBER 2018			
Constitution Review – TBA		Corporate Director, Governance	
Gifts and Hospitality Forms and Guidance		Head of Members' Support	
Member Safety Protocol And Personal Safety - A Guide for new Members		Head of Members' Support	

STANDARDS ADVISORY COMMITTEE WORK PLAN 2017/18

REPORT TITLE	BRIEF SUMMARY/ACTIONS	LEAD OFFICER	OTHER CTTEE MEETINGS
Roll-out of Electronic Devices for Councillors - Monitoring		Divisional Director IT	
Work Plan		Democratic Services Officer	N/A
17 JANUARY 2019			
Code of Conduct for Members - Complaint Monitoring and Associated Matters		Deputy Monitoring Officer	
Dispensations Under Section 33 of the Localism Act 2011		Monitoring Officer	
Members Register of Interests		Head of Members' Support	
Member Induction and Training – update/monitoring		Head of Members' Support	
Revisions to the Code of Conduct		Deputy Monitoring Officer	
Workplan		Democratic Services	
14 MARCH 2019			
Code of Conduct for Members - Complaint Monitoring and Associated Matters		Deputy Monitoring Officer	

STANDARDS ADVISORY COMMITTEE WORK PLAN 2017/18

REPORT TITLE	BRIEF SUMMARY/ACTIONS	LEAD OFFICER	OTHER CTTEE MEETINGS
SAC Report to Council		Chair and Independent Person	
Workplan		Democratic Services	
SUGGESTED TOPICS FOR DISCUSSION			
Maintenance and accessibility of the Register of Members' Interests and any other registers of interest established by the Council			
Review of contents of Register of interests			