

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE

HELD AT 7.30 P.M. ON WEDNESDAY, 1 MARCH 2017

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

Members Present:

John Pulford MBE (Chair)
Nafisa Adam (Vice-Chair)
Fiona Browne
Mike Houston
Daniel McLaughlin
Councillor Marc Francis
Councillor Ohid Ahmed

Apologies:

Councillor Ayas Miah (Member)

Officers Present:

Paul Greeno – (Senior Corporate and Governance Lawyer,
Legal Services)

Antonella Burgio – (Democratic Services)

NOTICES

The Chair welcomed Fiona Browne who had recently been appointed as a co-optee to the Committee. At the Chair's invitation, Ms Browne introduced herself and spoke about her background and expertise and how these would benefit the work of the Committee.

The Chair also advised that following the recent review of proportionality, Councillor Ronald was no longer appointed to the Committee.

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 24 November 2016 were approved as a correct record subject to inclusion of data relating officers in attendance.

MATTERS ARISING

The following matters were discussed arising from the minutes:

- Clarification on whether the timesheet submission amnesty should be expired before letters sent to councillors that had failed to submit returns.
- A report on timesheet submission was expected. Members were advised that a report would be made at the next meeting.
- Many members were unclear whether timesheet returns were mandatory.
- There needed to be a clear directive in regard to this matter.
- The Council had given no formal message indicating that keeping timesheets was no longer required therefore position of the Committee was that, in the absence of any such message, timesheet recording should continue and letters sent to Members.

Actions arising from the discussion:

- That the issue would be pursued as a governance matter.
- That the discussion would be taken back to Members Support who co-ordinate timesheet returns.

3. REPORTS FOR CONSIDERATION

3.1 Covert investigation under the Regulation of Investigatory Powers Act (RIPA) 2000

Paul Greeno Senior Lawyer presented the report informing the Committee that activity under RIPA legislation concerned

- covert surveillance activity and
- to obtain communications records via the National Fraud Agency.

The Committee heard that:

- RIPA regulations were modified two years ago and covert surveillance may only be undertaken when investigating serious offences having first obtained a magistrates order.
- The Council had made no applications under this legislation in quarters 2 and 3 in 2016/17.
- The officer responsible in relation to the Council's activity under this legislation is the Corporate Anti-Fraud Manager.
- The Council's arrangements had been and procedures had been reviewed following consultation with the Information Commissioner.

The following information was also providing arising from Members' questions:

- RIPA documents are not in the public realm
- No covert investigations were necessary when investigating counterfeit goods as officers used intelligence for their purposes. When investigating retail premises, officers would first seek a warrant.
- The gatekeeper for RIPA activity was the Head of Trading Standards.

- Reports of applications made are provided by National Fraud Agency. The gatekeeper acts as the single point of contact for the Council.

RESOLVED

That the report be noted.

3.2 Code of Conduct for Members - Complaints and Investigation Monitoring

Paul Greeno Senior Lawyer presented the report informing the Committee that there had been no complaints and investigations relating to alleged breaches of the member code of conduct or probity matters since the last meeting.

RESOLVED:

That the update be noted.

4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

The following matters were considered:

1. Paul Greeno Senior Lawyer provided an update on recent changes relating to probity matters:
 - On 5 December 2016, Council approved the revised Code of Conduct dealing with conduct of all elected members and breaches.
 - The Planning Code of Conduct was being revised. A draft for consultation would be taken to Strategic Development Committee and Development Committee in March/April 2017
 - On 9th January 2017 the Council implemented its new senior officer structure comprising corporate directors (5), and divisional directors (formerly service heads). The Corporate Director for Governance would also incorporate the statutory Monitoring Officer function. This role was currently being undertaken on an interim basis by Graham White and Mark Norman was deputy monitoring officer.
 - There had been a review of proportionality which revealed that the Council was under no overall political control.
 - On 27 February 2017 training of Overview and Scrutiny Co-optees had taken place. This included training on ethics and probity.
 - Probity training for elected members and members of Standards Advisory Committee was planned for 3rd and 24th May 2017. Details would be confirmed following consultation with the Chair.
 - The Constitution Working Party had met twice and review Parts 1,2 and 3 of the Council Constitution. The revisions would be presented to Full Council in March 2017. Part 4 will be reviewed at the next meeting of the working party on 14 March 2017 at which time procedural rules would be reviewed. It was intended that the whole Constitution should be reviewed by the time of the Council Annual General Meeting in May 2017.

- A verbal update on the Whistleblowing Policy was given informing members that:
 - The policy was introduced in April 2016
 - 29 concerns had been raised since inception and 3 were raised in March.
 - 17 of the concerns raised were adjudicated to be whistleblowing concerns and these have been referred to the service area
 - Of the 12 remaining concerns, 1 has been completed, 6 are in progress and 3 have not had relevant information provided following requests. 2 concerns overlap with an investigation that has been concluded.
 - Councillor Francis enquired about a referral made under the previous policy and it was agreed that an answer would be given following the meeting.

- 2. The Chair enquired and it was confirmed that
 - the start time of meetings in the new municipal year would be 7.00pm.
 - the committee would not meet during Ramadan.

- 3. The Chair also advised that a position for the role of co-opted member remained vacant and asked members to consider whether an appointment to this post was required.

5. EXCLUSION OF THE PRESS AND PUBLIC

Nil items

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

Nil items.

The meeting ended at 8.25 p.m.

Chair, John Pulford MBE
Standards (Advisory) Committee