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| Non-Executive Report of the: Standards (Advisory) Committee 19 October 2017 |  TOWER HAMLETS |
| Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer | Classification: Unrestricted |
| Code of Conduct for Members - Complaint Monitoring and Associated Matters | |

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

Summary

Appendix 1 to this report updates the Advisory Committee on the quarterly monitoring information for complaints and investigations relating to alleged breaches Council's Code of Conduct for Members. The report also contains information concerning the introduction of a new web based conduct complaint form and updates Members on progress in appointing a second Independent Person.

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 As at March 2017 there were no outstanding Member conduct complaints or on-going investigations. Appendix 1 to this report contains details of eight new complaints that have been received since April 2017.
- 3.2 In order to improve the complaint handling process, the Monitoring Officer has also introduced a web based conduct complaint form. The content of the form was agreed with the Chair of the Advisory Committee and the Independent Person and was also subject to consultation with ungrouped Councillors and the various political groups on the Council.
- 3.3 A link to the form is included in 'Information about councillors' webpage on the Council's website which has now been updated and includes a revised section titled 'Code of Conduct for Members and declaration of interests'. This section includes details of how complaints of breach of the Code of Conduct are dealt with and contains a link to the new conduct complaint form. The 'Comments, compliments and complaints' webpage has also been updated to include reference to the new form which has been operational since 27 September 2017.
- 3.4 Members will be aware that the Council is required by law to appoint an Independent Person to assist in dealing with Member conduct complaints. The law requires that the view of the Independent Person is obtained before any decision is made about a complaint of breach of the Code that has been investigated. Tower Hamlets local procedure provides that the Independent Person should also be consulted on decisions about whether to investigate complaints.
- 3.5 The view of the Independent Person may also be sought by the Member complained about and it is possible for conflicts of interest to arise as a result of this or because of an existing connection or association between the complainant and the Independent Person.
- 3.6 The Council advertised in October last year for a second Independent Person but received no applications. A further advertisement seeking applications for the role was therefore placed last month with a closing date of 19 October

2017. The Advisory Committee will be updated on progress with the appointment at its next meeting.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

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

5. LEGAL COMMENTS

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

6. ONE TOWER HAMLETS CONSIDERATIONS

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

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The Council's arrangements for dealing with complaints of breach of the Code of Conduct for Members were revised in December last year 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