


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

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

Summary

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

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

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Consider and note the attached report.

1. REASONS FOR THE DECISIONS

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

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable.

3. DETAILS OF REPORT

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

4. COMMENTS OF THE CHIEF FINANCE OFFICER

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

5. LEGAL COMMENTS

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

6. ONE TOWER HAMLETS CONSIDERATIONS

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

7. BEST VALUE (BV) IMPLICATIONS

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

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

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

9. RISK MANAGEMENT IMPLICATIONS

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

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

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

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

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

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

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

List any background documents not already in the public domain including officer contact information.

- None

Officer contact details for documents:

- N/A