

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE

HELD AT 7.05 P.M. ON THURSDAY, 19 OCTOBER 2017

**COMMITTEE ROOM 1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON E14 2BG**

Members Present:

Nafisa Adam (Vice-Chair in the Chair)
Fiona Browne (Co-Optee)
Councillor Marc Francis
Councillor Ohid Ahmed
Councillor Muhammad Ansar Mustaqim
Councillor Aminur Khan

Observers:

Elizabeth Hall – Independent Person (observer)

Apologies:

Mike Houston (Co-Optee)
Daniel McLaughlin (Co-Optee)
Councillor Ayas Miah
Councillor Candida Ronald

Officers Present:

Paul Greeno – (Senior Corporate and Governance Lawyer,
Legal Services)
Mark Norman – (Legal Adviser and Deputy Monitoring
Officer)
Asmat Hussain – (Corporate Director, Governance and
Monitoring Officer)
Antonella Burgio – (Democratic Services)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

That the minutes of the meeting held on 29th June 20107 be approved as a correct record of proceedings.

Matters Relating to the Minutes Raised by Members

Timesheets – A Member noted that the minutes indicated that following the discussion the Committee concluded that the Council’s policy is to submit timesheets and reasoned that this position should be maintained unless Council resolves otherwise. The Corporate Director advised that she had not had sight of this policy but believed the approach to be a group requirement. Acknowledging arguments put forward around transparency of member activity it was agreed that the matter would be investigated and that, with the Chair’s agreement, the issue would be revisited and a paper brought to a future meeting.

Attendance - Members asked that the inaccurate attendance data relating to two councillors that was published in the report be corrected.

Action by: Beverley McKenzie, Head of Members Support and Antonella Burgio, Democratic Services Officer.

3. REPORTS FOR CONSIDERATION

3.1 Code of Conduct for Members - Complaint Monitoring and Associated Matters

Members:

- noted the update provided.
- were informed that an electronic complaint form was now available which would be used to lodge future code of conduct complaints.

Responding to queries from the Committee, the following information was provided.

Noting the email security issues around the usual email method of correspondence between officers and councillors for those members who did not participate in the Council provided email facility, Members were informed that in the first instance email would remain the Council’s primary method of communication. However should officers fail to receive a response, there would be follow up via letter. Officers would be expected to follow up contact.

Concerning the implementation of the new on-line complaint process, the Corporate Director advised that the intention was to receive new complaints via a transparent process. She asked Elected Members to take back the form to their political groups to raise awareness.

Concerning what had prompted the spate of code of conduct complaints, the Committee was informed that there was no analysis available to indicate likely causes.

RESOLVED

That the content of the report and the discussion of the information contained in Appendix 1 be noted.

3.2 Dispensations Under Section 33 of the Localism Act 2011

Members noted:

- That matters related to this area of legalisation had not previously been considered by the Committee.
- That the types of dispensation which may be granted were general dispensations and individual dispensations.
- That a dispensation must be issued before the meeting at which the matter related it will be discussed.
- That a form would be created to assist members to make such requests.

Members discussed areas/matters where dispensations might be applied and felt that there was lack of clarity around dispensations for interests that related to Members' spouses/partners/children/property-leaseholders.

The Corporate Director agreed that a future report be brought to the Committee on dispensations, including those relating to property for the period January 2018 until the Local Elections in May 2018. The Vice-Chair requested that regular periodic reports on use of dispensations also be made to the Committee.

RESOLVED

1. That the specific dispensation granted by the Monitoring Officer detailed in paragraph 3.2 of the report be noted.
2. That the discussion of the proposed General Dispensation and future arrangements detailed in paragraphs 3.5 to 3.8 of the report be noted.
3. That responsibility related to expedited dispensations be delegated to the Chair and Vice-Chair of Standards Advisory Committee in consultation with the Corporate Director for Governance/Monitoring Officer.
4. That periodic reports on the use of dispensations be made to Standards Advisory Committee.

3.3 Constitution Review – Member/ Officer Relations’ Protocol

Members noted:

- That the report concerned member-officer related matter and the relationships between them.
- That an additional section (Section 4) had been added as a result of the SOLACE programme on organisational culture.
- That the Member/Officer Relations Protocol would, subject to approval by Council, replace the previous protocol. If adopted by Council the protocol would be cascaded to all officers.

Members discussed the report and highlighted the following matters:

- That the Committee had requested immediate training on officer/member protocol and that this matter be prioritised.
- The style of the protocol should be impartial and any emotive language revised.
- There needed to be guidance on what the relationship between Members and political advisors should be and whether these officers should be involved in political business. The Committee was advised that advisors should not be involved in party political business. However this matter would be investigated and guidance provided to Members.
- Political advisors should be exempted from paragraph 7.2 of the protocol.
- The legal framework around the allocation of political advisors.
- Some officers appeared to exhibit a politicised approach in regard to how information was communicated to councillors and this affected Members ability to review decision making. Members asked that there should be opportunity for transparency.
- Councillor behaviour at times did not reflect that expected by the protocol.
- Guidance on Officer Advice (S7) had not been circulated to all councillors. The Corporate Director agreed that this would be addressed.

RESOLVED

1. That the recommendation to Council for approval the revised draft Member/ Officer Relations’ Protocol at Appendix 1 be endorsed; and
2. That it be noted that revised draft Member/ Officer Relations’ Protocol has been reviewed at the Standards Advisory Committee on 19th October 2017.

3.4 Gifts and Hospitality

Members noted:

- The revised guidance around gifts and hospitality,
- The new forms for these types of declarations and
- The timescales in which such declarations should be made.

Members discussed the likely circumstances in which receipt of gifts and hospitality should be declared and noted, for transparency, the Corporate Director's advice that a proactive approach should be adopted and it is a requirement to declare where gifts and hospitality have been declined.

RESOLVED

1. That the guidance provided to Members attached as Appendix 1 be noted.
2. That the Committee receive regular updates on the declarations made by Members.

3.5 Work Plan

Members noted:

- That the plan had been devised to provide a framework for the delivery and monitoring of the Committee's work.
- That the Code of Conduct report would be to be brought to the meeting in January 2018.
- In March 2018 work benchmarking other Standards Committees and their work would be undertaken.

Members were asked to consider when they wished the unscheduled titles in the programme to be brought forward for discussion.

RESOLVED

That the content of the work programme and discussion of the matter be noted.

4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

The Committee

- Received the following written report from the Chair: "The Chair had a meeting on 9 October, 2017 with Place Shaping Team Leader within the Strategic Planning Department. They agreed the Planning Code of Conduct should apply to members of the Council's Conservation and Design Advisory Panel, although not all of the guidance would be relevant. The Team Leader will seek advice from the Department's management and will be writing to the Corporate Director, Governance."

- Received feedback on the Declarations of Pecuniary Interest training delivered to Members in October. The Committee heard that a number of issues had been raised including declarations at regulatory committee meetings. The Corporate Director advised that all councillors would receive letter a responding to the issues raised during the training.
- Noted that in future the Whistleblowing Report will be reported only to Audit Committee.

5. EXCLUSION OF THE PRESS AND PUBLIC

The Committee did not resolve to exclude press and public as no exempt reports were considered at the meeting.

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

Nil items.

The meeting ended at 9.01 p.m.

Vice- Chair, Nafisa Adam
Standards (Advisory) Committee