

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE**

**HELD AT 6.10 P.M. ON WEDNESDAY, 24 OCTOBER 2018**

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

**Members Present:**

John Pulford MBE (Chair)  
Nafisa Adam (Vice-Chair)  
Fiona Browne  
Councillor Amina Ali  
Councillor Mohammed Ahabab Hossain  
Councillor Gabriela Salva Macallan

**Apologies:**

Mike Houston (Co-Optee)  
Councillor Ruhul Amin (Member)  
Councillor Puru Miah (Member)  
Councillor Rabina Khan (Member)

**Officers Present:**

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

**ANNOUNCEMENT**

The Chair informed Members that he had received a letter of resignation from Co-optee Daniel McLaughin due to recent ill health. The Chair advised that he had accepted the resignation and, on behalf of the Committee, thanked Mr McLaughin for his valuable work over the years.

**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 21 June 2018 be approved as a correct record of proceedings subject to two corrections; that the typographic error of Ms Browne's name at minute 1 be corrected and that apologies of Mike Houston be recorded.

## **3. REPORTS FOR CONSIDERATION**

### **3.1 Code of Conduct for Members - Complaint Monitoring**

The Deputy Monitoring Officer presented the report which outlined the current position on the monitoring of Code of Conduct for Members complaints. Details were provided at Appendix 1 to the report which, following Members' request, now included a dashboard summarising groupings of complaints and their status. He highlighted that

- most complaints had now been resolved and two new complaints had been lodged which had been referred for initial assessment.
- the Monitoring Officer is required to consult the Independent Person before deciding if complaints should be referred for investigation.

The Committee considered the data and in response to Members' questions the following information was provided.

- Details of some complaints considered by the Clear-Up Project Board had been included to provide a full auditable trail of the outcomes of the cases in this project.
- Recently, fewer Councillor-to-Councillor complaints had been lodged and public complaints had increased. The Corporate Director Governance noted that this pattern reflected what may be found at other councils. Additionally it indicated that the Authority had moved towards a normal environment and that the public understood and had confidence in the use of the complaint mechanism.
- Concerning complaint 008/2017, the investigation had taken a protracted time to complete and the complainant had been dissatisfied because of the lack of progress in investigating the complaint. The Corporate Director had apologised to the complainant and efforts to bring the investigation to a conclusion were redoubled. An analysis of how the complaint was handled including the timeline was tabled and the circumstances of the matter noted. The breach concerned an inappropriate use of position but no illegal activity was identified and therefore the Police were not notified. The investigation concluded that a former Councillor did not act solely in the public interest and improperly used Council resources. Since the conclusion of the investigation the former Councillor involved had offered an apology they were no longer serving as an elected member therefore it was not possible to formally censure nor was he/she required to cooperate in regard to any sanctions. However the Corporate Director would be writing to the former Councillor on the matter to reinforce the need to

comply with the Code in the event that they hold office as a councillor in the future.

- The corporate director would also write to complainant and explain the actions that had been taken and if the complainant responded their response would also be reported to the Committee in due course.

The Committee requested:

- That future complaints be reported in municipal year chronology
- That sub-totals be included in the dashboard.
- That the dashboard be expanded to include graphical data in the form of bar charts or pie charts showing relevant data and totals. The Chair and Vice-Chair should be consulted on the format once decided.
- That timescales on each element of investigations should be factored into the investigation procedure and its monitoring and that these should outline the reasons for any delays. It was agreed that a form of time monitoring would be factored to enable detailed analysis. It was agreed that a target date for investigations would also be included in the monitoring information provided to the Committee.

## **RESOLVED**

1. Note the content of this report and consider the information contained in Appendix 1.
2. That the above actions requested by Members be taken forward.

**ACTION BY:** M Norman, Legal Adviser and Deputy Monitoring Officer  
B McKenzie, Head of Member Support  
A Burgio, Democratic Services Officer

### **3.2 Councillors Safety - update**

The Committee noted that the Member Safety Protocol had been circulated supplementary to the agenda.

The Corporate Director Governance presented the report informing the Committee that:

- The protocol had been refreshed in January 2018 and circulated to Councillors. It was also available electronically via the 'Members Hub'.
- Members had been reminded of good personal safety practice as part of the Member Induction Programme.
- Some Councillors were exploring alternative venues in which to hold their surgeries. 53 risk assessments had been carried out in this regard and a request to use a private venue had been refused.
- Further training on holding surgeries would be offered.
- Concerning future 'I-Casework' training for Members, a canvas had been carried out but no additional requests had been received. A Committee Member noted that some Members had also used peer learning to familiarise themselves with the application.

A Member requested that Councillors' surgery details be advertised in 'Our East End' publication and it was agreed that Member Surgeries be advertised via Communications Team and Member compliment slips

### **RESOLVED**

1. That the progress on ensuring Councillors are advised of the personal safety guidelines be noted.
2. That the safety measure implemented to mitigate the risks to Councillors when conducting surgeries be noted.
3. That the above action requested by Members be taken forward.

**ACTION BY:** McKenzie, Head of Member Support  
A Burgio, Democratic Services Officer

### **3.3 Member Induction 2018**

The Corporate Director Governance presented the report informing the Committee that:

- All Members had received Code of Conduct training and all Members that had been appointed to quasi-judicial and regulatory committees had received mandatory training pertinent to them.
- The initial phase of the Induction Programme had been delivered and details of Member attendance was provided at Appendix 1. Repeat sessions were now being delivered for those Members who had been unable to attend initially and Code of Conduct training would also be repeated in the new financial year.
- As part of the Induction Programme, Co-opted Members had also been invited and had attended training pertinent to their roles.
- The LGA Peer Review Team had given positive feedback on the programme, noting it had been extensive and a majority of Members had participated.
- An opportunity to undertake a Personal Development Plan was now offered and expressions of interests were being sought.
- Expanding on the training delivered, the Council was looking to provide training in alternative formats including e-learning.

Arising from the presentation, the following observations from Committee Members were noted:

- There had been good Councillor feedback on the training delivered.
- There had been much work to deliver the programme and implement the support arrangements to achieve this.
- The programme demonstrated commitment to continuous improvement.

- It was important the training programme should incorporate co-opted members.
- The Committee endorsed the comprehensive approach to Member Development.

The Committee requested that an outstanding action relating to the Design Conservation Panel be pursued.

### **RESOLVED**

1. That the completion of mandatory training for Ethics & Probity, Licensing and Planning for all affected members be noted.
2. That the successful completion of induction sessions; the ongoing 'mop up' sessions, to ensure all councillors attend the required sessions be noted.
3. That the positive feedback reported by the Corporate Peer Challenge Team be noted.
4. That the ongoing personal development plan process to identify the existing developmental needs and enable these to contribute to the overall Learning and Development plan for the remainder of the administration be noted.
5. That the above action requested by Members be taken forward.

**ACTION BY:** M Norman, Legal Adviser and Deputy Monitoring Officer  
B McKenzie, Head of Member Support  
A Burgio, Democratic Services Officer

### **3.4 Register of Members' Gifts & Hospitality**

The Corporate Director Governance presented the report informing the Committee that:

- The report provided details of gifts and hospitality registered between 1 October 2017 and 30 September 2018.
- An audit of the registration of gifts and hospitality had been completed and returned a substantial assurance.
- There were fewer registrations of gifts and hospitality declined than registrations of those accepted. To ensure that Members were aware of their dual obligations, the matter would be taken forward by Officers.

The Corporate Director Governance asked Members to consider if they wished failure to report registrations within the 28 days specified in the Member Code of Conduct to be referred to Standards Advisory Committee and Members agreed that this would be an appropriate course of action.

In discussion, Members received the following additional information.

- Where Officers become aware of failure to register gifts and hospitality in accordance with procedure, they will write to Councillors to highlight the matter and request that it be rectified.
- To defend integrity and high standards a statement would be prepared for circulation to Members. The statement would outline the compliance expected and include a message around purpose and outcome. The Committee would be asked to endorse the approach before distribution to Members,
- In their role, Councillors could expect lobbying and this was part of Ward duties. However a Councillor should not be involved in a decision on which they had lobbied.

Arising from the discussion, the following observations from Committee Members were noted:

- Fewer than expected declarations had been made by members of the Council's development committees.
- There had been fewer than expected declarations of accepting hospitality in the form of wedding invitations and these were likely to be in excess of the £25 threshold.
- Some descriptions of gifts or hospitality received were vague and, the value of some appeared to be estimated.

The Committee requested:

- That a report on registration of gifts and hospitality be made to the Committee every 6 months.
- To ensure that Members were aware of their dual obligations in regards to declarations of gifts and hospitality that the matter would be monitored by Officers.
- That examples of registrations of gifts and hospitality be included in the next Ethics and Probity training.
- That failure to report registrations within the 28 days specified in the Member Code of Conduct to be referred to Standards Advisory Committee

## **RESOLVED**

1. That the declarations of Gifts and/or hospitality received as reported in Appendix 1 be noted.
2. That failure to report registrations of gifts and hospitality within the 28 days specified in the Member Code of Conduct to be reported to Standards Advisory Committee.
3. That the above actions requested by Members be taken forward.

**ACTION BY:** B McKenzie, Head of Member Support  
A Burgio, Democratic Services Officer

### 3.5 Work Plan

The Deputy Monitoring Officer presented the report which outlined the schedule of work that the Committee intended to undertake in the current municipal year.

The Committee noted:

- That the consultation on the review of the Committee's Terms of Reference, which was part of a wider review of the Constitution would be presented at the next meeting in January 2019.
- The review would incorporate revision of the Member Code of Conduct and the review of the Standards Advisory Committee hearings procedures, incorporating the mock hearing training..
- The Review of Local Authority Ethics by the Parliamentary Committee on Standards in public Life was due to report in early 2019. A report would be brought to Committee in due course. Members noted that this review was expected to make recommendations on the criteria for disqualification of councillors. At present this was based on LGA1972 and required review in the light of recent sentencing guidelines.

The Chair agreed that the items of the work programme be reviewed and additional matters of relevance to the Committee be brought for consideration.

#### **RESOLVED**

1. That the content of the work plan be noted.
2. That the work plan be updated in accordance with the actions requested during the discussion..

**ACTION BY:** A Burgio, Democratic Services Officer

### 4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

There was none.

The meeting ended at 7.24 p.m.

Chair, John Pulford MBE  
Standards (Advisory) Committee

This page is intentionally left blank