

Standards Advisory Committee

**Thursday, 7 December 2023 at 6.30 p.m.
Committee Room - Tower Hamlets Town Hall,
160 Whitechapel Road, London E1 1BJ**

Supplemental Agenda

4. WORK PLAN

Latest version of the Advisory Committee's work plan.

5 .3 Code of Conduct for Members - Complaint Monitoring and Associated Matters (Pages 11 - 30)

An updated version of Appendix 1 to the report.

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TOWER HAMLETS

STANDARDS ADVISORY COMMITTEE WORK PLAN and ACTION LIST 2023/24

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Agenda Item 4

SAC WORK PLAN 2023/24

ACTIONS LIST

Action number	Title	Action Owner	Originating Meeting/Item	Due Date / Comment
1.	Attendance requirement made clearer in the Code of Conduct. To be included as part of the Advisory Committee's annual review of the CoC.	Matthew Mannion	June 2023	Annual review of CoC is scheduled for March 2024
2.	Terms of reference - to consider whether explicit reference should be made to the Advisory Committee's role "To monitor and review Member and Officer Procedures for registering interests and declaring gifts and hospitality" as included in its rules of procedure.	Matthew Mannion	June 2023	
3.	Member Attendance – a note to be sent to group whips flagging members where attendance is below 50%	Matthew Mannion	June 2023	Completed.
4.	Member Attendance – Terms of reference and similar annual administrative reports to each committee should include a paragraph on expectations for attendance	Matthew Mannion	June 2023	Admin reports are noted by each Council Committee around May/June each year. Reports from 2024 will include this wording.
5.	Member Officer Protocol – final draft to be shared with members of the advisory committee prior to Council submission	Janet Fasan	June 2023	Janet will send to SAC members via email prior to Jan 2024 Council consideration.
6.	Member Officer Protocol – remove wording "specific named" from the 'As a member' part of section 5	Janet Fasan	June 2023	Done
7.	Complaints monitoring. Clarification on provision 3.1a of the Standards Advisory Committee Procedures in Part D of the Council's Constitution	Janet Fasan	September 2023	Janet sent email to chair and vice chair clarifying the position. Any changes will need to be follow normal route for

SAC WORK PLAN 2023/24

Action number	Title	Action Owner	Originating Meeting/Item	Due Date / Comment
	Clarification of the different roles and process of the Hearings Sub-Committee and the Investigation and Disciplinary Sub-Committee			constitution amendments, inc consideration at General Purposes Committee.
8.	Guidance for Members and Officers on Outside Organisations – add a reference to provision for protections for members	Janet Fasan	September 2023	Agreed changes made. Document with MM. Guidance will be presented to General Purposes Committee and thereafter to be circulated to relevant members of outside bodies and on Members hub.
9.	LGA Member Learning and Development Charter	Matthew Mannion	September 2023	Added to work plan for December 2023
10.	Complaint monitoring –earlier update than March 2024 would be welcome	Janet Fasan	September 2023	An update is now scheduled for the December 2023 meeting
11.	Lessons and feedback from Co-opted members training sessions.	Matthew Mannion	September 2023	To be included in annual report on Member Training, scheduled for December 2023

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N.B. once concluded - actions should remain on the list marked 'complete' for the remainder of the municipal year.

WORK PLAN

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
22 JUNE 2023			
1. Annual Administrative Reports	To note the Committee's terms of reference, membership and meetings for 23-24.	Matthew Mannion, Head of Democratic Services	
2. Member Attendance Statistics	Report on Member attendance for the previous year.	Matthew Mannion, Head of Democratic Services	
3. Proposed revised Member Officer Protocol	To review the next iteration of the revised protocol following consideration in April 2023.	Agnes Adrien, Head of Legal Enforcement and Litigation & Deputy Monitoring Officer	
4. Register of Interests, Gifts and Hospitality Declarations Update	Quarterly update report	Matthew Mannion, Head of Democratic Services	
5. Dispensations under Section 33 of the Localism Act 2011	6-monthly update on any dispensations granted under the Act and any related matters.	Janet Fasan, Director of Legal and Monitoring Officer	

SAC WORK PLAN 2023/24

21 SEPTEMBER 2023			
1. Register of Interests, Gifts and Hospitality Declarations Update	Quarterly update report	Matthew Mannion, Head of Democratic Services	
2. Code of Conduct for Members – Complaint Monitoring and Associated Matters	6-monthly update report	Janet Fasan, Director of Legal and Monitoring Officer	
3. Update - Guidance and training for Members serving on Outside Bodies	To update on progress implementing actions from the Advisory Committee’s review of the guidance provided to Members who are appointed to serve on outside bodies.	Janet Fasan, Director of Legal and Interim Monitoring Officer Matthew Mannion, Head of Democratic Services	

SAC WORK PLAN 2023/24

7 DECEMBER 2023			
1. Register of Interests, Gifts and Hospitality Declarations Update	Quarterly update report	Matthew Mannion, Head of Democratic Services	
2. Dispensations under Section 33 of the Localism Act 2011	6-monthly update on any dispensations granted under the Act and any related matters.	Janet Fasan, Director of Legal and Monitoring Officer	
3. LGA Member Learning and Development Charter	Update on work done and planned to achieve the Charter.	Matthew Mannion, Head of Democratic Services	
4. Annual Report on Member Training	To present the annual report, to include lessons and feedback from Co-opted member training sessions.	Matthew Mannion, Head of Democratic Services	
5. Code of Conduct for Members – Complaint Monitoring and Associated Matters	Additional report as requested at September 2023 meeting.	Janet Fasan, Director of Legal and Monitoring Officer	

SAC WORK PLAN 2023/24

21 MARCH 2024			
1. Annual Report to Council	To review the draft Annual Report to Council	Janet Fasan, Director of Legal and Monitoring Officer	Council 15 May 2024
2. Annual Review of the Code of Conduct	To conduct the annual review of the Council's code of conduct for Members	Janet Fasan, Director of Legal and Monitoring Officer	
3. Register of Interests, Gifts and Hospitality Declarations Update	Quarterly update report	Matthew Mannion, Head of Democratic Services	
4. Code of Conduct for Members – Complaint Monitoring and Associated Matters	6-monthly update report	Janet Fasan, Director of Legal and Monitoring Officer	
5. LGA Peer Review feedback	Findings of the Council's LGA Peer Review held in mid-2023	Janet Fasan	

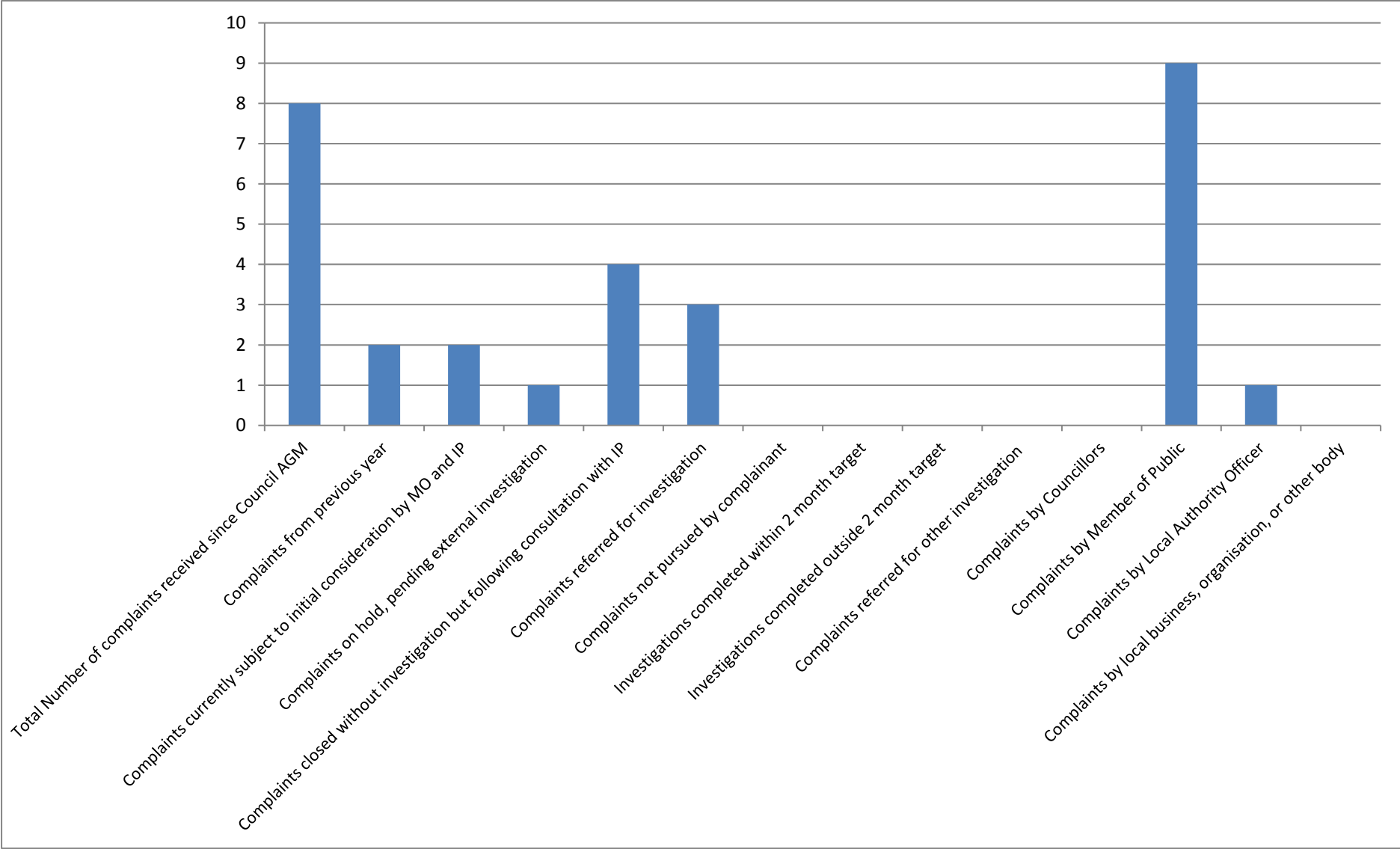
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APPENDIX 1

Code of Conduct for Members - complaints and investigation monitoring information – municipal year 2023

Complaints since May 2023:	08
Complaints from previous year:	02
Complaints currently subject to initial consideration by MO and IP:	02
Complaints on hold, pending external investigation:	01
Complaints closed without investigation but following consultation with IP:	04
Complaints referred for investigation as potential breach of the Code:	03
Complaints not pursued by complainant:	00
Investigations completed within 2 month target:	00
Investigations completed outside 2 month target:	00
Complaints referred for other investigation (police, audit etc.)	00
<u>Complainants</u>	
Councillors:	00
Member of Public:	09
Local Authority Officer	01
Local business, organisation, or other body:	00

Code of Conduct Complaints 2023/2024



Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
008/2022	03/02/2023	Member of the Public	Elected member	<p>Alleged complaint – Bribery, misconduct in a public office and malfeasance of a public official.</p> <p>Original complaint sent to Democratic Services</p>	<p>Target Date: 17/02/2023</p> <p>09/02/2023 - Acknowledgement email sent to complainant.</p> <p>21/02/2023 – Email sent to Cllr to confirm a complaint has been received however due to it being investigated by the Police a decision on how to proceed will follow after the Police investigation has concluded.</p> <p>22/02/2023 – IP has been made aware of the current status</p> <p>13/07/2023 – Investigation outcome provided by the Police to the frauds team.</p> <p>19/07/2023 – Update provided to complainant. Police found insufficient evidence for a prosecution. DMO to meet IP and advice on next steps.</p> <p>21/07/2023 – DMO consulted with IP. Although there is evidence of wrongdoing at this stage unable to proceed as there is a lack of evidence to link it to the Cllr. DMO to draft an email to Cllr to ask for initial response of the complaint.</p> <p>24/08/2023 – Email sent to Cllr to provide initial response.</p> <p>30/08/2023 – Cllr acknowledged the email, advised away on leave and will respond upon their return (week commencing 4 Sep 2023).</p>	06/10/2023 – Full Investigation.		Open	

					<p>14/09/2023 – Chaser email sent to Cllr and advised to respond before 21/09/23.</p> <p>21/09/2023 – Letter received from Paralegal/ITN solicitors acting on behalf of the Cllr.</p> <p>22/09/2023 – Acknowledgment email sent to ITN solicitors from DMO.</p> <p>22/09/2023 – DMO to consult IP week commencing 25/09.</p> <p>02/10/2023 – DMO consulted with IP</p> <p>02/11/2023 – DMO consulting DoL&MO. IP has agreed the matter should go to an independent investigator due to the seriousness of the allegation. Awaiting approval by the Director of Legal & Monitoring Officer (DoL&MO).</p> <p>06/10/2023 - DMO sent report to external investigator/DMO to chase within next 2 weeks on progress 03/11/2023</p> <p>03/11/2023 - External investigators have received papers and making progress.</p> <p>20/11/2023 – external investigator reports making slow progress.</p>				
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011/2022	02/03/2023	Member of the public	Elected Member	Alleged complaint – mishandling of consultation paper/surveys. Cllr seen to be carrying/picking up from public.	<p>Target Date: 16/03/2023</p> <p>08/03/23 – Acknowledgement email sent to complainant.</p> <p>08/03/23 – Email sent to Cllr to provide initial response.</p> <p>20/03/2023 – Chaser sent to Cllr to provide initial response.</p> <p>12/04/2023 – Chaser sent to Cllr to provide initial response.</p> <p>14/04/2023 – Initial response received from Cllr.</p> <p>27/04/2023 – Consulted IP – Outcome: - proceed with full investigation.</p> <p>12/05/2023 – Meeting with complainant. Additional information provided along with contact details of witnesses.</p> <p>09/06/2023 – meeting with further witness</p> <p>21/06/2023 – Seeking to consult with members of the consultation team.</p> <p>08/09/2023 - DMO is awaiting statement from consultation lead. DMO to chase.</p> <p>22/09/2023 – Email sent to Cllr from DMO to arrange an interview. Cllr to confirm availability.</p> <p>29/09/2023 – Email sent from DMO to Cllr with an invitation to meeting on 05/10/2023 at 11am. Acknowledgment email received by Cllr.</p>	27/04/2023 - Full Investigation		Open	

					05/11/23 - Cllr had meeting with DMO, statement approved & report being drafted.				
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Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
001/2023	25/05/2023	Member of the public (via advocate)	Elected Member	Alleged complaint – Cllr's failure to acknowledge, update and lack of compassion shown with the matter raised by the complainant regarding a request made to the housing association and local council for a personalised disabled parking bay.	<p>Target date: 08/06/2023</p> <p>08/06/2023 – Acknowledgment email/letter sent to advocate to confirm complainant has requested the advocate to make the complaint on their behalf.</p> <p>16/06/2023 – Reminder email sent to advocate to respond.</p> <p>19/06/2023 – Response received from advocate that they have contacted the complainant to confirm/respond.</p> <p>03/07/2023 – Chaser email sent to advocate for an update.</p> <p>15/07/2023 – Chaser/update email sent to the advocate to confirm if they have received confirmation from the complainant.</p> <p>26/07/2023 – Confirmation received from advocate from the complainant that the advocate can act on their behalf.</p> <p>07/09/2023 – Email sent to Cllr to provide initial response.</p> <p>07/09/2023 – Cllr requesting details of complainant to refer to correspondences relating to the matter.</p> <p>08/09/2023 – Email sent to advocate seeking consent to share details of both advocate and complainant to the Cllr so that the Cllr can refer to correspondences relating to the matter.</p>	N/A	N/A	Closed	N/A

					<p>08/09/2023 – Update email sent to Cllr, DMO is seeking consent from advocate and complainant.</p> <p>18/09/2023 – Advocate and complainant confirmed they are happy to share details with Cllr.</p> <p>26/09/2023 – Email sent to Cllr with details of complainant and advocate. Cllr requested to provide initial statement for DMO to review.</p> <p>02/10/2023 – Cllr provided initial response.</p> <p>04/10/2023 – IP has been sent all the relevant correspondences to review and confirm availability to consult with DMO.</p> <p>10/10/2023 – Outcome email sent to councillor – case now concluded</p> <p>10/10/2023- Letter sent to complainant – case now concluded</p>				
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002/2023	13/06/2023	LA - Officer	Elected Member	Alleged complaint – Cllr's behaviour during a recent HR committee meeting was hostile and intimidating. The way the Cllr behaved fell below the standards expected of members when conducting themselves with officers.	<p>Target date: 27/06/2023</p> <p>16/06/2023 – Acknowledgment email sent to complainant.</p> <p>16/06/2023 - Email sent to Cllr to provide initial response.</p> <p>23/06/2023 – Cllr requesting further information from DMO.</p> <p>03/07/2023 – DMO provided information as requested by the Cllr.</p> <p>04/07/2023 – Initial response including supporting correspondence provided by Cllr.</p> <p>21/07/2023 – DMO consulted IP.</p> <p>26/07/2023 – Complainant notified the matter will proceed to a full investigation.</p> <p>14/08/2023 – Meeting with complainant.</p> <p>08/09/2023 - DMO has received 1 witness statement and a statement from the complainant. DMO Awaiting a further witness statement before arranging a meeting with the Cllr.</p> <p>22/09/2023 – Email sent to Cllr from DMO to arrange an interview. Cllr to confirm availability.</p> <p>29/09/2023 – – Email sent from DMO to Cllr with an invitation to meeting on 05/10/2023. Acknowledgment email received by Cllr.</p>	26/07/2023 – Full Investigation		Open	

					<p>Report written & approved by MO- draft report sent to 17/11/23 with IP for approval – Once approved to be sent out to Cllr & complainant</p> <p>20/11/2023 – IP approves draft report.</p> <p>20/11/2023 – draft report sent out to Cllr and complainant.</p> <p>20/11/2023 - Complainant responded to DMO</p>				
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003/2023	20/06/2023	Member of the public	Elected Member	Alleged complaint – Breach of the Islamophobia Definition adopted by Tower Hamlets Council. During a recent committee meeting, Cllr showed microaggression towards Muslim members of the committee, and made unfounded accusations. Which complainant believes is in breach of the APPG Islamophobia definition.	<p>Target date: 04/07/2023</p> <p>27/06/2023 – Acknowledgment email sent to complainant.</p> <p>27/06/2023 – Email sent to Cllr to provide initial response.</p> <p>04/07/2023 – Cllr acknowledged the email and asked if any evidence of the allegation has been provided.</p> <p>05/07/2023 – DMO seeking further clarifications from the complainant.</p> <p>24/07/2023 – Chaser email sent to complainant.</p> <p>05/09/2023 – Chaser email sent to complainant seeking clarification of the complaint (SMSO to chase Cllr on 12 September).</p> <p>08/09/2023 – Email sent to Cllr with current updates.</p> <p>26/09/2023 – SMSO seeking advice from DMO on next steps. No response received from complainant despite chasers.</p> <p>04/10/2023 – Email sent to IP to arrange for consultation in the view to close the matter due to no response from complainant despite multiple chasers.</p> <p>10/10/2023 – Outcome email sent to complainant -case closed</p> <p>10/10/2023 – Outcome emailed to councillor – case closed</p>	N/A	N/A	Closed	N/A

Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
004/2023	06/07/2023	Member of the public	Elected Member	<p>Alleged complaint – Complainant believes Cllr is not following the Equality Act 2010 or the Care Act 2014.</p> <p>Mistreatment and discriminating behaviour towards complainant because of disability.</p>	<p>Target date: 20/07/2023</p> <p>(Originally complainant complained on 6 June 2023 however on the same they wished to withdraw the complaint. Complainant sent an email to the mayors Team and cc'd in MO inbox and after emailing for confirmation if they wish to proceed, complainant asked to go ahead with the original complaint)</p> <p>24/07/2023 - Acknowledgment email sent to complainant.</p> <p>24/07/2023 – Email sent to Cllr to provide initial response.</p> <p>14/08/2023 – Chaser email sent to Cllr.</p> <p>07/09/2023 – Chaser email sent to Cllr.</p> <p>08/09/2023 – DMO seeking advice from Director of Legal & Monitoring Officer on next steps on Cllr's failure to respond.</p> <p>25/09/2023 – Final chaser sent to Cllr to provide initial response by 5pm 29/09/2023.</p> <p>02/10/2023 – No response received from Cllr despite chaser/deadline. DMO to consult with IP.</p> <p>14/11/2023 - DMO sent email requesting contact by 4pm on Friday 17.11.23 to arrange a discussion. If no response then DMO will not be able to pursue your complaint.</p> <p>14/11/2023 - DMO spoke to complainant and due to meet with IP 20/11/23</p>	N/A	N/A	Closed	N/A

					20/11/2023 - Email sent to complainant to inform complaint has now been closed				
					20/11/2023 - Email sent to Cllr to inform complaint now closed due to matter complained of is not the responsibility of you or of the Council.				

Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
005/2023	02/10/2023	Member of the public	Elected Member	Alleged complaint – Complainant witnessed Cllr assisting another person with moving a couch which was then fly tipped on complainants' estate	<p>Target Date: 16/10/2023</p> <p>Initial complainant complained 02/10/2023</p> <p>04/10/2023 – DMO requested further information from complainant.</p> <p>04/10/2023 – Complainant provided requested information.</p> <p>05/10/2023 – Acknowledgement email sent to complainant.</p> <p>05/10/2023 – Email sent to Cllr to provide initial response</p> <p>03/11/2023 - Email sent to Cllr to provide a response and informed that DMO can still proceed with complaint if Cllr doesn't respond</p> <p>5/11/2023 - Cllr responded</p> <p>8/11/2023 - Request sent to Cllr to clarify further on the complaint</p> <p>27/11/2023 - no response from Cllr</p>	N/A	N/A	Open	N/A

Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up`
006/2023					Complainant alleged disagreement with Cllr with no further details. The online complaint form was not completed despite requesting. <i>Please note a number had been allocated as this was initially logged in error.</i>				

Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
007/2023	03/11/2023	Member of the public	Elected Member	financial interests within other charity led organisations within Isle of Dogs	<p>Target date: 17/11/2023</p> <p>complainant complained on 03/11/2023</p> <p>03/11/2023 – DMO requested further information from complainant.</p> <p>6/11/2023 - Email sent to Complainant for further information</p> <p>8/11/2023 - DMO requested email sent to Cllr for a response to the complaint</p> <p>20/11/2023 - Reminder email sent to Cllr for response to email sent on 8/11/23</p> <p>29/11/2023 - Email sent to IP to meet with DMO</p> <p>01/12/2023 - 2nd Email sent to IP to meet to discuss complaint</p> <p>04/12/2023 – Consultation meeting scheduled with I.P</p>	N/A	N/A	Open	N/A

Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status*	Hearing and outcome	Current status	Follow up
008/2023	18/11/2023	Member of Public	Elected Member	Tweets on social Media	<p>Target date: 24/11/2023</p> <p>08/11/2023 – Complaint received</p> <p>19/10/2023 – requested to log online to progress further</p> <p>25/10/2023 – DMO requested further information from complainant & to send complaint in via letter as complainant cannot upload via system</p> <p>8/11/2023 - Complaint letter/evidence received from information</p> <p>8/11/2023 - DMO requested further information & complaint logged</p> <p>13/11/2023 - Additional information received from Complainant</p> <p>13/11/2023 - Additional information sent to DMO</p> <p>14/11/2023 - DMO requested complaint be sent to Cllr for response</p> <p>20/11/2023 - Initial complaint resent to Cllr as email was returned unent</p> <p>20/11/2023 – Cllr responds</p> <p>26/11/2023 - Emailed IP to arrange a discussion with DMO</p>	N/A	N/A	Closed	N/A

					<p>29/11/2023 - DMO met with IP to discuss complaint</p> <p>03/12/2023 - Email sent to complainant to inform complaint has now been closed</p> <p>03/12/2023 - Email sent to Cllr to inform complaint now closed</p>				
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Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up`
009/2023					Complainant alleged defamation of character with no further details. An email with link to complete online complaint form was sent and despite chasing no response recieved. <i>Please note a number had been allocated as this was initially logged in error.</i>				

Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
010/2023	13/11/2023	Member of the public	Elected Member	Complainant alleged Inappropriate behaviour – (sexual nature) We are aware the complainant has reported to the Police.	Target date: 27/11/2023 13/11/2023 - email received 16/11/2023 - Emailed sent to Complainant to complete online complaint form 20/11/2023 - email sent to complainant - followed by an updated email	N/A	N/A	Open	N/A