

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS ADVISORY COMMITTEE

HELD AT 2.03 P.M. ON THURSDAY, 22 APRIL 2021

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

John Pulford (Chair, Co-optee)

Councillor Rajib Ahmed
Councillor Mufeedah Bustin
Councillor Leema Qureshi
Councillor Abdal Ullah

Co-opted Members Present:

Fiona Browne
Denzil Johnson
Nafisa Adam
Mike Houston

Observers:

Elizabeth Marshall MBE	– Independent Person
Rachael Tiffen	– Independent Person

Apologies:

None

Officers Present:

Janet Fasan	– (Director of Legal & Interim Monitoring Officer)
Matthew Mannion	– (Head of Democratic Services, Governance)

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

1. That the minutes of the meeting held on 4 February 2021 be approved as a correct record of proceedings.

3. REPORTS FOR CONSIDERATION

3.1 New Member Code of Conduct - update report

Janet Fasan, Director of Legal and Interim Monitoring Officer, introduced the report on the new Member Code of Conduct. She reminded Members that the previous meeting had considered the model code and that the Committee determined the Council should adopt as much of the model code as possible but that it be amended to reflect local concerns.

A working group was set up and it has had two meetings so far and a good draft had been prepared. There were a couple of areas yet to be finalised. The report set out the main areas that had been covered to date. For example, the working group discussed how to include the existing text on bullying and wording on gifts and hospitality. A final group meeting will look to complete the proposed new code.

A copy of the draft new code had been circulated to Members of the Committee as a background document.

The Chair reported that the working group had been very successful. He welcomed comments from the meeting. The Committee discussed the work to date and made a number of comments and suggestions including:

- That a 'large gifts' threshold was a good idea but £100 was probably too low given the usual 'two tickets to an event' could easily cost more than £100 whereas this was attempting to discourage extreme gifts and hospitality. It was also maybe slightly too prescriptive in saying offers should 'always' be refused.
- Welcomed the attempt to support Members who were receiving abuse from the public.
- Should the language in relation to taking decisions be clearer on role of whips.
- Question whether 'trivial' and 'malicious' were appropriate words in relation to making complaints. 'Not having 'sufficient grounds' may be more appropriate.
- Whether there needed to be more case studies with model answers to bring it to life, for example about what intimidation means. The Monitoring Officer agreed to research what was available.

Concluding the discussion it was requested that final comments be received by the end of May as the intention was to then circulate the draft Code to the political groups for discussion followed by submission to July Standards Advisory Committee and then Council for final agreement.

RESOLVED

1. To note the report.

3.2 Draft Standards Advisory Committee Annual Report

Janet Fasan, Director of Legal and Interim Monitoring Officer, introduced the report setting out the draft Annual Report to Council. She explained that the purpose of the report was to set out the activity of the Committee and those issues it wished to highlight to Council and it would be useful at this stage to understand those areas the Committee would like to focus on in that presentation to Council.

The Committee discussed the report and made a number of comments including:

- How we could demonstrate the impact of the Committee, for example comparing statistics from previous years and also the levels of awareness of Members. This could possibly be through a yearly survey of Members.
- It would be useful to look at Members' understanding of the sorts of complaints that should be submitted through the Code of Conduct process.
- Officers agreed to talk to the Whip on the most appropriate way of canvassing Members for their view of the Committee and its impact.
- It would be useful to look at how to discourage disingenuous comments from one Member to another, for example against Members sitting on SEV Committee meetings. It was also important to make sure that Members understood the processes that the Council were operating.
- The mandatory ethics and probity training was important in spreading the knowledge of the Standards processes.

The Committee were encouraged to submit any further comments to officers for help in updating the draft of the report, and it was:

RESOLVED

1. That the report be noted and that the draft annual report be further updated and presented to the next Standards Advisory Committee for sign-off.

3.3 Review of the guidance for nominees to outside bodies

Matthew Mannion, Head of Democratic Services, introduced the report. He explained that the purpose of the report was to present the guidance provided to Members who were appointed to Outside Bodies by the Council.

The guidance was last reviewed a few years ago and it was felt it was now an appropriate time to consider a further review. It was confirmed that the guidance would be reviewed from a legal perspective anyway to make sure it still complied with the relevant rules and regulations.

It was noted that the General Purposes Committee had reviewed the number of outside bodies that the Council nominated Members to a couple of years ago.

The Committee discussed the report and made a number of comments, including:

- Appendix B – most points listed were very negatively phrased and whether there should be more on looking to determine whether Members had relevant experience/knowledge and that suitable induction should be provided to those who are appointed.
- The division between acting in accordance with the needs of the outside body and the expectations of the council needed to be clearer. It would also help to set out the types of bodies likely to be appointed to, who's views the Members should be representing on the body and back to the Council.
- General training for Members on sitting on outside bodies could be useful.
- How should Members seek guidance if they have concerns.
- Was the expectation on the amount of work required set out to Members and what their duty was to that organisation?
- Should the charitable bodies provide a job description for the Members to make it clear what was expected and to protect Members from misunderstanding what was required.
- Did Members feedback to the Council and if not then was there a value to the Council of the appointment if they didn't?
- The section on charities on pages 54-55 needed more detail. It was noted that a new Code for small charities had been produced which it could be useful to reference.

The Chair welcomed the review of the guidance and confirmed he would continue discussion with officers on the next steps.

RESOLVED

1. To note the report and to agree that the guidance for Members on Outside Body Membership should continue to be reviewed and be reported back to the Committee at a later date.

3.4 Register of Gifts and Hospitality - Quarterly Update

Matthew Mannion, Head of Democratic Services, introduced the regular update report on declarations of gifts and hospitalities. Three declarations had been made and they were set out in the report. This was a low figure which was to be expected during the pandemic lockdown.

It was noted that all Councillors (and the Mayor) had responded to the recent request for register of interest returns.

The Chair welcomed that response level and noted he should highlight this in his report to Council.

RESOLVED

1. That the report be noted.

3.5 Governance at Council owned bodies

Matthew Mannion, Head of Democratic Services, introduced an update on governance of Council owned bodies. He apologised that the report was not available at this time due to the need to collate information from a variety of sources including around work which had not yet concluded. He provided the Committee with a verbal update.

He explained that this item related to a recommendation from the Committee on Standards in Public Life (CSPL) that Council's should report in its Annual Governance Statement (AGS) on any bodies that it had established. It was also recommended that those bodies operated in a transparent manner including by publishing annual reports and board papers.

In relation to the AGS, the Council could show that it was indeed publishing details of these bodies. The AGS last summer had reported on five bodies, Tower Hamlets Homes, Seahorse Homes, Mulberry Housing Society, Place Limited and Capital Letters. The last two were pan-London bodies which were established by authorities across London.

Looking at whether the papers were published online there was a more varied picture. Subject to a possible technical fault, Tower Hamlets Homes were compliant on the transparency guidance. Research was ongoing on the other bodies.

During discussion it was noted that it may not be possible in all cases to publish all the papers suggested by the CSPL as it would depend on the nature of the body and how it was established, some information may be exempt for example if it was relating to the financial or business affairs of the organisation.

The Chair welcomed the update and requested that the final report be circulated to Members when it was completed.

RESOLVED

1. That the update be noted.

4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

The Committee noted a number of items including:

- The draft workplan for 2021-22 was circulated to Members and views were requested on items to include. Members requested that the review on the terms of reference be expanded to include a wider review on the effectiveness of the Committee and its work.
- The Monitoring Officer was requested to ask other MOs whether they had undertaken reviews of the effectiveness of their Standards Committees and any lessons learnt.
- It would be interesting to see in the code of conduct complaints update report to have more information on the trends in complaints received and whether there was anything to learn or to particularly monitor.
- A report on the planning for the Member Induction programme would be useful.
- A report will be presented to an upcoming meeting in relation to reappointing co-optees to the Committee and providing an update on Independent Person recruitment.

The Committee also noted discussions the Chair was holding with the Chief Executive around the senior leadership reorganisation.

The Committee also noted that they would be informed on how upcoming meetings would take place with reference to the Covid-19 pandemic and the future use of hybrid, virtual and physical meeting options.

5. EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

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

The meeting ended at 3.40 p.m.

Chair,
Standards Advisory Committee