

Standards Advisory Committee



Wednesday, 15 February 2023 at 6.30 p.m.

Committee Room - Town Hall, Whitechapel Road, E1 1BJ

Agenda

Chair: John Pulford MBE

Members

John Pulford MBE, Fiona Browne, Mike Houston, Elizabeth Marshall MBE, Councillor Shafi Ahmed, Councillor Sabina Akhtar, Councillor Amin Rahman, Councillor Sirajul Islam and Councillor Abu Chowdhury

Observers (Independent Persons):

Amanda Orchard ((Independent Person)) and Rachael Tiffen (Independent Person)

Substitutes:

Councillor Amina Ali

[The quorum for Standards Advisory Committee is 3 Members including one Councillor and one Co-optee]

Further Information

Reports for consideration, meeting contact details, public participation and more information is available on the following pages.



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Contact for further enquiries:

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Standards Advisory Committee

Wednesday, 15 February 2023

6.30 p.m.

**PAGE
NUMBER(S)**

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF INTEREST

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Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

2. MINUTES OF THE PREVIOUS MEETING(S)

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To confirm as a correct record the minutes of the meeting of the Standards Advisory Committee held on 22 September 2022.

3. REPORTS FOR CONSIDERATION

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3.2 Member Learning and Development Update 39 - 68

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4. WORK PLAN

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Tower Hamlets Council
Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

5. **ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

To consider any other unrestricted business that the Chair considers to be urgent.

6. **EXCLUSION OF THE PRESS AND PUBLIC (IF NEEDED)**

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

NOTE: EXEMPT/CONFIDENTIAL SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

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

To consider any other exempt/ confidential business that the Chair considers to be urgent.

Next Meeting of the Committee:

Tuesday, 18 April 2023 at 6.30 p.m. to be held in the Committee Room - Town Hall, Whitechapel



Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Janet Fasan, Divisional Director, Legal Services and Monitoring Officer,
Tel: 0207 364 4800.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS ADVISORY COMMITTEE

HELD AT TIME NOT SPECIFIED ON THURSDAY, 22 SEPTEMBER 2022

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

Members Present: at the meeting:

Councillor Shafi Ahmed

Members in Attendance Virtually:

Councillor Sabina Akhtar

Councillor Sirajul Islam

Co-opted Members Present at the meeting:

John Pulford MBE - Chair

Fiona Browne

Co-opted Members in Attendance Virtually:

Rachael Tiffin - (Independent Person – IP)

Apologies:

Councillor Abu Talha Chowdhury

Councillor Amin Rahman

Mike Houston - (Co-optee)

Amanda Orchard - (Independent Person – IP)

Officers Present at the meeting:

Janet Fasan - (Director of Legal and Monitoring Officer)

Matthew Mannion - (Head of Democratic Services)

Officers in Attendance Virtually:

Patricia Attawia - (Democratic Services Team Leader, Civic & Members, Governance)

1. DECLARATIONS OF INTEREST

There were no declarations of pecuniary interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

That the unrestricted minutes held on 23 June 2022 be approved and signed by the Chair as a correct record of proceedings.

3. REPORTS FOR CONSIDERATION

3.1 Register of Interests and Gifts and Hospitality Quarterly Update

Patricia Attawia, Democratic Services Team Leader, Civic & Members Governance, introduced the report, which detailed Members declarations of interests and gifts and hospitality. This report follows the previous one received on 23 June 2022. She noted that:

- 45 Members submitted declarations of interest following the election within the 28-day deadline, with the last declaration submitted after.
- Reminders were sent to Members via the bulletin in August, with further reminders scheduled for November to ensure they were also submitting any changes as soon as possible.
- Newly appointed Scrutiny Co-optees are undertaking induction training and all relevant forms are scheduled for completion.
- One declaration for gifts and hospitality was submitted within the 28-day deadline, although further declarations from August will be made available at the next Standards Advisory Committee meeting.

The Committee thanked Patricia for the report.

RESOLVED

1. That the report be noted.

3.2 Guidance and training for Members serving on Outside Bodies

Janet Fasan, Director of Legal and Monitoring Officer, introduced the report, which requested the committee consider improvements made to the guidance since to the February 2022 meeting. The amendments primarily related to appendix 1, the Introduction and General sections of the guidance.

(The numbers in brackets below relate to the paragraphs in the report submitted to the Committee)

Further to questions from members of the sub committee, Janet;

- Explained that details of any Member who is removed (2.3), could be reported to the Standards Advisory Committee, and checks to monitor attendance could be undertaken. Guidance stipulates that Members are required to submit annual reports (2.10). Outside bodies have previously informed the council of non-attendance and requests to include these details in their reports can be made. Further consideration will be given on the best way to monitor Members annual reports and general attendance.
- Clarified that the guidance provided is general in nature and there is a risk that too many details regarding indemnity, governance and the purpose of individual appointments within organisations may change the way the guidance is read (1.5). Further understanding on how the nomination process can reflect the guidance will be discussed at a future Standards Advisory Committee meeting.

Fiona Browne, Vice-Chair, suggested that details on non-attendance could be added to the Members Code of Conduct. The Chair requested a wording amendment to clause 2. A suggestion was also made to insert a hyperlink to the Charities Commission CC3A (13), as well as a reference to Companies House.

RESOLVED

1. That the report be noted.

3.3 Update on review of Member Officer Protocol

The Committee was informed that work is ongoing, and a report will be brought back to the next Standards Advisory Committee scheduled for December 2022.

RESOLVED

1. That the report be brought back to the next Standards Advisory Committee meeting in December.

3.4 Update - Implementation of best practice recommendations by CSPL

Janet Fasan, Director of Legal and Monitoring Officer, apologised to the Committee as the report does not include the appendix detailing the

government's response to the recommendations. This will be brought back to the next Standards Advisory Committee in December.

RESOLVED

1. That the report be brought back to the next Standards Advisory Committee meeting in December.
2. That the report be noted.

3.5 Local Government Association report: Abuse and Intimidation of Members & Member Addresses

Janet Fasan, Director of Legal and Monitoring Officer, introduced the report, initially published by the LGA on 28 June 2022. The committee were asked to consider the seven recommendations around Members safety and wellbeing. The council uses a range of methods to promote Member safety, including the Employee Assistance support network, as well as a risk assessment for Members attending surgery venues. Injunctions have been taken against members of the public who have caused distress to councillors.

Members are required by legislation to disclose their home address as part of the pecuniary interests protocol, which are made public (unless the Monitoring Officer agrees an exemption due to security issues). This requirement has been removed in relation to pre-election documentation. Details of the National Member Census were also included in the report.

Further to questions from members of the sub committee, Janet;

- Explained that the political parties are ultimately responsible for underrepresented groups, although further consideration will be made for whether there was any role for the Council.
- Noted that Members are dissuaded from undertaking home visits and guidance on this, and 'lone working' are available on the Members Hub and Members Bulletin respectively.
- Clarified that guidance is also available within the Code of Conduct regarding Members ending difficult conversations and their rights not to engage with residents. A site survey for all surgery venues is used to establish suitability, as is LGA guidance on safety at surgeries.
- Explained that any Member who feels intimidated or harassed via social media, should contact the Monitoring Officer to investigate.

RESOLVED

1. That the report be noted.

4. WORK PLAN

Matthew Mannion, Head of Democratic Services, Governance, presented details of the work plan for the new municipal year 2022-23, confirming that further Member induction sessions will resume in October. Consideration in staggering the session times will be given. The Chair requested an update on attendee numbers for the Ethics and Probity training. This will be submitted at the next Standards Advisory Committee meeting.

As Scrutiny Co-optees have now been appointed, further details on the co-optee induction session with the Committee will be provided in due course. As there is only one Member complaint at this time, the committee agreed to move item 3 from 8 December meeting to the last meeting of the municipal year:

- Code of Conduct for Members: Complaint Monitoring and Associated Matters.

RESOLVED

1. That item 3: Code of Conduct for Members: Complaint Monitoring and Associated Matters be moved to the 23 March 2023 Standards Advisory Committee meeting.
2. An update on attendee numbers for the Ethics and Probity training be submitted to the 15 December 2022 Standards Advisory Committee meeting.
3. The report be noted.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

There was none.

6. EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

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

None noted.

The meeting ended at 7.29pm

Chair, John Pulford MBE
Standards Advisory Committee

<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>Wednesday, 15 February 2023</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Director of Legal and Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>Update - Implementation of best practice recommendations by CSPL</p>	

Originating Officer(s)	Jill Bayley, Head of Safeguarding
Wards affected	(All Wards);

Executive Summary

The Committee on Standards in Public Life (CSPL) advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders. The CSPL is an advisory non-departmental public body, sponsored by the Cabinet Office. This report informs members of the Government's response to the Committee on Standards in Public Life's review of Local Government Ethical Standards published in January 2019, and updates Members on the progress of LBTH in implementing these.

Recommendations:

1. The Standards Advisory Committee is recommended to consider and note the content of the report.

1. REASONS FOR THE DECISIONS

- 1.1 This report does not require a decision.

2. ALTERNATIVE OPTIONS

- 2.1 This report does not require a decision.

3. DETAILS OF THE REPORT

- 3.1 The CSPL review of local government ethical standards, published in January 2019, considered all levels of local government in England and its terms of reference were to:

- Examine the structures, processes and practices in local government in England for:
 - Maintaining codes of conduct for local councillors;
 - Investigating alleged breaches fairly and with due process;
 - Enforcing codes and imposing sanctions for misconduct;
 - Declaring interests and managing conflicts of interest;
 - Whistleblowing
- Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
- Make any recommendations for how they can be improved;
- Note any evidence of intimidation of councillors and make recommendations for any measures that could be put in place to prevent and address such intimidation.

3.2 LBTH noted progress on the best practice recommendations (aimed at local government) in a report submitted to the Standards Advisory Committee in October 2020.

3.3 The Government has now responded to the Recommendations in the review (which were aimed at central government). Appendix A sets out the Government's responses to the recommendations, with comments, where appropriate, on the LBTH position.

3.4 Appendix B is the Government responses to the recommendations.

3.5 In January 2023 the Committee on Standards in Public Life published a review, Leading in Practice, which looks at potential actions for leadership. Appendix C is the twenty actions set out in the report for leaders to consider.

4. EQUALITIES IMPLICATIONS

4.1 Ethical governance arrangements ensure proper decision making and contribute to the Council's compliance with equalities legislation.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

- Data Protection / Privacy Impact Assessment.

5.2 Robust ethical governance arrangements ensure the proper, efficient and effective discharge of the Council's functions and contribute to compliance with the requirement to achieve best value.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no direct financial implications.

7. COMMENTS OF LEGAL SERVICES

7.1 The principal statutory provisions relating to standards of conduct are contained in the *Localism Act 2011*. S.27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by members and co-opted members of the authority.

7.2 S.27 and s.28 of the 2011 Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about the alleged breach of the Code that has been investigated.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix A – CSPL recommendations
- Appendix B Government responses to the recommendations.
- Appendix C twenty actions for leaders to consider.

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

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

- None.

Officer contact details for documents:

N/A

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Appendix A

Committee Standards on Public Life - Recommendations (for central government and others) and Best Practice Recommendations (for local government)

Recommendation (for central government)	Government comment (summarised)	LBTH position
<p>1. <i>The Local Government Association should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.</i></p>	<p>The Local Government Association published the updated code of conduct in January 2021. However, it remains a local decision on whether this model code is adopted.</p>	<p>LBTH Code of Conduct was reviewed in May 2021, taking into account the LGA model Code. The version used in LBTH has been adapted to suit local circumstances. The new version was adopted in May 2022.</p>
<p>2. <i>The government should ensure that candidates standing for or accepting public offices are not required publicly to disclose their home address. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to clarify that a councillor does not need to register their home address on an authority's register of interests The government should ensure that candidates standing for or accepting public offices are not required publicly to disclose their home address. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to clarify that a councillor does not need to register their home address on an authority's register of interests.</i></p>	<p>The Government agrees with the principle behind this recommendation and considers amending the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 would be an option to achieve it. The Government will engage with interested parties on the best means to ensure that candidates and councillors are not required publicly to disclose their home address. Notwithstanding, it is important that home addresses are internally registered with monitoring officers, to help avoid conflicts of interest.</p>	<p>At present the Code of Conduct requires all members' personal addresses to be included in the published register of Disclosable Personal Interests (DPIs) as an interest in land. Personal addresses are only removed from the published register with the approval of the Monitoring Officer who must be satisfied that publication of the address could lead to violence or intimidation to the member or a person connected to the member. The issue of publication of addresses is likely to require further consideration.</p> <p>Note – the change to the requirement for candidates to publish their home addresses was enacted.</p>
<p>3. <i>Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on</i></p>	<p>Individual local authorities should consider whether their code of conduct is adequate in addressing the issue of inappropriate use of social media. Free speech within the law can sometimes involve the expression of political views that some may find offensive, but a line</p>	<p>Paragraph 2 of the LBTH Code of Conduct states that it 'applies in all aspects of your activities as a</p>

<p><i>publicly accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.</i></p>	<p>is crossed when disagreement mutates into intimidation. It is important to recognise that there is a boundary between an elected representative's public life and their private or personal life. Automatically presuming (irrespective of the context and circumstances) that any comment is in an official capacity risks conflating the two.</p>	<p>member, including when acting on Council business or when you are perceived by the public to be acting as a member.' Paragraph 18 of the LBTH Code of Conduct refers to the Council's Social Media Policy, which was put in place in April 2019.</p>
<p><i>4. Section 27(2) of the Localism Act 2011 should be amended to state that a local authority's code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority.</i></p>	<p>The Government agrees that local authority elected representatives should act in good faith in the public interest and not seek to influence decisions for personal gain, for malicious intent or to further the interests of any business or any other organisations which they may be affiliated with. The Local Government Association have updated their own suggested code of conduct to state that the code applies when "[a member's] actions could give the impression to a reasonable member of the public with knowledge of all the facts that [they] are acting as a [member]". It is for individual local authorities to ensure that their codes of conducts are regularly updated, comprehensive and fit for purpose. Elected members receive the necessary training to make them aware of their personal responsibilities in upholding the code. The Government will keep this matter under review but has no immediate plans to amend the regulations.</p>	<p>Paragraph 2 of the LBTH Code of Conduct states that it 'applies in all aspects of your activities as a member, including when acting on Council business or when you are perceived by the public to be acting as a member.'</p>
<p><i>5. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to include: unpaid directorships; trusteeships; management roles in a charity or a body of a public nature; and membership of any organisations that seek to influence opinion or public policy.</i></p>	<p>The electorate must have confidence that the decisions of their elected representatives are being made in the best interests of the community they have been elected to serve. Unpaid roles may need to be declared if it is relevant to council business, and councillors should recuse themselves if necessary if discussions relate to private bodies, they are involved in. The Government is mindful that councillors have a right to a private life, and rights of freedom of association outside their role as a councillor. It is frequently the case that people in public life have a complex pattern of interests and play a variety of roles with different types of organisations, including community interest groups and charities. The Government will keep this matter under review but has no immediate plans to amend the regulations.</p>	<p>The current Register of Interests includes reference to these types of roles but is not as specific as these examples. The next review could include consideration of clarification of the wording.</p>
<p><i>6. Local authorities should be required to establish a register of gifts and hospitality, with councillors required to record gifts and hospitality received over a value of £50 or totalling £100 over a year from a single source. This</i></p>	<p>The Local Government Association's suggested code of conduct published in January 2021 includes a requirement for members to "register... any gift or hospitality with an estimated value of at least £50". However, it did not contain any requirements relating to the total value of gifts or hospitality received from the same source over a sustained period. Local authorities have the autonomy to set gifts and hospitality requirements in their own codes of conduct. The Government accepts that there is merit in best practice guidance on the thresholds for gifts and</p>	<p>The current LBTH Code of conduct has retained the lower £25 gift threshold. The current Code states: 'I will also declare repeated smaller gifts/hospitality which, when combined, would</p>

<p><i>requirement should be included in an updated model code of conduct.</i></p>	<p>hospitality and agrees that a register of gifts and hospitality should be publicly available.</p>	<p>likely exceed £25 within any three-month period’.</p>
<p><i>7. Section 31 of the Localism Act 2011 should be repealed, and replaced with a requirement that councils include in their code of conduct that a councillor must not participate in a discussion or vote in a matter to be considered at a meeting if they have any interest, whether registered or not, “if a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision-making in relation to the matter”.</i></p>	<p>Section 31 of the Localism Act 2011 requires that a councillor must not participate in a discussion or vote on a matter where they have a disclosable pecuniary interest in any matter to be considered at the meeting. Section 30(3) of the Localism Act 2011 further provides that any relevant pecuniary interests of a councillor’s spouse or partner are considered as a disclosable pecuniary interest of the councillor. The Committee’s report reflects concerns that the disclosable pecuniary interest arrangements infringe on the privacy of a councillor’s spouse or partner. Where there would be a potential conflict of interest, the principle of integrity requires that any such interests should nevertheless be declared and resolved. The Government will keep this matter under review but has no immediate plans to repeal Section 31 of the Localism Act 2011.</p>	<p>Paragraph 21 of the LBTH Code of Conduct states that DPIs also include the interests of partners of members (as required by current legislation). The Code of Conduct sets out DPIs and Non DPIs which would not permit a member to participate in a meeting without permission.</p> <p>In addition, paragraphs 29 and 30 state as below in relation to interests not included in the Register of Interests:</p> <p>29. Occasions may arise where you have an interest in a matter being considered at a meeting which is not a DPI or Non-DPI that you are required to include in the Register of Members’ Interests. An example would be where the decision on the agenda item would affect the wellbeing of you, your family, or a close friend or associate of yours more than it would anyone else living in the local area.</p> <p>30. In this situation you should consider whether a reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the</p>

		public interest. If so, you must withdraw and take no part in consideration or discussion of the matter.
8. <i>The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once.</i>	The Government does not accept this recommendation as appropriate for legislation on the basis that it would be likely to be unworkable. The Government's view is that it would be more appropriately implemented as a best practice recommendation for local authorities. When local authorities have found effective Independent Persons who demonstrate the capability, judgement and integrity required for this quite demanding yet unpaid role, it is understandable that they may be reluctant to place limitations on the appointment.	LBTH has experienced difficulties in recruiting Independent Persons and welcomes the Government's view.
9. <i>The Local Government Transparency Code should be updated to provide that the view of the Independent Person in relation to a decision on which they are consulted should be formally recorded in any decision notice or minutes.</i>	The Government does not agree with this. The Local Government Transparency Code is a statutory requirement to publish information; it does not regulate the content of councils' minutes or decision notices. The substantive policy suggestion has merit but will depend on circumstances. In cases where there is no case to answer from an unfounded complaint, it should not necessarily be a legal requirement to publish details of that unfounded complaint.	Current templates used in dealing with Code of Conduct complaints refer to the Independent Person being consulted but do not require the views of the Independent Person to be stated. Published information about complaints does not give the name of the member and only an outline of the substance of the complaint. If a matter goes to hearing the views of the Independent Person must be considered when deciding any sanction.
10. <i>A local authority should only be able to suspend a councillor where the authority's Independent Person agrees both with the finding or a breach and that suspending the councillor would be a proportionate sanction.</i> 12. <i>Local authorities should be given the discretionary power to establish a decision-</i>	There is no provision in current legislation for a sanction to suspend a councillor found to have breached the code of conduct, and this was a deliberate policy decision by the Coalition Government at the time of the Localism Act 2011 to differentiate from the previous, failed Standards Board regime. The Standards Board regime allowed politically motivated and vexatious complaints and had a chilling effect on free speech within local government. These proposals would effectively reinstate that flawed regime. It would be undesirable to have a government quango to police the free speech of councillors; it would be equally undesirable to have a council body (appointed by councillors, and/or made up of councillors) sitting in	Possible sanctions are set out in Appendix A to the Code of Conduct. Including them in the main body of the Code at the next revision could make them more visible.

<p><i>making standards committee with voting independent members and voting members from dependent parishes, to decide on allegations and impose sanctions.</i></p> <p><i>13. Councillors should be given the right to appeal to the Local Government Ombudsman if their local authority imposes a period of suspension for breaching the code of conduct.</i></p> <p><i>14. The Local Government Ombudsman should be given the power to investigate and decide upon an allegation of a code of conduct breach by a councillor, and the appropriate sanction, an appeal by a councillor who has had a suspension imposed. The Ombudsman's decision should be binding on the local authority.</i></p> <p><i>16. Local authorities should be given the power to suspend councillors, without allowances, for up to six months</i></p>	<p>judgment on the political comments of fellow councillors. On the rare occasions where notable breaches of the code of conduct have occurred, local authorities are not without sanctions under the current regime. Councillors can be barred from Cabinet, Committees, or representative roles, and may be publicly criticised. If the elected member is a member of a political group, they would also expect to be subject to party discipline, including being removed from that group or their party. Political parties are unlikely to reselect councillors who have brought their group or party into disrepute. All councillors are ultimately held to account via the ballot box. As part of the Government's response to the Committee's report on intimidation in public life, the Government recommended that every political party establish their own code of conduct for party members, including elected representatives. The Government will engage with sector representative bodies of councillors and officers of all tiers of local government to seek views on options to strengthen sanctions to address breaches of the code which fall below the bar of criminal activity and related sanctions but involve serious incidents of bullying and harassment or disruptive behaviour.</p>	
<p><i>11. Local authorities should provide legal indemnity to Independent Persons if their views or advice are disclosed. The government should require this through secondary legislation if needed.</i></p>	<p>The Government agrees in principle. Initial soundings with the sector indicate that some local authorities already provide legal indemnity for Independent Persons. The Government endorses providing legal indemnity for Independent Person as local authority best practice but does not currently see the need to require this through secondary legislation.</p>	<p>Tower Hamlets does not currently provide legal indemnity to Independent Persons.</p>
<p><i>15. The Local Government Transparency Code should be updated to require councils to publish annually: the number of code of conduct complaints</i></p>	<p>The Government believes that this is better addressed through the sector adopting as best practice a regular pattern of annual reporting by Standard Committees of the cases and complaints handled and would encourage this as best practice by the sector. The Government does not believe that there is a requirement to prescribe to local authorities the form and content of such Standard Committee annual reports.</p>	<p>LBTH currently provides this information in summary reports to the Standards Committee twice a year.</p>

<p><i>they receive; what the complaints broadly relate to (e.g., bullying; conflict of interest); the outcome of those complaints, including if they are rejected as trivial or vexatious; and any sanctions applied.</i></p>		
<p><i>17. The government should clarify if councils may lawfully bar councillors from council premises or withdraw facilities as sanctions. These powers should be put beyond doubt in legislation if necessary.</i></p>	<p>The criminal law, overseen by the police and courts, provides for more appropriate and effective action against breaches of public order, for anti-social behaviour, and against harassment. The occasion where councils would seek to bar councillors from council premises are thought to be extremely rare. We will consider this further.</p>	<p>The sanctions currently available under the LBTH Code of Conduct include withdrawing facilities from the Member, such as computer or internet access and excluding the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Executive, Committee and sub-committee meetings (as appropriate). They do not include barring a Member from council premises.</p>
<p><i>18. The criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished.</i></p>	<p>It is a criminal offence to fail to declare pecuniary interests, which acts as a strong deterrent against corruption. The Government does not agree with this recommendation, but rather believes the criminal offence of a non-disclosure of pecuniary interest to be a necessary and proportionate safeguard and deterrent against corruption. The high bar of police involvement has served to discourage politically motivated and unfounded complaints.</p>	
<p><i>20. Section 27(3) of the Localism Act 2011 should be amended to state that parish councils must adopt the code of conduct of their principal authority, with the necessary amendments, or the new model code.</i></p>	<p>The Government does not agree that this is necessary and has no plans to repeal Section 27(3) of the Localism Act 2011. The Government considers that the adoption of the principal authority's code or the new model code is a matter for local determination.</p>	<p>Not relevant – relates to parish councils</p>
<p><i>21. Section 28 (11) of the Localism Act 2011 should be amended to state that any sanction imposed on a parish councillor following the</i></p>	<p>The Government has no current plans to repeal Section 28 (11) of the Localism Act 2011 but will give this matter further consideration.</p>	<p>Not relevant – relates to parish councils</p>

<p><i>finding of a breach is to be determined by the relevant principal authority.</i></p>		
<p><i>22. The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 should be amended to provide that disciplinary protections for statutory officers extend to all disciplinary action, not just dismissal.</i></p>	<p>The three statutory officers in local government are the Monitoring Officer, the Head of Paid Service (Chief Executive) and the Chief Finance Officer (often referred to as the Section 151 Officer). Under the current disciplinary arrangements for statutory officers, any decision to dismiss a statutory officer must be taken by full council, following a hearing by a panel that must include at least two Independent Persons. The Committee consider that the disciplinary protections for statutory officers should be enhanced, by extending disciplinary protections to all disciplinary actions (such as suspension or formal warnings), not just dismissal. The Government agrees in principle with this recommendation and recognises this will be pertinent to Monitoring Officers who may not necessarily be afforded the same seniority in the organisational hierarchy of a local authority as the two other statutory officers (Head of Paid Service and the Section 151 Officer), and who may be subject to personal pressures when conducting high profile breach of conduct investigations. The Government will engage with sector representative bodies of all tiers of local government to seek views on amending the Local Authorities (Standing Orders) (England)(Amendment) Regulations to provide disciplinary protections for statutory officers.</p>	
<p><i>23. The Local Government Transparency Code should be updated to provide that local authorities must ensure that their whistleblowing policy specifies a named contact for the external auditor alongside their contact details, which should be available on the authority's website.</i></p>	<p>The Government agrees with the principle that openness is essential. Most local authorities already publish their whistleblowing policy, procedures and a named contact on their websites, and Government is recommending that this is adopted as a best practice recommendation. The Government published the UK National Action Plan for Open Government 2021 – 2023 in January 2022. This includes a commitment on local transparency. The Department for Levelling Up Housing and Communities (DLUHC) will work with the local government community to develop a set of specific actions to advance transparency in the sector. DLUHC will support local government to solidify their transparency policies and processes and encourage proactive publication of open data across councils.</p>	<p>The LBTH website includes the whistleblowing policy, procedures, a web form and a telephone number.</p>
<p><i>24. Councillors should be listed as 'prescribed persons' for the purposes of the Public Interest Disclosure Act 1998.</i></p>	<p>Prescribed persons are individuals or organisations that a worker may approach outside their workplace to report suspected or known wrongdoing and still be protected by the rights afforded to them under whistleblowing legislation. They are prescribed by an order made by the Secretary of State (for Business, Energy and Industrial Strategy) for this purpose. A complete list of prescribed persons is available here: https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribedpeople-and-bodies--2. Local councillors would not meet the criteria of being external to an individual's workplace in relation to matters affecting the council and could therefore not</p>	

	<p>be considered as a 'prescribed person' for the purposes of the Public Interest Disclosure Act 1998. Disclosures relating to local authorities can be made to the external auditor of the relevant authority, the Comptroller and Auditor General (National Audit Office), or a Member of Parliament. However, the Government recognises that this may provide a further check and balance against council corruption or wrongdoing and is open to further representations on the matter on how local accountability can be strengthened in this regard.</p>	

Letter from Kemi Badenoch MP to Lord Evans, Chair, Committee on Standards in Public Life

From: Kemi Badenoch MP – Minister of State for Equalities and Levelling Up Communities

To: Lord Evans of Weardale, KCB, DL – Chair, Committee on Standards in Public Life

Dear Lord Evans,

On behalf of the government, I would like to thank the Committee on Standards in Public Life for its report and the recommendations arising from its review of Local Government Ethical Standards, and to all those who engaged with the Committee's work. Attached is the government response to the Committee's individual recommendations that were directed at government.

Vibrant local democracies flourish where the reputation of the local authority is held in high regard, where councillors' decision-making is transparent, valued and trusted by the communities they serve, and where people are willing and confident to put themselves forward as potential candidates. The standards and conduct framework within which local authorities operate must drive out corruption and promote commitment to the principles on standards in public life, and tolerance to the differing views of others. In responding to the review, the Government has taken into account the importance of protecting free speech and freedom of association within the law.

The government is committed to working with local authorities and their representative organisations to ensure that local government is supported in reinforcing its reputation for ethical local standards.

The fact that this review had been conducted in such a collaborative way with the sector has been apparent from the outset and is borne out in the final report. I am keen that government builds on the sector-wide enthusiasm for improvement.

The government agrees with the Committee's conclusion that there have been benefits from local authorities being responsible for ethical standards, including the flexibility and discretion to resolve standards issues informally. However, we also recognise the role of government in ensuring that the system is robust.

The number of requests for legislation in the Committee's recommendations to strengthen the standards and conduct framework and its safeguards is considerable. As indicated in this response, the government believes that some of these suggestions do not need a legislative response but can be more appropriately, effectively, and swiftly taken forward by local authorities as best

practice. The Committee will recognise that the Government and Parliament has taken a different view on these matters when it legislated for the Localism Act 2011.

I thank the Committee for their work on the review and for their patience whilst government carefully considered their recommendations, and I personally look forward to continuing to work with you as government progresses the commitments made in this response with the sector.

Yours sincerely
Kemi Badenoch MP

This government response confines itself to the Committee's recommendations directed at government, other than with regards to the first recommendation. The response to recommendations 10, 12, 13, 14 and 16 have been grouped together and therefore appear out of numerical order below.

Recommendation 1

The Local Government Association should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.

The Localism Act 2011 states that relevant authorities must promote and maintain high standards of conduct by members and co-opted members. It requires these authorities to adopt a code of conduct for their councillors.^[footnote 1] Authorities can determine the content of their own code of conduct. However, codes must conform to the 7 'Nolan' principles of standards in public life: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership. Relevant authorities for the purposes of these requirements include local authorities in England, namely county councils, district councils, London borough councils and parish and town councils.

It is for individual councils to set their own local code, in line with the Act. The government has previously published a light-touch illustrative code of conduct.

The Local Government Association has worked with sector representative bodies to update its own suggested code of conduct, with the intention that this new suggested code could establish a consistent benchmark that local authorities can amend or add to as they see fit to reflect local circumstances and priorities. The Local Government Association published the [updated code of conduct](https://www.local.gov.uk/local-government-association-model-councillor-code-conduct-2020-0) (<https://www.local.gov.uk/local-government-association-model-councillor-code-conduct-2020-0>) in January 2021. However, it remains a local decision on whether this model code is adopted.

Recommendation 2

The government should ensure that candidates standing for or accepting public offices are not required publicly to disclose their home address. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to clarify that a councillor does not need to register their home address on an authority's register of interests.

This issue was brought up in the Committee's work on intimidation in public life, and the government has already taken forward several steps in this regard. The government is open and receptive to further steps to help prevent intimidation.

The government agrees with the principle behind this recommendation – which safeguards elected representatives – and considers amending the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 would be an option to achieve it.

The government will engage with interested parties on the best means to ensure that candidates and councillors are not required publicly to disclose their home address.

Notwithstanding, it is important that home addresses are internally registered with monitoring officers, to help avoid conflicts of interest.

Recommendation 3

Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.

The government's view is that it is for individual local authorities to consider if their code of conduct is adequate in addressing the issue of inappropriate use of social media.

As the government outlined to Parliament in March 2021 on tackling intimidation in public life: 'It is important to distinguish between strongly felt political debate on the one hand, and unacceptable acts of abuse, intimidation and violence on the other. British democracy has always been robust and oppositional. Free speech within the law can sometimes involve the expression of political views that some may find offensive': a point that the government has recognised in a [Department for Education policy paper \(https://www.gov.uk/government/publications/higher-education-free-speech-and-academic-freedom\)](https://www.gov.uk/government/publications/higher-education-free-speech-and-academic-freedom). But a line is crossed when disagreement mutates into intimidation, which refuses to tolerate other opinions and seeks to deprive others from exercising their free speech and freedom of association.'

It is important to recognise that there is a boundary between an elected representative's public life and their private or personal life. Automatically presuming (irrespective of the context and circumstances) that any comment is in an official capacity risks conflating the two.

Recommendation 4

Section 27(2) of the Localism Act 2011 should be amended to state that a local authority's code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority.

The government agrees that local authority elected representatives should act in good faith in the public interest and not seek to influence decisions for personal gain, for malicious intent or to further the interests of any business or any other organisations which they may be affiliated with.

The Local Government Association have updated their own suggested [code of conduct \(https://www.local.gov.uk/publications/local-government-association-model-councillor-code-conduct-2020\)](https://www.local.gov.uk/publications/local-government-association-model-councillor-code-conduct-2020) to state that the code applies when “[a member's] actions could give the impression to a reasonable member of the public with knowledge of all the facts that [they] are acting as a [member]”.

It is for individual local authorities to ensure that their codes of conducts are regularly updated, comprehensive and fit for purpose. Elected members receive the necessary training to make them aware of their personal responsibilities in upholding the code.

The government will keep this matter under review but has no immediate plans to amend the regulations.

Recommendation 5

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to include: unpaid directorships; trusteeships; management roles in a charity or a body of a public nature; and membership of any organisations that seek to influence opinion or public policy.

The electorate must have confidence that the decisions of their elected representatives are being made in the best interests of the community they have been elected to serve. Unpaid roles may need to be declared, if it is relevant to council business, and councillors should recuse themselves, if necessary, if discussions relate to private bodies they are involved in.

The government is mindful that councillors have a right to a private life, and rights of freedom of association outside their role as a councillor. It is frequently the case that people in public life have a complex pattern of interests and play a variety of roles with different types of organisations, including community interest groups and charities.

The government will keep this matter under review but has no immediate plans to amend the regulations.

Recommendation 6

Local authorities should be required to establish a register of gifts and hospitality, with councillors required to record gifts and hospitality received over a value of £50 or totalling £100 over a year from a single source. This requirement should be included in an updated model code of conduct.

The Local Government Association's suggested code of conduct published in January 2021 includes a requirement for members to "register... any gift or hospitality with an estimated value of at least £50". However, it did not contain any requirements relating to the total value of gifts or hospitality received from the same source over a sustained period.

Local authorities have the autonomy to set gifts and hospitality requirements in their own codes of conduct. The government accepts that there is merit in best practice guidance on the thresholds for gifts and hospitality and agrees that a register of gifts and hospitality should be publicly available.

Recommendation 7

Section 31 of the Localism Act 2011 should be repealed, and replaced with a requirement that councils include in their code of conduct that a councillor must not participate in a discussion or vote in a matter to be considered at a meeting if they have any interest, whether registered or not, "if a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision-making in relation to the matter".

Section 31 of the Localism Act 2011 requires that a councillor must not participate in a discussion or vote on a matter where they have a disclosable pecuniary interest in any matter to be considered at the meeting. Section 30(3) of the Localism Act 2011 further provides that any relevant pecuniary interests of a councillor's spouse or partner are considered as a disclosable pecuniary interest of the councillor.

The Committee's report reflects concerns that the disclosable pecuniary interest arrangements infringe on the privacy of a councillor's spouse or partner. Where there would be a potential conflict of interest, the principle of integrity requires that any such interests should nevertheless be declared and resolved.

The Government will keep this matter under review but has no immediate plans to repeal Section 31 of the Localism Act 2011.

Recommendation 8

The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of 2 years, renewable once.

The government does not accept this recommendation as appropriate for legislation on the basis that it would be likely to be unworkable. The government's view is that it would be more appropriately implemented as a best practice recommendation for local authorities.

In principle, it may be attractive to limit the terms Independent Persons serve to keep their role and contribution "fresh" and avoid them becoming too closely affiliated with the overriding organisational culture. However, discussions with Monitoring Officers indicate that in practice most local authorities would likely find servicing this rate of turnover unachievable. There is frequently a small pool of people capable and willing to undertake the role, who also fit the stringent specifications of being amongst the electorate, having no political affiliation, no current or previous association with the council, and no friends or family members associated with the council.

When local authorities have found effective Independent Persons who demonstrate the capability, judgement and integrity required for this quite demanding yet unpaid role, it is understandable that they may be reluctant to place limitations on the appointment.

Recommendation 9

The Local Government Transparency Code should be updated to provide that the view of the Independent Person in relation to a decision on which they are consulted should be formally recorded in any decision notice or minutes.

The government does not agree with this. The Local Government Transparency Code is a statutory requirement to publish information; it does not regulate the content of councils' minutes or decision notices.

The substantive policy suggestion has merit but will depend on circumstances. In cases where there is no case to answer from an unfounded complaint, it should not necessarily be a legal requirement to publish details of that unfounded complaint.

Recommendation 10

A local authority should only be able to suspend a councillor where the authority's Independent Person agrees both with the finding or a breach and that suspending the councillor would be a proportionate sanction.

Recommendation 12

Local authorities should be given the discretionary power to establish a decision-making standards committee with voting independent members and voting members from dependent parishes, to decide on allegations and impose sanctions.

Recommendation 13

Councillors should be given the right to appeal to the Local Government Ombudsman if their local authority imposes a period of suspension for breaching the code of conduct.

Recommendation 14

The Local Government Ombudsman should be given the power to investigate and decide upon an allegation of a code of conduct breach by a councillor, and the appropriate sanction, an appeal by a councillor who has had a suspension imposed. The Ombudsman's decision should be binding on the local authority.

Recommendation 16

Local authorities should be given the power to suspend councillors, without allowances, for up to 6 months.

There is no provision in current legislation for a sanction to suspend a councillor found to have breached the code of conduct, and this was a deliberate policy decision by the Coalition Government at the time of the Localism Act 2011 to differentiate from the previous, failed Standards Board regime. The Standards Board regime allowed politically motivated and vexatious complaints and had a chilling effect on free speech within local government. These proposals would effectively reinstate that flawed regime.

It would be undesirable to have a government quango to police the free speech of councillors; it would be equally undesirable to have a council body (appointed by councillors, and/or made up of councillors) sitting in judgment on the political comments of fellow councillors.

On the rare occasions where notable breaches of the code of conduct have occurred, local authorities are not without sanctions under the current regime. Councillors can be barred from Cabinet, Committees, or representative roles, and may be publicly criticised. If the elected member is a member of a political group, they would also expect to be subject to party discipline, including being removed from that group or their party. Political parties are unlikely to reselect councillors who have brought their group or party into disrepute. All councillors are ultimately held to account via the ballot box.

As part of the government's response to the Committee's report on intimidation in public life, the government recommended that every political party establish their own code of conduct for party members, including elected representatives.

The government will engage with sector representative bodies of councillors and officers of all tiers of local government to seek views on options to strengthen sanctions to address breaches of the code which fall below the bar of criminal activity and related sanctions but involve serious incidents of bullying and harassment or disruptive behaviour.

Recommendation 11

Local authorities should provide legal indemnity to Independent Persons if their views or advice are disclosed. The government should require this through secondary legislation if needed.

The government agrees in principle.

Initial soundings with the sector indicate that some local authorities already provide legal indemnity for Independent Persons.

The government endorses providing legal indemnity for Independent Person as local authority best practice but does not currently see the need to require this through secondary legislation.

Recommendation 15

The Local Government Transparency Code should be updated to require councils to publish annually: the number of code of conduct complaints they receive; what the complaints broadly relate to (e.g., bullying; conflict of interest); the outcome of those complaints, including if they are rejected as trivial or vexatious; and any sanctions applied.

The government believes that this is better addressed through the sector adopting as best practice a regular pattern of annual reporting by Standard Committees of the cases and complaints handled and would encourage this as best practice by the sector.

The government does not believe that there is a requirement to prescribe to local authorities the form and content of such Standard Committee annual reports.

Recommendation 17

The government should clarify if councils may lawfully bar councillors from council premises or withdraw facilities as sanctions. These powers should be put beyond doubt in legislation if necessary.

The criminal law, overseen by the police and courts, provides for more appropriate and effective action against breaches of public order, for anti-social behaviour, and against harassment.

The occasion where councils would seek to bar councillors from council premises are thought to be extremely rare. We will consider this further.

Recommendation 18

The criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished.

It is a criminal offence to fail to declare pecuniary interests, which acts as a strong deterrent against corruption.

The government does not agree with this recommendation, but rather believes the criminal offence of a non-disclosure of pecuniary interest to be a necessary and proportionate safeguard and deterrent against corruption.

The high bar of police involvement has served to discourage politically motivated and unfounded complaints.

Recommendation 20

Section 27(3) of the Localism Act 2011 should be amended to state that parish councils must adopt the code of conduct of their principal authority, with the necessary amendments, or the new model code.

The government does not agree that this is necessary and has no plans to repeal Section 27(3) of the Localism Act 2011.

The government considers that the adoption of the principal authority's code or the new model code is a matter for local determination.

There are merits in achieving consistency within principal authority areas to eliminate potential confusion amongst constituents and elected members but there may be instances where a parish council may want to add to the code of their principal authority to reflect local circumstances.

Recommendation 21

Section 28 (11) of the Localism Act 2011 should be amended to state that any sanction imposed on a parish councillor following the finding of a breach is to be determined by the relevant principal authority.

The government has no current plans to repeal Section 28 (11) of the Localism Act 2011 but will give this matter further consideration.

Recommendation 22

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 should be amended to provide that disciplinary protections for statutory officers extend to all disciplinary action, not just dismissal.

The 3 statutory officers in local government are the Monitoring Officer, the Head of Paid Service (Chief Executive) and the Chief Finance Officer (often referred to as the Section 151 Officer).

Under the current disciplinary arrangements for statutory officers, any decision to dismiss a statutory officer must be taken by full council, following a hearing by a panel that must include at least 2 Independent Persons. The Committee consider that the disciplinary protections for statutory officers should be enhanced, by extending disciplinary protections to all disciplinary actions (such as suspension or formal warnings), not just dismissal.

The government agrees in principle with this recommendation and recognises this will be pertinent to Monitoring Officers who may not necessarily be afforded the same seniority in the organisational hierarchy of a local authority as the 2 other statutory officers (Head of Paid Service and the Section 151 Officer), and who may be subject to personal pressures when conducting high profile breach of conduct investigations.

The government will engage with sector representative bodies of all tiers of local government to seek views on amending the Local Authorities (Standing Orders) (England)(Amendment) Regulations to provide disciplinary protections for statutory officers.

Recommendation 23

The Local Government Transparency Code should be updated to provide that local authorities must ensure that their whistleblowing policy specifies a named contact for the external auditor alongside their contact details, which should be available on the authority's website.

The government agrees with the principle that openness is essential.

Most local authorities already publish their whistleblowing policy, procedures and a named contact on their websites, and Government is recommending that this is adopted as a best practice recommendation.

The government published the UK National Action Plan for Open Government 2021- 2023 in January 2022. This includes a [commitment on local transparency](https://www.gov.uk/government/publications/uk-national-action-plan-for-open-government-2021-2023/uk-national-action-plan-for-open-government-2021-2023#local-transparency) (<https://www.gov.uk/government/publications/uk-national-action-plan-for-open-government-2021-2023/uk-national-action-plan-for-open-government-2021-2023#local-transparency>). The Department for Levelling Up Housing and Communities (DLUHC) will work with the local government community to develop a set of specific actions to advance transparency in the sector. DLUHC will support local government to solidify their transparency policies and processes and encourage proactive publication of open data across councils.

Recommendation 24

Councillors should be listed as 'prescribed persons' for the purposes of the Public Interest Disclosure Act 1998.

Prescribed persons are individuals or organisations that a worker may approach outside their workplace to report suspected or known wrongdoing and still be protected by the rights afforded to them under whistleblowing legislation. They are prescribed by an order made by the Secretary of State (for Business, Energy and

Industrial Strategy) for this purpose. See a [complete list of prescribed persons \(https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2\)](https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2).

Local councillors would not meet the criteria of being external to an individual's workplace in relation to matters affecting the council and could therefore not be considered as a 'prescribed person' for the purposes of the Public Interest Disclosure Act 1998. Disclosures relating to local authorities can be made to the external auditor of the relevant authority, the Comptroller and Auditor General (National Audit Office), or a Member of Parliament.

However, the government recognises that this may provide a further check and balance against council corruption or wrongdoing and is open to further representations on the matter on how local accountability can be strengthened in this regard.

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1. References to councillors in this document also should be deemed to include elected mayors.

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Appendix C

Actions from 'Leading in Practice' – a review of the Committee of Standards in Public Life

Questions for leaders

- ▶ How do the people in your organisation know that you care about the Principles of Public Life?
- ▶ What do you do to help people understand how the Principles of Public Life translate to the standards of behaviour expected in their day-to-day work?
- ▶ How do you address behaviour that is not consistent with the Principles of Public Life?
- ▶ How do you know that people across your organisation are hearing a consistent tone from their managers in relation to the standards of behaviour expected of them?

- ▶ Are there clear and well-understood ways that people across your organisation can raise their concerns when things 'just don't feel right'? How do you know these routes are trusted?
- ▶ What do you do to ensure that retaliation is not tolerated in your organisation?
- ▶ How do you ensure you are listening to the concerns and suggestions of people in your organisation? Are you being open and transparent in communicating the outcome to people in your organisation, while respecting confidentiality?
- ▶ How do you know the managers in your organisation are listening and responding well to concerns that are raised directly with them?

- ▶ Is your staff training specific to the ethical risks and challenges faced by your organisation?
- ▶ How do you encourage leaders at all levels to discuss the practical application of the Principles of Public Life in their teams?
- ▶ Have you considered whether the people in your organisation might benefit from dedicated support for considering ethical issues, such as ethics committees or counsellors?
- ▶ How do you know that people in your organisation are making consistently good decisions that take into account the Principles of Public Life?

- ▶ Is your board clear on their role in relation to the ethical culture of the organisation?
- ▶ Does your risk assessment process identify and monitor the key ethical risks for your organisation?
- ▶ Does your board have access to the range of data needed to assess and monitor the ethical health of your organisation and to identify potential areas of concern?
- ▶ How do you ensure that your organisation takes necessary action where the data suggests that changes are needed?

- ▶ When things have gone wrong in your organisation, could the signs have been spotted and addressed earlier?

- ▶ Does your recruitment and selection process place sufficient weight on the extent to which candidates' personal values align with the Principles of Public Life?
- ▶ How does your organisation's selection process test the ability of candidates to exercise sound judgement when faced with ethical dilemmas?
- ▶ Do the performance management processes of your organisation give sufficient weight to how individuals deliver on their objectives, as well as the outcomes that are achieved?

<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>Wednesday, 15 February 2023</p>	
<p>Report of: Janet Fasan, Director of Legal and Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>Member Learning and Development Update</p>	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	(All Wards);

Executive Summary

The Learning and Development Programme is the Council's professional development programme for Members. It provides access to training in relation to personal skills, professional development, council policies and local issues.

The Standards Advisory Committee is provided with annual updates to allow it to review and comment on the programme as part of its role in ensuring Members are able to properly undertake their role as set out in the Member Code of Conduct.

In particular this report looks back at the Member Induction Programme which ran from the May local elections to the autumn and looks forward to plans for the Learning and Development programme over the next year.

The Committee is asked to review and comment on this update report.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Review and comment on the report.

1. REASONS FOR THE DECISIONS

- 1.1 Member Learning and Development is provided to enhance a Councillor's knowledge and skills to ensure they are equipped to undertake their role.
- 1.2 The Council's Constitution notes that the Standards Advisory Committee is responsible for ensuring high standards of Member conduct which is facilitated by the provision of a good quality Member Learning and Development programme.

2. ALTERNATIVE OPTIONS

2.1 This is a noting report. The committee may wish to propose alternative learning and development programme arrangements.

3. DETAILS OF THE REPORT

3.1 The Council's ongoing Member Learning and Development Programme continues to provide opportunities for Members to expand on their knowledge and keep up to date with changes.

3.2 These opportunities are generally in the form of:

- Committee or specific training targeted at certain councillors such as those on development or licensing committees, or Scrutiny.
- Training and development sessions scheduled as part of the annual learning and development plan, or identified as a training area during the year, offered to most/all Members
- Member briefing sessions on policy areas/developments usually offered to all Members and provided ad-hoc when required.
- Programmes run by the LGA (or other external bodies) for councillors, often free of charge covering a variety of areas. These are advertised in the Members' Bulletin so Members can let us know if they are interested in attending.

3.3 Following the local elections in May 2022, a Member Induction programme was also offered with the particular aim of introducing new Members to their roles and the various services provided by the Council.

3.4 This report looks back at the Member Induction Programme and looks forward at plans for the Learning and Development Programme over the next year.

Member Induction Programme 2022

3.5 The Member Induction Programme, as presented to the Standards Advisory Committee on 10 February 2022, took place from the local elections on 5 May 2022 through to November 2022.

3.6 The first step took place before the election when all candidates were provided with initial Member Induction information and a timetable of early sessions. This was also provided at the count, where successful candidates were provided with a pack which included the new Member Code of Conduct, requests for initial information and a another copy of the timetable for the first part of the Member Induction Programme.

3.7 The programme itself kicked off with a Welcome Evening at the town hall led by the Chief Executive and where Members could meet senior managers from all the Council's directorates.

- 3.8 The training programme then began, starting with key training such as those on 'how democracy works', the Code of Conduct (mandatory training), the Member Enquiry process and how Council meetings worked.
- 3.9 Through June to November the programme then took in sessions on the various council services and potential areas of interest. The full programme is set out in Appendix 1 to this report.

Attendance and engagement

- 3.10 Initial attendance was good with significant numbers of Members coming along to early sessions and good feedback was received. However, as the programme moved on, attendance tended to drop off. For some sessions online training was explored to encourage take-up and in a number of cases in the autumn sessions were cancelled as they did not have a high enough confirmed attendance to make it worth while running a session. However, where possible, information was provided on the Members Hub so that interested Councillors could still read up on the content of the session.
- 3.11 Attendance details for the Induction Programme are set out in Appendix 1 to this report.
- 3.12 Feedback forms were available at most sessions and recorded. Initially good numbers of feedback forms were received and a summary of the findings is presented in Appendix 2. Generally, feedback was good with most sessions receiving an average overall score of over 4.5/5. Some Members left specific comments to help improve future sessions and these are also set out in the Appendix.
- 3.13 Later seminars had lower attendances and low/if any survey returns so these have been left out of the summary in the appendix as there are not enough returns to draw conclusions from them.

Previous Member Learning and Development Training Attendance

- 3.14 Appendix 3 sets out attendance data from the previous learning and development and member seminar programmes since the last update to the Committee (October 2021 to May 2022).

Member Induction and Learning and Development Survey

- 3.15 At the conclusion of the induction period, a survey was sent to all Members to collate their views of the induction programme and to help with preparation of the upcoming Learning and Development Programme.
- 3.16 The request to complete the survey was circulated in the Member Bulletin, via the group advisors and direct by Member Support. Twelve responses were received. Details of the responses are set out in Appendix 4 to the report.

- 3.17 Overall feedback was good with an average score of 4.25/5 for ‘how much value has the overall induction programme been to you’.

Conclusions

- 3.18 Feedback from Members and officers generally show that the Induction programme was effective and useful to Members. In particular, Members supported having an extended Induction rather than pushing everything into the early weeks. One area of focus for future learning and development (and Member Seminars) is to expand the options for the types of training delivered to include options such as pre-recorded videos and looking at the best way to mix in person and online training as appropriate.

Learning and Development Programme 2023-24

- 3.19 As the Induction Programme has now concluded it is time to build on that to develop the longer-term Learning and Development Programme.
- 3.20 Whilst the Induction focuses on information that Members need to know straight away, including core statutory training and information about council services and processes, the Learning and Development Programme has a greater focus on development of skills useful to Members.
- 3.21 The programme runs alongside Member Seminar sessions run by the Directorates which highlight service issues and general information as required.
- 3.22 The Learning and Development Programme looks to offer around 6-8 sessions a year and these will often be run by external trainers depending on the topic.
- 3.23 Following the feedback from the survey above, discussions with other councils and looking at what has previously been offered, the proposed list of planned training for the next year is as follows:

Training Name	Notes
Public Speaking	
Chairing Skills	Two sessions will be offered, the first looking at the Constitution, power of the Chair and similar whilst the second will look at more general chairing skills.
Managing Casework / resident issues	This will explore how to manage residents and their issues rather than the specifics of the Council's casework system.
Community Leadership/Engagement/Influencing Skills	
Dealing with abuse and intimidation	

Advance Computer Skills	This may be delivered through the existing online courses or something new developed.
Effective Scrutiny	

3.24 This will also be supplemented by courses aimed at specific Members or groups of Members if/when identified.

4. EQUALITIES IMPLICATIONS

4.1 An effective Member Learning and Development Programme is important to support Members from all backgrounds being able to effectively undertake their work.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 None specific to this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 Learning and Development for Members is provided within existing budgets and staffing resources.

7. COMMENTS OF LEGAL SERVICES

7.1 Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate the discharge of any of their functions. The matters proposed in this report comply with this legislation.

Linked Reports, Appendices and Background Documents

Linked Report

- Previous Member Learning and Development Reports to the Committee (usually in the autumn of each year)

Appendices

- Appendix 1 – Member Induction 2022 - Attendance Statistics
- Appendix 2 – Member Induction 2022 – Feedback Forms
- Appendix 3 – Member Learning and Development 2021-22 – Attendance Statistics
- Appendix 4 – Member Learning and Development Survey

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

Councillor	Performance and Borough Data 6:30pm 15th November	Performance and Borough Data 2pm 17th November	NO RECORD OF ATTENDANCE Licensing Cttee training 6:30pm 17th Nov	So...you've a Cllr for 8months 6:30pm 14 Dec 2022	Ethics & Probity Training 6:00pm 20 December
Councillor Abdal Ullah					Y
Councillor Abdul Malik					
Councillor Abdul Mannan					
Councillor Abdul Wahid				Y	
Councillor Abu Chowdhury					
Councillor Ahmodul Kabir				Y	
Councillor Ahmodur Khan					
Councillor Amin Rahman					
Councillor Amina Ali					
Councillor Amy Lee					
Councillor Ana Miah					
Councillor Asma Begum					
Councillor Asma Islam	Y				Y
Councillor Ayas Miah					
Councillor Bellal Uddin					
Councillor Bodrul Choudhury					
Councillor Faroque Ahmed					
Councillor Gulam Kibria Choudhury		Y			
Councillor Harun Miah					Y
Councillor Iqbal Hossain		Y			
Councillor Jahed Choudhury					
Councillor James King					
Councillor Kabir Ahmed					
Councillor Kabir Hussain					
Councillor Kamrul Hussain					
Councillor Leelu Ahmed					
Councillor Maisha Begum					
Councillor Maium Talukdar				Y	
Councillor Marc Francis					
Councillor Mohammad Chowdhury					
Councillor Mufeedah Bustin					
Councillor Musthak Ahmed					
Councillor Nathalie Bienfait					
Councillor Ohid Ahmed					
Councillor Peter Golds					
Councillor Rachel Blake					
Councillor Rebaka Sultana					
Councillor Sabina Akhtar					
Councillor Sabina Khan					
Councillor Saied Ahmed					
Councillor Saif Uddin Khaled				Y	
Councillor Shafi Ahmed				Y	
Councillor Shubo Hussain				Y	
Councillor Sirajul Islam					
Councillor Suluk Ahmed		Y			
Mayor Lutfur Rahman					

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Member Induction Evaluation forms

		Session 1 - How local democracy works	Session 2 - So you've become a councillor	Session 3 - Ethics & Probity	Session 4- Members' Enquiries & Information Governance	Session 5- Licensing Committee Training	Session 6- Pensions Committee Training	Session 7- Developing Strategy & Policy
No. of attendees		29	27	33	25	14	8	19
No. of survey responses		23	9	22	1	6	3	12
Average Scores								
Q1 The objectives of the session were clearly defined		4.4	4.5	4.1	4.0	5.0	4.5	4.7
Q2 The session contributed to your knowledge and skill as a councillor		4.6	4.6	4.2	4.0	4.7	4.5	4.7
Q3 Was relevant to your responsibilities and needs as a councillor		4.5	4.4	4.2	4.0	5.0	4.5	4.6
Q4 The session achieved the stated objectives		4.7	4.5	4.1	4.0	4.8	5.0	4.5
Q5 The content was organised and easy to follow		4.7	4.4	4.0	4.0	4.7	5.0	4.5
Q6 The session provided a good understanding of the topic		4.7	4.6	4.1	4.0	5.0	5.0	4.6
Q7 The trainer was knowledgeable about the training topics		4.7	4.8	4.4	4.0	5.0	5.0	4.6
Q8 The trainer was well-prepared		4.7	4.8	4.2	4.0	5.0	5.0	4.5
Total average score		4.6	4.6	4.2	4.0	4.9	4.8	4.6
Do you require further training on this subject?	No	19	7	13	1	1	2	8
	Yes	2	0	3	0	1	0	1
Summary comments: areas to improve		<ul style="list-style-type: none"> Email slides to attendees to refer back to info Room was hot and not enough refreshments and coffee Further training: Rules on resolution 	<ul style="list-style-type: none"> Sharing a couple of case studies (unnamed) could have improved the session Refreshments Too hot, repair AC 	<ul style="list-style-type: none"> Break up structure, e.g. ice-breakers, group work and more discussion in small groups. Follow up by checking understanding Make slides more accessible x 2 (and less compact) Timing to improve, session to finish on time x3 Scenarios in advance Another session once cllrs join committees 		<ul style="list-style-type: none"> Need to get back to in person meetings Further training on the new regulations under the Police, Crime, Sentencing and Courts Act 2022 	<ul style="list-style-type: none"> The topic is heavy with technical terminology. As assured by Miriam Adams, 1:1 or 1:2 sessions would benefit members involved in this committee 	<ul style="list-style-type: none"> Case studies More explanation of the nitty-gritty process of how councillor policy-making feeds into strategic plan creation process

Member Induction Evaluation forms		Session 8- Understanding Council Finances Part 1 (Treasury Management)	Session 9- Corporate Parenting & Safeguarding Children	Session 10 - Safeguarding adults and Prevent	Session 11- What is Scrutiny	Session 12- Introduction to the Communicatio n Service	Session 13- Chair's Training	Session 14- Promoting Equalities & Diversity Training 1	Session 15- Promoting Equalities & Diversity Training 2	Session 16- Pensions Board training
No. of attendees		13	16	9	19	14	15	35	22	7
No. of survey responses		8	9	8	8	6	12	26	17	5
Average Scores										
Q1 The objectives of the session were clearly defined		4.8	4.4	4.9	4.6	5.0	4.7	4.5	4.5	4.2
Q2 The session contributed to your knowledge and skill as a councillor		4.8	4.7	4.9	4.6	5.0	4.7	4.5	4.8	4.3
Q3 Was relevant to your responsibilities and needs as a councillor		4.5	4.5	4.9	4.5	5.0	4.8	4.4	4.6	4.8
Q4 The session achieved the stated objectives		4.5	4.7	4.9	4.5	5.0	4.8	4.3	4.3	4.4
Q5 The content was organised and easy to follow		4.3	4.1	4.7	4.6	5.0	4.8	4.4	4.5	4.0
Q6 The session provided a good understanding of the topic		4.3	4.3	4.6	4.6	5.0	4.8	4.3	4.5	4.5
Q7 The trainer was knowledgeable about the training topics		4.6	4.4	4.6	4.5	5.0	4.8	4.3	4.7	4.5
Q8 The trainer was well-prepared		4.9	4.7	4.7	4.5	4.8	4.9	4.3	4.6	4.5
Total average score		4.6	4.5	4.8	4.6	5.0	4.8	4.4	4.6	4.4
Do you require further training on this subject?		No	6	3	3	3	6	11	3	2
		Yes	1	3	1	1	0	2	8	3
Summary comments: areas to improve		<ul style="list-style-type: none"> •The role of the cabinet members in managing the funds under their portfolios •Perhaps workshops •Content should be more organised/easy to follow 	<ul style="list-style-type: none"> •Examples of agencies •Some case studies •More information on children + life outcomes in terms of homelessness, education and mental health •Practical examples of a care which would give an idea of how carers are dealt with 		<ul style="list-style-type: none"> •Sample workplan and sample surveys •Should have some sample/guideline by hand 		<ul style="list-style-type: none"> •Give video examples / videos of meetings x 2 •Incorporate some role play 	<ul style="list-style-type: none"> •Too long, shorter sessions better •It would be helpful to have the slides manually •More in-depth documentation •More discussions on specific racial discrimination and micro aggressions 	<ul style="list-style-type: none"> •Yearly refresher •Background music for Prezis •Some of the slides were not readable – look into equalities for people who can't read far [short sighted?] 	<ul style="list-style-type: none"> •How they assist in the investment decision process

Member Induction Evaluation forms

	Session 17- ICT Training	Session 18 - Public Health	Session 19 - Planning & Infrastructure	Session 20 - Partnerships working in Tower Hamlets	Session 21 - Housing	
No. of attendees	13	9	6	10	11	
No. of survey responses	10	3	6	4	6	
Average Scores						
Q1 The objectives of the session were clearly defined	5.0	5.0	4.8	4.8	4.7	
Q2 The session contributed to your knowledge and skill as a councillor	4.9	5.0	4.7	4.3	4.7	
Q3 Was relevant to your responsibilities and needs as a councillor	4.9	4.7	4.8	4.5	4.7	
Q4 The session achieved the stated objectives	4.8	4.7	4.8	4.3	4.5	
Q5 The content was organised and easy to follow	4.9	5.0	4.7	4.3	4.7	
Q6 The session provided a good understanding of the topic	4.7	5.0	4.8	4.3	4.7	
Q7 The trainer was knowledgeable about the training topics	5.0	5.0	4.8	4.8	4.8	
Q8 The trainer was well-prepared	5.0	5.0	4.8	4.8	4.7	
Total average score	4.9	4.9	4.8		4.7	
Do you require further training on this subject?	No	2	0	1	2	1
	Yes	4	2	2	0	2
Summary comments: areas to improve	•More sessions would benefit all		•Need at least 2 sessions		•More info on process and procedures	

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Councillor	Local Government Finance Workshop Oct 4 2021 6:00PM	Local Government Finance Workshop Oct 7 2021 2:00PM	Chairing & Leading Scrutiny Oct 20 2021 6:00PM	Managing Fire Safety in Social Housing Oct 21 2021 6:30PM	No record of attendance Metropolitan Police Briefing on Councillors' Personal Safety Oct 29 2021 2:30PM	Pensions Committee Training - Asset Allocation Nov 1 2021 5:30PM	No record of attendance Metropolitan Police Briefing on Councillors' Personal Safety Nov 2 2021 7:00PM	Briefing on Tower Hamlets Homes' Process for Dealing with Water Leaks Nov 4 2021 2:00PM
Councillor Abdal Ullah								
Councillor Abdul Mukit MBE								
Councillor Amina Ali								
Councillor Andrew Wood		In attendance				Apologies		
Councillor Asma Begum								
Councillor Asma Islam				In attendance				In attendance
Councillor Ayas Miah								
Councillor Bex White	In attendance							
Councillor Candida Ronald								
Councillor Dan Tomlinson								
Councillor Danny Hassell								
Councillor David Edgar						In attendance		
Councillor Denise Jones	In attendance			Apologies				
Councillor Dipa Das								
Councillor Eve McQuillan								
Councillor Faroque Ahmed	In attendance			In attendance				
Councillor Gabriela Salva Macallan		In attendance						
Councillor Harun Miah								
Councillor Helal Uddin								
Councillor James King								In attendance
Councillor Kabir Ahmed		In attendance						
Councillor Kahar Chowdhury								
Councillor Kevin Brady						Apologies		
Councillor Kyrsten Perry				In attendance		Apologies		
Councillor Leema Qureshi	In attendance							
Councillor Marc Francis		In attendance						
Councillor Mohammed Pappu	In attendance		Apologies					
Councillor Mohammed Hossain								
Councillor Motin Uz-Zaman								
Councillor Mufeedah Bustin								
Councillor Peter Golds								
Councillor Puru Miah								
Councillor Rabina Khan				In attendance				
Councillor Rachel Blake		In attendance				Apologies		
Councillor Rajib Ahmed								
Councillor Sabina Akhtar								
Councillor Shad Chowdhury								
Councillor Shah Ameen								
Councillor Sirajul Islam		In attendance						
Councillor Sufia Alam								
Councillor Tarik Khan								
Councillor Val Whitehead		In attendance						In attendance
Councillor Victoria Obaze	In attendance	In attendance		In attendance				In attendance
Councillor Zenith Rahman								
Mayor John Biggs								

	Briefing on Tower Hamlets Homes' Process for Dealing with Water Leaks	Member Induction and Support Workshop	No record of attendance Member Induction and Support Workshop	No record of attendance Social Media and PR	Local Infrastructure Fund (LIF) Consultation 2021	Local Infrastructure Fund (LIF) Consultation 2021	Social Media and PR	Audit Training - Identifying Risks session
Councillor	Nov 4 2021 6:30PM	Nov 11 2021 2:00PM	Nov 11 2021 6:00PM	Nov 16 2021 1:00PM	Nov 16 2021 5:00PM	Nov 18 2021 2:00PM	Nov 18 2021 6:00PM	Nov 24 2021 5:30PM
Councillor Abdal Ullah								
Councillor Abdul Mukit MBE								
Councillor Amina Ali								
Councillor Andrew Wood					In attendance			In attendance
Councillor Asma Begum								
Councillor Asma Islam					In attendance			
Councillor Ayas Miah								
Councillor Bex White								
Councillor Candida Ronald								
Councillor Dan Tomlinson								
Councillor Danny Hassell								
Councillor David Edgar	In attendance							In attendance
Councillor Denise Jones	In attendance				In attendance		In attendance	In attendance
Councillor Dipa Das								
Councillor Eve McQuillan						In attendance		
Councillor Faroque Ahmed						In attendance		
Councillor Gabriela Salva Macallan								In attendance
Councillor Harun Miah								
Councillor Helal Uddin								
Councillor James King								In attendance
Councillor Kabir Ahmed								
Councillor Kahar Chowdhury								
Councillor Kevin Brady						In attendance		
Councillor Kyrsten Perry		In attendance						In attendance
Councillor Leema Qureshi							In attendance	
Councillor Marc Francis								
Councillor Mohammed Pappu								
Councillor Mohammed Hossain								
Councillor Motin Uz-Zaman	In attendance				In attendance			
Councillor Mufeedah Bustin						In attendance		
Councillor Peter Golds								
Councillor Puru Miah								
Councillor Rabina Khan								In attendance
Councillor Rachel Blake						In attendance		
Councillor Rajib Ahmed						In attendance		
Councillor Sabina Akhtar								
Councillor Shad Chowdhury					In attendance			
Councillor Shah Ameen								
Councillor Sirajul Islam								
Councillor Sufia Alam								
Councillor Tarik Khan						In attendance		
Councillor Val Whitehead					In attendance			In attendance
Councillor Victoria Obaze								
Councillor Zenith Rahman								
Mayor John Biggs								

Councillor	No record of attendance GP access	No record of attendance GP access	Code of Construction Practice	Code of Construction Practice	Children's Safeguarding and Corporate Parenting	Children's Safeguarding and Corporate Parenting	No record of attendance Code of Construction Practice - further online consultation	Thrive LDN mental health for councillors and communities training	Thrive LDN mental health for councillors and communities training
	Dec 1 2021 2:00PM	Dec 6 2021 6:00PM	Jan 25 2022 2:00PM	Jan 26 2022 7:00PM	Feb 1 2022 2:00PM	Feb 7 2022 5:00PM	Feb 11 2022 3:00PM	March 1 2022 6:30PM	March 8 2022 2:00PM
Councillor Abdal Ullah									
Councillor Abdul Mukit MBE									
Councillor Amina Ali				In attendance					
Councillor Andrew Wood				In attendance					
Councillor Asma Begum									
Councillor Asma Islam					In attendance				
Councillor Ayas Miah									
Councillor Bex White						In attendance			
Councillor Candida Ronald									
Councillor Dan Tomlinson									
Councillor Danny Hassell						In attendance			
Councillor David Edgar						In attendance			
Councillor Denise Jones									
Councillor Dipa Das									
Councillor Eve McQuillan									
Councillor Faroque Ahmed					In attendance				
Councillor Gabriela Salva Macallan					In attendance				
Councillor Harun Miah									
Councillor Helal Uddin									
Councillor James King									
Councillor Kabir Ahmed									
Councillor Kahar Chowdhury									
Councillor Kevin Brady					In attendance				
Councillor Kyrsten Perry									
Councillor Leema Qureshi									
Councillor Marc Francis									
Councillor Mohammed Pappu									
Councillor Mohammed Hossain									
Councillor Motin Uz-Zaman									
Councillor Mufeedah Bustin									
Councillor Peter Golds									
Councillor Puru Miah									
Councillor Rabina Khan									
Councillor Rachel Blake								In attendance	In attendance
Councillor Rajib Ahmed									
Councillor Sabina Akhtar				In attendance					
Councillor Shad Chowdhury									
Councillor Shah Ameen									
Councillor Sirajul Islam									
Councillor Sufia Alam									
Councillor Tarik Khan									
Councillor Val Whitehead			In attendance		In attendance				
Councillor Victoria Obaze									
Councillor Zenith Rahman			In attendance						
Mayor John Biggs									

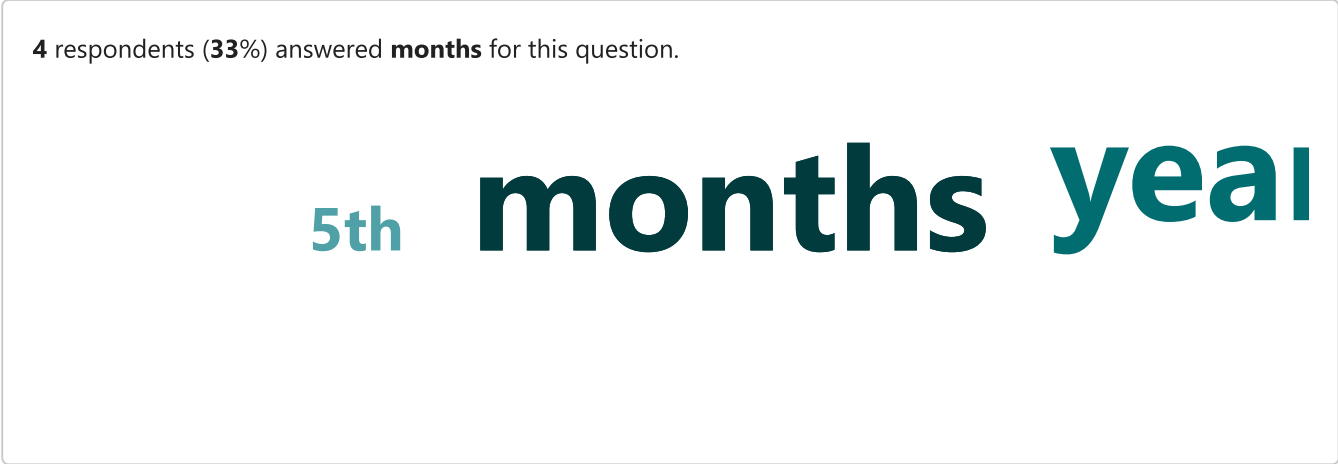
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2. How long have you been a Councillor?

12
Responses

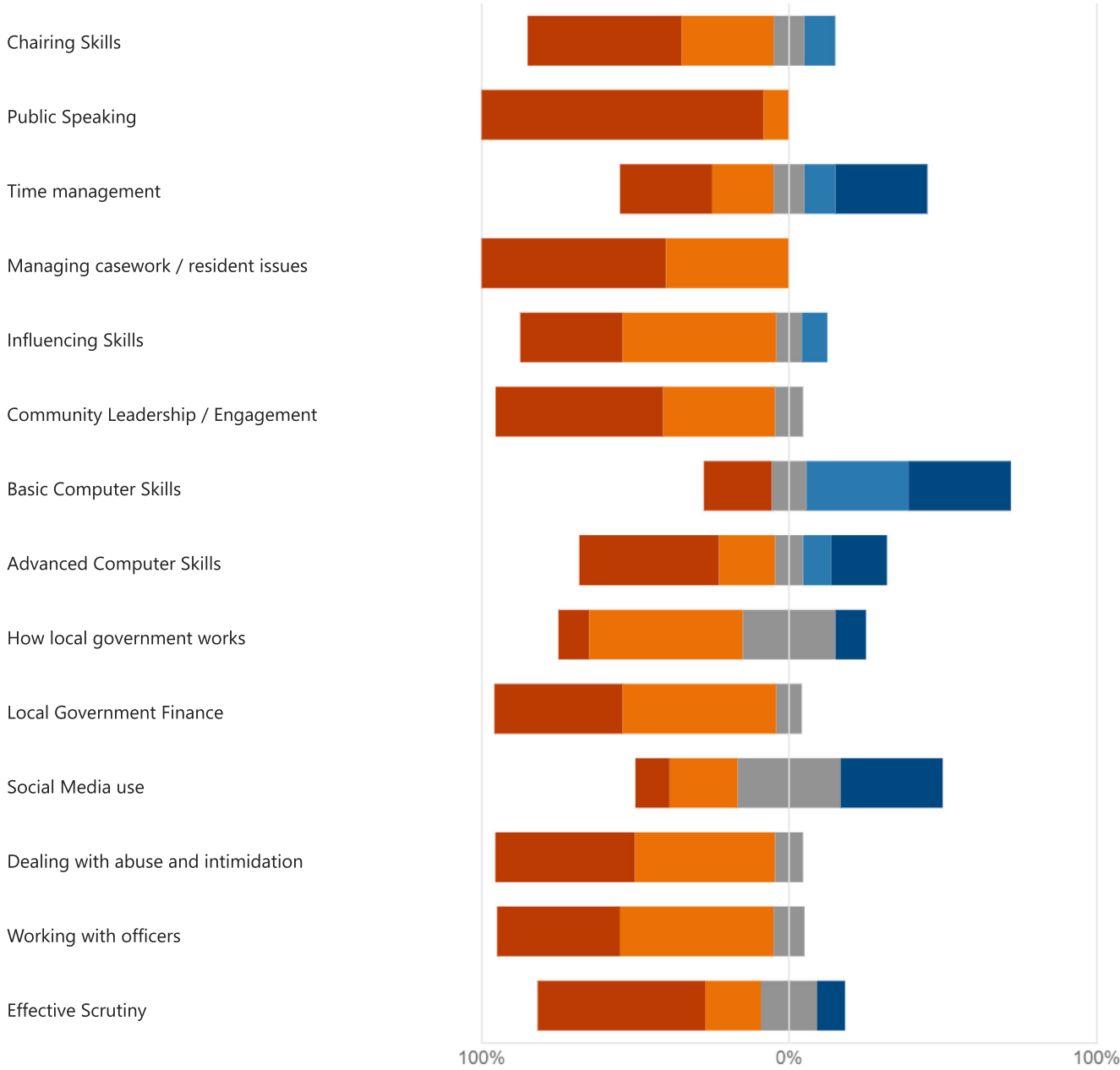
Latest Responses

- "May 2022"
- "8 years "
- "Since May"



3. The following is a list of common training themes, for each of them please indicate how likely you would be to take part in training on that topic,

Very likely Somewhat likely Neither likely nor unlikely Somewhat unlikely Very unlikely

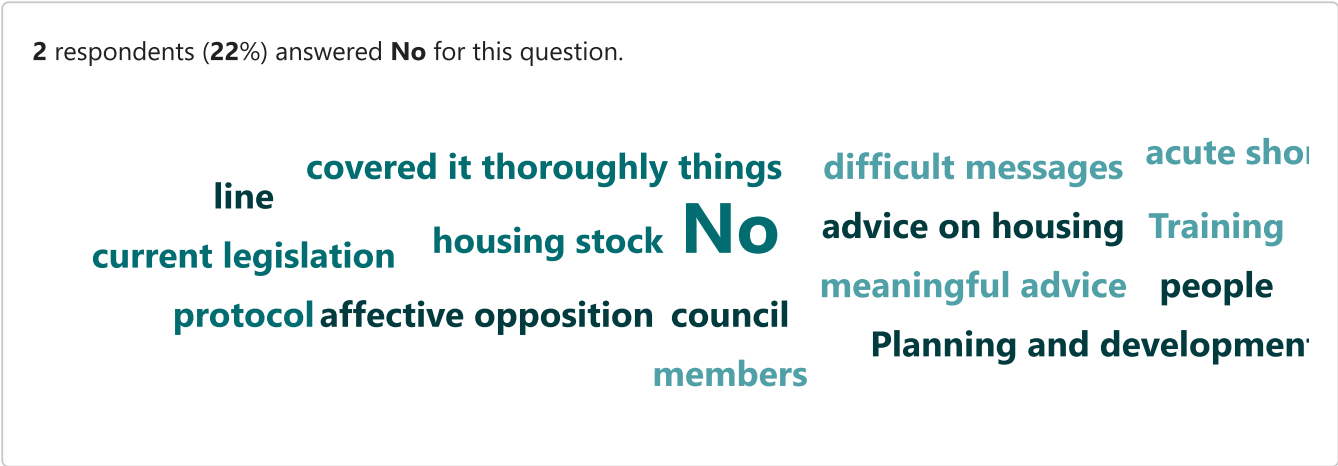


4. Is there anything missing from the above list which you would like included?

9
Responses

Latest Responses
"No"
"You've covered it thoroughly "

[Update](#)

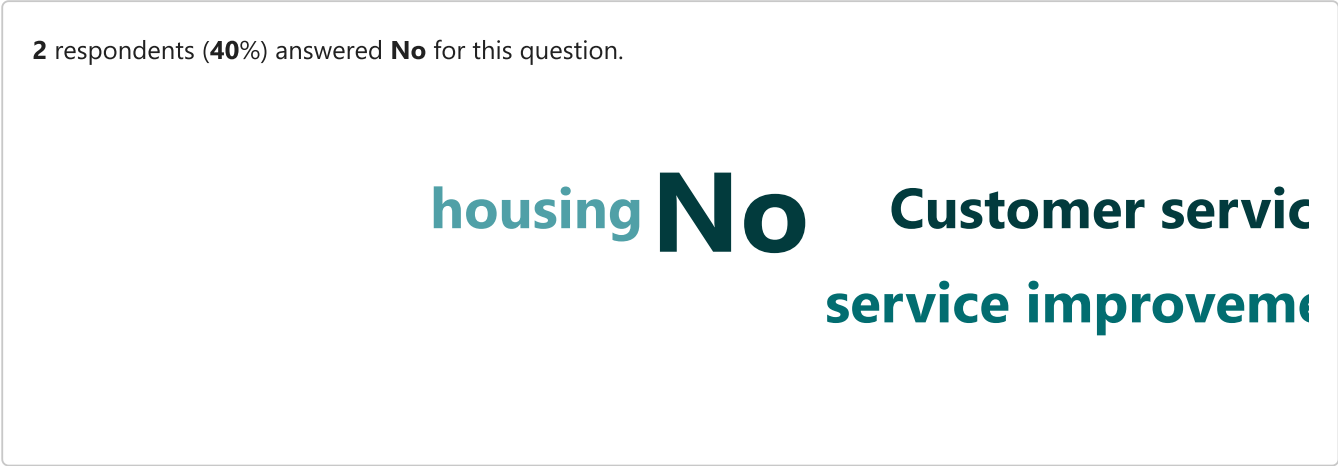


5. Is there any training you have already undertaken that you would like to see repeated?

5
Responses

Latest Responses
"No"

[Update](#)



6. We will be running a session with the LGA soon to explore training and support for Councillors. This will include a practical discussion on a key topic. Is there a particular topic you would like us to cover?

7
Responses

Latest Responses
"No"

"I would like to see maybe something more on leadership, public speaking, council se...

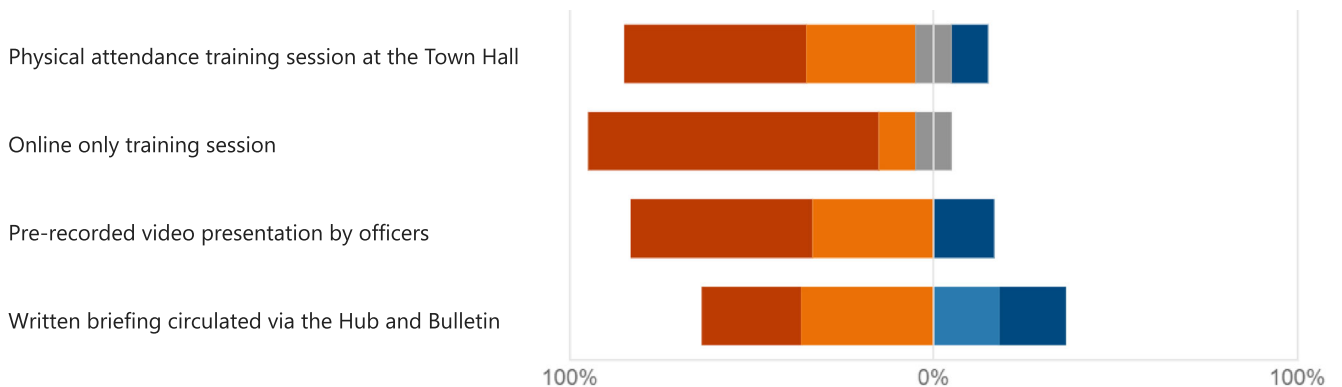
[Update](#)

3 respondents (43%) answered **No** for this question.



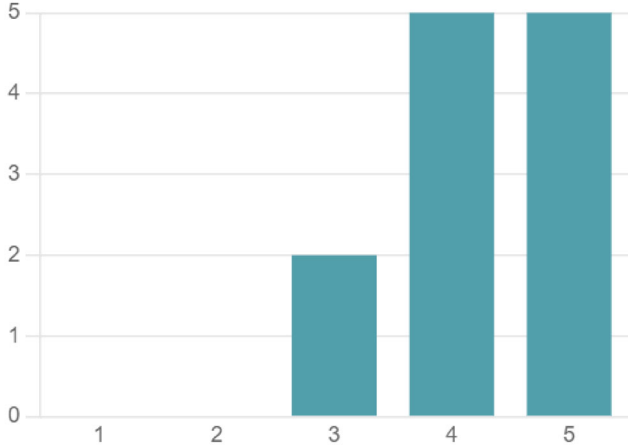
7. We are also interested in how different types of training impact on likely take up. How likely are you to attend/use a particular type of training session/briefing?

■ Very likely
 ■ Somewhat likely
 ■ Neither likely nor unlikely
 ■ Somewhat unlikely
 ■ Very unlikely



8. Out of five - how much value has the overall Induction Programme been to you?

4.25
Average Rating



9. Would you prefer training to be condensed into the first few weeks to ensure it is completed as soon as possible, or should it be spread out over the first few months to allow more time to do it?

- Programme should be spread out 8
- Programme should be condens... 2
- Other 0



10. What sort of thing can officers do to improve the training they deliver?

9
Responses

Latest Responses

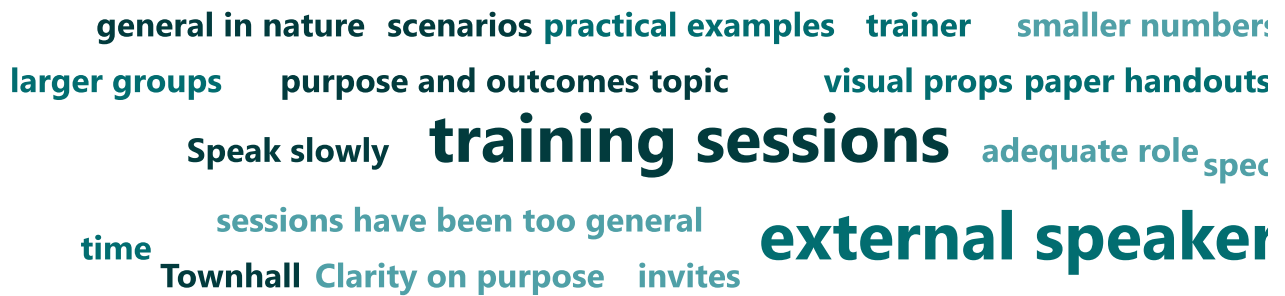
"Take more time into each topic"

"using more visual props and perhaps out of the Townhall. Getting ext..."

"i think if we broke it up in smaller numbers rather than larger groups"

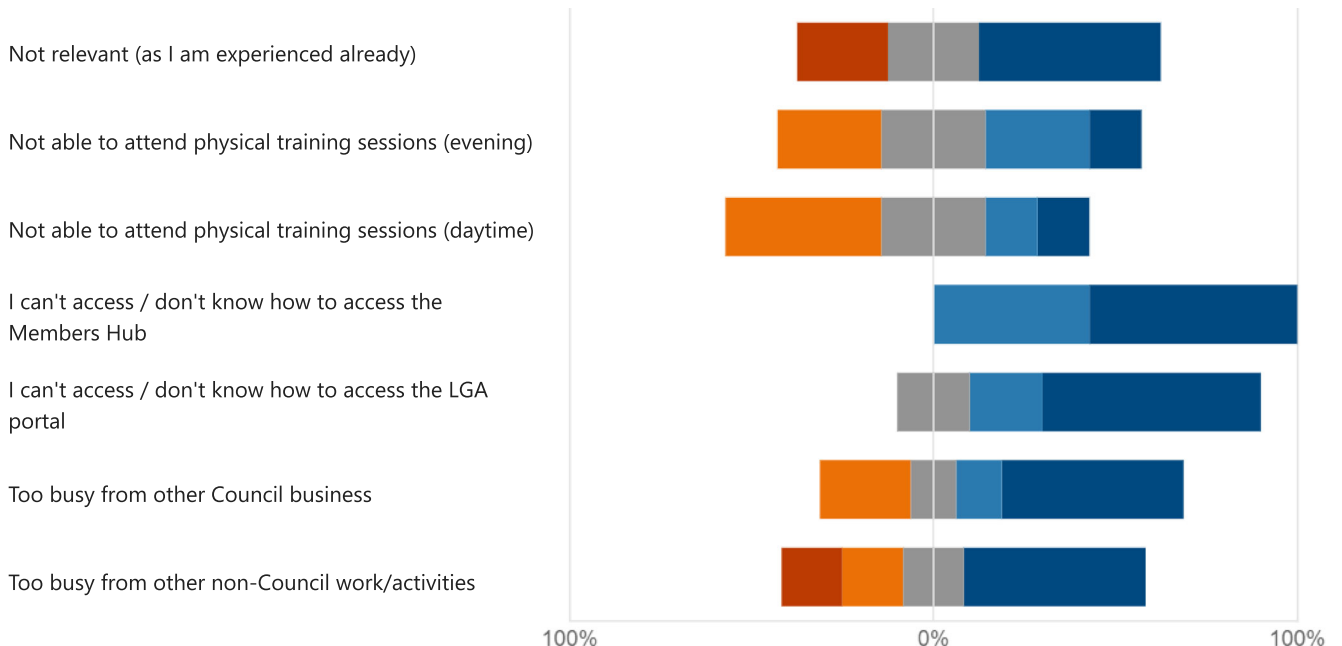
Update

2 respondents (22%) answered **training sessions** for this question.



11. if you were unable to participate in the Members Induction Programme, please let us know if it was due to any of the below reasons.

■ The main reason
 ■ A big impact
 ■ Some impact
 ■ Minor impact
 ■ None/ not relevant



12. What was the best thing about the Induction Programme/Process?

10
Responses

Latest Responses

"I learnt new topics and for the topics I knew, I learnt even more abo...
"I felt the how motivated the officers were and that brushed off onto ...

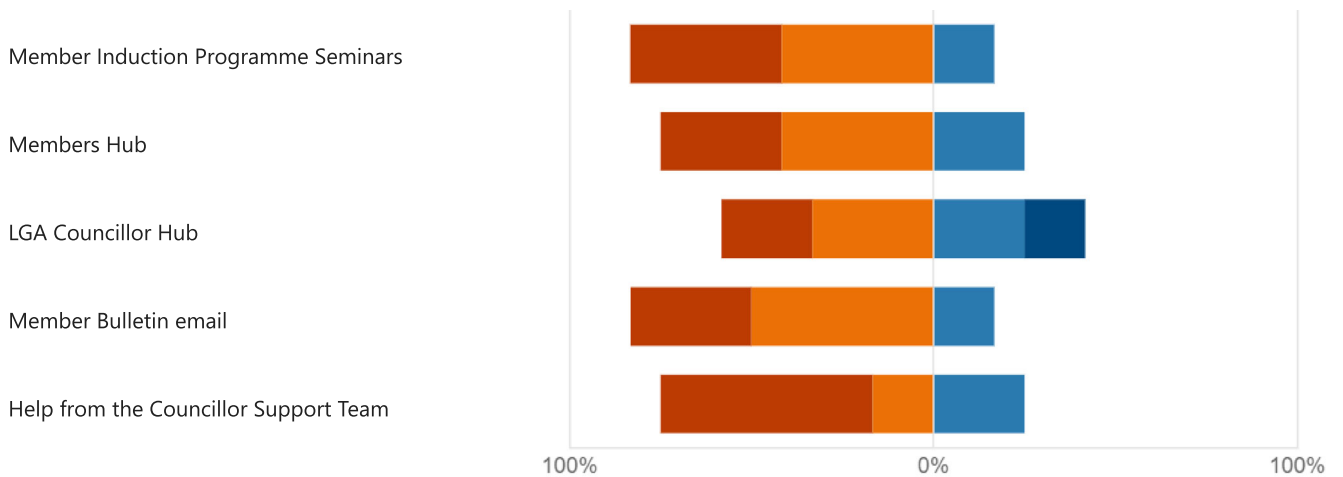
[Update](#)

2 respondents (20%) answered **topics** for this question.



13. How much have you made use of the following / found the following useful:

■ A lot ■ Some use ■ A little ■ None



14. Do you have any other comments/notes in relation to the Member Induction Programme?

5
Responses

Latest Responses
"No"

[Update](#)

1 respondents (20%) answered **programme was exciting** for this question.

useful **No comment**
programme was exciting
informative **great tear**

Non-Executive Report of the: Standards Advisory Committee Wednesday, 15 February 2023	 TOWER HAMLETS
Report of: Janet Fasan, Director of Legal and Monitoring Officer	Classification: Open (Unrestricted)
Co-opted Member Attendance Rules	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	(All Wards);

Executive Summary

This report has been requested by the Committee on its work programme. The Committee were concerned that, whilst there were clear expectations on minimum Councillor attendance at Council and Committee meetings, there were no rules set for Co-opted members.

Following discussion with the Chair of this Committee and consultation with the Council's Scrutiny function. This report proposes additional paragraphs be added to the Constitution setting out attendance expectations for Co-opted Members.

Any agreed change will have to be forwarded to the General Purposes Committee to agree before it could be added to the Constitution.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Review and agree the proposed additional paragraphs for the Constitution in relation to Co-optee attendance at meetings.
2. Agree to forward the text to the General Purposes Committee for consideration.

1. REASONS FOR THE DECISIONS

- 1.1 The report has been requested by the Committee as part of its role in overseeing Member standards.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee is free to agree or amend the proposed addition to the Constitution or decide not to propose any changes.

3. DETAILS OF THE REPORT

- 3.1 As set out in Part A, Section 6 of the Constitution, there are clear rules which set out circumstances whereby the Mayor or a Councillor could cease to be a Member of the Authority. This includes a requirement that they must attend at least one relevant meeting during any period of six months to remain qualified to hold office.
- 3.2 The Constitution though is silent on any circumstances whereby a co-opted Member may cease to hold office, especially in relation to attendance at meetings.
- 3.3 During previous discussion the Standards Advisory Committee considered that this anomaly should be addressed, in particular because the role of Co-optee is much more closely linked to attendance at meetings than the roles of Mayor and Councillor (who also have other roles such as managing casework and community and partnership work).
- 3.4 Officers were asked to review proposals to address this issue in consultation with the Chair of the Committee.
- 3.5 Following the preparation of a draft paragraph, this was then consulted with the Chairs of the Scrutiny Committees and scrutiny support officers (as Scrutiny have the bulk of the Council's co-optees). They made two requests for amendments:
1. That for scrutiny all reviews of co-optee attendance should be led by Overview and Scrutiny Committee itself (rather than the sub-committees) to ensure consistency.
 2. That the paragraph be clear that a number of courses of action could be considered appropriate which may (or may not) include removal from the Committee/Sub-Committee.
- 3.6 As a conclusion and following this consultation, the following paragraphs are therefore proposed to be inserted in Part A, Section 6 of the Constitution within the section titled 'Cessation of Membership'.
- “12. Where a Co-Opted Member fails to attend (in person) at least half of the ordinarily scheduled Committees/Sub-Committee meetings in a municipal year, the Committee/Sub-Committee on which they sit will receive a report at its first meeting of the new municipal year allowing it to determine whether any action should be taken (including recommendation for removal where appropriate) by Council or the Committee/Sub-Committee who originally appointed them to the role.
13. In respect of Scrutiny Committees/Sub-Committees, all reports will be considered by the Overview and Scrutiny Committee to ensure consistency of approach.

14. Note – the definition of Co-opted Member is that set out in the Member Code of Conduct – Part C – Section 31 (including all Scrutiny Co-optees)”

- 3.7 The Committee are asked to review the above paragraphs, propose any changes they consider appropriate and then approve or otherwise the inclusion of the text in the Constitution.
- 3.8 Should the Committee agree to propose the addition of the above, it will be submitted to the General Purposes Committee, as the responsible Committee for the constitution, to seek their agreement for the addition.

4. EQUALITIES IMPLICATIONS

- 4.1 A robust constitution supports the work of all Members and ensures good governance at the authority.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

- 5.2 None specific to this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 There are no financial implications arising from this report.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Localism Act 2011 introduced new arrangements to govern the Standards of Conduct for local authority members and co-optees. The seven guiding principles of conduct are set out:- selflessness; integrity; objectivity; accountability; openness; honesty and leadership.
- 7.2 The inclusion of the additional paragraphs in the Constitution supports these guiding principles and, in particular, openness in relation to members' performance of their Council duties.

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- None.

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

<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>Wednesday, 15 February 2023</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Janet Fasan, Director of Legal and Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>Register of Interests and Gifts and Hospitality Quarterly Update</p>	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services Patricia Attawia, Democratic Services Team Leader (Civic and Members)
Wards affected	All wards

Executive Summary

This report updates the Committee on the Members' Register of Interests and declarations of gifts and hospitality submitted by Members since the previous report to the committee on 22 September 2022.

Standards Advisory Committee is receiving this report as it monitors compliance with the requirement in the Council Code of Conduct for Members to register and disclose their interests, and to declare any offer of a gift or hospitality with an estimated value of at least £25.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Review, comment and note the report.

1. REASONS FOR THE DECISIONS

- 1.1 The Council is required by statute to adopt a Code of Conduct for Members. For the purpose of the Code, a Member includes the Mayor, elected Councillors and Co-opted Members of the Authority.
- 1.2 A Member is required under the Council's Code of Conduct (paragraph 50) to register and disclose their interests. This must be done within 28 days of becoming a member or being re-elected to office.

- 1.3 Members must ensure their register of interests is kept up to date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
- 1.4 A Member is also required under the Council's Code of Conduct (paragraph 59) to register the offer of any gift or hospitality, whether accepted or not, with an estimated value of at least £25. They must include the person from whom it is received.
- 1.5 Repeated smaller gifts and hospitality which, when combined, would likely exceed £25 within any three-month period should also be declared.

2. ALTERNATIVE OPTIONS

- 2.1 This is a noting report.

3. DETAILS OF THE REPORT

Register of Interests

- 3.1 To support Members in meeting their obligations under the Code of Conduct, Democratic Services send periodic reminders to Members of the need to review and update their Register of Interests.
- 3.2 This is done quarterly via an article in the Members' Bulletin, and twice a year is followed up by a more detailed email to each Member, asking them to review their current declaration and confirm that it is up to date.
- 3.3 Should Democratic Services become aware of changes taking place outside of these times, such as appointments being made to outside bodies, additional reminders will be sent to those Members affected asking them to ensure they update their Register of Interests.
- 3.4 Scheduled reminders were included in the 18 November 2022 and 6 January 2023 Members' Bulletins.
- 3.5 An email was sent to each Member in January with a link to their current declaration on the Council's website, asking them to review it and either notify us of any changes or respond to confirm that there were none.
- 3.6 Co-opted Members were also sent an email in January with the same request.
- 3.7 Newly co-opted Members who completed declarations in the last few months were not included in the group who were sent reminders.
- 3.8 At the time of writing 42 responses had been received from councillors and from the 9 Co-opted Members who were sent reminders, 3 responses had been received.

- 3.9 The management of Members' Interests is currently the subject of an internal audit, reviewing the processes for managing and monitoring Members' declarations of interests. The outcome will be reported to the committee once it has been completed.
- 3.10 A number of areas were looked at, not only the register of interests, but also declarations at committee meetings and related party transactions declarations.
- 3.11 Finance do not currently report to this committee on the progress made by Members in completing the annual Related Party Transactions declaration, but it may be recommended that this form part of the Standards Advisory Committee Annual Work Plan going forward, potentially as part of this report.

Gifts and Hospitality

- 3.12 During the period 1 September 2022 – 31 January 2023, 18 declarations were received. The details are set out in Table 1 below.

Name	Date offered	Type	Accepted/ Declined	Date declared	On time	Provided by	Estimated value	Description
Cllr Ana Miah	02/10/22	Hospitality	Accepted	27/01/23	No	ARTA Awards Ltd	£150	Asian Restaurant & Takeaway (ARTA) Awards
Cllr Asma Begum	24/09/22	Gift	Accepted	11/10/22	Yes	Canary Wharf Group	£90	Canary Wharf Group dinner at Labour conference
Cllr Asma Islam	24/09/22	Gift	Accepted	11/10/22	Yes	Canary Wharf Group	£90	Canary Wharf Group dinner at Labour conference
Cllr Kabir Ahmed	22/12/22	Gift	Declined	23/01/23	No	Chinese Embassy in the UK	£20	Gift - beverage
Cllr Kabir Hussain	02/10/22	Hospitality	Accepted	03/10/22	Yes	ARTA Awards Ltd	£150	Asian Restaurant & Takeaway (ARTA) Awards
Cllr Kamrul Hussain	02/10/22	Hospitality	Accepted	03/10/22	Yes	ARTA Awards Ltd	£150	Asian Restaurant & Takeaway (ARTA) Awards
	03/12/22	Hospitality	Accepted	25/01/23	No	British Bangladeshi Fashion & Lifestyle Awards	£75	Awards event
Cllr Maisha Begum	24/09/22	Gift	Accepted	11/10/22	Yes	Canary Wharf Group	£90	Canary Wharf Group dinner at Labour conference

Cllr Maium Talukdar	02/10/22	Hospitality	Accepted	03/10/22	Yes	ARTA Awards Ltd	£150	Asian Restaurant & Takeaway (ARTA) Awards
	03/12/22	Hospitality	Accepted	24/01/23	No	British Bangladeshi Fashion & Lifestyle Awards	£65	Awards event with full course meal
Cllr Mohammad Chowdhury	16/10/22	Gift	Accepted	20/10/22	Yes	Mr M Ahmed Mr A Chowdhury Mr S Uddin Mr A Belal Mr M Mizan Mr M Uddin Mr S Alam Mr I Sipar	£200	Hamper includes perfumes, clothes, chocolates, wall frame
Cllr Ohid Ahmed	15/01/23	Hospitality	Accepted	23/01/23	Yes	Bangladeshi Welfare Association Milan	£120	Guest Speaker at their inaugural meeting. Dinner and hotel.
Cllr Rachel Blake	26/09/22	Hospitality	Accepted	05/10/22	Yes	City of London Corporation	£40	Dinner from City of London Corporation
	26/09/22	Hospitality	Accepted	05/10/22	Yes	The Hacked Off Campaign	£25	Evening reception from Hacked Off campaign group at Labour Party conference
Cllr Sabina Akhtar	24/09/22	Gift	Accepted	11/10/22	Yes	Canary Wharf Group	£90	Canary Wharf Group
Cllr Shafi Ahmed	22/12/22	Gift	Declined	17/01/23	Yes	Chinese Embassy in the UK	£26	Gift - beverage
Cllr Shahaveer Shubo Hussain	24/09/22	Gift	Accepted	11/10/22	Yes	Canary Wharf Group	£90	Canary Wharf Group
Mayor Lutfur Rahman	22/12/22	Gift	Accepted but not kept. Donated to staff.	22/12/22	Yes	Chinese Embassy in the UK	£52	Gift - beverage

Table 1

- 3.13 Of the 18 declarations received 14 were received within the 28 day deadline. Three of the 4 late declarations were made the month following the offer, one being late as a result of the councillor being out of the country when the gift was received in the office.
- 3.14 Members were reminded of the need to declare any offers of gifts and hospitality via articles in the Members' Bulletin on 18 November 2022 and 6 January 2023, making specific mention of the holiday season.
- 3.15 A request to Members to confirm that all declarations were up to date, or that they had nothing to declare was also included in the email sent in January.

4. EQUALITIES IMPLICATIONS

4.1 None specific to this report.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no specific financial implications arising from the recommendation in this report.

7. COMMENTS OF LEGAL SERVICES

7.1 Section 29 of the Localism Act 2011 Act provides that the Council's Monitoring Officer must establish and maintain a register of interests of Members of the Authority.

7.2 Section 30 of the 2011 Act requires Members to register disclosable pecuniary interests within 28 days. Otherwise it is for the Council to determine what is entered in the register of interests and as indicated in this report that includes gifts and hospitality with an estimated value of at least £25

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- NONE

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

<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>Wednesday, 15 February 2023</p>	
<p>Report of: Janet Fasan, Divisional Director, Legal Services and Interim Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>Dispensations under section 33 of the Localism Act 2011</p>	

Originating Officer(s)	Matthew Mannion – Head of Democratic Services
Wards affected	(All Wards)

Executive Summary

This bi-annual report informs the Advisory Committee of dispensations in relation to disclosable pecuniary interests (DPI's) under section 33 of the Localism Act 2011.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Note the dispensations granted by the Monitoring Officer as set out in Paragraphs 3.5, 3.6 and 3.7.

1. REASONS FOR THE DECISIONS

- 1.1 This is a bi-annual noting report informing members of the Advisory Committee of the dispensations granted by the Monitoring Officer in relation to DPI's.

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable.

3. DETAILS OF REPORT

- 3.1 The Code of Conduct for Members requires that the Mayor, Councillors and Co-opted Members register any disclosable pecuniary interest (DPI) and other specified interests in the Register of Members Interests. If a Member has a DPI in relation to any matter to be discussed at a meeting they must:

- Not participate in any discussion of the agenda item, not vote on the matter and leave the room whilst the agenda item is discussed and voted on.
- 3.2 However, a Member who has a DPI in a matter to be discussed at a forthcoming meeting of the authority may make a written request before the meeting to the Monitoring Officer for a dispensation to enable them to participate in the discussion and vote.
- 3.3 A dispensation may be granted where the Monitoring Officer is satisfied that:
- (a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
 - (b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
 - (c) granting the dispensation is in the interests of persons living in the authority's area; or
 - (d) it is otherwise appropriate to grant a dispensation.
- Any grant of a dispensation must specify the duration of the dispensation up to a maximum of 4 years.
- 3.4 **Specific Dispensation:** No Specific dispensations have been granted since the last report to the Committee on 23 June 2022.
- 3.5 **General Dispensation:** There is a continuing General Dispensation to all Members for their current four-year term of office to be present, speak and vote where they would otherwise have a DPI in the following matters:
- (a) Housing: where the Councillor (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the particular tenancy or lease of the Councillor (their spouse or partner);
 - (b) Council Tax: setting the council tax or a precept;
 - (c) Determining an allowance, travelling expense, payment or indemnity for Councillors
 - (d) Council Officer pay where this impacts on Member Allowances.
- 3.6 A General Dispensation was granted to all Councillors for Full Council on 18 January 2023 for Agenda Item 8, a Motion concerning Tower Hamlets Homes. The Dispensation lasted for that Full Council meeting only. The Dispensation was granted on the grounds that:
- a) the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of the vote on the matter; and
 - b) Granting the dispensation would be in the interests of persons living within the authority's area; and

- c) The number of DPIs in the matter would impede the transaction of the business.
- 3.7 A General Dispensation was granted to all Councillors for Full Council on 5 October 2022 for an Agenda Item regarding support for small businesses in the face of the energy bill crisis. The Dispensation lasted for the Full Council meeting on 5 October 2022 only. The decision to grant the dispensation was made due to the significant number of Members who had a DPI because they have businesses in the borough, and as a result:
- a) the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of the vote on the matter; and
- b) Granting the dispensation would be in the interests of persons living within the authority's area; and
- c) The number of DPIs in the matter would impede the transaction of the business.
- 3.8 Guidance issued by DCLG in September 2013 (Openness and transparency on personal interests) stated the DCLG view is that Members do not need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support because this is a decision affecting the generality of the public in the area rather than Members as individuals. Nonetheless the Monitoring Officer considers it prudent for the sake of completeness to include Council Tax in the General Dispensation.
- 3.9 The dispensation for Council Tax relates to a Member's DPI and does not affect a Member's obligation under Section 106 of the Local Government Finance Act 1992 to declare and not vote if they are 2 months or more in arrears with their Council Tax when voting on setting the Council's budget.
- 3.10 The General Dispensation set out in Paragraph 3.5 will apply until the next Mayoral and local elections in May 2026.

4. EQUALITIES IMPLICATIONS

- 4.1 There are no specific equalities implications arising from this report.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.

5.2 The Monitoring Officer has introduced a standard application form for Members to complete when seeking a dispensation in order to make the process more efficient and transparent.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no financial implications arising from the recommendation in this report.

7. LEGAL COMMENTS

7.1 Section 31(4) of the Localism Act 2011 provides that a Member who has a disclosable pecuniary interest in any matter to be considered at a meeting may not participate in any discussion or vote on the matter. However, by virtue of section 33, an authority may, on a written request by a Member, grant a dispensation relieving the member from either or both of the restrictions in Section 31(4). This is reflected in paragraph 54 and Appendix B of the Code of Conduct for Members.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

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

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

- None

Officer contact details for documents:

- N/A



TOWER HAMLETS

STANDARDS ADVISORY COMMITTEE WORK PLAN and ACTION LIST 2022/23

Page 83

Contact Officer:	Joel West Democratic Services joel.west@towerhamlets.gov.uk
Email:	020 7364 4207
Telephone:	www.towerhamlets.gov.uk/committee
Website:	

Agenda Item 4

ACTIONS LIST

To list actions from previous meetings (or elsewhere) which will require the attention of the Committee at a future meeting.

Action number	Title	LEAD OFFICER	Originating Meeting	Due Date / Comment
1.	Reports as required on Ethics matters from elsewhere including government and other local authorities.	Janet Fasan, Director of Legal and Interim Monitoring Officer	Ongoing	As required.
2.	Updates on the recommendations of the Committee on Standards in Public Life	Janet Fasan, Director of Legal and Interim Monitoring Officer		As required
3.	Governance at Council owned bodies	Matthew Mannion, Head of Democratic Services	1 July 2021	As required – provide an update on the review work relating to governance at council owned bodies.
4.	Standards Advisory Committee	All Committee Members	08 Dec 2022	08 December meeting moved to 26 January 2023. Now moved to 15 February 2023.
5.	Discuss with Chair how best to undertake reviewing how complaints are responded to.	Janet Fasan, Director of Legal and Interim Monitoring Officer		

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

WORK PLAN

The workplan itself is a standing agenda item

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
23 JUNE 2022			
1. Annual Administrative Reports		Matthew Mannion, Head of Democratic Services	
2. Register of Gifts and Hospitalities	Quarterly update report	Matthew Mannion, Head of Democratic Services (Tricia)	
3. Member Attendance Statistics	Report on Member attendance for the previous year.	Matthew Mannion, Head of Democratic Services	
4. 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	
5. Code of Conduct for Members – Complaint Monitoring and Associated Matters	6-monthly update report [link to review session on how we handle complaints?] <i>Redesign the Code of Conduct Complaint Monitoring Appendix to make better use of the space.</i>	Janet Fasan, Director of Legal and Monitoring Officer	
6. Draft Annual Report to Council	To consider the draft Annual Standards Advisory Committee report to Council.	Jill Bayley, Head of Legal Safeguarding and Deputy Monitoring Officer	Council – July 2022
7. Notes – consider as possible topics – Member Address publication and Employee Assistance Programme (in relation to Members)			For the 2022/23 workplan

Standards Advisory Committee WORK PLAN 2022/23

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
22 SEPTEMBER 2022			
1. Register of Interests, Gifts and Hospitality Declarations Update	Quarterly update report	Patricia Attawia, Democratic Services Team Leader, Civic & Members, Governance	
2. Guidance and training for Members serving on Outside Bodies	To continue the review of the guidance provided to Members who are appointed to serve on outside bodies. To be rescheduled. (check timings re Member Induction session)	Janet Fasan, Director of Legal and Interim Monitoring Officer Matthew Mannion, Head of Democratic Services	
3. Update on review of Member Officer Protocol	(note – include specific member to member protocol) - AA	Agnes Adrien, Head of Legal Enforcement and Litigation & Deputy Monitoring Officer	
4. CSPL	Government response to it. Table with government responses to each item – JB – <i>Moved to December Meeting</i>	Jill Bayley, Head of Legal Safeguarding	
5. LGA abuse and intimidation of Members & Member Addresses		Matthew Mannion, Head of Democratic Services (<i>simple cover report</i>)	

Standards Advisory Committee WORK PLAN 2022/23

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
15 FEBRUARY 2023			
1. Register of Interests, Gifts and Hospitality Declarations Update	Quarterly update report	Matthew Mannion, Head of Democratic Services (Tricia)	
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. EAP type support	LBLA ask legal heads what they do for their members. (put on their form and ADSO forum?) JF ask LBLA, MM do ADSO – remove – was verbally reported previously	Janet Fasan, Director of Legal and Monitoring Officer	
4. Meeting attendance rule for co-optees	Consider whether to implement a meeting attendance rule for co-optees (<i>include Scrutiny in this review</i>)	Matthew Mannion, Head of Democratic Services	
5. Evaluation of Member Inductions and Training Programmes	Information on the Member Induction Programme, which will include an update on Ethics & Probity Training attendance. Yearly update on the Member Learning and Development programme and associated matters.	Matthew Mannion , Head of Democratic Services	
6. Implementation of best practice recommendations by CSPL	Government response to it. Table with government responses to each item – JB (<i>brought back from September meeting</i>)	Jill Bayley, Head of Legal Safeguarding	
7. Practical Guidance for Members handling confidential information	To reiterate the existing rules and provide any additional required guidance. <i>Deferred from October – defer to March.</i>	Agnes Adrien, Head of Legal Enforcement and Litigation & Deputy Monitoring Officer	
8. Update on review of Member Officer Protocol	<i>Moved from September Deferred to April 2023</i>	Agnes Adrien, Head of Legal Enforcement and Litigation & Deputy Monitoring Officer	

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Standards Advisory Committee WORK PLAN 2022/23

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
18 April 2023			
1. Register of Interests, Gifts and Hospitality Declarations Update	Quarterly update report	Matthew Mannion, Head of Democratic Services (Tricia)	
2. Annual Report to Council	To review the draft Annual Report to Council	Janet Fasan, Director of Legal and Monitoring Officer	
3. Review of Work Plan	Make sure the work plan agenda item includes opportunity to review and prepare for 2023/24	Matthew Mannion, Head of Democratic Services	
4. 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	
5. Code of Conduct for Members – Complaint Monitoring and Associated Matters	6-monthly update report	Janet Fasan, Director of Legal and Monitoring Officer	
6. 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	
7. Update on review of Member Officer Protocol	<i>Moved from September</i>	Agnes Adrien, Head of Legal Enforcement and Litigation & Deputy Monitoring Officer	