

Standards Advisory Committee



Tuesday, 18 April 2023 at 5.30 p.m.

Committee Room - Tower Hamlets Town Hall, 160
Whitechapel Road, London E1 1BJ

Agenda

Chair: John Pulford MBE

Members

Vice-Chair: 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.



Public Information

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Contact for further enquiries:

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London Borough of Tower Hamlets

Standards Advisory Committee

Tuesday, 18 April 2023

5.30 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 15 February 2023.

3. REPORTS FOR CONSIDERATION

3.1 Standards Advisory Committee Annual Report to Council

To Follow

3.2 Register of Interests and Gifts and Hospitality Quarterly Update

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3.3 Code of Conduct for Members - Complaint Monitoring

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3.4 Code of Conduct for Members - Annual Review

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3.5 Update on review of Member Officer Protocol

To Follow

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

4. **WORK PLAN**

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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**

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:

Thursday, 22 June 2023 at 6.30 p.m. to be held in the Committee Room - Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ



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 6.30 P.M. ON WEDNESDAY, 15 FEBRUARY 2023

**COMMITTEE ROOM - TOWER HAMLETS TOWN HALL, 160 WHITECHAPEL
ROAD, LONDON E1 1BJ**

Members Present in Person:

Councillor Sabina Akhtar
Councillor Amin Rahman
Councillor Abu Chowdhury

Members In Attendance Virtually:

Councillor Shafi Ahmed
Councillor Sirajul Islam

Co-optees Present in Person:

John Pulford MBE (Chair)
Fiona Browne
Elizabeth Marshall MBE

Others In Attendance Virtually:

Rachael Tiffen Independent Person

Officers Present in Person:

Janet Fasan (Director of Legal & Monitoring Officer)
Matthew Mannion (Head of Democratic Services)
Joel West (Democratic Services Team Leader (Committee))
Patricia Attawia (Democratic Services Team Leader, Civic & Members, Governance)

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

1. That the minutes of the meeting held on 22 September 2022 be approved as a correct record of proceedings.

3. REPORTS FOR CONSIDERATION

3.1 Update - Implementation of best practice recommendations by CSPL

Janet Fasan, Director Legal and Monitoring Officer introduced the report that informed 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 updated members on the progress of LBTH in implementing them.

Further to questions from the Advisory Committee, Janet provided further detail on:

- Recommendation 2: the process followed at LBTH to determine if addresses should be withheld from the register of interest and scope for discretion of the Monitoring Officer. Janet agreed to investigate whether the legislation allowed for more flexibility than is currently used and would report back.
- Recommendation 11: The choice not to offer legal indemnity for Independent Persons.
- Recommendation 23: Interpretation of the audit contact requirement referenced. Janet agreed to check the information published by the Council satisfies the recommendation.

Further to questions of officers, the advisory Committee:

- Indicated they felt the implications of the review and Council responses was wider than the Advisory Committee. Members suggested the recommendations and Council response should be forwarded to the Mayor and a summary be included in the weekly members bulletin.
- Expressed agreement with the response to recommendation 8 regarding fixed terms of office for IPs, but asked how the Council could best address risks of creating groupthink and reducing challenge and scrutiny by having IPs for longer terms.

RESOLVED that:

1. The report be noted.

3.2 Member Learning and Development Update

Matthew Mannion, Head of Democratic Services introduced the report that provided an assessment of the Member Induction Programme which ran from the May 2022 local elections to the autumn and looked forward to plans for the Learning and Development programme over the next year. Matthew explained how the London Member Development Network had inputted into the development of the programme and how the Council remained an active partner in the network's discussions to refine and improve the provision of training and development.

Further to questions, Matthew provided the Advisory Committee with more detail on:

- Outstanding areas of concern regarding attendance. Only one Councillor had not attended the ethics and probity training to date. Officers were liaising with them to agree a suitable date.
- Mechanisms to encourage and recognise high levels of engagement and/or sanction those who repeatedly failed to attend training. The Advisory Committee questioned if group whips could play a role in this process.

Further to questions, the Advisory Committee:

- Noted that external training was also available to Councillors, for example through the LGA.
- Noted that Councillors likely sought to attend the training they felt was most relevant to their role and interests.
- Suggested that alternative training formats, utilising video technology and remote attendance, might increase participation.
- Noted and welcomed the feedback from Members regarding officers involved in the induction programme.
- Suggested Members be reminded that ongoing engagement in training and development represented one of the obligations of holding professional public office.

RESOLVED

1. That the report be noted.

3.3 Co-opted Member Attendance Rules

Matthew Mannion, Head of Democratic Services, introduced the report that proposed clear expectations on minimum attendance at Council and Committee meetings for co-optees.

Members of the advisory committee indicated they welcomed the proposals, but asked that appropriate flexibility be included to ensure that co-optees were not unfairly removed from their roles where they could demonstrate an exceptional or unavoidable reason for non-attendance.

RESOLVED that the Advisory Committee:

1. Agreed the proposed additional paragraphs for the Constitution in relation to co-optee attendance at meetings, subject to inclusion of appropriate wording regarding flexibility when exceptional or unavoidable reason for non-attendance could be demonstrated.
2. Agreed to delegate authority to determine the final wording of the addition referred to in resolution 1 to the Director Legal and Monitoring Officer.
3. Agreed to forward the text as amended to the General Purposes Committee for consideration.

3.4 Register of Interests and Gifts and Hospitality Quarterly Update

Patricia Attawia, Democratic Services Team Leader (Civic and Members) introduced the report that updated the Committee on the Members' Register of Interests and declarations of gifts and hospitality submitted by Members since September 2022. Patricia asked Members to note that the description of the penultimate row of the table at paragraph 3.12 should read 'dinner'.

Further to questions from the Advisory Committee, Patricia confirmed that the Council operated a nil return process for gifts and hospitality.

Matthew Mannion, Head of Democratic Services noted that oversight of Related Party Transactions, which was referred to in the report, would in future be undertaken by the Council's Audit Committee.

RESOLVED that:

1. The Advisory Committee noted the report.

3.5 Dispensations under Section 33 of the Localism Act 2011

Janet Fasan introduced the report that informed the Advisory Committee of dispensations in relation to disclosable pecuniary interests (DPI's) under section 33 of the Localism Act 2011.

RESOLVED that:

1. The dispensations granted by the Monitoring Officer as set out in Paragraphs 3.5, 3.6 and 3.7 of the report be noted.

4. WORK PLAN

Matthew Mannion introduced the report on the Advisory Committee's work plan for 2022/23. Matthew invited suggestions from members of the Advisory Committee to inform the 2023/24 work plan. The Advisory Committee noted that the final meeting of the 2022/23 year had been scheduled for April 2023 and this would include the next 6-monthly review of complaint monitoring.

Further to point 5 from the actions list, 'Discuss with Chair how best to undertake reviewing how complaints are responded to', Janet summarised the work undertaken since the item was added to the action list. Due to risks of disclosure of sensitive information, it was determined that the proposal not be progressed. Some members indicated IPs could review response letters. Janet explained how IPs are involved in the preparation of response letters to complainants, but would not customarily see the letters themselves.

RESOLVED

1. That the work plan be noted.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

There was none.

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

Not required.

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

None.

The meeting ended at 7.35 p.m.

Chair,
Standards Advisory Committee

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<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>18 April 2023</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Janet Fasan, Director of Legal and Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>Standards Advisory Committee Annual Report to Council 2022/23</p>	

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

Executive Summary

This report sets out the Committee’s annual report to Council. The report covers the activities of the Committee over the last year as well as being an opportunity to highlight any relevant issues to Council.

The Committee are asked to consider the draft Annual Report and feed back on any last updates before the report is presented to Council.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Note the activities of the Standards Advisory Committee for the municipal year May 2022 – May 2023 as set out in the Annual Report of the Standards Advisory Committee attached as Appendix 1.

1. REASONS FOR THE DECISIONS

- 1.1 It is considered best practice in many authorities for the full Council to receive an annual report in relation to the work of the Standards Advisory Committee and on issues around standards generally. The provision of an annual report of the Committee’s business ensures the profile of ethical standards across the organisation and affords the opportunity to highlight areas of good practice and identify any requirements for improvement.

2. ALTERNATIVE OPTIONS

- 2.1 The Advisory Committee could decide not to submit an annual report but this course of action is not recommended.

3. DETAILS OF THE REPORT

- 3.1 The Standards Advisory Committee is asked to consider the Annual Report attached as Appendix 1.
- 3.2 The report contains an outline of the work and activities of the Standards Advisory Committee over the past year as well as highlighting any particular issues that Council should consider.
- 3.3 The Standards Advisory Committee is asked to note the list of topics for consideration over the next year and to advise whether any additional topics should be considered, and whether any of the topics should be given particular priority.

4. EQUALITIES IMPLICATIONS

- 4.1 There are no immediate equalities implications arising out of 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.

- 5.2 Robust ethical governance arrangements help to 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 arising from this report.

7. COMMENTS OF LEGAL SERVICES

- 7.1 Section 27 of the Localism Act 2011 requires local authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. Section 28 of the same act requires local authorities to adopt a Code of Conduct which is consistent with the Nolan principles of standards in public life.

- 7.2 This report and the appendix demonstrate this local authority's compliance with the above legislation.
-

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- Appendix 1 - Standards Advisory Committee - Annual Report to Council Year May 2022 to May 2023.

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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London Borough of Tower Hamlets
Standards Advisory Committee - Annual Report to Council
Year May 2022 to May 2023

Introduction

1. This is the regular Annual Report of the Advisory Committee. It sets out the key issues dealt with by the Committee during the past municipal year and identifies the priorities for 2023/24.
2. It should be noted that, as there was a change of administration following the Council election in May 2022, some of the reports considered by the Committee during this municipal year relate to the previous administration.

Membership

3. During the municipal year 2021/22 the Committee comprised 5 elected members and 5 independent co-opted members. The Council's Constitution provides that an independent co-opted member be appointed Chair of the Committee.

Elected Members:

- Cllr. Sirajul Islam
- Cllr. Shafi Ahmed
- Cllr. Amin Rahman
- Cllr. Abu Chowdhury
- Cllr. Sabina Akhtar

Independent Co-opted Members

- John Pulford MBE (Chair)
- Fiona Browne (Vice Chair)
- Mike Houston
- Elizabeth Marshall MBE

Nafisa Adam and Denzil Johnson resigned as independent co-opted members shortly before the start of the current municipal year and the Committee thanks them for their service.

There is currently one vacancy for a co-opted member which the committee hopes to fill in the near future.

Independent Persons

4. The Council has appointed two statutory Independent Persons (IPs) under the Localism Act 2011. The IPs are Ms Rachael Tiffen and Ms Amanda Orchard. Both were appointed to their current term of office as IP at Council on 19 January 2022. Ms Tiffen's second term of office and Ms Orchard's first term of office both started on 20 January 2022 and last until 20 January 2026.
5. The principal role of the IP is to give an independent view on governance issues in general and specifically in relation to alleged breaches of the Code of Conduct for Members. Both IP's work closely the Monitoring Officer and her Deputies, considering all complaints and whether an alleged breach of the Code meets the criteria for investigation.
6. It is also a statutory requirement to consult the IP before deciding on the outcome of an investigation into a complaint and whether to impose any sanction. The Member complained about may also at any stage of the process seek a view from the IP. In order to avoid any conflict of interest the Council has appointed two IPs.
7. The Council is fortunate to have appointed IPs with a sound understanding of the ethical framework who both act as advocates for the Council in promoting ethical standards and of high standards of conduct. Although not members of the Standards Advisory Committee, they attend meetings and play an important role in the proceedings. Both IPs also contribute to and participate in the Council's mandatory Ethics & Probity training programme.

Officers

8. The Committee's lead officers were:
 - Janet Fasan – Director, Legal Services and Monitoring Officer
 - Matthew Mannion – Head of Democratic Services
 - Agnes Adrien – Head of Litigation and Deputy Monitoring Officer
 - Jill Bayley, Head of Safeguarding and Deputy Monitoring Officer

Terms of Reference

9. The current terms of reference for the Standards Advisory Committee are contained in Part B Section 19 of the Constitution, with the Committee's procedures set out in Part D. The terms of reference and procedures are attached as Appendix A to this report.

Meetings

10. The Standards Advisory Committee held four meetings during the 2022/23 municipal period on the following dates:
 - 23 June 2022
 - 22 September 2022
 - 15 February 2023
 - 18 April 2023
11. The Committee met in hybrid format with a quorum meeting physically and other members attending virtually. This system worked well during the pandemic and has been continued now that restrictions have eased as it allows for flexibility.

Standards Advisory Committee Work Programme 2022/23

12. The Committee agreed a work programme at the first meeting of the municipal period on 23 June 2022. It was updated throughout the year. The key areas of business considered during the year are listed below.

Code of Conduct for Members – Complaint Monitoring:

13. The Committee received bi-annual monitoring reports on complaints of alleged breach of the Code of Conduct for Members. There were **six** complaints from May 2022 to May 2023.
14. **Five** complaints were made by members of the public and **one** by a Member. **Three** complaints were closed without investigation after consultation with the IP. **Two** complaints are currently subject to initial investigation by the MO and IP. **One** complaint has been referred to an outside agency for investigation.
15. The Committee continues to monitor whether there are lessons to take from complaints monitoring. The Committee continues to monitor remedial actions and that outcomes are reported to the complainant, to give assurance that maintaining ethical standards is given full organisational support.

Dispensations:

16. The Committee received bi-annual reports on dispensations granted by the Monitoring Officer under section 33 of the Localism Act 2011 in respect of disclosable pecuniary interests (DPI's).

The meeting on 23 June 2022 noted that the Monitoring Officer had granted a continuing General Dispensation to all Members for their current four-year term 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 if 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.
17. A specific dispensation may also 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. The regular reporting to the Standards Advisory Committee allows Members to maintain oversight of any specific dispensations that are granted.
18. General Dispensations have been granted to all Councillors, lasting for that Full Council meeting only, on **two** occasions during this municipal year.
19. 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.
20. 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.

This will need to be updated if any further reports come to SAC during this year.[]

Gifts & Hospitality:

- 21. The Committee received quarterly reports on the requirement contained in the Code of Conduct to register gifts and hospitality received or declined with an estimated value of £25 or above.
- 22. In total 17 to 31.1.23 – UPDATE after April meeting declarations were made within the reporting periods of the June 2022, September 2022, February 2023 and April 2023 meetings.
- 23. During the year the Committee also monitored the speed of the declarations made, taking interest in whether declarations were made within the 28-day deadline. The Committee noted that four of the 17 declarations were made after the deadline, and noted the reasons for the delays.
- 24. The Committee pays particular attention to any large donations received. The Committee would encourage all large gifts to be donated to the Speaker's Charity.
- 25. The Committee noted that acceptance of gifts and hospitality by councillors is not merely an administrative issue. Acceptance can impact on Member reputation and on the Council as a whole. Members need to show they are acting in the public interest and do not gain personally from receiving gifts.
- 26. The Committee received quarterly reports on the Register of Interests and noted that reminders were sent out to Members quarterly to update their Register of Interests.

Member Attendance

- 27. The Committee meeting in June 2022 received the annual report on Councillor and Co-optee attendance during the municipal year 2021-2022 at Council and Committee meetings. The report set out how attendance was recorded and provided details of attendance at meetings by the Mayor, Councillors and Co-optees.
- 28. It was noted that the Local Government Act 1972 currently forbids the holding of virtual council meetings. During the 2021-22 municipal year, council and

committee meetings were held in a hybrid format. This allows members of committees to participate remotely in a committee meeting. However they do not count as present for quorum requirements and cannot vote.

Terms of Reference

29. At the meeting in June 2022 the Committee considered a report on the Committee's Terms of Reference. It was agreed that a review of the Committee procedures should be added to the workplan for review.

Member / Officer Relations Protocol

30. The Member / Officer Relations Protocol (the Protocol) is in the process of updating. It is closely connected to the Code of Conduct (the Code) and the Committee has agreed that, as the Code has been updated, the Protocol should be refreshed to reflect changes.
31. A working group has been set up to review the Protocol. **NB more will be added in the final version.**

Member Learning and Development Programme and review of Member Induction

32. The February meeting of the Committee received the regular yearly report providing an update on the Member Learning and Development Programme listing events that had taken place since October 2021, and in particular reviewed the Member Induction programme after the local elections in May 2022.
33. The Member Induction programme was spread over a period of several months, with some information being provided to candidates before the election. The programme continued after the election with some compulsory training for all Members and some more targeted training, and lots of general briefings, continuing until November. Initial attendance and engagement was good, but tailed off during the autumn for the general briefings. Sessions were provided in person with access to many also available online.
34. At the conclusion of the induction period a survey was sent to all Members to capture their views on the programme. Overall feedback was good with an average score of 4.25/5 for 'how much value has the overall induction programme been to you'.
35. Feedback from Members and officers generally shows 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 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.

36. 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. Topics include Chairing Skills, Public Speaking and IT skills. The Committee saw and commented on initial plans for the programme and it looks forward to finding out how it went in its next report.

Guidance and Training for Members serving on outside bodies

37. At the September meeting the Committee reviewed the Guidance for Members and Officers on outside bodies. The Committee considered changes to the Guidance and made various suggestions on improvements.

Implementation of best practice recommendations by the Committee on Standards in Public Life

38. The Committee considered an update on the recommendations on best practice made by the Committee on Standards in Public Life. The Committee noted that many of the recommendations had been implemented. **This may need an update once the minutes of the February meeting are available.**

Local Government Association report on Abuse and Intimidation of Members and Members' Addresses

39. The Committee considered the LGA report which had been published in June 2022. The report set out seven recommendations around the safety and wellbeing of Members.
40. The Committee considered the requirement for Members 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.
41. The Committee noted that Members can be the subject of threats and intimidation and that these intimidation and threats can have a serious negative impact on their wellbeing. The Committee considered the support and guidance which is available to members to reduce the risks to them.

Standards Advisory Committee Work Planning for 2023-24

42. The Committee intends to undertake a substantial work programme during 2023-24, including looking at the following items.

- Bi-annual monitoring of complaints of alleged breach of the Code of Conduct for Members.
- Quarterly monitoring of gifts and hospitality registered.
- Bi-annual reports on DPI dispensations.
- Review of the Constitution
- Members' training programme
- Review of the Committee's Terms of Reference and procedures.
- Monitoring of DPIs,
- News on ethics matters elsewhere including areas such as good practice, case law, ombudsman and quasi-judicial proceedings and similar.
- Members' attendance at meetings.
- Annual report to Council.
- Annual review of the Member Code of Conduct

43. The 2023/24 work programme aims to continue to embed behaviours that support the seven principles in public life described in the Nolan report, by encouraging Members to apply ethical standards in their day-to-day duties and to look at how these should influence their approach to discharging their responsibilities in their individual and collective capacities.

Conclusion

44. As Chair of the Committee I wish to thank my fellow committee members, the Independent Persons and the Monitoring Officer for their contributions to the Committee's business and their commitment to promoting and maintaining high standards of ethical conduct across the Council. I also wish to thank the officers of the Council for their work in supporting the Committee during the year.
45. I would particularly like to highlight how important it is that the Council has such dedicated co-opted Members who are active contributors to the Committee's discussions and have demonstrated commitment to the role of Standards in the authority. The involvement of co-opted Members should be considered as 'good governance'. We are ahead of many local authorities in this area.

John Pulford MBE
Independent Chair

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<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>Tuesday, 18 April 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 15 February 2023.

The 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 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 It is important that Members maintain an up to date Register of Interests, in line with the Code of Conduct. To support this Democratic Services send quarterly reminders that any changes should be notified to the Monitoring Officer within 28 days.
- 3.2 Twice a year (roughly 6 months apart), a request is sent to all Members and Co-opted Members to confirm that their current register of interests remains accurate.
- 3.3 Following the request made in January and the subsequent update to the Committee in February regarding outstanding responses, the Mayor, councillors and Co-opted Members have now all responded.
- 3.4 The report to the Committee in February also mentioned the internal audit currently taking place, reviewing the processes for managing and monitoring Members' declarations of interests. This is ongoing and the outcome will be reported to the committee once it has been completed.

Gifts and Hospitality

- 3.5 An article was included in the Members' Bulletin in March, reminding Members to declare any offers of gifts and hospitality they may have received.
- 3.6 During the period 1 February 2023 – 31 March 2023, 1 declaration was 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 Musthak Ahmed	11/12/22	Hospitality	Declined	31.03.23	No	Mr Mohammed Mahtabur Rahman, address unknown.	£50	Wedding invitation

Table 1

- 3.7 The declaration was not received within the 28 day deadline. However, the councillor confirmed that it had been submitted previously within the deadline, but was resubmitted last month when it became apparent that we did not have it.

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 The Council is required by Section 27 of the Localism Act 2011 ('the Act') to have a Code of Conduct for Members as part of its duty to maintain high standards of conduct by Members and co-opted Members. Section 29 of the Act requires the monitoring officer to establish and maintain a register of interests of Members and co-opted Members.

- 7.2 The Code of Conduct is set out in Part C of the Council's Constitution. It includes a requirement for Members to disclose their interests in the register of interests.

- 7.3 The matters set out in this report comply with the above legislation and with the Council's Constitution.
-

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

Non-Executive Report of the: Standards Advisory Committee Tuesday, 18 April 2023	 TOWER HAMLETS
Report of: Corporate Director, Governance and Monitoring Officer Director of Legal and Monitoring officer	Classification: Open (Unrestricted)
Code of Conduct for Members - Complaint Monitoring	
Originating Officer(s)	Janet Fasan – Director of Legal & Monitoring Officer
Wards affected	(All Wards)

Executive Summary

This report updates the Advisory Committee on the quarterly monitoring information for complaints and investigations relating to alleged breaches Council’s Code of Conduct for Members.

Recommendations:

The Standards (Advisory) Committee is recommended to:

Note the content of this report and the information contained in Appendix 1.

1. REASONS FOR THE DECISIONS

- 1.1 The Council’s arrangements for dealing with complaints of breach of the Code of Conduct for Members (paragraph 11) provide for the Monitoring Officer to report quarterly (or less frequently if there are no complaints to report) to the Advisory Committee on the number and nature of complaints received and action taken as a result.

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable.

3. DETAILS OF REPORT

- 3.1 The provision of quarterly reports relating to the number and nature of complaints assists the Advisory Committee in exercising its oversight role in terms of promoting and maintaining high standards of conduct.

- 3.1 The Advisory Committee last considered a monitoring report at its meeting on 22nd June 2022. Since that report there have been **6** new complaints of alleged breach of the Code of Conduct, of which **3** have been closed. One has been referred to an external agency and two are in the very early stages. A breakdown of the complaints is contained in Appendix 1. One potential complaint is awaiting receipt of a form from the complainant and is not yet formally accepted as a complaint.

4.0 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 Council's arrangements for dealing with complaints of breach of the Code of Conduct for Members were revised in December 2016 to improve the transparency and efficiency of the process.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report details the framework used by the Monitoring Officer to provide quarterly reporting of Members complaints via the Advisory Committee and the number and nature of complaints, as per para 1.1

- 6.2 There are no direct financial implications arising from this report.

7. LEGAL COMMENTS

- 7.1 The principal statutory provisions relating to standards of conduct are contained in the Localism Act 2011. Section 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 Sections 27 and 28 of the Localism 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 an alleged breach of the Code that has been investigated.

Linked Reports, Appendices and Background Documents

Linked Report

NONE.

Appendices

Appendix 1 Complaints and investigation monitoring information

**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

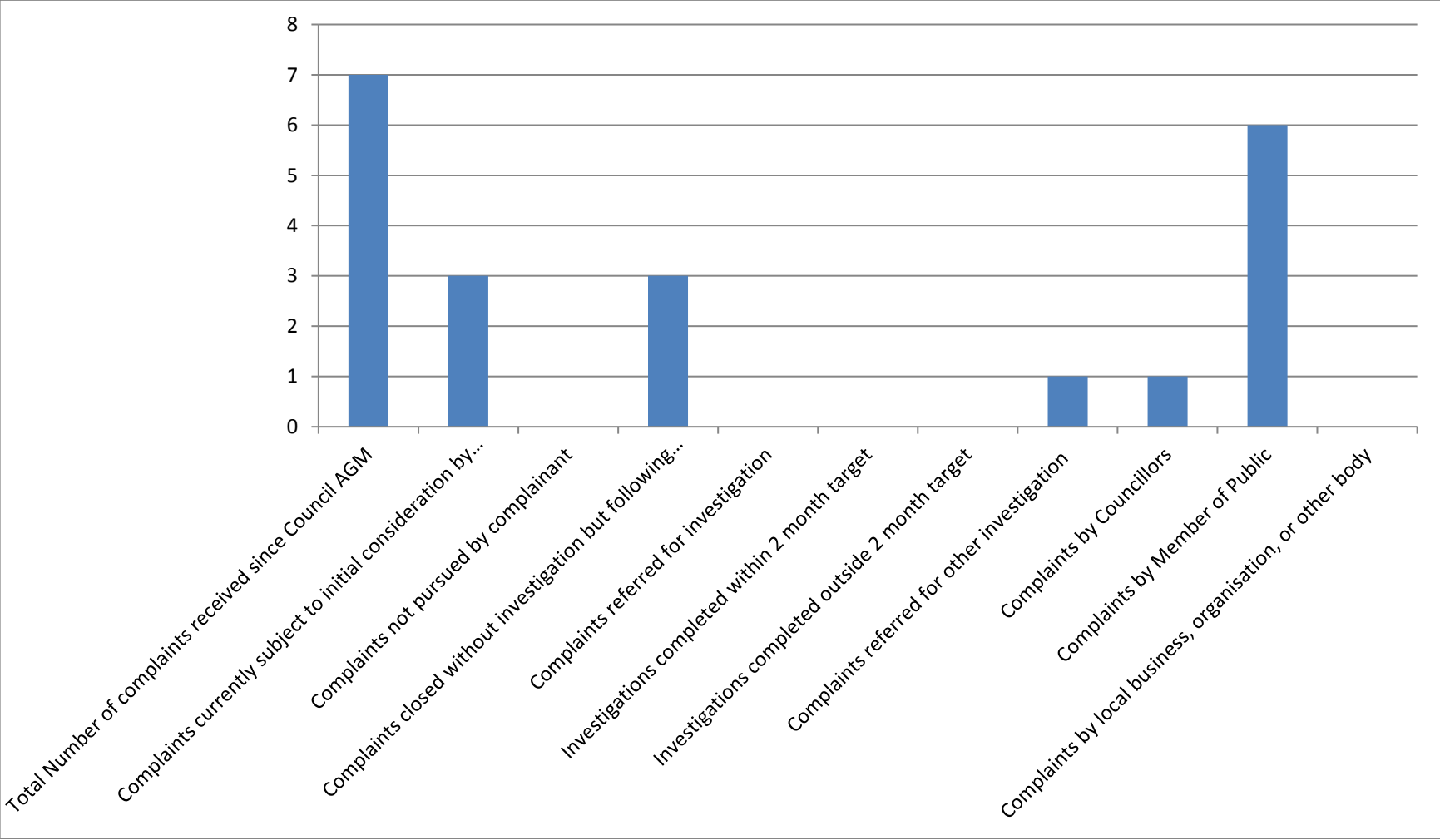
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APPENDIX 1

Code of Conduct for Members - complaints and investigation monitoring information – municipal year 2022

Complaints since May 2022:	07
Complaints currently subject to initial consideration by MO and IP:	03
Complaints not pursued by complainant:	00
Complaints closed without investigation but following consultation with IP:	03
Complaints referred for investigation as potential breach of the Code:	00
Investigations completed within 2 month target:	00
Investigations completed outside 2 month target:	00
Complaints referred for other investigation (police, audit etc.)	01
<u>Complainants</u>	
Councillors:	01
Member of Public:	06
Local business, organisation, or other body:	00

Code of Conduct Complaints 2022/2023



Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
008/2022	03/02/2023	Member of Public	Elected member	<p>Alleged complaint – Bribery, misconduct in a public office and malfeasance of a public official.</p> <p>Original complaint sent to Democratic Services</p>	<p>Target Date: 17/02/2023</p> <p>09/02/2023 - Acknowledgement email sent to complainant.</p> <p>21/02/2023 – Email sent to Cllr to confirm a complaint has been received however due to it being investigated by the Police a decision on how to proceed will follow after the Police investigation has concluded.</p> <p>22/02/2023 – IP has been made aware of the current status</p>			Referred to an external agency.	

Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
009/2022	03/03/2023	Member of public	Elected Member	Alleged complaint - distasteful speech and rhetoric communicated by elected member at Full Council Meeting.	<p>Target Date: 17/03/2023</p> <p>07/03/2023 – Acknowledgement email sent to complainant.</p> <p>07/03/2023 – Email sent to Cllr to provide initial response to the complaint.</p>			Open	

Reference number	Date received by Monitoring Officer	Complainant	Elected/C o-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
010/2022	02/03/23	Member of Public	Elected Member	Alleged complaint - the register of interests of Cllr does not comply with the Local Government Act 2000.	<p>Target Date: 16/03/2023</p> <p>07/03/2023 – Email sent to complainant to complete the Code of Conduct for Members online complaint form.</p> <p>Pending complaint as online complaint form not received</p>			Pending	

Reference number	Date received by Monitoring Officer	Complainant	Elected/Co-opted Member(s)	Nature of Complaint and potential breach(es) of the Code of Conduct	Date and outcome of consultation with IP	Date investigation commenced and investigation status	Hearing and outcome	Current status	Follow up
011/2023	02/03/2023	Member of the public	Elected Member	Alleged complaint – mishandling of consultation paper/surveys. Cllr seen to be carrying/picking up from public.	Target Date: 16/03/2023 08/03/23 – Acknowledgement email sent to complainant. 08/03/23 – Email sent to Cllr to provide initial response.			Open	

Non-Executive Report of the: Standards Advisory Committee 18 April 2023	 TOWER HAMLETS
Report of: Janet Fasan, Director of Legal and Monitoring Officer	Classification: Open (Unrestricted)
Review of Code of Conduct for Members	

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

Executive Summary

The Code of Conduct for Members (The Code), commits the Standards Advisory Committee and the Monitoring officer to undertake an annual review of the Code. This report invites the Committee to review and identify any changes they consider should be made to the Code.

The current Code was adopted by full council in November 2021 and came into force following the local elections in May 2022. Members will be aware that the current code largely reflects the version drawn up and recommended by the Local Government Association (LGA).

A number of bespoke changes were made to suit the council's local circumstances prior to its recommendation to full council in November 2022. These were proposed by a working group constituted from members of the Committee, including the chair.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Review the Code of Conduct for Members as set out in Appendix 1 and consider what (if any) changes need to be made.
2. Delegate authority to the Monitoring Officer, following consultation with the Chair of the Advisory Committee, to make any such changes to the Code prior to submission to Council.

1. REASONS FOR THE DECISIONS

- 1.1 This report enables the committee to undertake the annual review of the Code of Conduct as required under the Code.

2. ALTERNATIVE OPTIONS

- 2.1 The Advisory Committee may consider that the existing Code of Conduct does not require review.
- 2.2 The Advisory Committee may consider that the Code should operate for another year before review as that will allow more time to understand its impact.

3. DETAILS OF THE REPORT

- 3.1 The current Model Code of Conduct was produced by the Local Government Association in 2021. It was adopted by Full council in November 2022 with some bespoke amendments that were proposed by a working group constituted from members of the Committee.
- 3.2 The new Code came into force in May 2022 . The Code was provided to all Members at the election and promoted at the Member Induction training sessions and its provisions are reinforced whenever possible. The number of complaints for breaches of the code has continued to reduce from previous years.
- 3.3 In the year since its adoption, officers have been monitoring the Code and do not, at this stage, have any changes to propose.
- 3.4 Since its adoption by Full council there has been one minor amendment to the Model Code of Conduct issued by the LGA. This added unpaid directorships to the list of Disclosable Pecuniary Interests in the table 1 to the Code and is reflected in Appendix 1.
- 3.5 Members are asked to review the Code and consider if they have any amendments to propose for consideration or if they wish to direct officers to review in more detail any particular sections of the existing Code.
- 3.6 It should also be noted that once the Member/Officer Protocol review has been completed then it may prove useful to consider whether any subsequent changes to the Code would be beneficial.

4. EQUALITIES IMPLICATIONS

- 4.1 Equalities considerations are important as part of the consideration of the Code. The Committee should ensure they are satisfied that the Code covers all relevant equalities issues.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 There are no specific statutory implications other than those addressed under paragraph 7 below.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

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

7. COMMENTS OF LEGAL SERVICES

7.1 The principal statutory provisions relating to standards of conduct are contained in the Localism Act 2011. Section 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 Sections 27 and 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.

7.3 Under the Council's Constitution, the Standards Advisory Committee's terms of reference include advising the Council on the adoption or revision of the Council's Code of Conduct for Members.

Linked Reports, Appendices and Background Documents

Linked Report

- Reports on the Code of Conduct to the last three Standards Advisory Committee meetings.

Appendices

- Appendix 1 – Code of Conduct

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

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Appendix 1 - Code of Conduct for Members

Introduction and Purpose of the Code

1. This Code has been developed to support the high standards of leadership and performance of members, and the openness and accountability necessary to ensure public confidence in the way in which you conduct your public duties.
2. The Code applies to the Mayor, Councillors, and Co-opted Members of the Council, collectively referred to as Member(s) in the remainder of this document.
3. A “Co-opted Member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a Member of the authority but who
 - a) is a Member of any committee or sub-committee of the authority, or;
 - b) is a Member of, and represents the authority on, any joint committee or joint sub- committee of the authority;and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.
4. Some Co-opted Members of the Council’s Scrutiny Committees are not caught by the above definition as they do not have the right to vote, however all Scrutiny Co-optees are expected to abide by the terms of this Code of Conduct.
5. The Code does not apply to Independent Persons, Observers and other persons involved in the Council’s Committees, Boards, and Panels. They are expected to take into account the Code and to follow any rules set out by their own organisations and act appropriately. This includes those Members of bodies such as the Health and Wellbeing Board who are appointed by other organisations.
6. The purpose of this Code of Conduct is to assist you, as a Member, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Members, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Members and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Member and local government.

7. In addition to the Member Code of Conduct, the Council's governance arrangements include a number of further Codes and Protocols set out in the Constitution which provide additional guidance or obligations which Members must consider. These include, but are not limited to, the Planning and Licensing Codes of Conduct and the Member / Officer Relations Protocol.
8. As Members you are also required to adhere to the Council's Social Media policy in your role as a Member.
9. The Member Code of Conduct has been set within the context of the Tower Values of 'Together, Open, Willing, Excellent, and Respect' which we all hold [Council's TOWER values \(towerhamlets.gov.uk\)](https://towerhamlets.gov.uk).
10. This Code of Conduct has been developed from the Model Code of Conduct published by the Local Government Association (LGA). The LGA has also produced guidance to accompany its Model Code. This guidance is a useful reference point for Members and officers on the application of the Code.
11. The relevant sections of the guidance are referenced throughout this Code as a useful guide on the application of the code. The full guidance is available here: <https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct>
12. Although the guidance is a useful reference for officers and Members, it will be for the Monitoring Officer in consultation with the Independent Person and/or Standards Advisory Committee as appropriate, (applying the Code), to determine whether a Member has breached it.

General principles of Member conduct

13. Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Members and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles. The Nolan Principles are set out in Appendix A to the Code of Conduct.
14. In accordance with the public trust placed in me, on all occasions:
 - I act with integrity and honesty
 - I act lawfully
 - I treat all persons fairly and with respect; and
 - I lead by example and act in a way that secures public confidence in the role of Member.
15. In undertaking my role:
 - I impartially exercise my responsibilities in the interests of the local community

- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Local Government Association Guidance on the Model Code of Conduct – General Principles of Member Conduct

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#general-principles-of-councillor-conduct>

Application of the Code of Conduct

16. This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Mayor/Councillor or on appointment as a co-opted member and continues to apply to you until you cease to be a Member.
17. This Code of Conduct applies to you when you are acting in your capacity as a member which may include, but is not limited to, when:
 - You are acting on council business
 - Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Member;
 - You misuse your position as a Member
18. The Code applies to all forms of communication and interaction, including:
 - at face-to-face meetings
 - at online or telephone meetings
 - in written communication
 - in verbal communication
 - in non-verbal communication
 - in electronic and social media communication, posts, statements and comments.
19. You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Member.
20. Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct.

Local Government Association Guidance on the Model Code of Conduct – Application of the Model Member's Code of Conduct

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#application-of-the-model-councillors-code-of-conduct>

Standards of member conduct

21. This section sets out your obligations. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

General Conduct

A - Respect

22. As a Member:

- a. I promote and support high standards of conduct through my leadership and example.**
- b. I treat other Members and members of the public with respect.**
- c. I treat local authority employees, and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**
- d. I take account of the views of others, including where applicable my political group, but I reach my own conclusions and act in accordance with those conclusions.**

23. Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Member, you can express, challenge, criticise and disagree with views, ideas, opinions, and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

24. In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's confidence in Members.

Local Government Association Guidance on the Model Code of Conduct – Respect

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#respect>

Public Behaviour

25. In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online
26. If you wish to raise concerns about the behaviour of a member of the public you can seek advice from the Monitoring Officer in the first instance.
27. Where you have stopped engaging or refused to engage with any member of the public who could reasonably be perceived as being abusive, threatening, intimidatory or otherwise displaying unacceptable behaviours you should direct them to other communication channels within the council.
28. This also applies to fellow Members, where action could then be taken under the Member Code of Conduct, and local authority employees, where concerns should be raised in line with the Member / Officer Relations Protocol.

B – Bullying, harassment and discrimination

29. As a Member:

- a. I do not bully any person**
- b. I do not harass any person**
- c. I promote equalities and do not discriminate unlawfully against any person**

30. The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.
31. The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.
32. Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

33. The Equality Act 2010 places specific duties on local authorities. Members have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

Local Government Association Guidance on the Model Code of Conduct – Bullying, Harassment and Discrimination

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#bullying>

C – Impartiality of officers of the council

34. As a Member:

- a. I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

35. Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you cannot require or coerce them to act differently, change their advice, or alter the content of that report.

Local Government Association Guidance on the Model Code of Conduct – Impartiality of Officers

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#impartiality-of-officers->

D - Confidentiality and access to information

36. As a Member:

- a. I do not disclose information:**
- i. Given to me in confidence by anyone**
 - ii. Acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - 1. I have received the consent of a person authorised to give it;**

2. I am required by law to do so;
3. The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
4. The disclosure is:
 - a. Reasonable and in the public interest; and
 - b. Made in good faith and in compliance with the reasonable requirements of the local authority;
 - c. And I have consulted the Monitoring Officer prior to its release.

37. I do not improperly use knowledge gained solely as a result of my role as a Member for the advancement of myself, my friends, my family members, my employer or my business interests.

38. I do not prevent anyone from getting information that they are entitled to by law.

39. Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Local Government Association Guidance on the Model Code of Conduct – Confidentiality and Access to Information

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#confidentiality-and-access-to-information->

E – Disrepute

40. As a Member:

- a. I do not bring my role or local authority into disrepute

41. As a Member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Members and/or your local authority and may lower the public's confidence in you or your local authority's ability

to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

42. Members collectively are able to hold the local authority and fellow Members to account and where appropriate you can constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct. Members should not make trivial or malicious allegations against each other.

Local Government Association Guidance on the Model Code of Conduct – Disrepute

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#disrepute->

F – Use of position

43. As a Member:

- a. **I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

44. Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

Local Government Association Guidance on the Model Code of Conduct – Misuse of Position

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#misuse-of-position>

G – Use of local authority resources and facilities

45. As a Member:

- a. **I do not misuse council resources.**
- b. **I will, when using the resources of the local authority or authorising their use by others;**
- i. **Act in accordance with the local authority's requirements; and ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

46. You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Member. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use and are not to be used for business or personal gain.

- Examples include:
 - office support
 - stationery
 - equipment such as phones, and computers
 - transport
 - access and use of local authority buildings and rooms.

Local Government Association Guidance on the Model Code of Conduct – Misuse of resources and facilities

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#misuse-of-resources-and-facilities->

H – Complying with the Code of Conduct

47. As a Member:

- a. I undertake Code of Conduct training provided by my local authority.**
- b. I cooperate with any Code of Conduct investigation and/or determination**
- c. I do not intimidate or attempt to influence any person who is likely to be involved with the administration of any investigation or proceedings.**
- d. I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

48. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.
49. Any alleged breach of this code will be dealt with in accordance with the arrangements set out in Appendix C to the Code.

NB: a breach of any of the statutory requirements relating to the registration and declaration of disclosable pecuniary interests may result in prosecution. If you need advice you should contact the Monitoring Officer.

Local Government Association Guidance on the Model Code of Conduct – Complying with the Code of Conduct

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#complying-with-the-code-of-conduct>

Protecting your reputation and the reputation of the local authority

I – Interests

50. As a Member:

- a. I register and disclose my interests.**

51. Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.
52. An example of an interest is something which is of value to you which you may have through personal, professional or other private reasons. For example, your job, home or other property. Your main financial interests are called Pecuniary Interests.

53. You should note that failure to register or disclose a Disclosable Pecuniary Interest as set out in Table 1 of Appendix B, is a criminal offence under the Localism Act 2011 for which you can be prosecuted.
54. You need to register your interests so that the public, local authority employees and fellow Members know which of your interests might give rise to a conflict of interest.
55. An example of a conflict of interest is ‘a situation where your interests (or responsibility to another organisation) could be (or could be seen to be) in conflict with your responsibilities as a Member’. This is especially important in relation to your role as a decision maker at the Council. Table 3 of Appendix B sets out how different types of declarations should be dealt with at meetings.
56. If in doubt, always seek advice from your Monitoring Officer.
57. The register of interests maintained by the Monitoring Officer is a public document that can be consulted when (or before) an issue arises. Your interests will be published on your Council web page.
58. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Members when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

Local Government Association Guidance on the Model Code of Conduct – Declarations of Interest

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#declarations-of-interest>

J – Gifts and hospitality

59. As a Member:

- a. **I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

- b. I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**
- c. I register with the Monitoring Officer any gift or hospitality that I have been offered but have refused to accept.**
- d. I will also declare repeated smaller hospitality/gifts which, when combined, would likely exceed £25 within any three-month period.**
- e. I will consider donating any gifts to the Speaker's Charity or other charitable causes.**

60. In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member.

61. It would be expected that you would accept normal gifts and hospitality in relation to your work. However, if the gift or hospitality was valued at over £100 you would normally only accept it if it directly related to your role as a Member. You should make the reasons for acceptance clear in your declaration.

62. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered.

63. However, you do not need to register gifts and hospitality which are not related to your role as a member and that you would have received anyway such as:

- gifts from your friends and family,
- gifts/hospitality primarily in relation to your employment, voluntary work or similar which are not related to your role as a Member,
- invitations to weddings and similar events from family and friends,
- small gifts or hospitality received as part of weddings, life-events, religious festivals and celebrations that you would in any case have attended in a personal capacity (Christmas, Eid, Hannukah, Ramadan etc).

Local Government Association Guidance on the Model Code of Conduct – Registration of gifts, hospitality and interests

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#registration-of-gifts-hospitality-and-interests>

LONDON BOROUGH OF TOWER HAMLETS
ARRANGEMENTS FOR DEALING WITH COMPLAINTS OF BREACH OF THE
CODE OF CONDUCT FOR MEMBERS
Arrangements agreed by Council on 5th December 2016.

Introduction

The Council has adopted a Code of Conduct for Members which is available on the Council's website and on request from the Monitoring Officer.

In accordance with section 28 of the Localism Act 2011, these arrangements set out how an allegation may be made that the Mayor, an elected Member or a Co-opted Member of the London Borough of Tower Hamlets has failed to comply with the Council's Code of Conduct for Members and how the Council will deal with such allegations.

These arrangements also require that the Monitoring Officer shall ensure that the Council appoints at least one Independent Person and at least one reserve Independent Person for the purposes of meeting the statutory requirements of the Localism Act 2011.

Any reference in these arrangements to the Monitoring Officer shall include a deputy Monitoring Officer. The timelines set out are for guidance and shall be observed where practicable but may be extended by the Monitoring Officer as necessary if they cannot be complied with by any relevant party due to sickness, holidays or other reasonable cause.

Complaints

1. Allegations concerning possible breaches of the Code of Conduct for Members should be made in writing to the Monitoring Officer.
2. On receipt of a complaint the Monitoring Officer shall within five working days acknowledge receipt to the complainant. The Monitoring Officer will also within five working days and on a confidential basis, inform the subject Member of the substance of the complaint and the identity of the complainant (unless the Monitoring Officer considers that such notification would prejudice the proper consideration and investigation of the complaint).
3. Complainants must provide their name and postal address when submitting a complaint. Anonymous complaints will not be considered unless the Monitoring Officer decides (after consultation with the Independent Person) that the complaint raises a serious issue affecting the public interest which is

capable of investigation without the need to ascertain the complainant's identity.

4. A complainant when making an allegation should specify the identity of the person(s) alleged to have breached the Code, the conduct that is alleged to give rise to the breach, the evidence that supports the allegation and the names (and contact details) for any potential witnesses able to give direct evidence of the events complained about.

Assessment of Complaints

5. The Monitoring Officer shall, after consultation with the Independent Person and within ten working days of receiving the complaint:
 - a) Decide whether or not a complaint merits formal investigation and where appropriate arrange for an investigation; OR
 - b) Decide to attempt to facilitate informal resolution of the complaint (such attempt shall be subject to a four week time limit).
6. In making this determination the Monitoring Officer may at their discretion report the matter to the Investigation & Disciplinary Sub-Committee (IDSC) of the Standards (Advisory) Committee for consideration and/or consult other persons as appropriate.
7. The Monitoring Officer may decide not to refer the matter for investigation where:
 - (a) The allegation does not demonstrate any potential breach of the Code (because for example it relates to dissatisfaction with a Council decision/service or relates to events which occurred when the person complained about was not acting in an official capacity).
 - (b) The event(s) complained about took place more than six months ago and there are no valid reasons for the delay in bringing the complaint, such as fresh evidence not available at the earlier date or only recently discovered.
 - (c) The allegation is about someone who is no longer the Mayor or a Member/Coopted Member.
 - (d) The complainant has failed to provide the information specified in paragraph 4 above or any other information reasonably requested by the Monitoring Officer.
 - (e) The same or a similar allegation has been investigated and determined.
 - (f) The Mayor, Member or Co-opted Member has already accepted they made an error in their conduct and/or has apologised for their conduct and the Monitoring Officer considers the matter would not warrant a more serious sanction.
 - (g) The allegation is politically motivated and/or 'tit for tat'.

- (h) The allegation is not considered sufficiently serious to merit the cost to the public of carrying out an investigation.
 - (i) The Monitoring Officer has facilitated an informal resolution of the complaint (see below) and the Mayor or Member/Co-opted Member complained about has offered to take remedial action that the Monitoring Officer considers appropriate in all the circumstances (for example by apologising to the complainant and/or undertaking training or issuing a statement of factual correction).
8. Where the Monitoring Officer decides to reject a complaint they shall inform the complainant in writing giving the reasons for rejection.

Investigation and Monitoring of Complaints

9. If a complaint of failure to comply with the Code is referred for investigation the Monitoring Officer shall appoint an investigator or complete the investigation him/herself. Such investigation should whenever possible be completed within two months of the decision to refer the matter for investigation. The Monitoring Officer may extend this period by up to a further two months where they feels it is necessary to ensure a proper and adequate investigation. The Monitoring officer may refer a complaint for investigation by the Monitoring Officer in a different authority where they have a conflict of interest.
10. The Monitoring Officer will keep the complainant and the subject Member informed as to progress at appropriate intervals and shall inform them of any extension to the period for the investigation.
11. The Monitoring Officer will report quarterly (or less frequently if there are no complaints to report) to the Standards (Advisory) Committee on the number and nature of complaints received and action taken as a result. This will include details of complaints that have been rejected by the Monitoring Officer and any extension made to the period for an investigation of a complaint.
12. Where any investigation into a complaint of breach of the Code finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer shall within four weeks of receipt of the investigation report, consult with the Independent Person and decide whether the matter should be closed without reference to a Hearings Sub-Committee. The Monitoring Officer shall provide a copy of the report and findings of the investigation which shall be kept confidential to the complainant and to the Member concerned and shall report the matter as part of the quarterly report to the Standards (Advisory) Committee for information. The Monitoring Officer may also seek advice from the IDSC before deciding that a matter should be closed without reference to the Hearings Sub-Committee.

13. Where an investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer following consultation with the Independent Person, may seek local resolution of the complaint. If local resolution succeeds the Monitoring Officer shall report the matter as part of the quarterly report to the Standards (Advisory) Committee. If local resolution does not succeed or if following consultation with the Independent Person, the Monitoring Officer considers that it is not appropriate to seek local resolution, the Monitoring Officer shall report the investigation findings to a Hearings Sub-Committee of the Standards (Advisory) Committee for local hearing and determination. The Hearings Sub-Committee will whenever practicable be convened within one month of the Monitoring Officer receiving the investigation report.

Hearings Sub-Committee

14. The Hearings Sub-Committee will consider the investigation report and any submissions from the subject Member and determine:
- (a) If there has been a breach of the Code of Conduct having taken into account the views of the Independent Person; and if so
 - (b) Whether any sanction is appropriate having taken into account the views of the Independent Person.
15. Possible sanctions may include any of the following:-
- (a) Publication of the Sub-Committee's decision.
 - (b) Reporting the Sub-Committee's decision to Council.
 - (c) Requesting the Monitoring Officer to arrange training for the Member (subject to the Member's agreement).
 - (d) Issuing a censure or reprimand which may also be reported to Council.
 - (e) Requiring the Member to contact the Council and officers via specified point(s) of contact.
 - (f) Withdrawing facilities provided to the Member by the Council, such as a computer or internet access.
 - (g) 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).
 - (h) Recommending to the Member's Group Leader that they be removed from any or all Committees or Sub-Committees of the Council.
 - (i) Recommending to the Mayor that the Member be removed from the Executive, or removed from particular portfolio responsibilities.
 - (j) Recommending to Council or the Mayor as appropriate the removal from outside appointments to which the Member has been appointed or nominated.
 - (k) Recommending to Council that the Member be removed from any or all Council Committees or Sub-Committees.

16. In determining any recommended sanction the Hearings Sub-Committee may take into account any previous breach by the Member concerned and/or their compliance with any previous sanction applied.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

Type A “**Disclosable pecuniary interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your 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.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the member, or a person connected with the member, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Nonparticipation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Type B - Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. **Type C** - Where a matter arises at a meeting which ***directly relates*** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. **Type D** - Where a matter arises at a meeting which ***affects*** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in **Table 1**

you must disclose the interest. To determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9. Where a matter ***affects*** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of most inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and

nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

No.	Subject	Description
1	Employment, office, trade, profession or vocation	Any employment, office, trade, profession, or vocation carried on for profit or gain. Any unpaid directorship.
2	Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the Member during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
3	Contracts	Any contract made between the Member or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
4	Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the Member or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
5	Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
6	Corporate tenancies	Any tenancy where (to the member's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the Member, or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners is a partner of or a director* of or has a

		beneficial interest in the securities* of.
7	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 council; 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 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 member, or his/ her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

No.	Subject
	Any body of which you are in a general control or management and to which
8.	You are nominated or appointed by your authority
9.	Any body exercising functions of a public nature
10.	Any body directed to charitable purposes
11.	Any body one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Note

There is no definitive list of bodies exercising functions of a public nature, but those bodies which:-

- carry out a public service,
- or take the place of local/central government (including through outsourcing);
- or carry out a function under legislation or in pursuit of a statutory power;
- or can be judicially reviewed,

are likely to be bodies carrying out functions of a public nature. They include bodies such as government agencies, other councils, health bodies, council owned companies and school governing bodies.

Table 3: Summary of Rules around Participation at Meetings

11. This table sets out a summary of the general rules around participation at meetings with respect to interests. This is only a summary and does not replace more specific guidance available from the Monitoring Officer.

Type Code	Interest Type	Declare on Register	Declare at Meetings ¹	Participate Normally	Only speak with same rights as public and leave meeting after speaking ²	Must leave the meeting entirely
A	Disclosable Pecuniary Interests (Lines 1-7 of the ROI form)	Y	Y	N	N	Y
B	Other Registerable Interests (Lines 8 – 11 of the ROI form)	Y	Y	N	Y	N
C	Other Non-Registerable Interests (direct financial or well-being interest of you or close relative/friend that is not on the ROI form)	N	Y	N	Y	N
D1	Other Non-Registerable Interests (affects financial or well-being interest of you or close relative/friend that is not on the ROI form or affects a body listed on the ROI form) Affects you/relative/friend more than most people affected	N	Y	N	Y	N
D2	Other Non-Registerable Interests (affects financial or well-being interest of you or close relative/friend that is not on the ROI form or affects a body listed on the ROI form) Affects you/ relative/ friend the same or less than most people affected	N	Y	Y	N	N

Notes

1 – Interests must be declared at all meetings or other situations where you come into contact with the issue, this includes informal internal discussions in advance of formal decision-making meetings.

2 – If the public do not have a right to speak then you may not speak.

General Note – where not straight-forward, apply the precautionary principle and in all cases apply the test of whether a reasonable member of the public knowing all the facts would believe you were taking the correct course of action.

Local Government Association Guidance on the Model Code of Conduct – Interests flowchart

<https://www.local.gov.uk/publications/guidance-local-government-association-model-councillor-code-conduct#appendix-1-interests-flowchart>

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capable of investigation without the need to ascertain the complainant's identity.

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Assessment of Complaints

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 - a) Decide whether or not a complaint merits formal investigation and where appropriate arrange for an investigation; OR
 - b) Decide to attempt to facilitate informal resolution of the complaint (such attempt shall be subject to a four-week time limit).
6. In making this determination the Monitoring Officer may at their discretion report the matter to the Investigation & Disciplinary Sub-Committee (IDSC) of the Standards Advisory Committee for consideration and/or consult other persons as appropriate.
7. The Monitoring Officer may decide not to refer the matter for investigation where:
 - (a) The allegation does not demonstrate any potential breach of the Code (because for example it relates to dissatisfaction with a Council decision/service or relates to events which occurred when the person complained about was not acting in an official capacity).
 - (b) The event(s) complained about took place more than six months ago and there are no valid reasons for the delay in bringing the complaint, such as fresh evidence not available at the earlier date or only recently discovered.
 - (c) The allegation is about someone who is no longer the Mayor or a Member/Co-opted Member.
 - (d) The complainant failed to provide the information specified in paragraph 4 above or any other information reasonably requested by the Monitoring Officer.
 - (e) The same or a similar allegation has been investigated and determined.
 - (f) The Mayor, Member or Co-opted Member has already accepted they made an error in their conduct and/or has apologised for their conduct and the Monitoring Officer considers the matter would not warrant a more serious sanction.
 - (g) The allegation is politically motivated and/or 'tit for tat'.

- (h) The allegation is not considered sufficiently serious to merit the cost to the public of carrying out an investigation.
 - (i) The Monitoring Officer has facilitated an informal resolution of the complaint (see below) and the Mayor or Member/Co-opted Member complained about has offered to take remedial action that the Monitoring Officer considers appropriate in all the circumstances (for example by apologising to the complainant and/or undertaking training or issuing a statement of factual correction).
8. Where the Monitoring Officer decides to reject a complaint, they shall inform the complainant in writing giving the reasons for rejection.

Investigation and Monitoring of Complaints

9. If a complaint of failure to comply with the Code is referred for investigation the Monitoring Officer shall appoint an investigator or complete the investigation themselves. Such investigation should whenever possible be completed within two months of the decision to refer the matter for investigation. The Monitoring Officer may extend this period by up to a further two months where they feel it is necessary to ensure a proper and adequate investigation. The Monitoring Officer may refer a complaint for investigation to the Monitoring Officer in a different authority where they have a conflict of interest.
10. The Monitoring Officer will keep the complainant and the subject Member informed as to progress at appropriate intervals and shall inform them of any extension to the period for the investigation.
11. The Monitoring Officer will report every six months to the Standards Advisory Committee on the number and nature of complaints received and action taken as a result. This will include details of complaints that have been rejected by the Monitoring Officer and any extension made to the period for an investigation of a complaint.
12. Where any investigation into a complaint of breach of the Code finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer shall within four weeks of receipt of the investigation report, consult with the Independent Person and decide whether the matter should be closed without reference to a Hearings Sub-Committee. The Monitoring Officer shall provide a copy of the report and findings of the investigation which shall be kept confidential to the complainant and to the Member concerned and shall report the matter as part of the quarterly report to the Standards Advisory Committee for information. The Monitoring Officer may also seek advice from the IDSC before deciding that a matter should be closed without reference to the Hearings Sub-Committee.

13. Where an investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer following consultation with the Independent Person, may seek local resolution of the complaint. If local resolution succeeds the Monitoring Officer shall report the matter as part of the quarterly report to the Standards Advisory Committee. If local resolution does not succeed or if following consultation with the Independent Person, the Monitoring Officer considers that it is not appropriate to seek local resolution, the Monitoring Officer shall report the investigation findings to a Hearings Sub-Committee of the Standards Advisory Committee for local hearing and determination. The Hearings Sub-Committee will whenever practicable be convened within one month of the Monitoring Officer receiving the investigation report.

Hearings Sub-Committee

14. The Hearings Sub-Committee will consider the investigation report and any submissions from the subject Member and determine:

- (a) If there has been a breach of the Code of Conduct having taken into account the views of the Independent Person; and if so
- (b) Whether any sanction is appropriate having considered the views of the Independent Person.

15. Possible sanctions may include any of the following:-

- (a) Publication of the Sub-Committee's decision.
- (b) Reporting the Sub-Committee's decision to Council.
- (c) Requesting the Monitoring Officer to arrange training for the Member (subject to the Member's agreement).
- (d) Issuing a censure or reprimand which may also be reported to Council.
- (e) Requiring the Member to contact the Council and officers via specified point(s) of contact.
- (f) Withdrawing facilities provided to the Member by the Council, such as a computer or internet access.
- (g) 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).
- (h) Recommending to the Member's Group Leader that they be removed from any or all Committees or Sub-Committees of the Council.
- (i) Recommending to the Mayor that the Member be removed from the Executive, or removed from a particular portfolio responsibility.
- (j) Recommending to Council or the Mayor as appropriate the removal from outside appointments to which the Member has been appointed or nominated.
- (k) Recommending to Council that the Member be removed from any or all Council Committees or Sub-Committees.

16. In determining any recommended sanction the Hearings Sub-Committee may take into account any previous breach by the Member concerned and/or their compliance with any previous sanction applied.



TOWER HAMLETS

STANDARDS ADVISORY COMMITTEE WORK PLAN and ACTION LIST 2022/23

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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		COMPLETE Update was provided to the 15 February meeting on this action.
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		COMPLETE Feedback was provided to the 15 February meeting on this action.
6.	Councillors home addresses on registers of interest – to explore if there is flexibility in applying criteria to withhold from public register.	Janet Fasan, Director of Legal and Interim Monitoring Officer	15 Feb 2023	

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>)	

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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. <i>Awaiting outcome of MO and Chair discussion.</i>	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	