

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS ADVISORY COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 21 SEPTEMBER 2023

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

Members Present in Person:

Councillor Shafi Ahmed
Councillor Sirajul Islam
Councillor Abu Chowdhury

Members In Attendance Virtually:

Councillor Sabina Akhtar

Co-optees Present in Person:

John Pulford MBE	Chair
Fiona Browne	Vice Chair

Officers Present in Person:

Patricia Attawia	(Democratic Services Team Leader, Civic & Members, Governance)
Jill Bayley	(Head of Legal Safeguarding)
Janet Fasan	(Director of Legal & Monitoring Officer)
Matthew Mannion	(Head of Democratic Services)

Others Present in Person:

Faham Sinan-Katamba	(Observer)
---------------------	------------

Apologies

Elizabeth Marshall	(Co-optee)
--------------------	------------

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. URGENCY AGREEMENT

The chair announced that due to an administrative oversight, the agenda and reports for this meeting were not published on time, but the oversight was rectified soon after and the agenda with all reports had been published the next morning.

The Advisory Committee agreed they had had sufficient time to review the reports and were content to continue this meeting.

3. MINUTES OF THE PREVIOUS MEETING(S)

That the minutes of the meeting held on 22 June 2023 be approved as a correct record of proceedings, subject to including Councillor Sabina Akhtar as present remotely.

4. REPORTS FOR CONSIDERATION

4.1 Examples of Code of Conduct Complaints from Other Authorities

Janet Fasan, Director Legal and Monitoring Officer introduced the report that provided the Committee with a number of examples of Code of Conduct Complaints dealt with at other Local Authorities. Janet suggested the Advisory Committee may wish to discuss the examples to better understand approaches to standards matters from other local authorities.

In discussing the examples in the report, the Advisory Committee made the following observations:

- Member training could help to prevent occurrence of some of the behaviour identified
- Establishing the 'closeness' of any relationship of an elected member with another individual was complicated. The daily lives of councillors will inevitably involve relationships with many residents. However, when in doubt, declaring the relationship is always a reasonable approach.
- The Council's social media policy addressed some of the behaviours that were identified in the examples.
- Recognised that political groups could and did take action to sanction councillors whose behaviour fell below acceptable standards.
- Councils could take informal action to draw councillors' attention to poor behaviour even where a formal sanction was not considered appropriate. However, that may not address public confidence as public could conclude the council had simply taken no action. The Council should consider whether some form of public communication would be appropriate in such circumstances.

RESOLVED:

1. To note the example code of conduct cases set out in Appendix 1 to the report.

4.2 Register of Interests and Gifts and Hospitality Quarterly Update

Patricia Attawia, Democratic Services Team Leader (Member and Civic) introduced the report that updated the Committee on the Members' Register of Interests and declarations of gifts and hospitality with an estimated value of

at least £25 submitted by Members since the previous report to the committee in June 2023.

RESOLVED that:

1. The report be noted.

4.3 Guidance for Members and Officers on Outside Organisations

Janet Fasan, Director of Legal and Monitoring Officer introduced the report that presented the current Guidance for Members and Officers on Outside Organisations and invited members to review the Guidance and consider whether it is content to approve the draft final version attached to this report.

Further to questions from Advisory Board members, Janet provided further information on the measures and protections for Councillors serving on outside bodies who may come under attack from members of the public. The Advisory Committee asked that the Guidance include a cross reference in to such measures and protections.

Councillor members of the Advisory Committee noted the unfamiliarity of the role and obligations that are imposed on Members appointed as directors of outside bodies and indicated dedicated training on this matter would be welcome.

RESOLVED that:

1. The draft amended Guidance for Members and Officers on Outside Organisations at Appendix 1 to the report is noted, subject to the minor points above.

5. WORK PLAN

The Advisory Committee noted the work plan and asked that the following matters be added:

- LGA Member Learning and Development Charter
- Complaint monitoring – an earlier update than March 2024 would be welcome
- Lessons and feedback from Co-opted members training sessions.

RESOLVED that the work plan be noted subject to the additions noted above.

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

There was none.

6.1 Complaint monitoring

The reasons for urgency were noted and agreed.

Jill Bayley, Head of Safeguarding, introduced the report which updated the Advisory Committee on the quarterly monitoring information for complaints and investigations relating to alleged breaches Council's Code of Conduct for Members. Jill explained the current status of all complaints listed in the report, including explanations for where there were delays. The Advisory Committee noted that the list included some very serious allegations. Jill explained that she could not advise whether individual cases were likely to proceed to a hearing as she would first need to discuss with the Independent Person (IP).

Further to questions from the Advisory Committee, Jill explained:

- The process for dealing with significant delays or non-compliance of Councillors with requests in initial stages of investigations. Failure to respond would not mean an investigation could not be progressed.
- The process for the initial response to complaints including thresholds for determining whether a hearing of the SAC should be held and the role of the IP.
- That if the MO cannot reach a view on whether an investigation should be held after consulting the IP, the matter can be referred to the SAC to determine this matter.
- How a decision is made as to whether there is sufficient evidence to progress a complaint.
- Explained that in most cases, prima facie breaches of the code are not found.
- That whilst historically very few complaints from monitoring reports had been referred to the SAC for a hearing, there was a possibility that one or more of the complaints in the current report could be.

Further to questions to officers, the Advisory Committee requested:

- Clarification on provision 3.1a of the Standards Advisory Committee Procedures in Part D of the Council's Constitution which some members felt may not fully align with the investigation process as outlined by officers.
- Clarification of the different roles and process of the Hearings Sub-Committee and the Investigation and Disciplinary Sub-Committee as referred to in the Standards Advisory Committee Procedures.

RESOLVED to:

1. Note the report and the information contained in Appendix 1 to the report.

7. EXCLUSION OF THE PRESS AND PUBLIC

A resolution to exclude the press and public was not required.

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

None.

The meeting ended at 7.45 p.m.

Chair,
Standards Advisory Committee