

Meeting of the

# STANDARDS COMMITTEE

---

Tuesday, 20 January 2009 at 7.30 p.m.

---

## A G E N D A

---

### VENUE

Committee Room, 1st Floor, Town Hall, Mulberry Place, 5 Clove  
Crescent, London, E14 2BG

Members:	Deputies (if any):
Chair: Mr Patrick (Barry) O'Connor Vice-Chair: Mr Satnam Bains	
Mr Ibrahim Ali Ms Suzette Barry Sister Christine Frost Mr Eric Pemberton Mr Muhammad Habibur Rahman	
Councillor Lutfa Begum Councillor Stephanie Eaton Councillor Alexander Heslop Councillor Shirley Houghton Councillor Ann Jackson Councillor Abjol Miah	Councillor Peter Golds, (Designated Deputy representing Councillor Shirley Houghton) Councillor Dr. Emma Jones, (Designated Deputy representing Councillor Shirley Houghton) Councillor Azizur Rahman Khan, (Designated Deputy representing Councillor Stephanie Eaton) Councillor Rania Khan, (Designated Deputy representing Councillor Lutfa Begum) Councillor Abdul Matin, (Designated Deputy representing Councillor Stephanie Eaton) Councillor Tim O'Flaherty, (Designated

Deputy representing Councillor Stephanie  
Eaton)  
Councillor Oliur Rahman, (Designated  
Deputy representing Councillor Lutfu  
Begum)

**[Note: The quorum for this body is 3 Members, of whom one must be an Independent Member].**

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Louise Fleming, Democratic Services, Tel: 020 7364 4878 , E-mail: [louise.fleming@towerhamlets.gov.uk](mailto:louise.fleming@towerhamlets.gov.uk)

# LONDON BOROUGH OF TOWER HAMLETS

## STANDARDS COMMITTEE

Tuesday, 20 January 2009

7.30 p.m.

### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### 2. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

### 3. MINUTES

To confirm as a correct record of the proceedings the minutes of the ordinary meeting of the Standards Committee held on 28<sup>th</sup> October 2008.

PAGE NUMBER	WARD(S) AFFECTED
----------------	---------------------

3 - 10

### 4. REPORTS FOR CONSIDERATION

#### 4.1 Ethical Governance Training - Progress and Update Report

A report is being prepared and will follow shortly.

#### 4.2 Review of procedure for handling complaints about Member conduct

A report is being prepared and will follow shortly.

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

This page is intentionally left blank

# Agenda Item 2

## DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

### Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

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

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

**What constitutes a prejudicial interest?** - Please refer to paragraph 6 of the adopted Code of Conduct.

**Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-**

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STANDARDS COMMITTEE**

**HELD AT 7.30 P.M. ON TUESDAY, 28 OCTOBER 2008**

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

**Members Present:**

Mr Satnam Bains (Independent Member)  
Ms Suzette Barry (Independent Member)  
Councillor Stephanie Eaton  
Sister Christine Frost (Vice-Chair, in the Chair)  
Councillor Alexander Heslop  
Councillor Ann Jackson  
Mr Eric Pemberton (Independent Member)

**Officers Present:**

Ruth Dowden – (Corporate Complaints Manager)  
Isabella Freeman – (Assistant Chief Executive [Legal Services] and  
Monitoring Officer)  
Tony Qayum – (Head of Audit Services)  
John Williams – (Service Head, Democratic Services)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Patrick (Barry) O'Connor, Independent Chair of the Committee, and from Mr Ibrahim Ali, Independent Member.

**RESOLVED**

That the apologies for absence be noted.

**2. DECLARATIONS OF INTEREST**

Councillor Alex Heslop declared a personal interest in agenda item 4.4 'Corporate Complaints Half Year Report 2008/09' as a board member of Tower Hamlets Homes.

**3. MINUTES**

**RESOLVED**

That the minutes of the meeting of the Standards Committee held on 17<sup>th</sup> June 2008 be agreed as a correct record of the proceedings.

## **4. REPORTS FOR CONSIDERATION**

### **4.1 Annual Corporate Governance Review**

Ms Isabella Freeman, Assistant Chief Executive (Legal Services) and Monitoring Officer, introduced the report which informed the Committee of the outcome of the current year's Annual Corporate Governance Review and set out progress on the action identified by last year's review. Ms Freeman circulated to the meeting an updated version of Appendix A (the completed Review Checklist).

Councillor Ann Jackson referred to the planning/development control consultation process and felt that there was a need for better communication about this and the ways in which local residents' views were taken into account. She suggested that this might be the subject of a specific module within the overall consultation programme. Councillor Stephanie Eaton suggested that a 'plain English' guide should be produced setting out what represented material planning issues that could be taken into account, and how residents could raise objections or representations.

Mr Eric Pemberton referred to a successful public meeting in LAP 8 to discuss planning and section 106 matters and considered that this could be used as a model elsewhere in the borough. The Chair agreed that this would be a useful activity for the LAPs and suggested that a plan of the area could be produced showing the totality of planned developments rather than merely consulting on individual sites. The Chair also felt that the Council should use a wider range of media for consultation purposes in addition to East End Life.

Mr Satnam Bains asked whether complaints in relation to the consultation process were monitored and/or fed back to the Committee. Councillor Alex Heslop stated that the extent and process of consultation was often mentioned by persons making representations to the Development Committee. However, he pointed out that the work of the Committee was quasi-judicial in nature and was subject to strict rules in relation to pre-determination and/or lobbying.

Ms Freeman undertook to discuss the points raised by the Committee with the Corporate Director, Development & Renewal.

### **RESOLVED**

That the report, and the outcome of the Annual Corporate Governance Review as detailed in the revised Appendix A, be noted.

### **4.2 Ethical Governance Protocol for Corporate Contracts**

Ms Isabella Freeman, Assistant Chief Executive (Legal Services) and Monitoring Officer, introduced the report on behalf of Mr Richard Parsons,



Service Head Procurement & Corporate programmes, who was unable to attend the meeting. The report provided information on implementation of the Ethical Governance Protocol for Council contracts together with details of activities to ensure that the protocol is adopted across the Council's supply base.

Members asked how many suppliers had yet to provide confirmation of full compliance with the protocol; and how the Council could audit the accuracy of responses from contractors. Ms Freeman undertook to seek this information from Mr Parsons and report back to the Committee.

#### **RESOLVED**

That the contents of the report be noted.

### **4.3 Annual Anti-Fraud Report 2007-08**

Mr Tony Qayum, Head of Audit Services, introduced the report which set out the results of reactive and Anti-Fraud work undertaken during 2007/08 by the Corporate Anti-Fraud team, the Housing Benefit Investigations Team and the Parking Service; and illustrated the work of these areas in the enhancement of ethical governance within the Council.

Councillor Alex Heslop asked about the audit arrangements for housing services following the establishment of the arms-length management organisation, Tower Hamlets Homes (THH). Mr Qayum confirmed that financial and audit responsibility remained with the Council and that Audit Services would continue to work closely with THH to provide the service as previously, reporting as necessary to the Council and THH board.

Councillor Heslop also enquired about the arrangements in relation to contractors and agency staff, for example in parking enforcement. Mr Qayum confirmed that the Council had undertaken some work last year to check on persons employed and obtain undertakings from agencies. Tower Hamlets was one of the first local authorities to match this information to the National Fraud Initiative (NFI) data.

#### **RESOLVED**

That the contents of the report be noted.

### **4.4 Corporate Complaints - half-year report 2008-09**

Councillor Alex Heslop declared a personal interest in this agenda item as a board member of Tower Hamlets Homes.

Ms Ruth Dowden, Corporate Complaints Manager, introduced the report which set out a summary of complaints received by the Council in the period 1 April 2008 to 30 September 2008 through the Corporate Complaints

Procedure; and those received and determined by the Local Government Ombudsman in the same period. She highlighted the key messages of the report and the action proposed where necessary to address these.

Ms Dowden also circulated to the meeting an additional paper – the Local Government Ombudsman’s Annual Letter to the Council for the year ended 31 March 2008. This was again very positive and no reports or findings of maladministration were issued during the year.

Councillor Alex Heslop asked about the training provided to staff in complaints handling and the quality control procedures in place for responses to complaints. Ms Dowden stated that her team worked closely with the departmental complaints officers in this regard. Regular training sessions were available to Council and Tower Hamlets Homes (THH) staff and workshop sessions could be provided in particular problem areas. A proportion of responses were sampled as part of the quality accreditation. In addition departmental complaints officers met quarterly to share best practice and the Corporate Complaints Manager visited each department annually to audit the systems in place.

Councillor Heslop asked whether the training sessions should be mandatory. Ms Dowden stated that a complaints session had previously formed part of a corporate induction programme and this could be looked at again.

In response to a question from Councillor Stephanie Eaton, Ms Dowden explained the procedures in place for arriving at a financial settlement where necessary. The Council’s compensation and redress policy was based on guidance from the Local Government Ombudsman.

Mr Eric Pemberton asked about follow up action in the event that repeated complaints were received about a particular service or officer. Ms Dowden reported that she worked closely with service managers to profile the data and identify trends and problem areas that required attention.

In relation to complaints referred to the Local Government Ombudsman (LGO), the Committee asked that future reports supplement the information contained in the Annual Letter with further detail on the complaints received and decisions issued by the LGO, broken down by subject and department/service area.

Members discussed complaints in relation to dogs and asked what action the Council had taken in relation to making and enforcing Dog Control Orders. Ms Freeman undertook to circulate Members with this information.

## **RESOLVED**

That the contents of the report be noted.

#### 4.5 Members' timesheets and attendance at committees/panels

Mr John Williams, Service Head Democratic Services, introduced the report which gave information on the completion of timesheets and attendance at meetings by Members of the Council. He circulated an updated Appendix 2, including additional timesheets submitted since the agenda papers were despatched.

Mr Williams stated that this was a regular report that had been submitted to the Committee in its current format for over four years. Members had previously asked that consideration be given to ways in which the information reported might be enhanced and examples sought of good practice elsewhere. Some information on this matter was included in the current report and Mr Williams sought the Committee's advice on any particular additional information they would like included in future and/or data currently included that was no longer required.

The Committee noted the monitoring information provided. Some Members expressed concern that three Councillors had not submitted any timesheets since April 2008 and asked how this could be addressed. The officers reported that the completion of timesheets was not required by law or a Councillor's declaration of acceptance of office but the system had been introduced voluntarily at Tower Hamlets to enhance transparency. Nevertheless the Standards Committee attached great importance to the timely completion of timesheets and on a number of previous occasions had asked the Chair to write to Councillors who had fallen behind.

In relation to the attendance records, it was noted that not all Members were appointed to the LAP Steering Groups and therefore the information regarding attendance/non-attendance at such meetings could be misleading. The Committee felt that greater emphasis should be placed on participation in the work of quasi-judicial and other formal Council committees.

In this regard Councillor Heslop referred to the non-participation of Conservative Group Councillors as committee members since May 2008. He felt that this was damaging to the work of the committees as well as increasing the demands on other Councillors undertaking quasi-judicial work such as licensing hearings. Ms Freeman stated that this issue had been the subject of discussion with the group leaders. The allowances payable to Members were not based on attendance at meetings but it was desirable for each group to play a role in the work and take up the committee places allocated to them in accordance with the proportionality rules.

Overall the Committee agreed that it would be useful to continue to receive further monitoring reports but asked the officers to review the content and presentation of the reports in the light of the matters discussed and in particular:-

- To give greater prominence to monitoring attendance at formal Council committees and sub-committees, including e.g. the percentage of

meetings attended by each Councillor appointed to the Licensing and other quasi-judicial and Council committees;

- To consider indicating where non-attendance is due to sickness or other good reason; and/or where apologies for absence were submitted in advance;
- That detailed information on attendance at LAP steering groups/events and informal scrutiny working parties is not required; and
- That consideration should be given, subject to consultation with Members, to changing the format of the timesheets to include more specific information.

### **RESOLVED**

- (1) That the Committee note the position on the submission of Members' timesheets and attendance at formal meetings during the current municipal year;
- (2) That the Committee agree to receive further reports on this matter on a six-monthly basis, subject to the comments above regarding changes to the format and content of future reports.

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

### **(i) Annual Assembly of Standards Committees**

Ms Freeman gave brief feedback from the above Assembly which had taken place recently in Birmingham. The Assembly had given rise to much discussion on the new system for local assessment of complaints and it was clear that the procedures and best practice in this regard were still evolving.

It was suggested that a 30 minute training session should be arranged on the day of the Committee's next meeting to update members more fully on discussion at the Assembly and to review the local procedures for assessment and review of complaints which would by then have been in place for six months. The Committee endorsed this suggestion and following discussion it was **agreed** that the training session should be held at 7.00 p.m., prior to the commencement of the Committee's formal meeting at 7.30.

### **(ii) Dates of future meetings**

It was noted that meetings of the Standards Committee during the remainder of the municipal year 2008/09 were scheduled for:-

Tuesday 20<sup>th</sup> January 2009; and  
Tuesday 21<sup>st</sup> April 2009

The meeting ended at 8.50 p.m.

Chair, Mr Patrick (Barry) O'Connor  
Standards Committee

This page is intentionally left blank