



Meeting of the

STANDARDS COMMITTEE

Tuesday, 12 June 2012 at 7.30 p.m.

A G E N D A

VENUE

Room C1, 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 Matthew William Rowe	
Ms. Salina Bagum Mr Denzil Johnson Mr Barry Lowe Mr Eric Pemberton Ms Sue Rossiter Two Vacancies	
Councillor Zara Davis Councillor Carli Harper-Penman Councillor Zenith Rahman Councillor Rachael Saunders Councillor Peter Golds 1 Vacancy	Councillor Gloria Thienel, (Designated Deputy representing Councillor Zara Davis) Councillor Joshua Peck, (Designated Deputy representing Councillors Carli Harper-Penman, Zenith Rahman and Rachael Saunders) Councillor Amy Whitelock, (Designated Deputy representing Councillors Carli Harper-Penman, Zenith Rahman and Rachael Saunders) Councillor Anwar Khan, (Designated Deputy representing Councillors Carli Harper-Penman, Zenith Rahman and Rachael Saunders)

[Note: The quorum for this body is 3 Members, of whom two must be Independent Members].

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: Simone Scott-Sawyer, Democratic Services.

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LONDON BOROUGH OF TOWER HAMLETS

STANDARDS COMMITTEE

Tuesday, 12 June 2012

7.30 p.m.

1. ELECTION OF CHAIR

To elect an Independent Member to serve as Chair of the Standards Committee until 30th June 2012.

2. ELECTION OF VICE-CHAIR

To elect an Independent Member to serve as Vice-Chair of the Standards Committee until 30th June 2012.

3. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

4. 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.

5. MINUTES

To confirm as a correct record of the proceedings the minutes of the ordinary meeting of the Standards Committee held on 10th May 2012.

**PAGE
NUMBER** **WARD(S)
AFFECTED**

3 - 10

6. REPORTS FOR CONSIDERATION

6.1 Standards Committee - Membership, Terms of Reference and Programme of Meetings 2012/13

11 - 18

To note the Committee's membership, terms of reference and programme of ordinary meetings for 2012/13. The report of the Service Head, Democratic Services is attached.

6 .2 Localism Act 2011 - The Amended Standards Regime

Following the Members' seminar on Wednesday 30th May 2012, Members' views and comments will be incorporated and an amended version of the report will be circulated on Wednesday 6th June 2012.

7. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

Agenda Item 4

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 PM ON THURSDAY, 10 MAY 2012

**M78, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON E14 2BG**

Members Present:

Mr Patrick (Barry) O'Connor (Chair)

Mr. Matthew William Rowe (Vice-Chair) Ms. Salina Bagum (Independent Member) Mr
Denzil Johnson (Independent Member) Mr Barry Lowe (Independent Member) Mr Eric
Pemberton (Independent Member)
Councillor Zenith Rahman
Councillor Rachael Saunders

Councillor Joshua Peck [in place of Councillor Carli Harper-Penman]
Councillor David Snowdon [in place of Councillor Zara Davis]

Other Councillors Present:

-

Officers Present:

Isabella Freeman	- Assistant Chief Executive, Legal Services
John S Williams	- Service Head, Democratic Services
David Galpin	- Head of Legal Services, Community
Hugh Sharkey	- Service Head, Procurement and Corporate Programmes
Simone Scott-Sawyer	- Democratic Services

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Zara Davis and Sue Rossiter. Councillor David Snowdon deputised for Councillor Zara Davis and Councillor Joshua Peck deputised for Councillor Carli Harper-Penman.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

That the minutes of the meeting held on 12th January 2012 be approved as a correct record of proceedings.

4. REPORTS FOR CONSIDERATION

The Chair **moved** and it was agreed that the order of business be varied. Accordingly, agenda item 4.1 was considered as the first item of business, followed by 4.3 and 4.2. The published agenda order was resumed after item 4.2 had been discussed.

4.1 Covert investigation and interception of communications - Annual Report 2011/2012

David Galpin, Head of Legal Services, Community presented the report and highlighted the following salient points:

- There had been three authorisations to date;
- No inspections took place during the course of the year;
- The Protection of Freedom Bill had received Royal Assent and was now the Protection of Freedom Act.

The Chair remarked that the inspection of a licence for 24 hours appeared to be modest. Mr Galpin pointed out that this represented a breakthrough in terms of how the Council dealt with touting issues and enforcement was moving in the right direction.

RESOLVED

That the report be noted.

4.2 Localism Act 2011 - The Amended Standards Regime

Isabella Freeman, Assistant Chief Executive, Legal Services presented the report.

The salient points were summarised as follows:

- There was still a statutory duty to promote and maintain a high conduct for Members. There was also a statutory requirement to have a Standards Committee and a need to deal with complaints under the new Code;
- The recommended Code as per Appendix 3 was an amended version of the current Code;
- Paragraph 3 – this still contained the general obligations [bullying, intimidation etc];
- Appendices 4 and 5 – contain two templates for alternative Codes;
- Pecuniary interests –to be defined and was awaiting further Guidance from Government.

New category of 'Independent Person'

- The 'Independent Person' would be consulted when a complaint was received;
- The reasoning behind the introduction of an 'Independent Person' was to get rid of frivolous complaints and offer support and advice to the Monitoring officer if the complaint was presented to the Standards Committee;
- Where there was an investigation, the 'Independent Person' would have the ability to comment prior to the Committee hearing.

The following key proposals had been put forward:

- That existing independent Members be retained as co-optees;
- That the Standards Committee became an advisory Committee for full Council. Some of the key advantages of this model would be to enable the Committee to deal with other matters outside full Council, except in exceptional circumstances, and this would be in line with other local authorities.

Dealing with complaints

- Once a complaint was received, the Monitoring officer and 'Independent Person' would deal with it. If there was a serious breach of the Code, there would be a recommendation that the matter be referred to the Standards Committee. If there was no breach, the matter would remain confidential, and simply reported to the Committee on a quarterly basis;
- Page 32, paragraph 10 – sets out limited sanctions available under the new provisions, with the Member being able to carry out ward duties and attend full Council.

Some of the Members' concerns were outlined as follows:

- One Member outlined his reservations as follows:
 1. The lack of detail and proper consultation with Members, thereby preventing them from properly engaging in the process and having the ability to influence the report;
 2. The lack of timescales and deadlines in the current system was of further concern as claims became protracted;
 3. Although there was no statutory right of appeal, the lack of a proper appeal process was deemed unacceptable;
 4. There was a real need for a cross-party discussion, with a view to it being submitted to the General Purpose Committee [as it impinged on the Council's Constitution] and then on to full Council;
 5. The broader views of Members ought to be included in the process before it was submitted to full Council. It was essential that the document was 'fit for purpose' from the start.

For the purposes of encapsulating some of the key points of concern in the report, he highlighted the following:

- Page 29, paragraph 4.10 - more clarity was sought around the powers of the LSP or Community forums;
- Page 30, paragraph 7 – the use of the word ‘condone’ seemed to give the wrong connotation and the paragraph may therefore need rewording;
- Page 31, point 2 – with reference to the ‘Independent Person’, in order to avoid ambiguity, would we need two independent persons with one acting as a reserve? Ms Freeman clarified that both ‘Independent Persons’ were to be consulted which was rather confusing, so, one would act as a reserve;
- Page 31, points 3, 4 & 6 – needed clearer timescales;
- Page 31, point 6 – would the Monitoring officer be responsible completing the investigation;
- Page 31, point 8 – where there was evidence of failure, would this mean that the matter was not reported to the Committee? Ms Freeman explained that it was a balancing act and the idea was to ensure that where there was no issue to investigate, the matter would remain confidential. However, such issues would be reported to the Committee on a quarterly basis;
- Page 36, paragraph 3.3 – the use of the word ‘confidential’ was ambiguous and some clarity was needed;
- Page 38, paragraph 5.2 – reference to “dis-closable pecuniary interests” was silent on Members observing a meeting and needed some clarification.

Other Members were concerned generally about the lack of consultation and highlighted other points of concern as follows:

- They reiterated the need for a proper appeal system to ensure justice was done, and adequate consultation, not just for Members, but also for members of the public and residents as they also had a stake in the process. A robust, fair policy was imperative to inspire confidence. Members were also apprehensive about the manner in which the elected Mayor was called into account as he was not deemed an elected Member, and therefore as the Executive was effectively outside the Standards regime;
- The thrust of the legislation that bad behaviour will result in sanctions, should not be overlooked;
- Another Member wondered if there would be a mechanism in place to monitor compliance. Furthermore, where a letter of advice had been issued and the Member committed a further offence, would that letter be taken into consideration?
- With reference to page 32, point 11, one Member asked whether the recommendations of Hearing panels were required to be published openly;
- With regards to investigations outside the Committee’s remit, or unfounded allegations, would these be exempt from the provisions of the Freedom of Information Act [FOI]?

- There was also concern that although recommendations were freely published, that freedom did not appear to extend to the outcomes of those recommendations.

In response to Members' questions, Ms Freeman explained that regrettably the Council received little notification from Central Government and no guidance on the Code, hence there was little time to adequately consult with Members. It would also be a question of resources as to how feasible it would be to set up an extra-ordinary meeting of the Council to deal with one item. With regards to appeals, Ms Freeman believed that there was some leeway to have some form of an appeal process and would look into this. She also clarified that there was a timescale of 3 months and that there was the possibility of adding extra time for investigations, as the process ought to be fair.

Ms Freeman said that to address Members' concerns Members could have some input into the report now before it was submitted to Council, and that there would be a further opportunity to amend the report post-Council over the Summer period. Preliminary views from Members would be welcomed at this stage.

With regards to monitoring compliance, Ms Freeman was of the view that the revised wording of the report could reflect Members' concerns on this. As regards the Mayor, Ms Freeman stated that he was currently bound by the Council's Code of Conduct and would need to check the regulations going forward as nothing had been published on this point.

With reference to the recommendations of Hearing panels, Ms Freeman stated that they were likely to be published in the Committee meeting's minutes in accordance with the access to information provisions.

Ms Freeman pointed out that some complaints regarding information was exempt from the FOI Act, however, it was uncertain as to the extent of this and she endeavoured to look into it with colleagues in other councils and report back in due course. She also stated that it was possible to have a system whereby there was a report on 'previous complaints' to deal with the outcomes of recommendations to Hearing panels.

In conclusion, the Chair stated that the report was in need of further editing and emphasised that the Standards regime in its new format must have an independent element to maintain credibility.

Ms Freeman promised to take Members' concerns into account and report back in due course. She also endeavoured to benchmark with other local authorities on how to appoint an 'Independent Person' and to keep Members apprised. In consultation with the Service Head of Democratic Services, she would look at the possibility of creating new dates to allow for Member involvement in the process.

RESOLVED

That the report be noted.

4.3 Ethical Governance Protocol for Corporate Contracts

Hugh Sharkey, Service Head Procurement and Corporate Programmes introduced the report.

The following points were highlighted:

- The protocol governed the relationship between the Council and suppliers, and the conduct of Directors and employees;
- In order for suppliers to be on the Council's payment system, they must comply with the protocol or demonstrate that they would adhere to the Council's requirements;
- The Council's Procurement Strategy had been refreshed;
- It was a requirement of the protocol that the relevant policies were in place before the formation of a contract.

Ms Isabella Freeman, Assistant Chief Executive, Legal Services added that the Council's contract also encompassed Audit provisions to ensure compliance with policies relating to whistle blowing or equalities issues for instance.

Members made the following comments:

- That the Council's "Fair trade" and ethical procurement policies should also be embraced. Mr Sharkey confirmed that the intention was to encapsulate all such policies in one place;
- What form of sanction was meted out when there was evidence of a breach by a contractor, as there appeared to be some confusion over the types of contracts that were covered by the Protocol. Mr Sharkey explained that remedies were available for non-performance of a contract and where a contractor was tardy in making a delivery for instance, they would be subject to damages. In the event that the contractor failed to provide a remedy, the Council was not obliged to honour the contract. Ms Freeman further clarified that, by virtue of specific clauses in the contract, contractors were forbidden from making untoward or political comments.

RESOLVED

That the report be noted.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

There was none.

The meeting ended at 9 pm.

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

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Agenda Item 6.1

Committee Standards Committee	Date 12th June 2012	Classification Unrestricted	Report No.	Agenda Item No.
Report of: Service Head, Democratic Services Originating Officer(s): Simone Scott-Sawyer		Title Standards Committee – Membership, Terms of Reference and Programme of Meetings 2012/13 Ward(s) affected: All		

1. **SUMMARY**

- 1.1 This report sets out for the Committee's information the membership, terms of reference and programme of meetings of the Standards Committee and Standards Advisory Committee for the municipal year 2012/13.

2. **RECOMMENDATION**

- 2.1 That the report be noted.

**LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"

Name and telephone number of holder
and address where open to inspection

No unpublished background papers

Simone Scott-Sawyer
Democratic Services
020 7364 4651

3. BACKGROUND

- 3.1 The Standards Committee was re-established by the Council at its Annual meeting held on Wednesday 16th May 2012. This report details the membership and terms of reference of the Committee and its programme of meetings until 30th June 2012.
- 3.2 Following changes to the Standards regime in the Localism Act 2011, a new Standards Advisory Committee will come into existence from 1st July 2012. This report details the membership and terms of reference of the Committee and its programme of meetings for the forthcoming municipal year.

4. COMPOSITION (STANDARDS COMMITTEE)

a) Membership:

The Council has agreed that the Standards Committee will be composed of:

- Six Councillors (who may not include the Mayor or more than one other Cabinet Member), numbering three from the majority group on the Council, two from the largest minority group and one from another minority group; and
 - nine suitable persons (“Independent Members”) who are not Councillors or officers of the Council or Members of any other body having a Standards Committee and who are not related to or have a close friendship or relationship with any Councillor or officer of the Council.
- b) Independent Members are appointed by the Council for a three year term of office subject to confirmation at the Annual Council meeting. The Independent Members retire on a rolling basis. An independent Member who has completed a three year term may apply to serve a further term or terms. Independent Members are entitled to vote at meetings of the Standards Committee.
- c) Chairing the Committee
- A member of the Executive may not chair the Standards Committee. The Council has agreed that the Chair and the Vice Chair of the Committee will be Independent Members.

5. CURRENT MEMBERSHIP (STANDARDS COMMITTEE)

- 5.1 The Annual Meeting of the Council held on 16th May 2012 appointed the following Councillors to membership of the Committee:

<u>Members</u>	<u>Group</u>	<u>Deputies</u>
Councillor Carli Harper-Penman	Labour	Councillor Joshua Peck, Councillor Amy Whitelock and Councillor Anwar Khan
Councillor Zenith Rahman	Labour	“
Councillor Rachael Saunders	Labour	“
Councillor Zara Davis	Conservative	Councillor Gloria Thienel

Councillor Peter Golds	Conservative	“
Vacancy	Respect	-

5.2 The following Independent Members of the Committee were re-appointed by the Council on 16th May 2012 to serve until 30th June 2012 or until the Committee is dis-established if later:

Mr Barry O'Connor
Mr Barry Lowe
Mr Matthew Rowe
Ms Salina Bagum
Ms Sue Rossiter
Mr Denzil Johnson
Mr Eric Pemberton
Two vacancies

The Chair and Vice-Chair will be appointed from the above Independent Members of the Committee.

5.3 The quorum for meetings of the Standards Committee and for each of its sub-committees is three of the total membership and this must include at least two Independent Members, one of whom shall Chair the meeting.

6 COMPOSITION (STANDARDS ADVISORY COMMITTEE)

a) Membership:

The Council has agreed that the Standards Advisory Committee will be composed of:

- Seven Councillors (who may not include the Mayor or more than one other Cabinet Member), appointed in accordance with proportionality rules; and
- up to seven co-opted Members (non-voting).

b) The current seven Standards Committee Independent Members were re-appointed as Co-optees to the Standards Advisory Committee by the Council for a four year term of office subject to confirmation at the Annual Council meeting. Co-opted Members may serve as many terms of appointment as the Council considers appropriate. A person may not be appointed as a Co-opted Member of the Standards Advisory Committee or one of its sub-committees unless the appointment is approved by Full Council.

c) Chairing the Committee

The Council has agreed that the Chair and the Vice Chair of the Committee will be Co-opted Members.

7. **CURRENT MEMBERSHIP (STANDARDS ADVISORY COMMITTEE)**

7.1 The Annual Meeting of the Council held on 16th May 2012 appointed the following Councillors to membership of the Committee:

<u>Members</u>	<u>Group</u>	<u>Deputies</u>
Councillor Carli Harper-Penman	Labour	Councillor Joshua Peck, Councillor Amy Whitelock and Councillor Anwar Khan
Councillor Rachael Saunders	Labour	“
Councillor Sirajul Islam	Labour	“
Councillor David Edgar	Labour	“
Councillor Zara Davis	Conservative	Councillor Gloria Thienel and Councillor David Snowdon
Councillor Rania Khan	Independent	-
Vacancy	Respect	-

7.2 The following Co-opted Members of the Committee were appointed by the Council on 16th May 2012:

Mr Barry Lowe (appointed until May 2016)
Mr Matthew Rowe (appointed until May 2016)
Ms Salina Bagum (appointed until May 2016)
Mr Barry O'Connor (appointed until May 2016)
Ms Sue Rossiter (appointed until May 2016)
Mr Denzil Johnson (appointed until May 2016)
Mr Eric Pemberton (appointed until May 2016)

The Chair and Vice-Chair will be appointed from the above Co-opted Members of the Committee.

7.3 The quorum for meetings of the Standards Advisory Committee and for each of its sub-committees is three of the total membership and this must include at least two Co-opted Members, one of whom shall Chair the meeting.

8. **TERMS OF REFERENCE (NB: These draft terms of reference are subject to change by the Council on 18th June 2012)**

The Council using the powers under section 102(4) of the Local Government Act 1972 has established a Standards Advisory Committee.

The Standards Advisory Committee shall have the power to create Sub-Committees in order to discharge its advisory role.

Composition

The Standards Advisory Committee shall be comprised of Members of the Council, appointed by the Council in accordance with the requirements of political proportionality; and up to seven persons who are not Members or officers of the Council or any other relevant authority (i.e. Co-opted members.)

The Co-opted member(s) will be entitled to vote at meetings under the provisions of S13 (4) (e) of the Local Government and Housing Act 1989.

The Committee shall establish Hearing Sub-Committees in accordance with these terms of reference.

Appointment of Co-Opted Members

A person may not be appointed as a Co-opted member of the Standards Advisory Committee or one of its sub-committees unless the appointment is approved by Full Council.

The term of appointment shall be for four years unless otherwise determined by Full Council or the Co-optee does not continue to fulfil any required conditions as may be determined by the Authority from time to time. Co-opted members may serve as many terms of appointment as the Council considers appropriate.

Role and Function

The Standards Advisory Committee has the following roles:

- a. To recommend to the Monitoring Officer whether complaints of a breach of the Members Code of Conduct should be referred for investigation by the Monitoring Officer or an investigator appointed by the Monitoring Officer where the Monitoring Officer considers it appropriate to refer the complaint to the Standards Advisory Committee for consideration,
- b. To receive reports from the Monitoring Officer on the numbers of complaints of the Code received, the decisions taken by the Monitoring Officer (in consultation with the Independent Person) on such complaints and investigation outcomes where the investigation determines there was no evidence of a failure to comply with the code or where the investigation outcome recommends a local resolution.
- c. To convene a Hearings Sub-Committee or at least 3 Members of the Standards Advisory committee to consider any matter where the investigation finds evidence of a failure to comply with the Code and a local resolution is not possible or appropriate.
- d. To make such recommendations as the Hearings Sub-Committee considers appropriate as a result of any matter referred including:
 - Reporting its findings to Council for information;
 - Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) removal from any or all Committees or Sub-Committees of the Council;
 - Recommending to the Mayor removal from the Executive, or from particular Portfolio responsibilities;
 - Recommending the Monitoring Officer arrange training for the member;
 - Recommending removal from outside appointments to which he/she has been appointed or nominated;

- Recommending withdrawing facilities provided to the member by the Council, such as a computer, website and/or email and Internet access;
 - Recommending 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;
 - Recommending the Member to contact the Council via specified point(s) of contact.
- e. Promoting and maintaining high standards of conduct by Members of the Council, co-opted members and church and parent governor representatives and where the Committee considers that there may be issues of concern recommending that the Monitoring Officer considers and reports on the issues raised.
 - f. Assisting Members of the Council, co-opted members and church and parent governor representatives to observe the Council's Code of Conduct for Members;
 - g. Advising the Council on the adoption or revision of the Code of Conduct for Members;
 - h. Monitoring the operation of the Code of Conduct for Members;
 - i. Advising, training or arranging to train Members of the Council, co-opted members and church and parent governor representatives on matters relating to the Code of Conduct for Members:
 - j. To act as an advisory body in respect of any matters referred to the Standards Committee by the LSP or Community Forums in respect of probity issues arising out of the codes and protocols applicable to relevant members of the LSP and Community Forums as set out in the Community Forum handbook and as may be amended from time to time.
 - k. Advice on allegations of Member breaches of the Protocols set out in the constitution as maybe referred to the Committee by the Monitoring Officer and to make recommendations with regard to such allegations as maybe so referred.
 - l. Advising on local protocols for both Officer and Member governance.
 - m. To monitor and review Member and Officer Procedures for Register of Interests and declaring gifts and hospitality.
 - n. To receive periodic reports on the Council's Ethical Governance arrangements, on whistle blowing arrangements and complaints.
 - o. As requested by the Monitoring Officer, to advise on any applications for dispensations in relation to participation at a meeting by a member with a Disclosable Pecuniary Interest.

Validity of proceedings

A meeting of the Standards Advisory Committee or one of its sub-committees shall only be quorate where at least three members of the Committee or sub-committee are present for its duration.

Part VA of the Local Government Act 1972 applies in relation to meetings of the Standards Advisory Committee or its sub-committees as it applies to meetings of the Council.

Hearing Sub-Committee

Any Hearing Sub-Committee shall comprise a minimum of 3 Members of the Standards Advisory Committee at least 1 of whom shall be a co-opted Member.

The Hearing Sub-Committee shall consider complaints referred to it that an elected or co-opted Member of the Council may have failed to comply with the Council's Code of Conduct for Members or local protocol where the complaint has been subject to an investigation arranged by the Monitoring Officer and shall make recommendations accordingly. The Hearings Sub Committee shall decide at the outset of the meeting whether it is in the public interest that the Hearing is held in a public or private session in accordance with relevant statutory guidance as advised by the Monitoring Officer.

Attendance Requirements

At any meeting when any Member of the Committee is unable to attend, the meeting shall consider whether they shall condone the non-attendance. The Member concerned shall be notified of the Committee's decision in connection with their non-attendance.

If the Committee has condoned non-attendance for the same Member for at least two consecutive meetings then in the event of further consecutive non-attendance at a meeting the Committee shall (a) if it is an Elected Member decide whether it is appropriate for them to inform the relevant group of the non-attendance or (b) if it is an independent Member decide if they should inform the Council that a vacancy has arisen.

The Committee shall not declare such a vacancy has arisen without first giving the absent Member an opportunity to make representations (which may be made in writing) as to their non-attendance and any matters they wish the Committee to take into account.

Procedures

The Committee shall agree a set of procedures to enable it to discharge the arrangements under these Terms of Reference.

9. DATES OF MEETINGS 2012/13

9.1 The Council has agreed a schedule of dates for Council, Cabinet and Committee meetings and the following are the scheduled dates for the ordinary meetings of the Standards Advisory Committee during the current municipal year:-

- Tuesday 17th July 2012 at 7.30 p.m.
- Tuesday 9th October 2012 at 7.30 p.m.
- Tuesday 15th January 2013 at 7.30 p.m.
- Tuesday 16th April 2013 at 7.30 p.m.

The final Standards Committee will meet on Tuesday 12th June 2012.

10. COMMENTS OF THE CHIEF FINANCIAL OFFICER

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

11. CONCURRENT REPORT OF THE CHIEF LEGAL OFFICER

11.1 Pursuant to section 53 of the Local Government Act 2000, the Council is required to establish a Standards Committee. Under section 54 of the same Act, the functions of that committee shall be to promote standards of conduct by Members and such other functions as considered appropriate. The current roles and functions are set out in the Council's Constitution.

11.2 The information provided for the Committee to note is in line with the Council's Constitution and the resolutions made by the full Council on 18th May 2011.

11.3 The Localism Act 2011 introduces a number of changes to the Standards regime. The Council has amended its own arrangements in line with those, including the establishment of a Standards Advisory Committee.

12. ONE TOWER HAMLETS IMPLICATIONS

12.1 There are no anti poverty or equal opportunity implications arising from this report.

13. RISK ASSESSMENT

13.1 A robust Standards Committee is essential in ensuring the resilience of the Council's ethical framework.