

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE

HELD AT 7.30 P.M. ON TUESDAY, 17 JULY 2012

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

Members Present:

Mr Matthew William Rowe (Independent Member)

Ms. Salina Bagum (Independent Member)

Mr Denzil Johnson (Independent Member)

Mr Barry Lowe (Independent Member)

Mr Eric Pemberton (Independent Member)

Ms Sue Rossiter (Independent Member)

Councillor Zara Davis

Councillor David Edgar

Councillor Carli Harper-Penman

Councillor Sirajul Islam

Councillor Rachael Saunders

Other Councillors Present:

Guests Present:

Mr Patrick (Barry) O'Connor (Interim Independent Person)

Officers Present:

Isabella Freeman – (Assistant Chief Executive - Legal Services, Chief Executive's)

John Williams – (Service Head, Democratic Services, Chief Executive's)

Simone Scott-Sawyer – (Democratic Services)

1. ELECTION OF CHAIR

Mr John Williams, Service Head, Democratic Services invited nominations for an Independent Member to serve as Chair.

Mr Eric Pemberton **MOVED** and Mr Denzil Johnson **SECONDED** that Mr Matthew William Rowe be elected as Chair of the Standards Advisory Committee for the municipal year 2012 – 13.

No further nominations were received and it was therefore

RESOLVED

That Mr Matthew Rowe be elected Chair of the Standards Advisory Committee for the municipal year 2012 - 13.

2. ELECTION OF VICE-CHAIR

MR MATTHEW WILLIAM ROWE IN THE CHAIR.

The Chair invited nominations for an Independent Member to serve as Vice-Chair of the Committee for the municipal year 2012 – 13.

Mr Denzil Johnson **MOVED** and Mr Barry Lowe **SECONDED** that Mr Eric Pemberton be elected as Vice-Chair of the Standards Advisory Committee for the municipal year 2012 – 13.

No further nominations were received and it was therefore

RESOLVED

That Mr Eric Pemberton be elected Vice-Chair of the Standards Advisory Committee for the municipal year 2012 - 13.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. MINUTES

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

6. REPORTS FOR CONSIDERATION

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

Mr John Williams, Service Head, Democratic Services introduced the report and highlighted the following points:

- There were seven Members of Council and up to seven co-opted Members [six previous Independent Members from the Standards Committee] could be selected;
- Members were asked to note the new dates for the forthcoming municipal year and to be aware that they could be asked to sit on the sub-committees from time to time;
- The Standards Advisory Committee Members were asked to agree to the establishment of three Sub-committees – the Dispensations, Investigations & Disciplinary and Hearings Sub-Committees. The Investigations & Disciplinary and Hearings Sub-Committees will be ad hoc, to be convened as and when required. It will comprise selected members from the SAC;
- Members were also asked to consider nominations for the Dispensation Sub-Committee to deal with matters relating to disclosable pecuniary interests. Ms Isabella Freeman, Assistant Chief Executive, Legal Services advised that it would be helpful if three SAC members were nominated to sit on this Sub-Committee, at least two of whom shall be co-opted members in accordance with the arrangements agreed by the Council. Ms Freeman invited nominations for the positions and the following co-opted members were selected:

1. Denzil Johnson
2. Sue Rossiter.

One Member of Council would be selected as and when, subject to availability and political party requirements.

It was also noted that the report erroneously stated co-optees were non-voting. Mr John Williams clarified that this was not the case, as co-optees did in fact have voting rights.

RESOLVED:

That subject to the aforementioned points, the report be noted.

6.2 New Standards Regime

Mr John Williams, Service Head, Democratic Services introduced the report. He reminded Members that older versions of this report had been submitted to the previous Standards Committee and this report attempted to pull the different strands together, incorporating the amendments that had been suggested by Members.

Mr Williams highlighted one small change to the Terms of Reference, Appendix B – the insertion of the words "... and other faiths ..." where there was reference to church representatives of the Overview and Scrutiny Committee.

Members were advised that they would be required to attend training and briefing sessions for the new Standards Advisory Committee, which will be arranged over the coming weeks.

RESOLVED:

That the report be noted.

6.3 Standards Advisory Committee - Work Programme

Ms Isabella Freeman, Assistant Chief Executive, Legal Services referred Members to the late report which was included in the supplementary pack.

RESOLVED:

That the report be noted.

6.4 Recruitment of Independent Person

Mr John Williams, Service Head, Democratic Services referred Members to the late report which was included in the supplementary pack and highlighted the following points:

- The new role of Independent Person [IP] was established under the Localism Act which and was a key part of the new Standards arrangements. The IP must be consulted before the Authority can make a finding as to whether or not a Member had failed to comply with the Code of Conduct or decides to take action in respect of that Member;
- As per Government guidance allowing for special transitional arrangements, Barry O'Connor, an Independent Member was offered and accepted the role of interim IP. This position will continue until 1st July 2013 at the latest, or until the new permanent person takes over, if sooner. It was further noted that when this interim IP role expired, Barry O'Connor was at liberty to return to the SAC should he wish to do so, and the vacancy would be kept open on that basis ;
- Remuneration – there was no provision for this under the Members' Allowance scheme, and it was therefore proposed that the IP be paid at the same rate as co-opted members of the committee;
- Recruitment – an outline of the recruitment timetable was noted as follows:

September 2012 - recruitment process commences;
October [mid] – closing date. A long list would then be compiled by the Monitoring Officer, Chair of the SAC and current interim IP;
23rd January 2013 – appointment of an IP to be ratified by full Council.

- A reserve IP would also be appointed in case the IP's role was conflicted or he/she was indisposed.

After discussing the merits of whether or not to have a cap on the IP's remuneration, it was agreed that remuneration would be on a "per matter" basis. It was noted that the role would involve a fair amount of work, therefore Members thought it prudent to have a cap which could be reviewed making it possible to increase, decrease or remove it at a later stage.

Ms Isabella Freeman, Assistant Chief Executive, Legal Services also reminded Members that the probationary period and term of contract would need to be determined by Members and confirmed by full Council. A report dealing with these issues would be submitted to the SAC.

RESOLVED:

That subject to the aforementioned points, the report be noted.

6.5 Members' Attendance and Time-sheets

Mr John Williams, Service Head, Democratic Services introduced the report.

Members highlighted their concerns as follows:

- In light of the preparation time that went into convening quasi-judicial committees such as the Planning and Licensing Committees, it was regrettable that Member attendance was so low and some Members requested the reasons for this. Where attendance at, or the take-up for membership on certain committees was exceptionally low, and this placed undue pressure on other Members who attended an inordinate number of meetings to meet the shortfall as a result, this should be urgently reviewed. There was also a small invisible group of Members who failed to partake in training sessions which ought to be investigated;
- Attendance data could be made available to residents and also to the party leaders and chief whips to ensure transparency and compliance;
- Political party leaders had been approached in the past to make improvements to the system as regards Members being able to submit this information with ease, but regrettably to no avail;
- More weight should be attached to what Members did on a day-to-day basis, for e.g. attendance at surgeries and meetings, casework undertaken etc, as this should give a more accurate picture of their activities. Members of the public had the right to know that Members were accessible and accountable and it may be useful to have a fuller discussion about this possibly at the next meeting;
- The current system of recording Members' attendance and timesheets had been in use for about 10 years and was in need of a review. Some Members also suggested the following possible courses of action to increase visibility of information and thereby ensure greater transparency and accountability of Members:

1. An electronic system allowing Members 'sign' online when they attended meetings;
2. Information should be publicised more and details given about committees with a significant number of vacancies. Information about Members who failed to train or attend meetings regularly should also be placed in the public domain;
3. Copies of this report should be made available to Chairs, Chief Whips and the party leadership.

In response to queries by some Members, Mr Williams agreed to submit a report incorporating Members' concerns. Furthermore, the following points were noted:

- He endeavoured to find out when Members would be able to submit their timesheets online;
- The manner in which the information was presented in the report could be better laid out, so it was more apparent which Members consistently failed to attend meetings or training sessions.

RESOLVED:

That subject to the aforementioned points, the report be noted.

7. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

The meeting ended at 9.00 p.m.

Chair, Matthew William Rowe
Standards (Advisory) Committee