

# STANDARDS (ADVISORY) COMMITTEE

Monday, 8 September 2014 at 7.30 p.m.

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

This meeting is open to the public to attend.

**Members:**

Chair:

Vice-Chair:

Matthew William Rowe, John Pulford MBE, Patrick (Barry) O'Connor, Eric Pemberton, Salina Bagum, Barry Lowe, Mr Denzil Johnson, Councillor Gulam Kibria Choudhury, Councillor Amy Whitelock Gibbs, Councillor Danny Hassell, Councillor Abjol Miah, Councillor Joshua Peck, Councillor Mohammed Mufti Miah and Councillor Andrew Wood

**Observers:**

Elizabeth Hall and Ezra Zahabi

**Deputies:**

Councillor Amina Ali, Councillor Julia Dockerill, Councillor Marc Francis, Councillor Rachael Saunders, Councillor Craig Aston and Councillor Chris Chapman

The quorum for this body is 3 of the total membership including at least one Councillor and one Co-opted member.

**Contact for further enquiries:**

Angus Taylor, Democratic Services,  
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG  
Tel: 020 7364 4333  
E-mail: [angus.taylor@towerhamlets.gov.uk](mailto:angus.taylor@towerhamlets.gov.uk)  
Web: <http://www.towerhamlets.gov.uk/committee>

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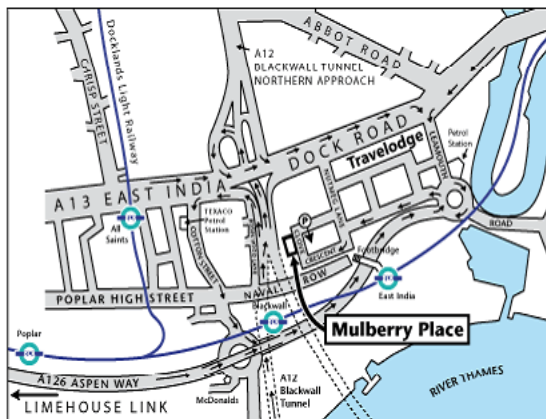
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QR code for smart phone users.

**1. ELECTION OF CHAIR FOR THE MUNICIPAL YEAR 2014/15**

To elect a co-opted member to serve as Chair of the Standards (Advisory) Committee for the Municipal Year 2014/15.

**2. ELECTION OF VICE-CHAIR FOR THE MUNICIPAL YEAR 2014/15**

To elect a co-opted member to serve as Vice-Chair of the Standards (Advisory) Committee for the Municipal Year 2014/15.

**APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

**3. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

**1 - 4**

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 Interim Monitoring Officer.

**4. MINUTES OF THE PREVIOUS MEETING(S)**

**5 - 10**

To confirm as a correct record of the proceedings the minutes of the ordinary meeting of the Standards (Advisory) Committee held on 18<sup>th</sup> March 2014.

**5. REPORTS FOR CONSIDERATION**

**5.1 Standards (Advisory) Committee - Terms of Reference, Membership, Quorum, Dates of Meetings and Establishment of Sub-Committees 2014/15**

11 - 28

To note the SAC Terms of Reference, Membership, Quorum, Dates of future meetings and establish SAC Sub-Committees for the Municipal Year 2014/15.

**5.2 Presentation: Development of SAC priorities**

To receive an oral presentation from Mr Paul Hoey, Consultant, with a focus on the current environment that SACs are working in and how they are being developed at other local authorities, with a discussion to follow on priorities for the LBTH SAC for the remainder of the municipal year.

**6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

To consider any other unrestricted business that the Chair considers to be urgent.

**7. 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.

**8. EXEMPT/CONFIDENTIAL MINUTES**

Nil items.

**9. 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:**

Tuesday, 21 October 2014 at 7.30 p.m. to be held in the Committee Room 1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG

# Agenda Item 3

## **DECLARATIONS OF INTERESTS - NOTE FROM THE INTERIM MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Interim Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Interim Monitoring Officer following consideration by the Dispositions Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Interim Monitoring Officer of the interest for inclusion in the Register.

**Further advice**

For further advice please contact:-

Meic Sullivan-Gould, Interim Monitoring Officer, 0207 364 4801

John Williams, Service Head, Democratic Services, 020 7364 4204



## 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	<p>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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>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—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
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	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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.</p>

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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE**

**HELD AT 7.30 P.M. ON TUESDAY, 18 MARCH 2014**

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

**Members Present:**

Matthew William Rowe (Chair)	(Co-opted Member)
Grenville Mills	(Temporary Co-opted Member)
John Pulford MBE	(Co-opted Member)
Elizabeth Hall (Observer)	Independent Person
Eric Pemberton (Vice-Chair)	(Co-opted Member)
Salina Bagum	(Co-opted Member)
Councillor David Edgar	
Councillor Zara Davis	
Councillor Sirajul Islam	(Leader of the Labour Group)
Councillor Abdul Asad	(Cabinet Member for Health and Wellbeing)
Councillor Motin Uz-Zaman	(Chair, Overview & Scrutiny Committee)

**Observer:**

Elizabeth Hall	Independent Person
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**Officers Present:**

Meic Sullivan-Gould	– (Interim Monitoring Officer)
John Williams	– (Service Head, Democratic Services, Chief Executive's)
Evelyn Akoto	– (Committee Officer)

**MR MATTHEW WILLIAM ROWE (CHAIR) IN THE CHAIR**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Judith Gardiner and Ezra Zahabi (Reserve Independent Person).

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

There were no disclosable pecuniary interest.

### 3. MINUTES OF THE PREVIOUS MEETING(S)

Mr Grenville Mills proposed the following amendments to the minutes;

- There should be clear distinction between references to 'members' of the Standards Advisory Committee and 'members' of the council.
- Agenda item 3.3 did not accurately reflect the concerns raised by the Committee with regards to Member timesheets. It was of grave concern that timesheets were not completed by a large number of Councillors. The Committee agreed that the following wording should be added to the minutes; 'the Committee reaffirmed the importance of timesheets and their timely submission'.

Mr Grenville sought clarification on the meaning of the 'silver group meetings'. The Service Head, Democratic Services explained that it was in reference to a command structure group meeting. The key point was that officers would be informed of the covert investigation powers.

#### **Matters Arising**

Mr Granville Mills enquired on the status of actions from the previous meeting. He referenced Agenda item 3.1 "Covert investigation under the Regulation of Investigatory Powers Act 2000; and asked when the proposed reports from Head of Legal Services (Community), was likely to come to the Committee. The interim Monitoring Officer undertook to inform the Head of Legal Services about the action points raised and suggested that he emailed the Committee via the Chair, instead of waiting until the next meeting.

The Chair **Moved** (taking account of the proposed amendment to the minutes) from Mr Granville Mills and the additional recommendation proposed by the Committee, and it was:-

#### **Resolved**

1. That, subject to the amendment set out at (a) below, the unrestricted minutes of the ordinary meeting of the Standards (Advisory) Committee, held on 14 January 2014, be agreed as a correct record of the proceedings, and the Chair be authorised to sign them accordingly.
  - (a) Agenda item 3.3 "Review of Member Timesheets", add the following wording, 'the Committee reaffirmed the importance of timesheets and their timely submission'.
2. That a report be emailed to the Committee via the Chair with all relevant information pertaining to the matter arising on the minutes raised by Mr Granville Mills.

#### **Action by:**

Evelyn Akoto, Democratic Services,  
Meic Sullivan-Goulds (Interim Monitoring Officer) Legal Services,

#### **4. REPORTS FOR CONSIDERATION**

##### **4.1 Code of Conduct for Members - Complaints and Investigation Monitoring**

Meic Sullivan-Gould, the interim Monitoring officer introduced the report, which informed the Committee on the number and nature of complaints received and action taken as a result. The interim Monitoring officer emphasised the need for investigations to be proportionate to the incident, and also highlighted the costly nature of such investigations. As a result of this, the interim Monitoring Officer insisted on complaints being concise with evidence to support it, in order to take them forward.

The Committee discussed the importance of reviewing the current procedures to make it more efficient and faster in dealing with cases. Officers advised that the coming election may result in a number of cases being reported and therefore that it may not be the appropriate time to seek changes to processes. The Committee was informed that a fast track complaints procedure to deal with election offences had been created and would deal with any complaints received from now until the election date.

Members of the Committee raised concerns on the Committee's ability to effectively bring Councillors to account. Members commented that since the Localism Act, power had been eroded from the Standard (Advisory) Committee and it is currently not fit for purpose. The Committee discussed about the behaviour of some Members at Council meetings and felt that the Speaker should be given more power to control conduct.

It was agreed that there was a need to call a meeting after the local election, to specifically look at how current procedures can be made more effective.

In response to a question the interim Monitoring officer confirmed that all elected officials signed up to the Code of Conduct and were therefore subject to the same processes. There was no distinction made between a Councillor and a Mayor, as they both are bound by the same rules and expectations.

The Committee agreed that the procedure needed to be reviewed and that the starting point was to begin with the Code of Conduct. It was suggested that the Committee could make recommendation at the first meeting and refer it to Council. Members felt that there should be a level of focus on what can be achieved.

The Committee discussed the possibility of an external facilitator attending the next meeting to assist the group in reviewing best practice and putting forward recommendations on procedural change. A Member of the Council however recommended that to cut down cost, the Committee should go ahead with the planned meeting, and only call on external assistance if further help was needed.

The Interim Monitoring officer offered to send the Committee available links on current literature on this subject matter.

The Committee agreed to hold the first meeting after the election, on 15 July 2014 and to focus on the code of conduct and timesheets.

**Action**

Meic Sullivan-Gould, Interim Monitoring Officer

**5. MEMBERS' ATTENDANCE AND TIMESHEETS MONITORING**

John Williams, Head of Service, Democratic Service, introduced the report and updated the Committee on a range of matters related to Members attendance at formal meetings and training events, the completion of timesheets and register of interests. The Service Head, Democratic Services tabled an updated Appendix 1 and highlighted the following:

- Significant numbers of Members have not submitted their time sheet which continues to be an issue, however as it is the last meeting in the administration there was no need to send a reminder letter to Members.
- The Council was on target to introduce electronic timesheet after the local election.

The Committee noted that although it was not mandatory, it was however important to remind Members of the importance of filling in their timesheets. Councillor Edgar stated that he had submitted his timesheet the previous night for September to February, but that this was not reflected in the updated Appendix 1. The Committee agreed that the Members attendance and timesheet monitoring report was useful information, and therefore should continue to be submitted to the Committee.

The Committee discussed why Members did not prioritised updating their attendance records. It was suggested that this behaviour may change if the electorate were able to easily view this information, for example, creating an on-line button that could request a Members' timesheet.

A Member enquired whether the new electronic timesheet could be synchronised to dairies, and commented that where possible, the electronic forms could be populated with automated information already held in the Council's system, such as Committee meeting and training attendance, including duration, freeing Members to complete essential information that were not stored.

**Action:**

John Williams, Service Head, Democratic Services

**6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

There was none.

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

There were none.

The meeting ended at 8.50 p.m.

Chair, Matthew William Rowe  
Standards (Advisory) Committee

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# Agenda Item 5.1

<b>Committee</b>	<b>Date</b>	<b>Classification</b>	<b>Report No.</b>	<b>Agenda Item No.</b>
Standards Advisory Committee	8 <sup>th</sup> September 2014	Unrestricted		
<b>Report of:</b>  John Williams, Service Head Democratic Services  <b>Originating Officer(s) :</b>  Angus Taylor, Principal Committee Officer, Democratic Services		<b>Title :</b>  Standards (Advisory) Committee: Terms of Reference,, Membership, Quorum, Dates of meetings and Establishment of Sub-Committees 2014/15  <b>Ward(s) affected:</b> All		

## 1. Summary

- 1.1 This report sets out the Terms of Reference, Membership, Quorum and Dates of meetings of the Standards (Advisory) Committee [SAC] for the Municipal Year 2014/15; and invites the Committee to establish Sub-Committees in accordance with the Standards arrangements agreed by the Authority.

## 2. Recommendation

The SAC is recommended to:-

- 2.1 Note its Terms of Reference, Membership, Quorum, Dates of future meetings and timing thereof, as set out in Appendices 1, 2 and 3 to this report;
- 2.2 Establish the following sub-committees for the municipal year 2014/15, to be convened as required on an ad hoc basis with membership agreed by the Monitoring Officer/ Interim Monitoring Officer from amongst the members of the SAC, including in each case a minimum of three members, at least two of whom shall be co-opted members in accordance with the arrangements agreed by the Authority:-
  - Investigation and Disciplinary Sub-Committee
  - Hearing Sub-Committee
  - Dispensations Sub-Committee

### **3. Background**

- 3.1 At the Annual General Meeting (AGM) of the full Council held on 11 June 2014, the Authority approved the proportionality, establishment of the Committees and Panels of the Authority (including the SAC) and appointment of Members thereto. Following the revised allocation of places agreed by the full Council (30<sup>th</sup> July 2014) further to the review of proportionality, required after the Blackwall and Cubitt Town election on 3<sup>rd</sup> July, there were some changes to the appointment of Conservative Group Member/ Deputies..
- 3.2 It is traditional that following the full Council AGM at the start of the Municipal Year, at which various committees are established, that those committees note their Terms of Reference, Membership and Quorum for the forthcoming Municipal Year. These are set out in Appendix 1 and 2 to the report respectively.
- 3.3 The dates of SAC meetings for the remainder of the Municipal Year, agreed by the full Council on 11<sup>th</sup> June 2014[Calendar of Meetings for the 2014/15 Municipal Year] are set out in Appendix 3 to this report.
- 3.4 Meetings are scheduled to take place at 7.30pm in accordance with the Calendar of Meetings for the 2014/15 Municipal Year agreed by the full Council and set out in the Committee Rules of Procedure in the Authority's Constitution.

### **4. Composition of the SAC**

#### **4.1 Membership:**

- 4.1.1 The Authority (full Council) has agreed that the SAC shall comprise of:
- Members of the Council (not including the Mayor or more than one Cabinet Member), appointed by the full Council in accordance with the requirements of political proportionality.

- Up to seven persons who are not Members or officers of the Council or any other relevant authority (i.e. Co-opted members) who will be entitled to vote at meetings.

4.1.2 Co-opted members may serve as many terms of appointment as the full Council considers appropriate. A person may not be appointed as a co-opted member of the SAC or one of its sub-committees unless the appointment is approved by full Council.

4.1.3 When the SAC was first established in 2012, six of the seven independent members of the former Standards Committee were re-appointed as co-opted members of the SAC, by the full Council, for a four year term of office (to May 2016). The 6 included:-

Ms Salina Begum  
 Mr Denzil Johnson  
 Mr Barry Lowe  
 Mr Eric Pemberton  
 Ms Sue Rossiter  
 Mr Matthew William Rowe

4.1.4 The subsequent resignation of Ms Sue Rossiter and Mr Denzil Johnson (the latter due to temporary business commitments abroad) in 2013 resulted in a formal public recruitment process and the appointment by full Council on 18 September 2013 of the following co-opted members of the SAC:-

Mr Grenville Mills	18 September 2013 to 30 April 2014 temporarily replacing Mr Denzil Johnson. Mr Mills resigned on 31 March 2014 creating a temporary vacancy pending the return of Mr Johnson.
Mr John Pulford MBE	(18 September 2013 to September 2017).
Mr Denzil Johnson	(01 May 2014 to May 2016) ie re-appointment for the

	remainder of the original term approved by full Council in June 2012 and accommodating his temporary resignation.
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4.1.5 In 2012, the seventh independent member (and Chair) of the former Standards Committee, Mr. Barry O'Connor, was appointed as the Interim 'Independent Person' under the new Standards arrangements agreed by the Authority. Mr O'Connor was therefore not appointed as a co-opted member of the SAC However it was intended that he would return as a co-opted member once his interim role finished, and in the meantime it was agreed that Mr. O'Connor continue to be invited to attend SAC meetings as an observer. Mr O'Connor's role as IIP ended in July 2013 and full Council (18 September 2013) confirmed his appointment as a co-opted member of the SAC (18 September 2013 to September 2017).

4.1.6 The currently co-opted members of the SAC are therefore as follows:-

Ms Salina Begum	To May 2016
Mr Denzil Johnson	To Sept 2017
Mr Barry Lowe	To May 2016
Mr Eric Pemberton	To May 2016
Mr Matthew William Rowe	To May 2016
Mr John Pulford MBE	To Sept 2017
Mr Barry O'Connor	To Sept 2017

## 4.2 Observers

4.2.1 With respect to the 'Independent Person' (IP) role introduced nationally under the new 'standards regime resulting from the Localism Act 2011, a public recruitment exercise concluded in June 2013 with the recommendation to full Council (26 June 2013) to make appointments of an IP and Reserve IP as follows:-

- IP - Ms Elizabeth Hall
- Reserve IP – Ms Ezra Zahabi

The recommended appointments were subsequently approved by full Council. Council also agreed that the IP and Reserve IP would be invited to all future SAC meetings in the capacity of observers.

#### 4.3 Chairing the Committee

The full Council has agreed that the Chair and the Vice Chair of the SAC will be appointed from the co-opted members of the SAC.

#### 4.4 Quorum

The quorum for meetings of the SAC and for each of its sub-committees is three of the total membership and this must include at least one councillor and one co-opted member. A co-opted member shall Chair the meeting.

### **5. Comments of the Chief Financial Officer**

5.1 This report describes the Terms of Reference, Membership, Quorum and Dates of meetings of the SAC for the Municipal Year 2014/15 for the information of members of the Committee. It also invites the SAC to establish Sub-Committees.

5.2 There are no specific financial implications arising from the reports recommendations however in the event that the Authority agrees further action in response to this report's recommendations then officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

## **6. Legal Comments**

- 6.1 The Localism Act 2011 introduced a number of changes to the Standards regime. The Authority has amended its own arrangements in line with those, including the establishment of a Standards (Advisory) Committee.
- 6.2 The information provided for the Committee to note is in line with the Authority's Constitution and the resolutions made by the full Council on 18<sup>th</sup> May 2011 and the full Council AGM held on 11th June 2014.
- 6.3 The report incorporates legal comments.

## **7. One Tower Hamlets Considerations**

- 7.1 There are no specific One Tower Hamlets considerations, including anti-poverty and equal opportunity implications, arising out of this report.

## **8. Sustainable Action for a Greener Environment**

- 8.1 There are no specific SAGE implications arising from the recommendations in the report.

## **9. Risk Management Implications**

- 9.1 A robust Standards (Advisory) Committee is essential in ensuring the resilience of the Authority's ethical framework.

## **10. Crime and Disorder Reduction Implications**

- 10.1 There are no specific crime and disorder reduction implications, arising out of this report.

## **11. Appendices**

Appendix 1 SAC Terms of Reference  
Appendix 2 SAC Membership 2014/15  
Appendix 3 SAC Scheduled Meeting Dates 2014/15

**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

N/A

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**APPENDIX 1**  
**STANDARDS (ADVISORY) COMMITTEE – TERMS OF REFERENCE**

- **Agreed by the Council on 18<sup>th</sup> June 2012**
- **Standards Advisory Committee established with effect from 1<sup>st</sup> July 2012**

**1. Standards Advisory Committee**

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

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

**2. Composition**

The Standards Advisory Committee shall be comprised of Members of the Council (not including the Mayor or more than one Cabinet Member), 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 Standards Advisory Committee shall be chaired by a co-opted member.

The Committee shall establish Hearings and other Sub-Committees in accordance with these terms of reference.

**3. 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.

**4. Role and Function**

The Standards Advisory Committee has the following roles:

- 4.1 To recommend to the Monitoring Officer whether or not any complaint of a breach by the Mayor, a Councillor or a co-opted member of the Members Code of Conduct should be referred for investigation by the Monitoring Officer or an investigator appointed by the Monitoring Officer; and where a complaint has been subject to such investigation, to recommend whether or not the complaint should proceed to hearing. Where the

Monitoring Officer considers that a complaint should not be subject to investigation or should not proceed to hearing, s/he shall convene an Investigation and Disciplinary Sub-Committee of the Standards Advisory Committee which shall make the final decision on the matter;

- 4.2 To receive regular quarterly 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;
- 4.3 To convene a Hearings Sub-Committee of three Members of the Standards Advisory Committee comprising two of the co-opted members and one Councillor 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;
- 4.4 To make such recommendations to Council in respect of the matter 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;
- 4.5 To convene a Hearings (Appeal) Sub-Committee of at least three different Members of the Standards Advisory Committee (comprising two of the co-opted members and one Councillor) to consider any appeal against a finding of, or sanction recommended by, the Hearings Sub-Committee;
- 4.6 To receive reports on compliance with any recommendation(s) made for sanctions to be applied in respect of any member;
- 4.7 Promoting and maintaining high standards of conduct by the Mayor, Members of the Council, co-opted members including 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;

- 4.8 Assisting the Mayor, Members of the Council, co-opted members including church and other faiths and parent governor representatives to observe the Council's Code of Conduct for Members;
- 4.9 Advising the Council on the adoption or revision of the Code of Conduct for Members;
- 4.10 Monitoring the operation of the Code of Conduct for Members;
- 4.11 Advising, training or arranging to train the Mayor, Members of the Council and co-opted members including church and other faiths and parent governor representatives on matters relating to the Code of Conduct for Members;
- 4.12 To act as an advisory body in respect of any matters referred to the Standards Committee by the Local Strategic Partnership (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;
- 4.13 To advise on allegations of Member breaches of the Protocols set out in the constitution as may be referred to the Committee by the Monitoring Officer and to make recommendations with regard to such allegations as maybe so referred;
- 4.14 Advising on local protocols for both Officer and Member governance;
- 4.15 To monitor and review Member and Officer Procedures for registering interests and declaring gifts and hospitality;
- 4.16 To receive periodic reports on the Council's Ethical Governance arrangements, on whistle blowing arrangements and complaints; and
- 4.17 As requested by the Monitoring Officer, to establish a Dispensations Sub-Committee to advise on any applications for dispensations in relation to participation at a meeting by a member with a Disclosable Pecuniary Interest.

## **5. 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 and such quorum must include at least one councillor and at least one co-opted member.

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.

## **6. Hearings Sub-Committee and Hearings (Appeal) Sub-Committee**

Any Hearings Sub-Committee or Hearings (Appeal) Sub-Committee shall comprise a minimum of three Members of the Standards Advisory Committee at least two of whom shall be co-opted members.

The Hearings Sub-Committee shall consider complaints referred to it that the Mayor, 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.

The membership of the Hearings (Appeal) Sub-Committee shall not include any member who served on the Hearings Sub-Committee that considered the same complaint.

The Independent Person, or if that person is unable to act a reserve Independent Person, shall have the right to attend all meetings of the Hearings Sub-Committee or Hearings (Appeal) Sub-Committee as an observer but may not vote or participate in the decision making.

## **7. Attendance Requirements**

In the event that any Member of the Committee does not attend three or more consecutive meetings of the Committee, the Committee may draw the attention of the Council to such non-attendance and may recommend that the member concerned be replaced on the Committee.

The Committee shall not do so 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.

## **8. Procedures**

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

## **9. Confidentiality**

The Committee and any of its Sub-Committees may meet in private in accordance with the relevant legislation as advised by the Monitoring Officer.

Any meeting or part of a meeting that considers whether or not a complaint should be referred for investigation or, following an investigation should proceed to hearing, shall be held in private and all papers relating to that consideration shall remain confidential.

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APPENDIX 2

STANDARDS (ADVISORY) COMMITTEE  
MEMBERSHIP 2014/15

<b><i>Labour Group Nominations (and deputies)</i></b>	<b><i>Tower Hamlets First Group Nomination (and deputy)</i></b>	<b><i>Conservative Group Nomination (and deputy)</i></b>	<b><i>Co-opted Members (appointed until May 2016 unless otherwise stated)</i></b>
<p>Cllr Amy Whitelock Gibbs Cllr Danny Hassell Cllr Joshua Peck</p> <p>Deputies:- Cllr Amina Ali Cllr Marc Francis Cllr Rachael Saunders</p>	<p>Cllr Gulam Kibria Choudhury Cllr Abjol Miah Cllr Md. Mufti Miah</p> <p>Deputies:- t.b.c.</p>	<p>Cllr Andrew Wood</p> <p>Deputies:- Cllr Craig Aston Cllr Chris Chapman Cllr Julia Dockerill</p>	<p>Mr Matthew Rowe Mr Eric Pemberton Ms Salina Bagum Mr Denzil Johnson (to Sept 2017) Mr Barry Lowe Mr John Pulford MBE (to Sept 2017) Mr Patrick (Barry) O' Connor (to Sept 2017)</p>

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### **APPENDIX 3**

#### **STANDARDS (ADVISORY) COMMITTEE**

#### **SCHEDULE OF MEETING DATES 2014/15**

Tuesday 15 July 2014 (postponed)

Monday 08 September 2014

Tuesday 21 October 2014

Tuesday 13 January 2015

Tuesday 14 April 2015

#### **Note**

Meetings are currently scheduled to take place at 7.30pm in Room C1, 1<sup>st</sup> Floor, Town Hall, Mulberry Place, East India Dock, London E14 2BG.

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