

STANDARDS (ADVISORY) COMMITTEE

Tuesday, 21 October 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: Matthew William Rowe

Vice-Chair: Eric Pemberton

John Pulford MBE, Patrick (Barry) O'Connor, Salina Bagum, Barry Lowe, 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:

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

Web: <http://www.towerhamlets.gov.uk/committee>

Scan this code
for an
electronic
agenda:



Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

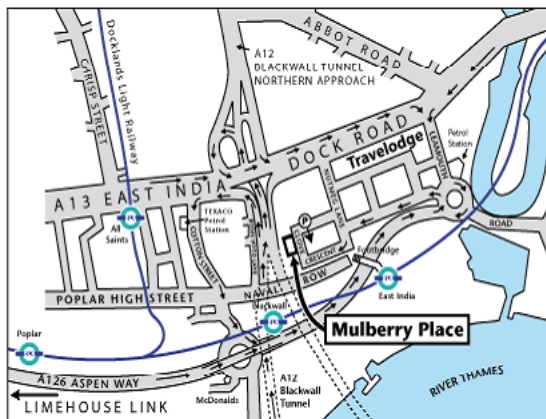
Audio/Visual recording of meetings.

Should you wish to film the meeting, please contact the Committee Officer shown on the agenda front page.

Mobile telephones

Please switch your mobile telephone on to silent mode whilst in the meeting.

Access information for the Town Hall, Mulberry Place.



Bus: Routes: 15, 277, 108, D6, D7, D8 all stop near the Town Hall.

Docklands Light Railway: Nearest stations are East India: Head across the bridge and then through complex to the Town Hall, Mulberry Place Blackwall station. Across the bus station then turn right to the back of the Town Hall complex, through the gates and archway to the Town Hall.

Tube: The closest tube stations are Canning Town and Canary Wharf

Car Parking: There is limited visitor pay and display parking at the Town Hall (free from 6pm)

If you are viewing this on line: (http://www.towerhamlets.gov.uk/content_pages/contact_us.aspx)

Meeting access/special requirements.

The Town Hall is accessible to people with special needs. There are accessible toilets, lifts to venues. Disabled parking bays and an induction loop system for people with hearing difficulties are available. Documents can be made available in large print, Braille or audio version. For further information, contact the Officer shown on the front of the agenda



Fire alarm

If the fire alarm sounds please leave the building immediately by the nearest available fire exit without deviating to collect belongings. Fire wardens will direct you to the exits and to the fire assembly point. If you are unable to use the stairs, a member of staff will direct you to a safe area. The meeting will reconvene if it is safe to do so, otherwise it will stand adjourned.

Electronic agendas reports and minutes.

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.

Agendas are available at the Town Hall, Libraries, Idea Centres and One Stop Shops and on the Mod.Gov, iPad and Android apps.



QR code for smart phone users.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

- 1. 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.
- 2. MINUTES OF THE PREVIOUS MEETING(S)** **5 - 16**

To confirm as a correct record of the proceedings the minutes of the ordinary meeting of the Standards (Advisory) Committee held on 08 September 2014.
- 3. REPORTS FOR CONSIDERATION**
 - 3 .1 Code of Conduct for Members - Complaints and Investigation Monitoring** **17 - 24**

To note the complaints and investigation monitoring information contained in this report.
 - 3 .2 Covert investigation under the Regulation of Investigatory Powers Act 2000** **25 - 34**

Consider and comment upon the information provided in the report.
 - 3 .3 Complaints and Information Governance Annual Report 2013/ 2014 (To Follow)**

To consider and comment on the information set out in the report.

3 .4 Update on the Democracy and Governance Web-pages and related technology 35 - 42

To note the information contained in the report and comment on the existing website and future development priorities.

3 .5 Members' Induction 2014 43 - 60

To note the information contained in the report and comment on the future learning and development programme.

3 .6 Members' Attendance and Timesheets Monitoring (To Follow)

To note the monitoring information set out in the report and consider whether any further action is required by the SAC Chair in connection with it.

3 .7 Review of Code of Conduct for Members and standards arrangements (Oral Report)

The OSC will receive an update on progression of draft proposals relating to the review following a meeting of the Interim Monitoring Officer, SAC Chair and Interim Monitoring Officer on 16 October.

4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

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

5. 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.

6. EXEMPT/CONFIDENTIAL MINUTES

Nil items.

7. 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, 13 January 2015 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

This page is intentionally left blank

Agenda Item 1

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> |

This page is intentionally left blank

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE

HELD AT 7.30 P.M. ON MONDAY, 8 SEPTEMBER 2014

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

Members Present:

| | |
|--|-------------------|
| Matthew William Rowe | (Co-opted Member) |
| John Pulford MBE | (Co-opted Member) |
| Eric Pemberton | (Co-opted Member) |
| Salina Bagum | (Co-opted Member) |
| Councillor Gulam Kibria Choudhury | |
| Councillor Amy Whitelock Gibbs | |
| Councillor Danny Hassell | |
| Councillor Mohammed Mufti Miah | |
| Councillor Andrew Wood | |
| Councillor Marc Francis (Substitute for Councillor Joshua Peck) | |

Observer:

| | |
|----------------|----------------------------|
| Elizabeth Hall | Independent Person |
| Ezra Zahabi | Reserve Independent Person |

Other Councillors Present:

Others Present:

| | |
|-------------------|--|
| Natalie Ainscough | (Consultant Trainer - Hoey Ainscough Associates) |
| Paul Hoey | (Consultant Trainer - Hoey Ainscough Associates) |

Officers Present:

| | |
|---------------------|--|
| Meic Sullivan-Gould | – (Interim Monitoring Officer) |
| Angus Taylor | – (Principal Committee Officer, Democratic Services, Law Probity & Governance) |

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

The clerk sought nominations for the Chair of the Standards (Advisory) Committee (SAC) for the Municipal Year 2014/15.

Mr Eric Pemberton, nominated Mr Matthew William Rowe as Chair of the SAC for the Municipal Year 2014/15. Mr John Pulford MBE seconded the nomination.

There being no other nominations it was: -

Resolved

That Mr Matthew William Rowe be elected to serve as Chair of the Standards (Advisory) Committee for the Municipal Year 2014/15, or until a successor is appointed.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)

MR MATTHEW ROWE (CHAIR) IN THE CHAIR

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

The Chair sought nominations for the Vice-Chair of the Standards (Advisory) Committee (SAC) for the Municipal Year 2014/15.

Mr John Pulford MBE nominated Mr Eric Pemberton as Vice-Chair of the SAC for the Municipal Year 2014/15. Ms Salina Bagum seconded the nomination.

There being no other nominations it was: -

Resolved

That Mr Eric Pemberton be elected to serve as Vice-Chair of the Standards (Advisory) Committee for the Municipal Year 2014/15, or until a successor is appointed.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)

APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Joshua Peck for whom Councillor Marc Francis was deputising.
- Councillor Abjol Miah.

- Mr Patrick (Barry) O'Connor (Co-opted member of SAC)

Noted

IP and RIP participation

The Chair, referencing self -introductions earlier, commented that since the establishment of the SAC the Interim Independent Person and subsequently the Independent Person and Reserve Independent Person had been invited to SAC meetings in the capacity of observers but had been permitted by the SAC to contribute to discussions. Accordingly the Chair **Moved** the following motion for the consideration of SAC members, and it was: -

Resolved

That the Independent Person and Reserve Independent Person be permitted to contribute to future discussions of the Standards Advisory Committee.

3. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of Disclosable Pecuniary Interest or other declarations of interest were made.

The Chair commented that Co-opted Independent SAC members were required to register their interests afresh and **requested that the appropriate form be circulated to them.**

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)
Meic Sullivan Gould (Interim Monitoring Officer, LPG)

4. MINUTES OF THE PREVIOUS MEETING(S)

Matter arising from minutes of 18th March SAC

The Chair, referencing resolution 2 of the minute pertaining to agenda item 3 [page 2 of minutes page 6 of agenda] commented that he had not yet received the report to be emailed to Chair and all SAC members. *Mike Sullivan Gould, Interim Monitoring Officer (IMO), briefly outlined the matter previously raised, apologised that the Chair and SAC members had not received the report, and undertook to progress chase David Galpin, Service Head Legal Services, on the outstanding action as his further information was required before an update could be provided.*

Eric Pemberton, Vice-Chair, referencing:

- resolution 1(a) of the minute pertaining to agenda item 3 [page 2 of minutes page 6 of agenda], which noted the importance with which SAC viewed Member timesheets and their timely submission.

- the minute pertaining to agenda item 5 “Member Attendance and Timesheets Monitoring” [page 4 of minutes page 8 of agenda], which also noted the above in the context that significant numbers of Members were not submitting timesheets; and also the introduction of electronic timesheets post-election.

Commented that he had reviewed the Authority’s website and no Member timesheets were available for the last few months, and re-emphasised the importance with which SAC viewed Member timesheets and their timely submission. *The Chair commented that the regular 6 monthly monitoring report on Member attendance and Timesheet Monitoring was due for consideration at the next SAC meeting. Additionally there was an update from the Committee Services Manager to be tabled at Agenda item 6 “Any Other Business”*

A discussion followed which focused on the following points:-

- Clarification sought as to whether it was a correct understanding that backdated timesheets relating to the period prior to the recent Local Government election would no longer be published due to the roll out of a new system. Comment that this would be extremely frustrating for those Members who had undertaken the time intensive task of completion. *Mike Sullivan Gould, IMO, undertook to respond at the next SAC meeting.*
- Consideration that there had been a lack of training for new Members regarding timesheet completion and this was a historic problem, and a need to fall back on the help and advice of party colleagues. Similarly with training of new Members on the Members Enquiry process and engaging with the Council and its processes generally. Consideration also that there had been few induction events for new Members and these had been of poor quality; also that several such sessions were held on the same evening with the volume of information very difficult to assimilate as a consequence. Consideration that Member training specific to different committees had been of poor quality. Consequently SAC members **proposed** and it was **agreed** that SAC **examine induction training** generally, but also training specific to different committees delivered in the first few months of the Municipal Year, at the **October SAC meeting**. The Chair noted that this could be linked to the regular monitoring report on training.
- Comment that it was a source of considerable frustration for some Members that others did not complete their timesheets nor undertake the necessary research/ record keeping, all of which was time intensive. The matter of the significant inaccuracy of some timesheets also needed to be addressed. The Chair commented that non-completion of timesheets was also a constant source of frustration for SAC. The regular Timesheet Monitoring report and a presentation on the new electronic timesheet system and improvements to democracy web pages would be received at the October SAC meeting, so timesheets would be reviewed then and also ways to capture and report other Member activity in a more transparent way than historically. Some consideration also that SAC should examine performance measures for Members in some depth and that non completion of timesheets for a specified period of time should be

viewed as a breach of good Member conduct and the subject of sanctions.

- Consideration that Group Leaders needed to be asked to urge all their Members to complete timesheets and also to consider ways to improve transparency of Member activity.

The Chair **Moved** and it was:-

Resolved

That the unrestricted minutes of the ordinary meeting of the Standards Advisory Committee, held on 18th March 2014, be agreed as a correct record of the proceedings, and the Chair be authorised to sign them accordingly.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)
Meic Sullivan Gould (Interim Monitoring Officer, LPG)
John Williams (Service Head Democratic Services)
Beverley McKenzie (Member Support Manager)

5. REPORTS FOR CONSIDERATION

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

Mr Angus Taylor, Principal Committee Officer, introduced and summarised key points in the report, which:

- Provided the Terms of Reference, Membership, Quorum and Dates of meetings of the SAC for the Municipal Year 2014/15 for the Committee's information;
- Recommended the SAC to establish three sub-committees for the Municipal Year 2014/15.

The Chair sought and was given clarification as to the need for the SAC to consider the housekeeping report every year, he then **Moved** the recommendations as set out in the report, and it was:-

Resolved

1. That the Standards (Advisory) Committee Terms of Reference, Membership, Quorum, Dates of future meetings and timing thereof, as set out in Appendices 1, 2 and 3 to the report, be noted;
2. That the following sub-committees be established 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 Standards (Advisory) Committee, 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

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)
Meic Sullivan Gould (Interim Monitoring Officer, LPG)

5.2 Presentation: Development of SAC priorities

Paul Hoey, Consultant Trainer (Hoey Ainscough Ltd), gave a detailed PowerPoint presentation (slides **Tabled**, a copy of which would be interleaved with the minutes) which encompassed the current standards environment (current legislative framework, local arrangements, codes of conduct), with a focus on how standards arrangements in LBTH were working/ compared with other local authorities (Las) and where there was scope for review to ensure streamlined and more robust in future. The key headlines of the presentation are summarised below:

- Localism Act 2011 – key requirements
- Case handling – arrangements & issues
- Standards Committees – composition & alternatives
- Filtering complaints & related issues - arrangements & issues to consider
- Informal resolution - arrangements & issues to consider
- Investigation - arrangements & issues to consider
- Conduct of hearing - issues to consider
- Sanctions - arrangements & issues to consider
- Independent Person (IP) – Law, arrangements & issues to consider
- Code of Conduct – requirements/ content & alternatives
- Interests - arrangements & issues to consider

Mr Hoey highlighted key issues for each area and responded to questions from the SAC summarised as follows:

- There was little scope for variety on requirements of the Localism Act and 95% of LAs had similar arrangements to those of LBTH.
- Standards committees:
 - Localism Act abolished requirement on LAs to have a standards committee (SC). With exception of 1 or 2 LAs where standards issues had been delegated to Officers or the former terms of reference were subsumed into those of another committee, most LAs had an SC.
 - The issues to consider were its composition and related transparency:
Most LAs treated their SC and sub committees like the others and composition was politically proportional. The LBTH SAC was proportional in terms of voting members, which was sensible in the context of the local political backdrop. The difficulty came where

proportional balance led to public perception of skewing and mistrust of process outcomes.

The Localism Act had stripped away statutory voting rights for independent members, and as a result of proportionality most LAs did not co-opt independent members onto their SC. However this arrangement at LBTH was very positive, as such members were a symbol that the role of the SC was above politics and this was enhanced by the LBTH requirement for the Chair and Vice Chair to be co-opted independent members.

Public SAC meetings and proper recording of these was also positive for transparency as SC meetings in many LAs were held in private.

- Filtering complaints & related issues
 - The LBTH arrangements placed almost all decision making [on complaints under the Members Code of Conduct] with the Monitoring Officer (MO) although the SAC had a role to endorse (or not) any “no action” decision. There was scope to review the arrangements:

The requirement for the MO to seek SAC endorsement of “no action” decisions slowed down the process for dealing with complaints. Had the SAC rejected any MO “no action” decisions on controversial cases? Most cases were trivial/ spurious/ not a breach of the Code, so was it necessary to convene a SAC to endorse “no action”? Most LAs let the MO decide on “no action” as it allowed the MO to broker a solution or pass to party group leaders to resolve and this aligned with the lighter touch approach intended by the Localism Act.

Why not extend the principles of this role to MO decisions for further action which after all committed public money and resource?

Consider moving the SAC role in complaint handling process from later to earlier.
 - Clarification sought and given as to point at which Members should be informed of complaints against them. *At some LAs Members were only told of a complaint/ asked to comment once a case was found. It was advantageous to inform them earlier to obviate finding out via the media, however the disadvantage was input from the Member delaying the process and likelihood of tit for tat complaints. Earlier was generally better to allow an informal resolution. However it was often helpful to encourage complainants to flesh out their case and request evidence/ substantiation as often this prompted the case to be dropped.*
 - Consideration that there was a need for a clear definition of a complaint in order to tighten up arrangements for handling complaints at LBTH. No evidence/ substantiation, No apparent breach, MO not understanding the complaint, would result in many cases not becoming a formal complaint and contributing to the related statistics.
 - There was a need for monitoring of all cases even those which were dropped as, although this had resource implications, it would contribute to a learning experience for discontent/ identification of rubbing points for complaints, which assisted building of trust and identifying ways to prevent cause for complaint.
- Informal resolution & Investigation

- There was a balance to strike in filtering out politically motivated cases and also seeking an informal resolution to others. Some LAs preferred not to investigate complaints due to the resource implications and prioritised informal resolution. There was scope at LBTH for the SAC to give a steer on the types of cases it wanted investigated and the levels of resource for these.
- Most LAs had a 2 stage process for informal resolution: during and post investigation, however they incorporated this into their process earlier than at LBTH and this should be considered in any review of arrangements. However where informal resolution was prioritised the SC chair should be consulted that the outcome was appropriate. The resolution needed to be satisfactory to the complainant although most LAs didn't allow a complainant veto. Often the sanctions were unsatisfactory to the complainant, so it was advantageous not to build their expectations and shut down the case early on. However the public also needed to be satisfied that issues were being dealt with seriously by the authority, and it was useful for the SC to monitor cases so there was a record.
- There was scope at LBTH for the SAC to extend its role to endorse any MO decision to progress to a misconduct hearing where investigation showed a breach of the Code.
- Clarification was sought and given regarding final time limits for concluding complaints, with consideration that some cases at LBTH had taken far too long to conclude and referral of such cases back to the SC. *Delegation to SC sub committees could assist. Experience with other LAs showed a rigorous timeline was required and LBTH required this within 3 months. There were instances where cases would go beyond this due to complex documents, lack of information eg Members unavailable to interview, involvement of lawyers for both parties. 95% of cases should be dealt with within 3 months, and if this was not possible the MO should provide an explanation to the SC as to why, and seek an extension. The SC should also take account of deliberate prevarication delaying due process. Rather than convene an SC for cases over 3 months, it was preferable to consult the SC chair and IP, perhaps report such instances to the next SC. Setting clear deadlines for Members to respond definitely assisted as did talking to Members early on in the process with a view to informal resolution.*
- Conduct of hearing
 - Although transparency was needed this was not facilitated in a social media environment and the legal framework was not helpful, consequently there was a trend in other LAs to hold hearings in private. This resulted in a public perception of corrupt practice particularly when sanctions were often light touch. There was scope at LBTH for the SAC to be more explicit on this issue.
- Sanctions
 - The Localism Act had abolished most of the previous sanctions and those available were limited (see slide). There was scope at LBTH to review arrangements:
 - Some LAs delegated sanctions to the SC; was there scope for this particularly for censure or training?

Currently the SAC recommended sanctions to full Council what reaction and protocols were there for instances where the Council may reject or vary these, given the party politics possible in a full Council meeting.

Restriction of access to the Authority's resources was permitted, but as there was no clear policy should SAC give a steer?

Consideration and a steer could be given on referrals to group leaders.

- There was scope at LBTH for clarification of the arrangements for handling complaints which currently provided for a Member appeal within 5 days and a full right of appeal within 15 days which allowed for confusion.
- Independent Person
 - Consideration should be given to IP self-protection should they feel that a case was not being handled appropriately by the MO or they felt sidelined.
 - It was appropriate that the IP and RIP were observers at SAC meetings as they were not decision makers. However the expectation should be set that they were copied into papers circulated to the SAC and wider discussions.
 - Consideration could be given to allowing a complainant access to the IP as provided to the Member subject to complaint.
 - The IP role overlapped slightly with that of co-opted independent members, but the latter brought positivity to perceptions of the SACs role.
- Code of Conduct
 - Much of the content at other LAs was similar to that of the LBTH Code in respect of Nolan principles and required behaviours, however the current Code was almost identical to the Code under the previous standards regime and there were alternatives that could be considered eg principled based codes from DCLG.
- Interests
 - There was a lack of clarity as to the position of the LBTH code on interests other than Disclosable Pecuniary Interests. It was important to set appropriate rules on other interests, including procedural rules, to counter public perceptions of corrupt practice. This should be included in any review of arrangements at LBTH.

The Chair summarised that the move from the previous standards arrangements to those currently had been required at short notice, and it was now apparent that these were overly elaborate at LBTH, given the nature of the sanctions available for misconduct, and there was considerable scope for streamlining.

ADJOURNMENT

At this juncture the Chair summarised that he considered it appropriate that there be a short adjournment to allow SAC members time to read and assimilate the information presented in the **Tabled** paper of scenarios (a copy

of which would be interleaved with the minutes). Accordingly the Chair **Moved** the following motion for their consideration, and it was: -

Resolved

That the SAC adjourn for a period of 5 minutes, at 8.50pm, and that the meeting reconvene thereafter.

The meeting adjourned at 8.50pm

The meeting reconvened at 8.55pm

A discussion followed which focused on a number of factually based scenarios, which had given rise to complaints against Members at various LAs, set out in the tabled paper, and the related standards issues raised by each, summarised as follows :-

- A variety of views were expressed as to whether each scenario fell within the scope of the Code of Conduct and associated rationale given. SAC members often considered that the scenarios did fall within the Code when they did not.
- Where scenarios did not fall within the formal scope of the Code, and therefore the associated arrangements for dealing with complaints, consideration that there remained standards issues which would need addressed were they repeated at LBTH. There was a need to think beyond the Code, particularly in instances of reputational damage for the authority, and a role for SAC in determining both appropriate mechanisms for dealing with such complaints and related courses of action to mitigate Member behaviour eg role for party group leaders and party whips, Chairs of committees, withdraw access to Council resources Officers & equipment.
- What was the process if the MO felt behaviour fell within the Code and the SAC did not?
- Consideration that the SAC should consider its role in weighing sanctions against the potential for Members to argue that they could not undertake the duties of their public office as a consequence.
- Consideration that there was also a role for SAC in setting out differences between personal and Councillor roles, particularly around social media, how behaviour would be viewed accordingly and to raise awareness of this. Drawing up a protocol for use of public media might be helpful including statements from party group leaders as to what was acceptable.
- Consideration that a communications strategy for handling media enquiries in such scenarios would be of value.
- There was a role for SAC in determining thresholds of acceptability around public Member behaviour eg between legitimate challenging of Officer advice where implications of Officer advice were not in the public interest and unacceptable undermining or harassment/bullying of Officers.
- Consideration that further guidance needed to be provided by the SAC on declaration of interests other than Disclosable Pecuniary Interests by Members where there might be a clear public perception of corrupt

practice, as current rules were insufficiently robust. There was also a need, in this context, to raise Member awareness of the common law offence of "Misconduct of Public Office" and implications for non-declaration. Further clarity was needed on acceptability of speaking and voting at a committee in various scenarios. The Chair noted that Members were inclined to declare at LBTH as they viewed matters more seriously than the letter of the law.

The Chair **Moved** and it was: -

Resolved:

1. That the information provided in the presentation and accompanying PowerPoint presentation be noted;
2. That Members comments be noted; and
3. That Mr Hoey produce a short summary of points made in his presentation as to scope for review **LBTH standards arrangements** to ensure these were streamlined and more robust in future. This to be circulated to SAC members before the **next meeting** to inform a **discussion item** on the agenda.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, LPG)
Meic Sullivan Gould (Interim Monitoring Officer, LPG)

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

Update on Member Information and Member timesheets

The Chair informed SAC members that Matthew Mannion, Committee Services Manager, had **Tabled** a background briefing note containing an update on the democracy pages on the authority's website, Member Information, Member timesheets and Member enquiries, a copy of which would be interleaved with the minutes.

The Chair drew the attention of SAC members to the penultimate paragraph of the tabled paper, where it was proposed that the Committee Services Manager and Members Support Manager present a report to the next SAC meeting on recent changes to the Democracy web pages and some proposed further developments as well as the new electronic timesheet system. He commented that it would be important to identify ways to capture and report Member activity in a more transparent way than previously, as current arrangements did not provide for a true reflection of such activity nor communication its importance.

A SAC member requested that all Members be sent a copy of the Member timesheet as new Members were not aware of it and a backlog of uncompleted Member timesheets was likely to be developing.

The Vice-Chair commented that he had recently had occasion to write to the Aman Dalvi, Corporate Director Development and Renewal, and had been surprised by the content of the email response. Accordingly he sought and was given clarification as to whether there were protocols for the drafting of correspondence

Action by:

Matthew Mannion (Committee Services Manager)
Beverley McKenzie (Member Support Manager)

7. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no exempt/ confidential business and there was therefore no requirement to exclude the press and public to allow for its consideration.

SUMMARY OF EXEMPT PROCEEDINGS

8. EXEMPT/CONFIDENTIAL MINUTES

Nil items

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

Nil items

The meeting ended at 9.44 p.m.

Chair,
Standards (Advisory) Committee

Agenda Item 3.1

| | | | | |
|---|--|--|----------------------|--------------------|
| Committee: STANDARDS (ADVISORY) COMMITTEE | Date: 21 October 2014 | Classification: Unrestricted | Report No. | Agenda Item No. |
| Report Of: Interim Monitoring Officer | Title: Code of Conduct for Members – Complaints and Investigation Monitoring | | Wards Affected: N/AI | |
| Originating Officer: Meic Sullivan-Gould | | | | |

1. SUMMARY AND BACKGROUND

- 1.1 The Council's arrangements for dealing with complaints of breach of the Code of Conduct for Members provide for the Monitoring Officer to report quarterly (or less frequently if there are no complaints to report) to the Advisory Committee on the number and nature of complaints received and action taken as a result.
- 1.3 The arrangements as revised by full Council on 18 September 2013 also provide that in cases where the Monitoring Officer has extended the time period of investigations into complaints from two months to three months, s/he provide a report on the reasons to the Advisory Committee for noting.

2. RECOMMENDATIONS

- 2.1 That Members of the Advisory Committee note the complaints and investigation monitoring information contained Appendix 1 to this report.

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

Brief description of "background paper"

Tick if copy
supplied for register

If not supplied, name
and telephone number
of holder

Standards (Advisory) Committee file

Meic Sullivan-Gould 020
7364 4800

3. ON-GOING AND PREVIOUS COMPLAINTS

- 3.1 The current position in respect of outstanding and previous complaints made during 2013, is set out in the table attached as Appendix 1 to this report.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 There are no immediate financial implications arising out of this report.

5. LEGAL SERVICES COMMENTS

- 5.1 This report has been prepared by the Interim Monitoring Officer and incorporates legal comments.

6. RISK MANAGEMENT IMPLICATIONS

- 6.1 The provision of quarterly reports relating to the number and nature of complaints assists the Advisory Committee in exercising its oversight role in terms of promoting and maintaining high standards of conduct.

7. ONE TOWER HAMLETS CONSIDERATIONS

- 7.1 There are no specific anti poverty or equal opportunity implications arising out of this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 This report has no immediate implications for the Council's policy of sustainable action for a greener environment.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

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

10. EFFICIENCY STATEMENT

- 10.1 This report is not concerned with proposed expenditure, the use of resources or reviewing/changing service delivery and an efficiency statement is not therefore required.

Appendix 1

| Complaint reference number | Date complaint received by Monitoring Officer | Complainant | Alleged breach(es) of the Code of Conduct | Outcome of consultation with IP | Date investigation commenced and investigation status |
|-----------------------------------|--|--------------------|--|--|--|
| IDSC/01/2013 | 14/03/2013 | Councillor | Failure to treat with respect, bullying, compromising the impartiality of those who work for the Authority, disclosing confidential information, disrepute, using position as a Member to improperly secure an advantage/disadvantage. | Referred for investigation. | Investigation commenced 30/04/2013. As previously reported to Committee, the investigation was delayed due to the need to seek specialist external legal advice, to appoint an alternative investigator and include a subsequent related complaint -IDSC07/2013- in the investigation. The investigation is now complete and the outcome will be referred to a Hearings Sub-Committee. |

| Complaint reference number | Date complaint received by Monitoring Officer | Complainant | Alleged breach(es) of the Code of Conduct | Outcome of consultation with IP | Date investigation commenced and investigation status |
|-----------------------------------|--|--------------------|--|---|---|
| IDSC/ 02/2013 | 10/05/2013 | Councillor | Failure to treat with respect and bullying. | Informal local resolution of complaint attempted without success. Matter referred for advice to IDSC on 11/12/2013. | On 11/12/13 the Investigation & Disciplinary Sub-Committee (IDSC) recommended that a further attempt at local resolution was sought in consultation with the IP. It was not possible to resolve the complaint on this basis and Jill Bell, the former Deputy Monitoring Officer who was dealing with the complaint commenced an investigation. Ms Bell no longer works for the Council and the Interim Monitoring Officer will therefore review the matter and report back to the Advisory Committee. |
| IDSC/ 03/2013 | 10/05/2013 | Councillor | Improper use of Council resources. | Not referred for investigation. | N/A complaint closed. |
| IDSC/ 04/2013 | 20/05/2013 | Member of public | Bullying. | Not referred for investigation. | N/A complaint closed. |

| Complaint reference number | Date complaint received by Monitoring Officer | Complainant | Alleged breach(es) of the Code of Conduct | Outcome of consultation with IP | Date investigation commenced and investigation status |
|-----------------------------------|--|--|---|---|---|
| IDSC/ 05/2013 | 11/07/2013 | Councillor | Failure to treat with respect, bullying, disrepute, using position as a Member to improperly secure an advantage/disadvantage, improper use of Council resources. | Referred for investigation. | Investigation commenced 09/09/2013. The investigation was delayed due to the need to appoint an alternative investigator. The investigation is now complete and the outcome will be referred to the Investigation and Disciplinary Sub-Committee. |
| IDSC/ 06/2013 | 06/09/2013 | Anonymous complainant referred by a Councillor | Failure to treat with respect and bullying. | Councillor was informed that the complainant would need to be identified and interviewed as a potential witness for complaint to be investigated. | The anonymous complainant was not identified and no investigation was commenced. |

| Complaint reference number | Date complaint received by Monitoring Officer | Complainant | Alleged breach(es) of the Code of Conduct | Outcome of consultation with IP | Date investigation commenced and investigation status |
|-----------------------------------|--|---------------------------------------|---|--|--|
| IDSC/07/2013 | 17 and 23/11/2013 | Councillor | Disclosing confidential information and disrepute. | Referred for investigation. | Investigation included as part of investigation into complaint reference IDSC/01/2013. The investigation is now complete and the outcome will be referred to a Hearings Sub-Committee. |
| IDSC/08/2013 | 08/11/2013 | Member of the public and a Councillor | Failure to treat with respect, bullying/intimidation and disrepute. | Referred for investigation. | Investigation commenced 05/12/2013. The investigation is now complete and the outcome will be referred to the Investigation and Disciplinary Sub-Committee. |
| IDSC/09/2013 | 12/11/2013 | Councillor | Failure to treat with respect, bullying/intimidation and disrepute. | Referred for investigation. | Investigation commenced 05/12/2013. The investigation is now complete and the outcome will be referred to the Investigation and Disciplinary Sub-Committee. |

| Complaint reference number | Date complaint received by Monitoring Officer | Complainant | Alleged breach(es) of the Code of Conduct | Outcome of consultation with IP | Date investigation commenced and investigation status |
|-----------------------------------|--|--------------------|--|--|---|
| ASC/01/2012 | 16/11/2011 | Councillor | Disclosing confidential information, disrepute, using position as a Member to improperly secure an advantage/disadvantage. | 26/01/2012 Referred for investigation by former statutory Assessment Sub-Committee. | The investigation was completed on 07/06/2012 under the previous statutory arrangements for standards complaints which applied up until 1 July 2012. As previously reported to the Advisory Committee it had been envisaged that a Hearings Sub-Committee would consider the outcome of the investigation into this complaint and associated procedural issues. However, advice was obtained from leading counsel that these matters should be considered by the IDSC rather than a Hearings Sub-Committee of the Advisory Committee and the matter will be referred to the next meeting of the Investigation and Disciplinary Sub-Committee. |

Agenda Item 3.2

| | | | | |
|--|---------------------------------|---|-------------------|---------------------|
| Committee: Standards Advisory | Date: 21 October 2014 | Classification: Unrestricted | Report No: | Agenda Item: |
| Report of: Interim Monitoring Officer Originating officer(s) David Galpin, Head of Legal Services - Community | | Title: Covert investigation under the Regulation of Investigatory Powers Act 2000 Wards Affected: All | | |

1. SUMMARY

- 1.1. The codes of practice issued by the Home Office in relation to Part 2 of the Regulation of Investigatory Powers Act 2000 ("RIPA") recommend that elected members have oversight of the Council's use of these provisions. The Standards Committee's terms of reference enable the committee to receive reports on the Council's authorisation of covert investigations under RIPA.

2. DECISIONS REQUIRED

Standards Advisory Committee is recommended to:-

- 2.1. Consider and comment upon the information provided in the report.

3. BACKGROUND

3.1. Covert investigation and RIPA

- 3.2. The Council has broad statutory functions and takes targeted enforcement action in relation to those functions, having regard to the Tower Hamlets Community Plan, the Council's Local Development Framework, any external targets or requirements imposed under relevant legislation and the Council's enforcement policy. There may be circumstances in the discharge of its statutory functions in which it is necessary for the Council to conduct directed surveillance or use a covert human intelligence source for the purpose of preventing crime or disorder.

- 3.3. RIPA was enacted to provide a framework within which a public authority may use covert investigation for the purpose of preventing or detecting crime or of preventing disorder. It is designed to ensure that public authorities do not contravene the obligation in section 6(1) of the Human Rights Act 1998 not to act in a way which is incompatible with an individual's rights under the European Convention on Human Rights ("ECHR"). It is particularly concerned to prevent contravention of the qualified right in Article 8 of the ECHR to respect for private and family life, home and correspondence.

3.4. The Council's use of RIPA

3.5. The Interim Monitoring Officer is the senior responsible officer for ensuring the Council complies with RIPA. The Service Head - Legal Services ("HLS") is his deputy.

3.6. The Council has policies on the use of directed surveillance or covert human intelligence sources. The current versions of these policies were approved by Cabinet on 3 October 2012, as appendices to the Council's enforcement policy. The Council also has in place guidance manuals to assist officers in the authorisation process. The policies and guidance are designed to help the Council comply with RIPA and the Codes of Practice issued by the Home Office in relation to directed surveillance and the use of covert human intelligence sources.

3.7. The Council's priorities for using RIPA, as specified in its policies are -

- Anti-social behaviour
- Fly-tipping
- Unlawful street vending of DVDs and tobacco
- Underage sales of knives, tobacco, alcohol and fireworks
- Fraud, including misuse of disabled parking badges and claims for housing benefit
- Illegal money-lending and related offending
- Breach of licences
- Touting.

3.8. At its meeting in January 2014, the Committee queried whether the priorities for RIPA could be amended to include electoral fraud and unlawful subletting. Ultimately this will be a matter for the executive and may be addressed when the Council's enforcement policy is brought forward for revision in 2015. However, the following observations may be made –

- The Prevention of Social Housing Fraud Act 2013 came into force on 15 October 2013 which makes unlawful sub-letting a criminal offence. The criminal offence applies to the Council's tenancies as well as to assured shorthold tenancies. A tenant commits an offence if: (a) the tenant, in breach of the terms of his tenancy sub-lets the whole or part of the dwelling house without the landlord's written consent; (b) the tenant ceases to occupy the dwelling as his only or principle home; and (c) the tenant knows that subletting is in breach of the term of his tenancy. In addition, there is a greater offence that is committed if the tenant dishonestly and in breach of the tenancy sub-lets part or the whole of the dwelling without the landlord's written consent.

- A person convicted of the lesser offence would be liable to a fine of up to £5,000. However, if convicted for dishonesty, then the person could be liable for a term of imprisonment up to six months imprisonment and/or a fine of up to £5,000; and on indictment, up to two years in prison, a fine or both. The dishonesty offence would meet the requirements for use of RIPA but the lesser offence would not.
- In the area of elections, the Council's enforcement efforts have focused to date on the failure by individuals to return information to the Council as part of the annual canvass. The relevant offence is found in regulation 23 of the Representation of the People (England and Wales) Regulations 2001 and carries a maximum penalty of a fine of £1000. This is not a serious offence for the purposes of the Council's use of RIPA.
- The Council is proactive in encouraging residents and other parties to report cases of suspected electoral fraud. For example, at the elections held in May 2014 a dedicated e-mail account was set up for this purpose. However, the investigation of alleged fraud is the responsibility of the police and all such potential cases are referred to the Metropolitan Police for investigation. It would be a matter for the police to determine whether or not to use covert surveillance in respect of any such referral. The Council asked the police to see details of its RIPA authorisations but the police declined to provide this information.

3.9. The Council may only use covert investigation for the purposes of serious offences. This means an offence of the following kind –

- An offence punishable by a maximum term of at least 6 months of imprisonment.
- An offence under section 146 of the Licensing Act 2003 (sale of alcohol to children).
- An offence under section 147 of the Licensing Act 2003 (allowing the sale of alcohol to children).
- An offence under section 147A of the Licensing Act 2003 (persistently selling alcohol to children).
- An offence under section 7 of the Children and Young Persons Act 1933 (sale of tobacco etc. to persons under eighteen).

3.10. The Council must also have approval from a court, in addition to an internal authorisation granted by its authorising officer, before carrying out covert surveillance.

3.11. In accordance with the Council's policies and manuals, a central record is maintained in Legal Services of all authorisations and approvals granted to carry out either directed surveillance or to use covert human intelligence sources

(authorisations under Part 2 of RIPA). The Council provides an annual return to the Office of Surveillance Commissioners (“OSC”), based on the central record.

- 3.12. In order to ensure that applications for RIPA authorisation are of an appropriate standard, the Council's policies and manuals provide that all applications for authorisation to conduct directed surveillance or to use covert human intelligence sources should be considered by a gatekeeper before being passed on to the authorising officer. The Council has a single gatekeeper (the Head of Community Safety Enforcement & Markets within the Community Safety Service). In the absence of the Head of Community Safety Enforcement & Markets, the HLS may act as gatekeeper. The gatekeeper must work with applicant officers to ensure an appropriate standard of applications, including that applications use the current template, correctly identify known targets and properly address issues of necessity, proportionality and collateral intrusion.
- 3.13. The Council has a single authorising officer (Service Head - Community Safety), who has responsibility for considering applications to use directed surveillance or covert human intelligence sources. The policies provide that the Head of Internal Audit may stand in for the Service Head - Community Safety where the ACE or HLS consider it necessary.
- 3.14. The Council's policies and manuals require officers who apply for RIPA authorisations to expeditiously forward copies of authorisations, reviews and cancellations to Legal Services for the central record. The HLS (or deputy) attends fortnightly at CLC's internal deployment meetings to ensure the central record is being kept up to date. Representatives of each service area in CLC attend these meetings. The Council's authorising officer and gatekeeper attend. The meetings provide an opportunity to check the status of applications and authorisations under RIPA and a forum at which officers may present any operations plans where covert investigation may be required and seek a steer from those at the meeting.

3.15. The Council's RIPA applications

3.16. Quarter 4 of 2013/2014

- 3.17. No authorisation was granted in the fourth quarter of 2013/2014.

3.18. Quarter 1 of 2014/2015

- 3.19. No authorisation was granted in the first quarter of 2014/2015.

3.20. Quarter 2 of 2014/2015

3.21. No authorisation was granted in the second quarter of 2014/2015. A unique reference number was issued (14/15 – CS004), the application for which had progressed to the gatekeeper by the end of the quarter.

3.22. Summary of directed surveillance authorisations in 2013/2014

3.23. In total 3 covert surveillance matters are recorded on the central record for the 2013/2014 financial year. These applications all came from the council's communities localities and culture directorate and were dealt with as follows –

Application outcomes:

| | |
|------------------------------------|----------|
| Authorisation granted | 2 |
| Authorisation refused | 0 |
| Application rejected by gatekeeper | 0 |
| Application withdrawn | 1 |
| Total: | 3 |

3.24. The 2 authorisations granted compared to 2 in 2012/2013 and 3 in 2011/2012, showing consistent low levels of use of RIPA by the Council. The authorisations were granted for investigations in relation to touting and the investigation of underage sales of tobacco. Both touting and underage sales of tobacco are identified priorities for the Council's use of RIPA, as indicated in paragraph 3.7 above.

3.25. The touting authorisation was focussed on Brick Lane and surrounding streets. The underage sales authorisation was in respect of a number of named premises, also in the Brick Lane area. Maps showing the location of RIPA activity in the years 2011/2012, 2012/2013 and 2013/2014 will be made available at the meeting.

3.26. Throughout the year, covert investigation was the subject of regular discussion at safer communities operations meetings organised by the Council's communities, localities and culture directorate. These meetings are attended by relevant officers in the Council, as well as police and a representative from Tower Hamlets Homes Ltd. The meetings provided an opportunity to discuss the appropriateness of covert surveillance in individual cases and to check the progress of any live authorisations (additional to formal review by the authorising officer).

3.27. Training was conducted in March 2013 for officers who may engage in covert investigation and will need to be re-run in 2014 or early 2015.

3.28. Enforcement activity arising from 2013/2014 authorisations

3.29. The following enforcement action resulted from Operation Creek VII –

- A premises licence holder in respect of premises on Brick Lane has been prosecuted for two offences. One of those offences relates to touting and has been charged in the alternative, alleging that the licence holder either: *carried out* licensable activity otherwise than under or in accordance with the premises licence; or *knowingly allowed* a licensable activity to be carried out otherwise than under or in accordance with the premises. This offence is contrary to section 136 of the Licensing Act 2003 and carries a maximum penalty of 6 months in prison or a fine of £20,000 or both. The other offence concerns failing to display the required summary of the premises licence. The defendant has pleaded not guilty and the trial is listed for 29 October 2014.
- One premises (Sajna Indian Grill) had its licence reviewed, resulting in a revocation, subsequently confirmed on appeal by Thames Magistrates' Court. The District Judge noted that the Licensing Sub-Committee's decision to revoke the licence was most likely influenced by a statement made by one of the directors of the business to the effect that he would not stop touting because it was the only way for the business to survive. To the Court this indicated that the business had decided to put profit above the duty to comply with the licence and it suggested the situation would not change. The Court considered the licence should be revoked and dismissed the appeal.

3.30. No enforcement action resulted from Operation Singles. It appeared that the suspect premises only make sales to minors they know, so test purchases did not disclose evidence of offences. Using a juvenile covert human intelligence source was considered disproportionate and beyond the resources and skills of Trading Standards. As a consequence the investigation was not taken further.

3.31. Covert Human Intelligence Sources

3.32. There were no authorisations granted during 2013/2014 for authorisation to use covert human intelligence sources. This is consistent with the Council's policy, which requires officers to first demonstrate to the satisfaction of the Monitoring Officer or HLS that they have the skill and experience to handle a covert human intelligence source, before seeking authority to use a covert human intelligence source.

3.33. Interception of communications

3.34. The interception of communications is dealt with under Part 1 of RIPA (by contrast, directed surveillance and the use of covert human intelligence sources are dealt with under Part 2 of RIPA). The interception of communications is

regulated by the Interception of Communications Commissioner's Office (IOCCO).

3.35. The IOCCO reports on a calendar year. During 2013, the Council had:

- 0 notices requiring disclosure of communications data (compared with 0 the previous year);
- 25 authorisations to acquire communications data (compared with 23 the previous year);
- 0 applications submitted to a designated person for decision which were rejected.

3.36. All of the Council's authorisations were processed by the National Anti-Fraud Network (NAFN) as the Council's single point of contact, as has been the case since January 2011. All of the Council's authorisations were subsequently approved by the Council's designated person (who is also the Council's authorising officer for covert surveillance). In each case the applications were for subscriber records.

3.37. **Inspections in 2013/2014**

3.38. The Council was inspected by the Office of Surveillance Commissioners (**OSC**) on 16 May 2013. The report of the inspection was provided to the Committee at its meeting on 24 October 2013.

3.39. Overall, the inspector found that measures put in place in 2011 had delivered exemplary standards of compliance in all areas the subject of OSC scrutiny. The inspector specifically noted –

- A comprehensive guidance and procedural manual, with clearly defined roles.
- Strict oversight controls by the authorising officer.
- Regular partnership meetings at which RIPA is a standing item.
- Regular reporting to the Standards Committee.
- A policy for securing technical equipment.
- An effective training strategy.
- A central record compliant with codes of practice.
- An exemplary standard of application and authorisation.

3.40. The inspector made some recommendations for further improvement, which were reported to the Committee and have subsequently been addressed.

3.41. The Council was not inspected by the IOCCO in 2013/2014 and we have no report of NAFN having been inspected. We were notified that NAFN was to be inspected from 7 to 9 July 2014 and this may be reported to the Committee in due course.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 This is a report of the Council's use of the Regulation of Investigatory Powers Act 2000 ("RIPA") to the Standards Committee. There are no financial implications arising from the recommendations in this report.

5. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 5.1. Legal implications are addressed in the body of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. Enforcement action that complies with the five principles expressed in the Council's enforcement policy should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.
- 6.2. The enforcement policy should enhance Council efforts to align its enforcement action with its overall objectives disclosed in the Community Plan and other key documents such as the local area agreement and the Local Development Framework. For example, one of the key Community Plan themes is A Great Place to Live. Within this theme there are objectives such as reducing graffiti and litter. The enforcement policy makes clear the need to target enforcement action towards such perceived problems. At the same time, the enforcement policy should discourage enforcement action that is inconsistent with the Council's objectives.
- 6.3. Enforcement action may lead to indirect discrimination in limited circumstances, but this will be justified where the action is necessary and proportionate. Necessity and proportionality are key considerations in respect of every application for authorisation under RIPA.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1. The enforcement policy seeks to target the Council's enforcement action in accordance with the Community Plan. The Community Plan contains the Council's sustainable community strategy for promoting or improving the economic, social and environmental well-being of Tower Hamlets and contributing to the achievement of sustainable development in the United Kingdom. To the extent that the enforcement policy aligns enforcement action with the Community Plan it will tend to promote sustainable action for a greener environment.

8. **RISK MANAGEMENT IMPLICATIONS**

8.1. Enforcement action carries with it a variety of inherent risks, including the potential for allegations of over- or under-enforcement, discrimination, adverse costs orders and damage to the Council's reputation. It is considered that proper adherence to RIPA, the codes of practice, the Council's policies and guidance will ensure that risks are properly managed. Oversight by the Standards Committee should also provide a useful check that risks are being appropriately managed.

9. **EFFICIENCY STATEMENT**

9.1. The report does not propose any direct expenditure. Rather, it is concerned with regularising decision-making in areas in which the Council is already active. The enforcement policy seeks to ensure that enforcement action is targeted to the Council's policy objectives. This is more likely to lead to efficient enforcement action than a less-controlled enforcement effort. It is also proposed that members will have an oversight role through the Standards Committee. This will provide an opportunity to judge whether the Council's enforcement action is being conducted efficiently.

10. **APPENDICES**

None

**Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report**

| Brief description of "back ground papers" | Name and telephone number of holder and address where open to inspection. |
|---|---|
|---|---|

None

N/A

This page is intentionally left blank

Agenda Item 3.4

| | | | | |
|--|---------------------------------|---|-------------------|---------------------|
| Committee: Standards (Advisory) Committee | Date: 21 October 2014 | Classification: Unrestricted | Report No: | Agenda Item: |
| Report of: Service Head, Democratic Services Originating officer(s) Matthew Mannion, Committee Services Manager and Beverley McKenzie, Members Support Manager | | Title: Update on the Democracy and Governance Webpages and related technology Wards Affected: All Wards | | |

1. **SUMMARY**

- 1.1 In advance of the Standards (Advisory) Committee meeting held on 8 September 2014, there were some questions asked by Members of the Committee in respect of the information displayed on the Council's website about Councillors and Decision Making in general.
- 1.2 A background note was provided to Members for that meeting setting out a little more detail about the website, recent developments and possible future plans. The briefing note suggested that a full report be prepared for a future meeting to aid a general discussion as to what Committee Members would like to see and to offer guidance on the future direction of this specific part of the website site.
- 1.3 This report is the response to that request. As well as looking at the website, the report also takes the opportunity to update the Committee on other related potential development areas to allow Members to feedback on those as well.
- 1.4 The Standards (Advisory) Committee's Terms of Reference provide for the Committee to consider matters relating to the Ethical Governance arrangements of the Council and Members are requested to consider this report in the light of those responsibilities.

2. **RECOMMENDATIONS**

The Standards (Advisory) Committee is recommended:-

- 2.1 To note the report.
- 2.2 To feedback any comments on the existing website and on future development priorities.

3. BACKGROUND

- 3.1 The provision of information about any Council's decision making and governance is a key factor in ensuring democratic oversight by both Councillors and members of the public.
- 3.2 All councils are required as a minimum to provide basic governance information on their websites such as the Constitution, committee details (such as agendas, minutes and reports) and Member information. However, officers have been working to develop the site well beyond the bare minimum required. This report will set out what has happened in the last couple of years and suggest potential areas of development for the future.
- 3.2 Democratic Services make use of a software system called Modern.gov to prepare and publish the above information. Most potential future development work is focussed on this system and related section of the Tower Hamlets website, however, there are links to the rest of the site as well. The Modern.gov section of the website is available through the 'Council and Democracy' links on the front page, or directly by typing in www.towerhamlets.gov.uk/committee.

4. BODY OF REPORT

Recent Changes

- 4.1 Over the last couple of years officers have worked on a number of different projects to improve the information available to the public and the ways in which it is presented. For example,

Merging Councillor databases (and web pages)

- 4.2 Previous to the May 2014 elections, information about Members was held in two separate databases. One held contact details, surgery information, timesheets, registers of interest and similar whilst the other (modern.gov) held information relating to Committees such as their attendance and decisions made. Officers took advantage of the opportunity arising from the elections and the need to enter a whole new set of information to merge all Member information into the Modern.gov system. This has allowed us to archive one set of Member web pages and so the modern.gov pages now hold all information about Members, including:
- Name, picture, party, ward
 - Contract information and surgery details
 - Committee and Outside body memberships
 - Registers of Interest and Declarations at Meetings
 - Attendance at meetings, timesheets
 - Election Results

- 4.3 The original database will be held in an archive accessible by officers for a period of time yet to be determined.
- 4.4 The move to the new system has gone smoothly in general with the new web pages launching quickly after the election and then gradually being populated with more information as it came in. However, there have been two issues that officers have tackled. The first issue is the search tool on the website which still has a habit of directing visitors to the old pages, the web team are looking to fix this.
- 4.5 The second problem has been with the public version of the timesheets page. It is unusual for a Council to have Councillor timesheets and so our software supplier has had to build this module from scratch specifically for Tower Hamlets. Most of the early development was successful but unfortunately there have been problems with the public pages. This took much longer to solve than had been expected but it has now been fixed.
- 4.6 It is important to note that, although a new system is being used to hold a lot of the information about Members, and officers have had to learn how to operate this system, there have, to date, been no changes to how Members are expected to report relevant information. For example, paper-based Register of Interest and Timesheet forms, in the same format as used before the elections, are the way Democratic Services expect Members to report those sets of information. In addition, as part of the induction process, timesheet forms were provided to Members and officers from Member Support were available to answer questions on how to fill them in.
- 4.7 Therefore, the changes made should have had no impact on Members as yet. However, as set out later on in the report, the new system does offer the ability for members to submit certain information directly via the intranet and this is a likely future development.

Improving the website and decision making information

- 4.8 Efforts have been made to improve the democracy web pages and the guidance to the public on how decisions are made. Work undertaken includes:
- Revamping the 'Committee and Members' website page to better set out the information available.
 - Moving the Forward Plan, Election Results and Constitution from other parts of the website.
 - New web guides including a summary of decision making and a structure chart of committees.
 - New public information sheets in the agendas for the main Council committees. These include general access and attendance information as well as, where relevant, guides on how to speak/take part in the meeting.

Mod.Gov App

- 4.9 Democratic Services have taken advantage of the 'Mod.Gov' app to allow access to public committee papers (agenda, reports, minutes) for anyone who is interested. The constitution is also now available on the app. The app is available for Apple tablets and all Android devices (including Kindle tablets) and is free to all users. A Windows version is in development.

Webcasting

- 4.10 Following the request of Members, Democratic Services have introduced the webcasting of Council and Cabinet meetings via a pilot programme. The webcasts are available through a link from the Democratic Services web pages. As well as being viewable, the webcasts allow viewers to link individual speaker points during the film to their social media accounts, email etc. Should it be decided to formalise the webcasting arrangements, further work can be undertaken to integrate the films into the website.

Current and Future Developments

- 4.11 The above sets out recent developments, the following paragraphs look at a number of potential areas of development and officers would welcome the Committee's input into where its focus should now be.

Member Self Service and Member Web Information

- 4.12 Now that all Councillor information is contained within one system, focus can turn to potential improvements. Particular issues to consider could be:
- Member Self Service – to what extent can Members submit/change details automatically themselves.
 - How should information be displayed on the Councillor's own page on the site and what should be prioritised/highlighted.
 - What is not there that should be (e.g. other contact details such as Twitter, or Expenses information, training details etc).
 - How can Councillor information, especially new/changed information best be highlighted, including on the Democracy home page.
- 4.13 Member Self Service - Modern.gov allows individual users access to edit some of their information via the intranet. For Councillors this means, for example, that they can input their own register of interest changes, timesheets and even decide what contact details are visible on the website. This could be more efficient and free up officer time but does assume that Councillors will not have questions about what they need to include and that they will be comfortable using computers to enter the information themselves.

- 4.14 Currently, officers are working to fix some initial issues with the Timesheets module and after that can look to roll-out self-service options to Members. Members will also be able to submit Register of Interest changes themselves and officers will explore whether any other information sets can also be included.

Highlighting change/what's new/what's important

- 4.15 The website contains a lot of information about the decisions being taken at the Council and if you are looking for something specific (e.g. the next Cabinet agenda) then hopefully it is easy enough to find. However, the web pages are quite static so beyond the basic 'what's new' feed there isn't much indication of new items.
- 4.16 For example, two new tools that have just become available to the system are a 'share' button to link to social media and a 'This Matters' button that allows registered users to indicate their interest in a particular item. In particular the 'This Matters' button could be used to track and highlight items of 'interest'.

Reaching out to communities

- 4.17 A potential approach to Different members of the public obviously have different levels of knowledge about the Council and its activities/decision making. It would be useful to be able to visit community groups and provide them with information on how democratic governance works and how they can get involved and try and collect feedback on how they would like our information presented to them. Democratic Services don't have any particular contacts of our own but we are exploring ideas such as making use of Community Champions/Ward Forums or writing to schools and colleges.

Social Media

- 4.18 The general public increasingly conduct their day to day communications via online tools. This particularly applies to younger people who are often harder to reach from a democratic point of view. Democratic Services have begun tentative discussions with related areas such as Scrutiny and Elections as well as Communications about what could be done to utilise social media to raise awareness about governance and democracy but no decisions have been reached.

Apps/paperless meetings

- 4.19 A number of Councils (such as the London Borough of Brent) have used the Mod.Gov app to deliver paperless meetings whereby all officers and Members attending the meeting have a tablet computer and read/edit the agenda from

that. This system provides quicker and more efficient agenda distribution but it does require Members and officers to be comfortable using tablet computers.

- 4.20 Officers are monitoring the success of this idea at other councils and when the Department for Communities and Local Government enact their draft regulations to clarify the existing rules, it is proposed to offer this facility to Members who have expressed an interest.

Officer decisions

- 4.21 A new feature that is being developed at the moment is the ability for officers to publish decisions taken by them under delegated authority. This is in the early stages of development but it is hoped that this tool will provide an easy way of increasing the oversight and transparency of Council decision making.

Publicity

- 4.22 Democratic Services do not have budgets for publicity, however there are ways that we try and make people aware of the information that is available. For example, the front pages of printed Committee agendas provide details of the web pages (and a QR code to access electronic papers). In addition, the team took advantage of Local Democracy Week (13 – 17 October) to run an information stand in reception at the Town Hall.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 5.1 The cost of the website is met through the central communications and ICT budgets whilst the cost of the Modern.gov software is covered through a contract managed via ICT/Agilisys. Webcasting is currently covered by a specific budget allocated for that task.
- 5.2 No further expenditure is proposed as a result of this report and any identified projects would have to be developed using existing resources.

6. LEGAL COMMENTS

- 6.1 The Council currently complies with statutory publication requirements *such as those relating to public access to Council/Committee meetings, agenda, minutes and reports. This report identifies a number of areas where the Council is seeking to improve upon current arrangements and ensure best practice and transparency. As identified in the report it is essential that as the developments are taken forward due regard is given to the corresponding statutory requirements relating to data protection and confidentiality.*
- 6.2 When deciding whether or not to proceed with any of the proposed development the Council must have also have due regard to the need to

eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristics and those who do not (the public sector duty). Some form of equality analysis will be required which is proportionate to proposed projects and their potential impacts

7. ONE TOWER HAMLETS CONSIDERATIONS

- 7.1 Providing clear and accessible information about the democratic decision making processes at the Council helps to engage with all Members of society.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 None significant impacts are related to this specific report, however, moves towards the adoption of paperless meetings does have the potential to significantly reduce the use of paper.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Most of the above listed projects should reduce the risk to the Council. Providing transparent information about decision making increases the ability of the public to hold the Council to account for its decisions and to highlight areas of concern. However, any move towards new technologies such as tablet apps and web tools does have to ensure it will not result in the accidental publication of confidential information such as exempt reports, personal data and similar. Certain project may therefore require their own risk analysis.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 None related to this report.

11. EFFICIENCY STATEMENT

- 11.1 The projects listed are not in the main focussed on efficiency. However there are some small potential efficiency gains from some of them. For example, if Councillors become more self-sufficient in submitting information about themselves then less officer time is required to support that process. Equally, paperless meetings have the potential to be more efficient as papers can be distributed more quickly and officers will not need to collate, print and distribute paper copies.

List of “Background Papers” used in the preparation of this report

Brief description of “background papers” Name and telephone number of holder
and address where open to inspection.

To be completed by author

To be completed by author ext. xxx

None

N/A

12. APPENDICES

None

Agenda Item 3.5

| | | | | |
|--|---------------------------------|--|-------------------|---------------------|
| Committee: Standards (Advisory) Committee | Date: 21 October 2014 | Classification: Unrestricted | Report No: | Agenda Item: |
| Report of: Service Head, Democratic Services Originating officer(s) Beverley McKenzie, Members Support Manager | | Title: Members' Induction 2014 Wards Affected: All Wards | | |

1. SUMMARY

- 1.1. At the Standards Advisory Committee meeting on 8th September 2014, there was some discussion in respect of the Member's Induction process and concerns were expressed regarding new Members and the Members Enquiry process and engaging with the Council and its processes generally.
- 1.2. This report is the response to that discussion. As well as looking at the Members Induction programme, it will consider the responses to that and the further action that is being undertaken with regards to Members Learning and Development.
- 1.3. The Standards (Advisory) Committee's Terms of Reference provide for the Committee to promote and maintain high standards of conduct by the Mayor, Members of the Council and where the Committee considers that there may be issues of concern that these be reported on.

2. RECOMMENDATIONS

The Standards (Advisory) Committee is recommended:-

2.1. To note the report

2.2. To feedback any comments on the future learning and development programme

3. BACKGROUND

- 3.1. Councillors are elected to represent the borough as a whole with a special duty to their own ward. They may be required to act in a variety of roles, such as:
 - 3.1.1. Ward Role – represent their ward and respond to individual enquiries and representations
 - 3.1.2. Community Role – represent the borough as a whole and bring the views of the community to the Council’s decision making process
 - 3.1.3. Executive role – to serve as a member of the cabinet
 - 3.1.4. Decision Making – to take decisions in relation to council services at Full Council and on Council Committees
 - 3.1.5. Scrutiny and Review – to scrutinize decisions and support the development of new The policies as part of the council’s scrutiny function
 - 3.1.6. Representative role – to represent the council on other bodies such as outside bodies.

- 3.2. The Members Induction Programme was developed to ensure that all members were equipped to fulfil the functions required of them in the various roles. Consideration was giving to achieving a balance of induction activities, to achieve the delivery of essential activities as early as possible, but yet not overwhelm the Members with too many events scheduled night after night.

- 3.3. The Members’ Induction Programme was developed with consideration of previous feedback and divided into two phases. The first phase included all the necessary induction events to enable the Member to be equipped to respond to requests from their community and have a broad understanding of the functions of the Council and their own role within this. Specific training was also to be provided to members of certain Committees, to ensure that they would be able to immediately function in their appointed role. It was agreed that the first phase of the Induction programme would be conducted over the six week period following the election (i.e. prior to Ramadan and the Summer Recess, where possible).

- 3.4. The second phase would include overview training to equip the Members with a better understanding of the Council, and their roles. This phase would comprise of mostly topical seminars and would be conducted starting in the autumn.

- 3.5. The Member’s Induction Programme, including the Member’s ICT provision, was reviewed by the Corporate Management Team in February 2014. An update to this was provided in April 2014 and the plan was agreed for implementation.

3.6. In relation to Ethics and Standards, a dedicated seminar was held on 4th June 2014 for all members as part of the Induction process.

4. MEMBERS' INDUCTION – THE IMPLEMENTATION

- 4.1. The Induction programme was implemented according to the schedule. Appendix A details the various induction activities, including the dates of events and topics covered.
- 4.2. Responsibility for various sessions were delegated to the responsible Officers for the subject matter.
- 4.3. A record was kept of the Members attendance at the various induction events/members' seminars and this has been included in Appendix B.

5. ADDITIONAL RESOURCES

- 5.1. All Councillors were invited to attend an open afternoon with the staff of the Councillor Support Team. At that session, they were provided with 1:1 support to assist in completing the necessary paperwork, discuss surgery arrangements, complete parking applications, discuss timesheets, obtain an Identification Card, and have their photo taken for the Website and East End Life.
- 5.2. All Members were provided with the Guide for Elected Members either at the Getting (re-) Started Session with the Head of Paid Service or personally distributed following that session. This guide provides the Members with reference material in response to many of their questions.
- 5.3. Members were provided with VDI tokens to enable the remote access to the Council servers. At the Information Governance/ICT session, members were able to see the various laptops that could be made available to them, and make their selections. Unfortunately, due to ICT constraints, we were not able to deliver these laptops to the members until early September. However, with the VDI tokens, most members were able to use other internet facilities to access their accounts. Members were also provided the opportunity to enrol for DME – the council's provision of e-mail and diary, from iPhone and android devices.
- 5.4. At the Information Governance/ICT session – a portion of the session was dedicated to Members' enquiries. This provided the members with an overview of the Members' enquiries system, as well as discussion on 'how to' raise Members' enquiries. Members' were also provided with forms that they could take with them to assist them in recording the required information regarding their Constituent's concerns.
- 5.5. Members were shown the Members' Intranet at the ICT session. This provides a resource to the Members regarding the various activities.

Additionally, the presentations from the various Members' Seminars have been made available to all Members on the Members' intranet.

6. EVALUATION OF MEMBERS' INDUCTION PROGRAMME

- 6.1. In order to ensure that evaluation of the induction programme was complete, a decision was made to obtain the formal evaluation of the Members' induction in the autumn. This evaluation would also provide the opportunity for Members to identify further areas that they would assist them in their roles.
- 6.2. In light of the delay of formal evaluation of the Induction programme, informal discussions were held with various members following the various events, to validate the immediate effectiveness of the approach. The informal discussions reflected complete satisfaction by all Members with the induction sessions.
- 6.3. Formal evaluation forms were sent to all Members on the 26th September 2014. At the time of writing, only five of the 45 Members have responded to the evaluation request. It is recognised that the response is too low to measure the effectiveness of the programme, however, it is noted that the Members that responded expressed complete satisfaction with the training that was provided. The evaluation questionnaire requested information on every session that was made available and asked about the information provided, as well as the quality of presentation. The responses were to be on a scale of 1-7 (1=poor, 7=excellent). The scores given were mostly sixes, however the lowest score given was a four – and that was noted on two items, namely the effectiveness of the Members' Bulletin and the issuance of the VDI token and/or laptop.
- 6.4. A further update will be provided at the Standards Advisory Committee meeting on any additional evaluation forms returned.

7. FUTURE ACTIVITIES

- 7.1. Members' seminars continue to be arranged for all Members to ensure that they are aware of the various services within the Council.
- 7.2. The further seminar topic schedule will be established based upon the requests of the Members (in response to the Induction Evaluation). Additionally Service Heads will continue to be encouraged to promote significant changes to Members via Members' Seminars.

8. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 8.1. When possible, Council Officers have been used to deliver the Members' Induction programme. However, in some cases, external providers were used, with costs being met through the Members' Support budget.

8.2. Any further expenditure proposed as a result of the further activities or as a result of this report would have to be met within the existing resources.

9. LEGAL COMMENTS

9.1 This report informs the Committee about current arrangements for the Members' Induction process. The Induction includes mandatory training in areas such as licensing and planning where Councillors are discharging quasi-judicial functions and are required to complete the training before taking part in any decision making.

10. ONE TOWER HAMLETS CONSIDERATIONS

10.1. The Members Induction programme was developed to enable the Members to be equipped to fulfil their representative role to the whole of the borough.

11. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

11.1. No significant impacts are related to this specific report.

12. RISK MANAGEMENT IMPLICATIONS

12.1. The Members Induction programme was developed to reduce the risk to the Council and ensure that every Member was fully equipped to function in their various roles. Knowledge and references were provided to the Members to mitigate against any potential issues that might arise as a result of a newly elected Member not being familiar with the Council and its practices.

13. CRIME AND DISORDER REDUCTION IMPLICATIONS

13.1. None related to this report.

14. EFFICIENCY STATEMENT

14.1. In developing the Members Induction programme consideration was given to ensuring efficient use of Members' and Officers' time, and where practical topics were combined. The 1:1 sessions were developed to be an efficient manner of processing the vast amount of information that was required to be shared/exchanged with the newly elected Member.

Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report

| Brief description of "background papers" | Name and telephone number of holder and address where open to inspection. |
|--|---|
| CMT Members' Induction (Feb. 2014) | Beverley McKenzie, x 4872 |
| CMT Members' ICT (Feb. 2014) | Beverley McKenzie, x 4872 |

15. APPENDICES

- 15.1. Appendix A – Member Induction Programme, approved by CMT
- 15.2. Appendix B – Members attendance at Induction Events

| Induction Learning Framework | | | | | | |
|---|-----------|---|-------------------------------------|--|--------------------------------------|---------------------------|
| Date | Module | Session topic and content | Type of Session | Activity Includes Directorates to confirm content... | Attendance | Suggested Responsibility |
| Phase 1 – May to June 2014 | | | | | | |
| | | Signing of Acceptance of Office done at count or with HoPS in w/b 26.5.14 | | Constitutional Responsibilities | Mandatory | |
| Weds, 28 May 2014 - 2-6 pm | 1a | Open Afternoon – Support to Members | Drop-in session | <ul style="list-style-type: none"> • Signing of the register (if not done at count) • Completion of declaration of interests, payroll enrolment, photographs, website information, ID cards, ICT Code of conduct, ... • Meeting the CST • Intro to casework, managing members' enquiries and complaints protocol • Ordering IT kit? • Members' Surgery – personal discussion re venues and personal safety | Mandatory for all NEW members | Members' Support |
| Weds, 28 May 2014 6:30- 8:30 pm | 1b | Setting the Scene at Tower Hamlets -Meeting the CMT -Monitoring Officer key messages Directorate Highlights- role, achievements, challenges & priorities Directorate showcases exhibitions | Presentation / open evenings | <ul style="list-style-type: none"> • Elected Members and the Community Leadership role. • Core Values, priorities and the story of Tower Hamlets • Member behaviour – intro (more detail at ethics session) • Decision making and the Council calendar – Local Government/Council Governance arrangements, i.e. Executive/Non-Executive split & respective responsibilities, the elected Mayoral system • How the council works (not in detail), its functions and those of other agencies (PCT, Home Office etc) • Successes, challenges and the financial outlook • Powers and vires • Key contact numbers for priority service areas (e.g. Streetline, Homelessness, Noise Nuisance etc) and coping strategies for urgent cases | Mandatory for all members | CMT / Directorates |

| Induction Learning Framework | | | | | | |
|---|--------|---|--|--|----------------------------------|--|
| Date | Module | Session topic and content | Type of Session | Activity Includes <i>Directorates to confirm content...</i> | Attendance | Suggested Responsibility |
| Weds, 28 May 2014 - 8:00 to 9:00 pm | | Welcome Reception | Drop-in | <ul style="list-style-type: none"> Informal networking opportunity with Corporate Directors and Service Heads. | Members encouraged | Members' Support to coordinate CMT / Directorate Service Heads to attend |
| Tues, 3 rd June <i>or</i> Thurs 5 th June 6-8 pm | 2a | ICT Training and pick up <i>(assuming there will be an ICT issue – TBC)</i> | Interactive | <ul style="list-style-type: none"> Issuing equipment ICT Security and internet policies Use of Council E-mail address and systems Bespoke training depending on ability/knowledge Intro to VDI Intro to paperless meetings how to get 'help' | Mandatory for all members | Members' Support ICT Democratic Services |
| | 2b | Casework <i>(assuming implementation of Members portal – TBC)</i> | Interactive workshop (IT hands-on if possible) | <ul style="list-style-type: none"> Information Security Members' Rights to information/"need to know" and responsibilities re confidentiality Overview of Access to Information, Data Protection Act, Freedom of Information Act A session to introduce and guide Members through the casework management system for member's enquiries and demonstrate the Members portal. | Recommended for all Members | Members' Support Information Governance |
| Weds, 4 th June 2014 6 to 6:45 pm | 3a | Media Awareness and Communications | Workshop | <p>This session will inform members about the role of the media in local government and how councillors can deal with the local press and Tower Hamlets' communications and press office. It will also provide guidance on how we communicate with different communities in Tower Hamlets.</p> <p>It would cover</p> <ul style="list-style-type: none"> Role of media in local government How to respond to requests from the press The role of communications and the press office in Tower Hamlets East End Life and Communicating with Tower Hamlets' communities | Recommended for all Members | Communications |

| Induction Learning Framework | | | | | | |
|---|--------|--|-----------------|---|--|--|
| Date | Module | Session topic and content | Type of Session | Activity Includes <i>Directorates to confirm content...</i> | Attendance | Suggested Responsibility |
| | | | | <ul style="list-style-type: none"> How Tower Hamlets' corporate communications can help you in your role Questions and answers | | |
| Weds, 4 th June 2014 7-9 pm | 3b | Ethics and Standards | Seminar | <p>This practical and interactive session introduces councillors to the Tower Hamlets code of conduct that guides and protects Councillors in their role</p> <p>It would cover</p> <ul style="list-style-type: none"> Legal context & ethical framework Introduction to the Constitution and Code of Conduct/Member conduct, corporate responsibility/risk management/Member Officer Protocol The role of standards advisory committee and the impact on members Personal and Prejudicial Interests Complaints and Investigations Role of representatives on outside organisations Procurement (code of conduct issues) Working effectively with officers | Mandatory for all members | <p>Legal Services / Democratic Services</p> <ul style="list-style-type: none"> Presented by Mark Norman and John S Williams |
| Weds, 18 th June 2014 | | Scrutiny | Workshop | <p>In addition to the more technical aspects of the function, this session will cover the growing importance and impact scrutiny has and will continue to have beyond the town hall and on communities and services as a whole.</p> <p>It would cover</p> <ul style="list-style-type: none"> The role of scrutiny, arrangements at LBTH, skills, etc. What is scrutiny and how it works in Tower Hamlets -An opportunity for members to raise possible areas for scrutiny for inclusion in 2013/14 work programmes. | Mandatory for all O&S Members Recommended for all Members | Overview & Scrutiny Team Louise Russell |
| Tues, 17 th | | Development / Strategic Development | Seminar | <ul style="list-style-type: none"> Planning: Principles and best practice; Code of Conduct; | Mandatory for all Members of Planning | Committee Services |

| Induction Learning Framework | | | | | | |
|--|--------|-----------------------------------|----------------------|--|---|--|
| Date | Module | Session topic and content | Type of Session | Activity Includes Directorates to confirm content... | Attendance | Suggested Responsibility |
| June and Thurs, 19 th June 2014 | | Committee | | <ul style="list-style-type: none"> • probity | Committee | Matthew Mannion/ Zoe Folley |
| Tues, 15 th July 2014 | | Licensing Committee | Seminar | <ul style="list-style-type: none"> • Licensing best practice and Code of Conduct • The licensing act • The gambling act • Licensing hearings | Mandatory for all members of the Licensing Committee | Committee Services Matthew Mannion/ Simmi Yesmin |
| Mon., 16 th June 2014 / 24 th Sept. 2014 | | Appeals & Appointments | Seminar | <ul style="list-style-type: none"> • how appointments work in Tower Hamlets • Legislation and regulations that govern appointments and terminations | Mandatory for all Members of the Appeals Committee and Appointments Sub-Committee | Resources / Committee Services Matthew Mannion |
| Tues, 29 th July 2014 | | Chairing Skills | Interactive workshop | <p>This session is for those members who are going to be chairing meetings. It will be run by an <i>external provider with a history of working with councillors.</i></p> <p>It would cover</p> <ul style="list-style-type: none"> • Why effective chairing is important • In-between meetings – the bigger picture • The key roles of the chair • Creating a presence in the room • Handling conflict • Effective communication | Mandatory for all Committee Chairs | To be confirmed (Committee Services?) ***External provider *** Presented by Elder Training |

| Phase 2 – June to December 2014 | | | | | | |
|-------------------------------------|--|--|---------|--|----------------------------------|---|
| Tues, 7th Oct. 2014 | | Risk, Control and Governance | Seminar | <p>This session will provide an overview of the mechanisms in place to support and monitor good governance at Tower Hamlets and how councillors could interact with these. It also covers how to mitigate risk and key role audit plays in the council.</p> <p>It would cover:</p> <ul style="list-style-type: none"> • Governance framework • Risk management and Tower Hamlets • Techniques • Implications • Internal audit • Anti-fraud • Whistleblowing • Role of the Audit Commission | Mandatory for all Members | <p>Risk Management / Legal Services</p> <p>Minesh Jani David Galpin Meic Sullivan-Gould</p> |
| To be confirmed | | Promoting Equality & Diversity | Seminar | <p>These sessions will inform members about the Council's Equality and Diversity Strategy and our statutory requirements. It will cover the many equality and diversity issues you will face being a councillor, equipping you for some of the most contentious issues.</p> <p>It would cover</p> <ul style="list-style-type: none"> • An understanding of the statutory requirement to carry out • Race Equality Impact Assessments (REIA) • The ability to follow the LBTH Equality Impact Assessment process • The single equalities scheme • An understanding of the links between EIA impact assessment and other performance based work in the authority • An awareness of the wider diversity agenda in the borough • Arranging alternative languages assistance | Mandatory for All Members | <p>One Tower Hamlets</p> <p>Louise Russell / Fran Jones</p> |
| Thurs, 2 nd Oct. 2014 | | Safeguarding children and vulnerable adults | Seminar | <ul style="list-style-type: none"> • Corporate Parenting • Child protection • Children and adults safeguarding issues | Mandatory for all Members | <p>ESCW</p> <p>Robert McCulloch-</p> |

Appendix A

| | | | | | | |
|--|--|---|--------------------------------|--|--|-------------------------|
| | | | | | | Graham |
| Schedule d for 23 rd Sept. - cancelled | | Public Health | Seminar | | Recommended | Anna Wilson |
| ongoing | | On-going Members Seminars | | Schedule to be confirmed based upon Council priorities and results of learning needs analysis. | | |
| ongoing | | Officer Buddy Programme | One to one sessions | Every newly elected member can request to have an internal officer buddy from an experienced officer within democratic services. This will provide a contact for members, over and above the group office support, to assist and signpost with general member queries. | Recommended for all NEW Members | Members' Support |
| ongoing | | Individual Development Plans | One to one sessions | We are looking to establish a system whereby every member can request to have an Individual Development Plan. This will allow members to highlight their areas of expertise, indicate where they would like further training and experience, monitor progress and longer term have an evidence base of work undertaken, which can be used to communicate with residents. | Recommended for All Members | Members' Support |
| ongoing | | Your (Members') request | Everything | This programme is designed to help you be a more effective councillor, which in the long term will hopefully save you your valuable time. Other events will be organised over the coming months and years and we will keep you up to date. Although the mass of information can feel overwhelming for new members, and straightforward for those returning, there may be areas which you would want to learn more about or go back to, or some key areas you believe has been omitted. If you think training or briefing on a certain area of council work, or just some clarification with the relevant officer would help, please don't hesitate to get in touch. It's your council, and your opportunity to get the most out of it. If you wish to request further training, please get | Recommended for All Members | Members' Support |

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | in contact with Beverley McKenzie, Members' Support Manager. | | |
|--|--|--|--|--|--|--|

This page is intentionally left blank

Members' Seminars - Attendance - Appendix B

| Group | Firstname | Surname | Open Day 28th May 2014 | Information Governance & ICT 3rd & 5th June | Media Awareness & Communications Ethics & Standards 4th June | Appeals Committee Training Mon 16th June | Planning Committee Training - Tues 17th June & Thurs 19th June | Scrutiny (Mandatory for O&S Members) Wed 18th June | Licensing best practice & Code of Conduct Tues 15th Jul | Chairmanship Skills 29th Jul 14 | Audit Training 16th Sept 14 | Allocating Social Housing - the Council's Allocations scheme 18 Sept 14 | Public Health Tues 23rd Sept 14 CANCELLED | Appeals Training 24th Sept 14 | Safeguarding Children 2nd Oct 14 | Risk Management & Anti-Fraud Tues 7th Oct 14 | Care Act 28th Oct 12th Nov 9th Dec | | |
|--------|--------------------|------------|---------------------------|---|--|---|---|--|---|------------------------------------|--------------------------------|---|---|----------------------------------|--|---|---|--|--|
| Labour | Amina Ali | Ali | Y | Y 3rd June | Y only Media Awareness & | | 1 15th Jul 14 | | 1 | 1 | 1 | Yes no show | | | Yes no show | Yes apols couldn't | | | |
| Labour | Asma Begum | Begum | Y | Y 3rd June | Y only Ethics & Standards | 1 | 1 (17th June) | 1 | | 1 | | Apols | | 1 | apols | N/R | | | |
| Labour | Rachael Blake | Blake | Y | | | | | | 1 | | | Apols | | | apols | apols another mtg | | | |
| Labour | Dave Chesterton | Chesterton | n/a | n/a | n/a | n/a | n/a | n/a | | | | | | 1 | Yes | 1 | | | |
| Labour | Andrew Cregan | Cregan | Y | Y 3rd June | Y only | | 1 (17th June) | | 1 | | | N/R | | | N/R | N/R | | | |
| Labour | Ayas Miah | Miah | Y | Y 3rd June | Y only Media Awareness & Comm | | | | | | | Apols | | | apols | N/R | | | |
| Labour | Danny Hassell | Hassell | Y | Y 3rd June | Y only Ethics & Standards | | 1 17th June) | | | 1 | | 1 | | | apols | apols another mtg | | | |
| Labour | Clare Harrison | Harrison | Y | Y 5th June | Y only Ethics & Standards | | | | 1 | | 1 | No replay | | | apols | apols another mtg | | | |
| Labour | Candida Ronald | Ronald | n/a | n/a | n/a | n/a | n/a | | | | 1 | | | | Yes no show | | | | |
| labour | Rachel Saunders | Saunders | Y | | Y only Ethics & Standards | | | | | | | N/R | | | Yes | N/R | | | |
| Labour | Helal Uddin | Uddin | Y | Y 5th June | Y only Media Awareness & Comm | 1 | | | apologies | | | Apols | | 1 | N/R | 1 | | | |
| Labour | Khales Uddin Ahmed | Ahmed | Y | Y 3rd June | Y only Ethics & Standars | | | | 1 | | | maybe coming no show | | | N/R | Licensi ng Sub Cttee | | | |

Members' Seminars - Attendance - Appendix B

| Group | Firstname | Surname | Open Day 28th May 2014 | Information Governance & ICT 3rd & 5th June | Media Awareness & Communications Ethics & Standards 4th June | Appeals Committee Training Mon 16th June | Planning Committee Training - Tues 17th June & Thurs 19th June | Scrutiny (Mandatory for O&S Members) Wed 18th June | Licensing best practice & Code of Conduct Tues 15th Jul | Chairmanship Skills 29th Jul 14 | Audit Training 16th Sept 14 | Allocating Social Housing - the Council's Allocations scheme 18 Sept 14 | Public Health Tues 23rd Sept 14 CANCELLED | Appeals Training 24th Sept 14 | Safeguarding Children 2nd Oct 14 | Risk Management & Anti-Fraud Tues 7th Oct 14 | Care Act 28th Oct 12th Nov 9th Dec | | |
|--------------|------------------------|-----------------|---------------------------|---|--|---|---|--|---|------------------------------------|--------------------------------|---|---|----------------------------------|--|---|---|--|--|
| labour | Rajib Ahmed | Ahmed | Y | 5th June | Y only Media Awareness & Comm | | | | apologies | | | Yes no show | | | N/R | Licensi ng Sub Cttee | | | |
| Labour | David Edgar | Edgar | Y | Y 5th June | Y only Ethics & Standards | | | apologies | | | | Apols | | | apols | 1 | | | |
| labour | Marc Francis | Francis | Y | | | 1 | 1 25th Jul 4 | | | | | Apols | | 1 | apols | apols anothe r mtg | | | |
| labour | Sirajul Islam | Islam | | | Y only Ethics & Standards | | 1 (17th June) | | | 1 | | Plan to attend no show | | | N/R | N/R | | | |
| labour | Denise Jones | Jones | | Y 3rd June | | | | 1 | | | 1 | 1 | | | apols | N/R | | | |
| labour | Shiria Khatun | Khatun | Y | Y 3rd June | Y only Ethics & Standards | | 1 left early - 19th June | | | | | Apols | | | apols | apols anothe r mtg | | | |
| Labour | Mohammed Mukit, MBE | Mukit | Y | Y 3rd June | | | | | | | | No replay | | 1 | apols | apols anothe r mtg | | | |
| labour | Joshua Peck | Peck | | | | | | 1 | | | | Apols | | | N/R | N/R | | | |
| labour | John Pierce | Pierce | | | Y only Ethics & Standards | 1 | 1 SDC 25/9/14 | | | | | Apols | | 1 | N/R | N/R | | | |
| Labour | Amy Whitelock-Gibbs | Whitelock-Gibbs | Y | | | | 1 19 June 4 | | 1 | | | N/R | | | N/R | apols anothe r mtg | | | |
| | | | | | | | | | | | | | | | | | | | |
| Conservative | Craig Aston | Aston | Y | Y 3rd June | Y only Ethics & Standards | | | | | | | no replay | | | apols | N/R | | | |
| conservative | Peter Golds | Golds | Y | | | | | 1 | 1 | | | Yes left | | 1 | apols | apols | | | |
| Conservative | Julia Louise Dockerill | Dockerill | Y | Y 3rd June | Apols | | 1 (17th | | | | | apols | | | Yes | N/R | | | |

Members' Seminars - Attendance - Appendix B

| Group | Firstname | Surname | Open Day 28th May 2014 | Information Governance & ICT 3rd & 5th June | Media Awareness & Communications Ethics & Standards 4th June | Appeals Committee Training Mon 16th June | Planning Committee Training - Tues 17th June & Thurs 19th June | Scrutiny (Mandatory for O&S Members) Wed 18th June | Licensing best practice & Code of Conduct Tues 15th Jul | Chairmanship Skills 29th Jul 14 | Audit Training 16th Sept 14 | Allocating Social Housing - the Council's Allocations scheme 18 Sept 14 | Public Health Tues 23rd Sept 14 CANCELLED | Appeals Training 24th Sept 14 | Safeguarding Children 2nd Oct 14 | Risk Management & Anti-Fraud Tues 7th Oct 14 | Care Act 28th Oct 12th Nov 9th Dec | | |
|--------------|---------------------|-----------|---------------------------|---|--|---|---|--|---|------------------------------------|--------------------------------|---|---|----------------------------------|--|---|---|--|--|
| Conservative | Chris Chapman | Chapman | n/a | n/a | n/a | n/a | 1 (23rd Jul) | | | | | Try no show | | 1 | N/R | N/R | | | |
| Conservative | Andrew Wood | Wood | Y | Y 3rd June | Y - both | 1 | 1 (17th June) | 1 | | | | 1 | | | N/R | N/R | | | |
| | | | | | | | | | | | | | | | | | | | |
| THF | Suluk Ahmed | Ahmed | Y | | | | 1 (17th June) | 1 | 1 | | | N/R | | Yes left @7:35p | Yes | Yes left 7:35p | | | |
| THF | Mahbub Alam | Alam | Y | Y | | | 1 (17th June) | 1 | 1 | | | yes left @7:20 | | | N/R | Licensi ng | | | |
| THF | Shah Alam | Alam | Y | Y 5th June | Y only Media Awareness & Comm | | 1 19June1 4 | | apologies | | | 1 | | | Yes | 1 | | | |
| THF | Kibria Choudhury | Choudhury | Y | Y 3rd June | | | 1 (17th | | 1 | | | 1 | | | N/R | N/R | | | |
| THF | Mohammed Mufti Miah | Miah | Y | Y 5th June | Y only Ethics & Standards | | | | 1 | | | yes no show | | | Yes | apols anothe r mtg | | | |
| THF | Mohammed Mustaqim | Mustaqim | Y | Y - both | | 1 | 1 (17th | | 1 | | | Yes no show | | | Yes | 1 | | | |
| THF | Abjol Miah | Miah | Y | Y 3rd June | | 1 | | 1 | | | | Yes left @7:45 | | | N/R | Yes show | | | |
| THF | Harun Miah | Miah | | | | | | SDC 25/09/1 | | | | Apols | | | N/R | N/R | | | |
| THF | AM Ohid Ahmed | Ahmed | Y | | | | | | | | | N/R | | | N/R | N/R | | | |
| THF | M. Shahed Ali | Ali | Y | | Y only Ethics & Standards | | | | | | | yes no show | | | N/R | N/R | | | |
| THF | Abdul Asad | Asad | Y | Apols received on 5th June | Y only Media Awareness & Comm | | | | | | | N/R | | | apols | N/R | | | |
| THF | Alibor Choudhury | Choudhury | Y | | Y left @6:25pm | | | | | | | Apols | | | N/R | N/R | | | |

Members' Seminars - Attendance - Appendix B

| Group | Firstname | Surname | Open Day 28th May 2014 | Information Governance & ICT 3rd & 5th June | Media Awareness & Communications Ethics & Standards 4th June | Appeals Committee Training Mon 16th June | Planning Committee Training - Tues 17th June & Thurs 19th June | Scrutiny (Mandatory for O&S Members) Wed 18th June | Licensing best practice & Code of Conduct Tues 15th Jul | Chairmanship Skills 29th Jul 14 | Audit Training 16th Sept 14 | Allocating Social Housing - the Council's Allocations scheme 18 Sept 14 | Public Health Tues 23rd Sept 14 CANCELLED | Appeals Training 24th Sept 14 | Safeguarding Children 2nd Oct 14 | Risk Management & Anti-Fraud Tues 7th Oct 14 | Care Act 28th Oct 12th Nov 9th Dec | | |
|-------|----------------|---------|---------------------------|--|--|---|--|--|---|------------------------------------|--------------------------------|---|---|----------------------------------|--|---|---|--|--|
| THF | Shafiqul Haque | Haque | Y | | Y only Media Awareness & Comm | | | | | | | N/R | | | N/R | N/R | | | |
| THF | Aminur Khan | Khan | Y | Y left at 7:10pm | Y - both | | | | | | | N/R | | | apols | N/R | | | |
| THF | Rabina Khan | Khan | Y | | | | | | | | | N/R | | | N/R | N/R | | | |
| THF | Maium Miah | Miah | Y | Y left at 6:50pm | Y only Media Awareness & Comm | | 1 19June1 4 | 1 | | | | yes then apols | | | N/R | N/R | | | |
| THF | Oliur Rahman | Rahman | | | | | | | | | | N/R | | | N/R | N/R | | | |
| THF | Gulam Robbani | Robbani | Y | | | | | | | | | N/R | | | Yes | 1 | | | |
| THF | Lutfur Rahman | Rahman | | | | | | | | | | | | | | | | | |