

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS COMMITTEE

HELD AT 7.32 P.M. ON TUESDAY, 20 OCTOBER 2009

**M71, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Mr Patrick (Barry) O'Connor (Chair)

Mr Muhammad Habibur Rahman (Vice-Chair)
Mr Ibrahim Ali (Independent Member)
Ms. S. Bagum (Independent Member)
Ms Suzette Barry (Independent Member)
Mr R. Hopkins (Independent Member)
Mr Eric Pemberton (Independent Member)
Mr Matthew William Rowe (Independent Member)
Councillor Waiseul Islam
Councillor Azizur Rahman Khan
Councillor Salim Ullah

Officers Present:

Ruth Dowden – (Complaints Manager)
Isabella Freeman – (Assistant Chief Executive [Legal Services])
Minesh Jani – (Service Head, Risk Management)

Nadir Ahmed – (Trainee Committee Officer)
Louise Fleming – (Acting Executive Team Leader, Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dr Emma Jones, Peter Golds and Abdul Munim.

Apologies for lateness were also received from Councillor Waiseul Islam.

2. DECLARATIONS OF INTEREST

None received.

3. UNRESTRICTED MINUTES

RESOLVED

That the minutes of the meeting of the Standards Committee held on 14 July 2009 be agreed as a correct record and signed by the Chair.

4. DEPUTATIONS & PETITIONS

None received.

5. REPORTS FOR CONSIDERATION**5.1 Ethical Standards Questionnaire - Outcomes Report**

Isabella Freeman, Assistant Chief Executive [Legal Services] and Monitoring Officer, at the request of the Chair, in introducing the report summarised the salient points contained therein.

Ms Freeman reported that all Members had responded bar one, who was on long term sickness absence. Members who had not known, or had been unclear, about any aspects of the Ethical Standards would be contacted and offered clarification and further training.

In response to a question from the Chair, Ms Freeman clarified that the large number of Members who were unaware of the Whistleblowing Policy was probably due to Members' preference to use the Member Enquiry mechanism. Officers would contact those Members who had indicated that they were not familiar with the Whistleblowing Policy to offer them the necessary clarification and training.

The Chair informed Members of the committee that training on hearings had been arranged on 11th November 2009 and this would take place in conjunction with four other London boroughs. There was also a compact disc from the Standard Board for England which would be made available after the training was completed.

RESOLVED

That the contents of the report be noted.

5.2 Anti Fraud and Corruption Strategy - Red Book 2 - Progress Update

Mr Minesh Jani, Service Head, Risk Management, at the request of the Chair, in introducing the report summarised the salient points contained therein.

Mr Jani informed Members that the report before them presented the results of the independent review of the Council's Anti Fraud and Corruption Strategy and the further steps that were going to be taken in order to meeting the Anti Fraud standards. Out of the 55 standards, 46 had been fully or partially met and 9 had not been met. It was intended that all 55 standards would be fully met by December 2009.

In response to queries from Members, Mr Jani reported that most of the standards that were yet to be met were procedural, e.g. to present a report to a specific committee of the Council. Others relied on working with other departments. Whilst there was the fear of deadlines slipping, Mr Jani reassured Members that there was a strong will to drive things and mechanisms were in place to deal with any bottlenecks. The reason that some targets were vague, in comparison to others, was that they were dependent on other departments fulfilling certain obligations in relation to the targets.

Mr Jani also responded that the total level of fraud and corruption was not currently centrally reported. However, separate reports were compiled as the statistics came from different departments.

Mr Jani also responded to Members' concerns about the risks involved in using estate agents to provide housing for homeless residents and also about a recent case in the press related to credit card misuse.

On a separate note, Mr Jani informed Members that the Council had been awarded £50,000 from the Department for Communities and Local Government to investigate instances where social homes had been unlawfully sub-let however an official announcement was yet to be made.

The Chair thanked the officer for the report and requested that in future update reports, specifics be included on the levels of recovery.

RESOLVED

That the contents of the report be noted.

5.3 Corporate Complaints - Half Year Report 2009/ 2010

Ruth Dowden, Corporate Complaints Manager, at the request of the Chair, in introducing the report summarised the salient points contained therein.

Ms Dowden informed Members that the number of Stage 3 complaints in the Communities, Localities and Culture Directorate (CLC) was due to Estate Parking now being allowed to be appealed at Stage 3 where this was not previously the case. The actual fines were not the subject of appeals as this went to the independent adjudicator but matters related to enforcement officer conduct and policy went through the complaints policy.

The Council had received one report determining maladministration from the Local Government Ombudsman in relation to a planning case and this was being considered at the next meeting of the Strategic Development Committee.

As it was only an interim, half year report, it did not provide a clearer picture of the nature of the complaints. However, this could be provided to individual Members if required. The primary purpose of the report was to highlight any negative or positive trends.

Ms Dowden clarified that the complaints relating to “Arts and Events” were probably due to public events that took place in places such as Victoria Park and complaints about anti-social behaviour were categorised under “Community Safety”.

Ms Dowden also reassured Members that there was a monitoring mechanism in place which followed the International Standard for Complaint Handling and encompassed issues such as how long it took to investigate a complaint, the manner in which it was investigated and the training provided to those investigating complaints, amongst other things. There were also regular reports to Directors and other monitoring mechanisms were in place.

In response to a question from a Member, Ms Dowden clarified that if an outcome of a Stage 3 complaint was “Withdrawn or Referred On” it often meant that only one part of the original complaint that had been passed on to Stage 3 as other parts of the complaint had been dealt with. However, on reaching Stage 3, it had become clear that it was outside the remit of the Council’s Corporate Complaints procedure and so had been referred to the appropriate body for resolution.

The Chair thanked the officer for her report.

RESOLVED

That the contents of the report be noted.

5.4 Handling Complaints about Member Conduct - Pre-Hearing Process Arrangements

Ms Freeman, at the request of the Chair, in introducing the report summarised the salient points contained therein.

The appendix to the report contained the proposed pre-hearing process arrangements which had been simplified in light of the changes to the Code of Conduct. The previous process had been very complicated and the new process provided an outline for the Clerk to follow.

RESOLVED

That the pre-hearing process arrangements be adopted, as set out in Appendix A to the report.

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

The Chair reminded Members that training would be taking place on 11th November in relation to hearings. This would take place in Newham in conjunction with four other London boroughs. Written confirmation of the arrangements would follow in due course.

The meeting ended at 8.23 p.m.

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