

<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>20 June 2019</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Matthew Mannion, Head of Democratic Services</p>	<p>Classification: Unrestricted</p>
<p>Standards Advisory Committee New Draft Terms of Reference and Dates of Meetings 2019-20</p>	

Originating Officer(s)	Antonella Burgio, Committee Services Officer
Wards affected	All wards

Executive Summary

This report:

- a. sets out the new Draft Terms of Reference, Quorum, Membership and Dates of meetings of the Standards (Advisory) Committee (SAC) for the Municipal Year 2019/20 for the information of members of the Committee.
- b. Asks Members to approve the establishment of its Sub Committees to consider complaints relating to breaches of the Member Code of Conduct.

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Note its new Draft Terms of Reference, Membership, Dates of future meetings and timing thereof, as set out in Appendices 1, 2 and 3 to this report;
2. Establish the following sub-committees for the municipal year 2019/20, to be convened as required on an ad hoc basis with membership from amongst the members of the SAC, including in each case a minimum of three members:-
 - Investigation and Disciplinary Sub-Committee
 - Hearings Sub-Committee

1. REASONS FOR THE DECISIONS

- 1.1 The decisions are required to enable Members to be aware of the arrangements of the Committee and to establish its Sub-Committees so that complaints against members can be investigated and where necessary answered.

2. ALTERNATIVE OPTIONS

2.1 There are no alternative options applicable to this report

3. ANNUAL ESTABLISHMENT, TERMS OF REFERENCE AND QUORUM, AND DATES OF MEETINGS

3.1 At the Annual General Meeting (AGM) of the full Council held on 15 May 2019, the Authority approved the proportionality and establishment of the Committees and Panels of the Authority, including the SAC and appointment of Members thereto.

3.2 It is customary that, following the Council AGM, the committees that have been established note their Terms of Reference (TOR), Membership and Quorum for the duration of the Municipal Year. This year the TOR have been revised as part of a wider Constitution review. They were presented at SAC for comment at the meeting on 17 January 2019 and feedback given by Members has been incorporated in the draft that will be presented for approval by Council in July 2019. The Draft TOR, Membership and Quorum are set out in Appendix 1 and 2 to the report respectively.

3.3 The dates of SAC meetings for the remainder of the Municipal Year, agreed by the full Council are set out in Appendix 3 to this report.

3.4 Following Full Council's decision on 20th March 2018 that all meetings of its committees should start at 6.00pm or earlier, meetings of the SAC will take place at 6.00pm, except during Ramadan where meetings will start at the earlier time of 5.30pm in accordance with Tower Hamlets custom and practice. However, Members may if they wish determine their own meeting time in the forthcoming municipal year and are permitted to offer their views to the Chair.

4. MEMBERSHIP

4.1 Full Council has agreed that the SAC shall comprise:

- Members of the Council (not including the Mayor or more than one Cabinet Member), appointed by the full Council in accordance with the requirements of political proportionality.
- Up to seven persons who are not Members or officers of the Council or any other relevant authority (i.e. Co-opted members) who will be entitled to vote at meetings.
- Co-opted members may serve as many terms of appointment as the full Council considers appropriate. A person may not be appointed as a co-opted member of the SAC or one of its sub-committees unless the appointment is approved by full Council.

- Earlier this year, the Parliamentary Committee on Standards in Public Life (CSPL) published a report following its review of local government ethical standards. The report made a number of recommendations which require legislation to be passed. However the impacts of the pending the exit of the UK from the European Union on Parliamentary time render it unlikely that the legislation will be delivered quickly. Therefore, on 15 May 2019, current co-optees, Mr John Pulford MBE, Ms Nafisa Adam, Mr Michael James Houston and Ms Fiona Browne were reappointed by Council. Their appointments were renewed until 30 September 2021 to ensure that work of the Committee may continue until Parliament is able to determine which of the CSPL recommendations it wishes to pursue.

4.2 *Observers:*

With respect to the 'Independent Person' (IP) role introduced nationally under the standards regime resulting from the Localism Act 2011, 2 appointments were made in in 2013 and 2018 respectively. Ms Elizabeth Marshall (formerly Hall) was appointed by full Council 26 June 2013 and her appointment was renewed in 2018 for a term of 3 years ending on 18 September 2021. To assist the Monitoring Officer to discharge her investigatory duties and enable continuity of the IP role, the Council has recruited a second IP. Ms Rachel Tiffen was appointed in January 2018 for a term of 4 years ending on 16 January 2022.

Council has agreed that the IPs should be invited to all SAC meetings in the capacity of observers.

4.3 *Chairing the Committee*

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

4.4 *Quorum*

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

5. **SUB COMMITTEES**

5.1 SAC Sub-Committees are established at the beginning of each municipal year. Their function is to consider allegations and the outcome of investigations into misconduct made against elected and co-opted Members and, where necessary. Following implementation of the Localism Act 2011, the compulsory arrangements for standards committees in England were withdrawn. However, Tower Hamlets Council has chosen to maintain these arrangements on to ensure that robust ethical arrangements for standards in public life are in place.

5.2 Sub-Committee membership is drawn from the membership of the parent committee and meetings can be convened as required on an ad hoc basis.

6. OTHER STAUTORY IMPLICATIONS

- 6.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
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- 6.2 In regard to risk management, the terms of reference for the Standards (Advisory) Committee and the accompanying appendices provides a means of ensuring the work of the Committee and its sub committees is noted.

7. EQUALITIES IMPLICATIONS

- 7.1 When drawing up the schedule of dates, consideration was given to avoiding school holiday dates and known dates of religious holidays and other important dates where at all possible.

8. COMMENTS OF THE CHIEF FINANCE OFFICER

- 8.1 Matters brought before the Committee under its terms of reference during the year will include comments on the financial implications of decisions provided by the Chief Finance Officer. There are no specific comments arising from this report.

9. COMMENTS OF LEGAL SERVICES

- 9.1 The information provided for the Committee is in accordance with Article 9 and paragraph 3.3.14 of the Council's Constitution.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 – Standards Advisory Committee Draft Terms of Reference
- Appendix 2 – Appointments to Committee
- Appendix 3 – Dates of Meeting

Local Government Act, 1972 Section 100D (As amended)

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

List any background documents not already in the public domain including officer contact information.

- NONE.

Officer contact details for documents:

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