

**London Borough of Tower Hamlets**  
**Standards Advisory Committee – Annual Report to Council**  
**Year May 2020 to May 2021**

**Introduction**

1. This is the regular Annual Report of the Advisory Committee. It sets out the key issues dealt with by the Committee during the past municipal year and identifies the priorities for 2021/22. Note that although the Covid-19 pandemic has altered the Council's formal municipal year timetable, for clarity the Committee is reporting on the regular May to May period.

**Membership**

2. During the municipal year 2020/21 the Committee comprised 5 elected members and 5 independent co-opted members. The Council's Constitution provides that an independent co-opted member be appointed Chair of the Committee.

Elected Members (up to September 2020):

- Cllr. Sufia Alam
- Cllr. Mufeedah Bustin
- Cllr. Rabina Khan
- Cllr. James King
- Cllr. Abdal Ullah

Elected Members (post September 2020):

- Cllr. Rajib Ahmed
- Cllr. Mufeedah Bustin
- Cllr. Rabina Khan
- Cllr. Leema Qureshi
- Cllr. Abdal Ullah

Independent Co-opted Members

- John Pulford MBE (Chair)
- Nafisa Adam (Vice Chair)
- Fiona Browne
- Mike Houston
- Denzil Johnson (appointed March 2021)

## **Independent Persons**

3. The Council has appointed two statutory Independent Persons (IPs) under the Localism Act 2011. Ms Elizabeth Hall served an initial term of 5 years until June 2018 and has been re-appointed as an IP until 18 September 2021. Ms Rachael Tiffen was appointed in June 2018 and her term of office will expire on 16 January 2022.

4. The principal role of the IP is to give an independent view on governance issues in general and specifically in relation to alleged breaches of the Code of Conduct for Members. Both IP's work closely the Monitoring Officer and her Deputies, considering all complaints and whether an alleged breach of the Code meets the criteria for investigation.

5. It is also a statutory requirement to consult the IP before deciding on the outcome of an investigation into a complaint and whether to impose any sanction. The Member complained about may also at any stage of the process seek a view from the IP and in order to avoid any conflict of interest the Council has appointed two IPs.

6. The Council is fortunate to have appointed two IPs with a sound understanding of the ethical framework who both act as advocates for the Council in promoting ethical standards and of high standards of conduct. Although not members of the Standards Advisory Committee, they attend meetings and play an important role in the proceedings. Both IPs also contribute to and participate in the Council's mandatory Ethics & Probity training programme. In this report I would like to acknowledge the continuing invaluable work and support of Elizabeth Hall and Rachael Tiffen.

7. As the terms of appointment for both Independent Persons expire during the 2021-22 year, it will be necessary to consider any appropriate recruitment exercises or re-appointments during that year.

## **Officers**

8. The Committee's lead officers were:

- Asmat Hussain – Corporate Director Governance & Monitoring Officer (up to December 2020)
- Mark Norman – Legal Adviser & Deputy Monitoring Officer
- Janet Fasan – Director, Legal Services and Interim Monitoring Officer
- Matthew Mannion – Head of Democratic Services

## **Terms of Reference**

9. The current terms of reference for the Standards Advisory Committee are contained in Part B Section 19 of the Constitution, with the Committees procedures set out in Part D. These are attached as Appendix A to this report.

## Meetings

10. The Standards Advisory Committee held four meetings during the 2020/21 municipal period on the following dates:

- 30 July 2020
- 15 October 2020
- 4 February 2021
- 22 April 2021

11. Due to the pandemic, the Committee met virtually and at a new time of 2pm. These innovations were generally successful and many Members commented that they found it easier to attend meetings if they were held virtually and during the day. However, in line with the expiration of the virtual meetings regulations, the Committee will be reverting to physical meetings for the next municipal year. **The start time will revert back to its regular evening slot [Note – Committee to discuss].**

## Standards Advisory Committee Work Programme 2020/21

12. The Committee agreed a work programme at the first meeting of the municipal period on 30 July 2020. It was updated throughout the year. The key areas of business considered during the year are listed below:

### Code of Conduct for Members – Complaint Monitoring:

13. The Committee received bi-annual monitoring reports on complaints of alleged breach of the Code of Conduct for Members. There were **XX** complaints from May 2020 to May 2021.

14. **XX** of the complaints were made by members of the public and **YY** by local councillors. **Following consultation with the IP it was not necessary to refer any of the complaints for investigation, although in 1 of the cases it was agreed that the Monitoring Officer would issue additional guidance to members about behaviour during meetings. This guidance was reflected in the Speaker's script for Full council meetings which was amended (March 2020).**

15. The Committee continue to monitor whether there are lessons to take from complaints monitoring. They continue to monitor remedial actions and that outcomes are reported to the complainant, to give assurance that maintaining ethical standards is given full organisational support.

### Dispensations:

16. The Committee received bi-annual reports on dispensations granted by the Monitoring Officer under section 33 of the Localism Act 2011 in respect of disclosable pecuniary interests (DPI's). There is a continuing General Dispensation to all Members to be present, speak and vote where they would otherwise have a DPI in the following matters:

- (a) Housing: where the Councillor (or spouse or partner) holds a tenancy or lease with the Council if the matter does not relate to the particular tenancy or lease of the Councillor (their spouse or partner).
- (b) Council Tax: setting the council tax and related matters including setting precepts and agreeing council tax reduction schemes; and
- (c) Determining an allowance, travelling expense, payment or indemnity for Councillors. This includes discussions of issues relating to officer pay which could have consequential impacts on Member Allowances.

17. A specific dispensation may also be granted where the Monitoring Officer is satisfied that:

- (a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
- (b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
- (c) granting the dispensation is in the interests of persons living in the authority's area; or
- (d) it is otherwise appropriate to grant a dispensation.

Any grant of a dispensation must specify the duration of the dispensation up to a maximum of 4 years.

The regular reporting to the Standards Advisory Committee allows Members to maintain oversight of any specific dispensations that are granted.

18. One specific dispensations was reported up to the Committee during the year. This related to Councillor Sirajul Islam in respect of his role as Cabinet Member for Housing. As a Council tenant he had a potential interest in any work around tenancy agreements. However, as the relevant Cabinet Member he would have been expected to have a role in relation to this. The dispensation allowed him to undertake that role, whilst putting certain restrictions in place.

### **Gifts & Hospitality:**

19. The Committee received quarterly reports on the requirement contained in the Code of Conduct to register gifts and hospitality received or declined with an estimated value of £25 or above.

20. In total **XX** declarations were made within the reporting periods of the July 2020, October 2020, February 2021 and April 2021 meetings. **The total number of declarations were slightly lower than a similar period the previous year.**

21. During the year the Committee also monitored the speed of the declarations made, taking interest in whether declarations were made within the 28-day deadline.

The Committee were pleased to note that the vast majority were made within this time but did note occasions where that was not the case and in particular...

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Given it was an issue raised in the previous internal audit of the gifts and hospitality process the Committee will continue to monitor compliance.

(Note – add comment about ‘large gifts’ and about encouraging donation to Speaker’s Charity)

22. The Committee noted that acceptance of gifts and hospitality by councillors is not merely an administrative issue. Acceptance can impact on member reputation and on the council as a whole. Members need to show they are acting in the public interest and do not gain personally from receiving gifts.

23. Following a proposal from a Member at the Committee noted in the last annual report to Council, the Register of Interests form update form was updated to include a ‘Nil Return’ field in relation to Gifts and Hospitalities. This additional field allows Members to actively confirm each time they update their Register that they have declared all relevant gifts and hospitality. This helps mitigate any concerns that a Member had missed any declarations. The Committee will continue to monitor this issue and will receive quarterly update reports.

#### **Member Learning and Development Programme:**

24. The October meeting of the Committee received the regular yearly report providing an update on the Member Learning and Development Programme listing events that had taken place during the year to that date.

25. The Committee saw that the planned programme of sessions and training events had been severely impacted by the Covid-19 pandemic with a pause in all sessions between February and July 2020. Nevertheless, a wide range of briefing sessions had taken place on subjects as diverse as the Youth Consultation Task and Finish Group, the Council’s Housing Allocation Scheme and the Regeneration Delivery Plan.

26. A number of learning and development sessions had also been run including on resilience and group cohesion, local government finance, social media policy and the mandatory ethics and probity training had also taken place.

27. It was noted that the move to virtual training and information sessions from July 2020 caused by the pandemic had seen a significant increase in Member attendance and the Committee heard that Members found the new virtual sessions much more convenient and simpler to fit into their busy diaries.

28. Consequently, the Committee noted that virtual member briefing sessions were likely to remain the default arrangement once the pandemic had passed but that some training and development sessions would revert to physical attendance where that was appropriate.

[Add comments from the Member Learning and Development Survey]

### **Strengthening Local Democracy:**

29. The Committee considered an update report on the Council's Strengthening Local Democracy project at its February 2021 meeting. Whilst this is under the guidance of the General Purposes Committee, it was useful to have a report presented to the Standards Committee due to the overlap with the Code of Conduct and the work of Members.

30. The report set out the Ward Councillor Support Framework which had been developed and listed the various actions and tasks to be completed or in progress.

31. The Committee welcomed the updates and had good discussions looking at the issues raised. Particular issues that came up included:

- Public behaviour towards Members and whether there was anything that could be done to tackle the problem.
- How ICT was changing all areas of work and it was important to ensure Members were supported in this.
- Ensuring that projects like Strengthening Local Democracy considered their role in supporting good practice and standards under the Code of Conduct.

### **Local Government Ethical Standards Review:**

32. As previously reported, the Committee on Standards in Public Life (CSPL) conducted a review of local government ethical standards between January and May 2018. The review considered all levels of local government in England and its terms of reference were to:

- examine the structures, processes and practices in local government in England for:
- maintaining codes of conduct for local councillors
- investigating alleged breaches fairly and with due process
  - enforcing codes and imposing sanctions for misconduct
  - declaring interests and managing conflicts of interest
  - whistleblowing
- assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
- make any recommendations for how they can be improved
- note any evidence of intimidation of Councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation

33. The CSPL set out 15 Best Practice Recommendations in a letter to all Councils in July 2020. The Committee considered a report looking at these recommendations at its meeting in October 2020. It noted that some recommendations were not relevant (for example some referenced Parish Councils) and in other cases the Council's existing processes and procedures covered the recommended actions. A number of actions remained and the report set out how

these were to be covered. This report was also attached as an appendix to the last Annual Report to Council.

### **New Model Code of Conduct**

34. As reported in the last Annual Report, in June 2020, the Local Government Association (LGA) launched a consultation on a draft Model Code of Conduct. The Committee provided feedback as part of that consultation exercise.

35. Following the consultation exercise a new Model Code of Conduct was produced. This was considered by the Committee at its meeting on 4 February 2021.

36. The Committee welcomed the new Code and in particular noted that it incorporated a number of additions to the existing code which Tower Hamlets had already implemented including the requirement for Members to register additional interest beyond the standard Disclosable Pecuniary Interests.

37. The Committee agreed that the Council should look at adopt the new Model Code, subject to any amendments and additions that were thought to be useful.

38. The Committee established an informal sub-group to consider potential revisions to the code and to then report back to the Committee.

[Note the report can highlight when the final version will be presented to Council for agreement.]

### **Member / Officer Relations Protocol**

39. The Committee received an initial report at its February meeting providing an opportunity to consider whether Members wished to review the existing Member / Officer Relations Protocol as set out in the Constitution.

40. During discussion it was felt that the new Code of Conduct would have a big impact on the Protocol and that therefore it should be reviewed once the Code of Conduct was updated and agreed. This action has been added to the Committees 2021/22 workplan.

### **Members' Rights of Access to Information**

41. At its October meeting, the Committee considered a briefing on the constitutional right of access to information for Members of the Council. The standard and additional rights for Members were noted and examples were given on the 'need to know' and the rights of Members on Committees.

42. The briefing paper generated a good discussion and a wide range of views were expressed. Particular points noted included:

- The role of the Member Enquiries process and how to balance the 'need to know' with the needs of Members to undertake their various roles.

- Occasions where it was appropriate to delay sharing of information such as when it was due to be published at a later date.
- The role of the Overview and Scrutiny Committee and how it could request additional information from services in relation to reviews it was undertaking.

43. Following the discussion, the Committee asked for more details on the current review of the Member Enquiries process.

### **Register of Interests – Member Addresses**

44. A recurring theme across the year concerned Member safety. At the October meeting the Committee considered a report highlighting the increase in the number of Members requesting that their home addresses be removed from the published Register of Interests under the Localism Act 2011. As recently at 2019 the Local Government Minister had written to Councils encouraging use of this option to minimise risk to Members (this followed a review of intimidation in public life by the Parliamentary Committee on Standards in Public Life).

45. It was noted that in 2018 only 2 Members had their home addresses withheld but that this had now increased to 21. The Committee heard that it was for the Member to present their concerns to the Monitoring Officer who could agree such requests.

46. A good discussion was held on the balance between a Member's right to take action when threatened against the public interest in knowing the Interests of their elected Members. It was agreed that Members had a right to feel safe in their own homes and removing addresses was a reasonable action where threats had been received. However, the public interest was also noted. It was confirmed that only home addresses were removed from the website. It was also agreed that in future where an address was removed the general area of the borough it was located in would be retained to provide some transparency.

### **Terms of Reference Review**

47. Following a suggestion at the October meeting of the Committee, a report was presented to the February meeting to begin a project to review the Committee's Terms of Reference (TOR). This was to ensure that the TORs were comprehensive and were written in clear language. The question was also raised as to whether the TORs set out were achievable and realistic.

48. The review began with a survey of existing and recent Members of the Committee to take their views. This was reported up to the Committee in February 2021. The general results were very positive. None of the functions in the TORs were identified as being extremely deficient. However, some potential improvements were noted. This work will be picked up in the Committees workplan for 2021-22.

### **Guidance Provided to Members who are appointed to Outside Bodies**

[Add after the April meeting]

## **Governance at Council Owned Bodies**

[Add after the April meeting]

### **Member Attendance Update**

49. At the July meeting, the Committee received the annual report setting out Member attendance at Council and Committee meetings. The report set out how attendance was recorded and provided details of attendance at meetings by the Mayor, Councillors and Co-optees. In particular the Committee noted the impact that the Covid-19 pandemic had had on Committee meetings from March to September 2020.

50. The Committee also welcomed the first use of the new facility to allow Members to take maternity, paternity or adoption leave with Councillor Mufeedah Bustin granted leave for much a period from 13 November 2019 to 31 May 2020.

51. The Committee also noted that the General Purposes Committee (under its emergency powers on behalf of Council) had agreed a general extension for all Councillors until the end of October 2020 to the requirement to attend at least one meeting every six months, due to the Covid-19 pandemic disruption.

### **Standards and Code of Conduct in relation to planning and development matters**

52. Reported to the Standards Advisory Committee in July 2020 (and attached to the previous annual report as an appendix), was an update on recent issues seen at other authorities around probity in relation to planning decisions.

53. The committee were provided with reassurance that the Council had strong processes in place. Members of the Committee who were also members of the Council's Development and Strategic Development Committees reported on the strong culture of ethics and probity on those Committees.

54. The issues raised by the report would be included in training for the planning committees when appropriate.

### **Pandemic and support for Members**

55. Given the impact the Covid-19 pandemic was having on Members and the Council's decision making arrangements, the Committee asked for a report to its July meeting setting out how the pandemic had impacted the Council's arrangements and how Members were being supported through this time.

56. The report covered a number of areas including:

- How the Council had developed new virtual Committee meeting arrangements
- The impact on the work of the Speaker of the Council.

- That the Member Learning and Development Programme had been paused but that it was now starting up again as online events and briefings.
- The temporary introduction of an 'Urgent' Member Enquiries process during the early stages of the pandemic.
- That Member Surgeries had ceased for the time being.
- General support provided to Members, including the new ICT equipment being rolled out.

57. The Committee noted the impact on the Council's Committees and meetings and held an interesting discussion on early experiences of online meetings. It was noted that the legislation which allowed for remote meetings would expire in May 2021 and that there may be lobbying to encourage government to make the new rules permanent.

### **Standards Advisory Committee Work Planning for 2021-22**

58. The Committee intends to undertake a substantial work programme during 2021-22, including looking at the following items.

- Bi-annual monitoring of complaints of alleged breach of the Code of Conduct for Members.
- Quarterly monitoring of gifts and hospitality registered.
- Bi-annual reports on DPI dispensations.
- Concluding its preparation of the proposed new Member Code of Conduct
- Following the conclusion of the Member Code of Conduct
- Members training programme update.
- Implementation of CSPL best practice recommendations.
- Looking at what follows the Strengthening Local Democracy project.
- Continue its review of the Committee's Terms of Reference.
- Practical guidance for Members handling confidential information.
- News on ethics matters elsewhere including areas such as good practice, case law, ombudsman and quasi-judicial proceedings and similar.
- Members attendance at meetings.
- Annual report to Council.
- Annual review of the Member Code of Conduct

59. The 2021/22 work programme aims to continue to embed behaviours that support the seven principles in public life described in the Nolan report by encouraging Members to apply ethical standards in their day-to-day duties and to look at how these should influence their approach to discharging their responsibilities in their individual and collective capacities.

### **Conclusion**

60. As Chair of the Committee I wish to thank my fellow committee members, both Independent Persons and the Monitoring Officer for their contributions to the Committee's business and their commitment to promoting and maintaining high

standards of ethical conduct across the Council. I also wish to thank the officers of the Council for their work in supporting the Committee during the year.

61. I would particularly like to highlight how important it is that the Council has such dedicated co-opted Members who are active contributors to the Committee's discussions and have demonstrated commitment to the role of Standards in the authority. The involvement of co-opted Members should be considered as 'good governance'. We are ahead of many local authorities in this area.

**John Pulford MBE**  
**Independent Chair**

**Standards Advisory Committee – Terms of Reference and Procedures**

(As agreed at the Standards Advisory Committee on 15 October 2020)

**17. Standards Advisory Committee – Terms of Reference**

**Summary Description:** The Committee performs a number of functions to maintain high standards of conduct in public life including promoting the Members Code of Conduct and considering potential breaches of the Code of Conduct.

The Committee may establish Sub-Committees to consider certain matters as set out in the ‘Functions’ below.

The Committee and any of its sub-committees may meet in private in accordance with relevant legislation as advised by the Monitoring Officer. Any meeting or part of a meeting that considers whether or not a complaint should be referred for investigation or, following an investigation should proceed to hearing, shall be held in private and all papers relating to that consideration shall remain confidential.

**Membership:** 5 elected members of the Council (not including the Mayor or more than 1 Cabinet member),

**Co-opted Members**

Plus up to 5 independent co-opted members.

Co-opted members will be entitled to vote at meetings under the provisions of section 13(4)(e) of the Local Government and Housing Act 1989. The Standards Advisory Committee (SAC) shall be chaired by an independent co-opted member.

Independent Co-opted members shall be appointed by full Council on the recommendation of the Monitoring Officer. The term of appointment shall be 4 years unless otherwise determined by Council. Co-opted members may serve as many terms of appointment as the Council considers appropriate.

**Note – Independent Persons**

The Council has appointed two statutory Independent Persons to assist in dealing with complaints of alleged breach of the Code of Conduct for Members under section 28(7) of the Localism Act 2011. They are not co-opted member of the SAC but may attend and observe any meeting of the Committee or a sub-committee established by it.

<b>Functions</b>	<b>Delegation of Functions</b>
1. Promoting and maintaining high standards of conduct by the Mayor, councillors and co-opted members of the Council.	None

2. Advising the Council on the adoption or revision of the Code of Conduct for Members.
3. To monitor and advise the Council about the operation of the Code of Conduct for Members considering best practice and changes in the law.
4. Advising, training or arranging to train the Mayor, councillors and co-opted members on matters relating to ethics and probity and the Code of Conduct.
5. To appoint sub-committees for the purpose of discharging any of the Committee's functions including the consideration and determination of complaints of breach of the code of Conduct for Members.
6. As requested by the Monitoring Officer, to establish a Dispensations Sub-Committee to advise on any applications for dispensations in relation to participation at a meeting by a member with a Disclosable Pecuniary Interest.
7. To deal with any reports from the Monitoring Officer on any matter relating to standards of conduct.
8. Other functions relating to the standards of conduct of members under any relevant statutory provision or otherwise.

**Quorum:** A meeting of the Standards Advisory Committee or one of its sub-committees shall only be quorate where at least three members of the Committee or Sub-Committee are present for its duration and such quorum must include at least one councillor and at least one independent co-opted member.

**Additional Information:**

- Constitution Part A, Section 11 (The Standards Advisory Committee and the Code of Conduct for Members)
- Constitution Part C, Section 31 (The Code of Conduct for Members)
- Constitution Part D, Section 53 (Standards Advisory Committee Procedures)

## **Standards Advisory Committee Procedures**

### **1. Composition**

1.1 The Standards Advisory Committee shall be comprised of 5 Members of the Council (not including the Mayor or more than 1 Cabinet Member) and each political group may appoint up to 3 substitutes, appointed by the Council in accordance with the requirements of political proportionality; and up to 7 persons who are not Members or officers of the Council or any other relevant authority (i.e. Co-opted members).

1.2 The Co-opted member(s) will be entitled to vote at meetings under the provisions of section 13(4)(e) of the Local Government and Housing Act 1989. The Standards Advisory Committee shall be chaired by a Co-opted member.

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

### **2. Appointment of Co-Opted Members**

2.1 A person may not be appointed as a Co-opted member of the Standards Advisory Committee or one of its sub-committees unless the appointment is approved by Full Council. The term of appointment shall be for 4 years unless otherwise determined by Council or the Co-optee does not continue to fulfil any required conditions as may be determined by the Authority from time to time. Co-opted members may serve as many terms of appointment as the Council considers appropriate.

### **3. Roles and Functions**

3.1 The Standards Advisory Committee has the following roles:

(a) To recommend to the Monitoring Officer whether or not any complaint of a breach by the Mayor, a Councillor or a co-opted member of the Members Code of Conduct should be referred for investigation by the Monitoring Officer or an investigator appointed by the Monitoring Officer; and where a complaint has been subject to such investigation, to recommend whether or not the complaint should proceed to hearing. Where the Monitoring Officer considers that a complaint should not be subject to investigation or should not proceed to hearing, s/he shall convene an Investigation and Disciplinary Sub-Committee of the Standards Advisory Committee comprising at least 3 different Members of the Standards Advisory Committee (comprising 2 of the co-opted members and 1 Councillor) which shall make the final decision on the matter;

(b) To receive regular quarterly reports from the Monitoring Officer on the numbers of complaints of the Code received, the decisions taken by the Monitoring Officer (in consultation with the Independent Person) on such complaints and investigation outcomes where the investigation determines there was no evidence of a failure to comply with the code or where the investigation outcome recommends a local resolution;

(c) To convene a Hearings Sub-Committee of 3 Members of the Standards Advisory Committee comprising 2 of the co-opted members and 1 Councillor to consider any matter where the investigation finds evidence of a failure to comply with the Code and a local resolution is not possible or appropriate;

(d) To make such recommendations to Council in respect of the matter as the Hearings Sub-Committee considers appropriate as a result of any matter referred including;

(i) Reporting its findings to Council for information;

(ii) Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) removal from any or all Committees or Sub-Committees of the Council;

(iii) Recommending to the Mayor removal from the Executive, or from particular Portfolio responsibilities;

(iv) Recommending the Monitoring Officer arrange training for the member;

(v) Recommending removal from outside appointments to which s/he has been appointed or nominated;

(vi) Recommending withdrawing facilities provided to the member by the Council, such as a computer, website and/or email and Internet access;

(vii) Recommending excluding the member from the Council's offices or other premises, except for meeting rooms as necessary for attending Council, Executive Committee and Sub-Committee meetings;

(viii) Recommending the Member to contact the Council via specified point(s) of contact;

(e) To convene a Hearings (Appeal) Sub-Committee of at least three different Members of the Standards Advisory Committee (comprising 2 of the co-opted members and 1 Councillor) to consider any appeal against a finding of, or sanction recommended by, the Hearings Sub-Committee;

(f) To receive reports on compliance with any recommendation(s) made for sanctions to be applied in respect of any member;

(g) Promoting and maintaining high standards of conduct by the Mayor, Members of the Council, co-opted members including church and parent governor representatives and where the Committee considers that there may be issues of concern recommending that the Monitoring Officer considers and reports on the issues raised;

(h) Assisting the Mayor, Members of the Council, co-opted members including church and other faiths and parent governor representatives to observe the Council's Code of Conduct for Members;

(i) Advising the Council on the adoption or revision of the Code of Conduct for Members;

(j) Monitoring the operation of the Code of Conduct for Members;

(k) Advising, training or arranging to train the Mayor, Members of the Council and co-opted members including church and other faiths and parent governor representatives on matters relating to the Code of Conduct for Members;

(l) To act as an advisory body in respect of any matters referred to the Standards Committee by the Local Strategic Partnership (LSP) or Community Forums in respect of probity issues arising out of the codes and protocols applicable to relevant members of the LSP and Community Forums as set out in the Community Forum handbook and as may be amended from time to time;

(m) To advise on allegations of Member breaches of the Protocols set out in the constitution as may be referred to the Committee by the Monitoring Officer and to make recommendations with regard to such allegations as maybe so referred;

(n) Advising on local protocols for both Officer and Member governance;

(o) To monitor and review Member and Officer Procedures for registering interests and declaring gifts and hospitality;

(p) To receive periodic reports on the Council's Ethical Governance arrangements, on whistle blowing arrangements and complaints; and

(q) As requested by the Monitoring Officer, to establish a Dispensations Sub-Committee to advise on any applications for dispensations in relation to participation at a meeting by a member with a Disclosable Pecuniary Interest.

#### **4. Validity of proceedings**

4.1 A meeting of the Standards Advisory Committee or one of its sub-committees shall only be quorate where at least three members of the Committee or Sub-Committee are present for its duration and such quorum must include at least one councillor and at least one co-opted member.

4.2 Part VA of the Local Government Act 1972 applies in relation to meetings of the Standards Advisory Committee or its Sub-Committees as it applies to meetings of the Council.

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

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

5.2 The Hearings Sub-Committee shall consider complaints referred to it that the Mayor, an elected or co-opted Member of the Council may have failed to comply with the Council's Code of Conduct for Members or local protocol where the complaint has been subject to an investigation arranged by the Monitoring Officer and shall make recommendations accordingly. The Hearings Sub-Committee shall decide at the outset of the meeting whether it is in the public interest that the Hearing is held in

a public or private session in accordance with relevant statutory guidance as advised by the Monitoring Officer.

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

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

## **6. Attendance Requirements**

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

6.2 The Committee shall not do so without first giving the absent Member an opportunity to make representations (which may be made in writing) as to their non-attendance and any matters they wish the Committee to take into account.

## **7. Procedures**

7.1 The Committee shall maintain these procedures to enable it to discharge the arrangements under its Terms of Reference.

## **8. Confidentiality**

8.1 The Committee and any of its Sub-Committees may meet in private in accordance with the relevant legislation as advised by the Monitoring Officer. Any meeting or part of a meeting that considers whether or not a complaint should be referred for investigation or, following an investigation should proceed to hearing, shall be held in private and all papers relating to that consideration shall remain confidential.