


Non-Executive Report of the: Standards Advisory Committee Thursday, 30 September 2021	 TOWER HAMLETS
Report of: Janet Fasan, Director of Legal and Monitoring Officer	Classification: Open (Unrestricted)
Update on the new Member Code of Conduct	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	(All Wards);

Executive Summary

This report presents the final draft New Member Code of Conduct to the Committee. Members are asked to review it and determine whether they are content to forward the Code to Council for adoption.

This follows the conclusion of the work of the sub-group and also a period of consultation with the political groups on the Council.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Consider the draft New Member Code of Conduct as set out in Appendix 1 and agree that it be forward to Council for adoption.
2. To delegate authority to the Monitoring Officer, following consultation with the Chair of the Committee, to make any final minor changes to the Code prior to submission to Council.

1. REASONS FOR THE DECISIONS

- 1.1 This report enables the committee to steer the development work on the draft new Code of Conduct.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee may propose alternative options or agree to retain the existing Code of Conduct.

3. DETAILS OF THE REPORT

- 3.1 As set out in the Committee report dated 4 February 2021, the new Model Code of Conduct was produced by the Local Government Association following a consultation period which ran through the summer of 2020.
- 3.2 The new Code is very similar in effect to the existing Tower Hamlets Code but it has updated much of the language and increased emphasis on some areas where that was felt appropriate.
- 3.3 The Standards Advisory Committee established an informal sub-group to meet and discuss the development of the new Code.
- 3.4 That group has met a number of times and presented back to the last Standards Advisory Committee (1 July 2021) a proposed draft Code for circulation.
- 3.5 At that time, it was noted that the Local Government Association (LGA) were due to publish guidance on the Code and that it may be necessary to incorporate changes following review of that guidance. In particular it was hoped that the guidance would include good examples and case studies which would be helpful to Members and officers on the application of the Code.
- 3.6 Following publication of that guidance, the Monitoring Officer reviewed the documentation. It was agreed that the best option would be to include relevant examples through web links to the guidance within the new Code.
- 3.7 After consulting with the Chair of the Committee, the Monitoring Officer then circulated the new Code to the political groups for consultation. The deadline for submissions has now closed and no negative comments or proposed amendments have been received.
- 3.8 This report therefore proposes that the Committee agree to submit the final Code to Council for adoption.

4. EQUALITIES IMPLICATIONS

- 4.1 Equalities considerations are important as part of the consideration of the Code and have been included in the discussions. The Committee should ensure they are satisfied that the Code covers all relevant equalities issues.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 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.
- Data Protection / Privacy Impact Assessment.

5.2 Nil items.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no direct financial implications arising from this report.

7. COMMENTS OF LEGAL SERVICES

7.1 The principal statutory provisions relating to standards of conduct are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by members and co-opted members of the authority.

7.2 Sections 27 and 28 of the 2011 Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about the alleged breach of the Code that has been investigated.

7.3 Under the Council's Constitution, the Standards Advisory Committee's terms of reference include advising the Council on the adoption or revision of the Council's Code of Conduct for Members

Linked Reports, Appendices and Background Documents

Linked Report

- Reports on the Code of Conduct to the last three Standards Advisory Committee meetings.

Appendices

- Appendix 1 – final draft New Model Code of Conduct

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:
N/A