

<p>Non-Executive Report of the:</p> <p>Standards Advisory Committee</p> <p>Wednesday, 26 June 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Linda Walker, Director of Legal and Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p>Member Attendance Update 2023-24</p>	

Originating Officer(s)	Matthew Mannion, (Head of Democratic Services)
Wards affected	All
Exempt information	<p>This report and/or its appendices include information that has been exempted from publication as the Monitoring Officer:</p> <ul style="list-style-type: none"> • has deemed that the information meets the definition of a category of exempt information as set out in the Council’s Access to Information Rules; and • has deemed that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. <p>The exempt information is contained in Appendix 3.</p> <p>The exempt information falls into this category: 1. Information relating to an individual</p>

Executive Summary

This report provides an update on Member and Co-optee attendance at formal Council and Committee meetings.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Review and comment on the attendance statistics of Members of the Council as set out in Appendices 1 and 2.
2. Consider the attendance record and mitigating information relating to co-opted members of the Advisory Committee as set out in paragraphs 3.11 and 3.12 and exempt Appendix 3 and determine the appropriate action to take in response.

1. REASONS FOR THE DECISIONS

- 1.1 The Council's Constitution states that the committee will receive a report at its first meeting of the new municipal year allowing it to review any mitigating factors and determine whether any action should be taken where a Co-opted Member fails to attend (in person) at least half of the ordinarily scheduled meetings in a municipal year.
- 1.2 This is also a noting report to enable the Committee to undertake its role monitoring Member behaviour in relation to the Code of Conduct by monitoring attendance of all members and co-optees in the past year.

2. ALTERNATIVE OPTIONS

- 2.1 The options are as set out in paragraph 3.14.

3. DETAILS OF THE REPORT

Member attendance 2023/24

- 3.1 Councillors and Co-optees will attend a number of formal Council and Committee meetings as part of their different roles. The number of meetings will vary significantly depending on the role of each Member with some required to attend many Committees, whilst others may only be on Council.
- 3.2 Section 85(1) of the Local Government Act 1972 requires a Member of a Local Authority to attend at least one meeting of that Authority within a six-month period, in order to avoid being disqualified as a Councillor.
- 3.3 This requirement can be overcome through a report to Council which can agree an extension for one or more Councillors for any appropriate reasons. Over the last year, no such extension has been granted.
- 3.4 Member attendance details are set out in the minutes to the meeting. They are also listed on the website under each meeting as well as being available through individual stats reports for each Councillor/Mayor/Co-optee.
- 3.5 A number of status indicators are used in relation to Member attendance:
- Expected – the Member is expected to attend this meeting (usually a meeting which has not yet taken place)
 - Present as Expected – the Member attended the meeting
 - Present as Expected, virtual – the Member attended the meeting virtually (note – see explanation below)
 - Present as Substitute – the Member attended as a substitute for the regular attendee

- In Attendance – the Member has attended a meeting where they are not on the Committee itself. This could be to give evidence/make a submission or simply to observe.
 - In Attendance, virtually – the Member has attended virtually a meeting where they are not on the Committee itself. This could be to give evidence/make a submission or simply to observe.
 - Apologies – apologies for absence were received on behalf of the Member either in advance or at the meeting
 - Absent – the Member did not attend and no apologies were received.
- 3.6 Virtual Attendance Note – the Local Government Act 1972 does not allow Members of Committees to formally join the meeting virtually. To be considered as formally present (and to be able to vote) a Member must be there in person.
- 3.7 A summary of Member attendance is set out in Appendix 1 to this report for the period May 2023 to May 2024. This period is chosen as it fits with the normal municipal year of a local authority. Detailed information on attendances of individual Councillors can be found on the Council’s website.
- 3.8 A summary of co-optee attendance is set out in the Appendix 2 to this report for the period May 2023 to May 2024.

Attendance of Standards Advisory Committee Co-optees 23/24

- 3.9 The Council’s Constitution states that Where a Co-opted Member fails to attend (in person) at least half of the ordinarily scheduled Committee/Sub-Committee meetings in a municipal year, the Committee/Sub-Committee on which they sit will receive a report at its first meeting of the new municipal year allowing it to review any mitigating factors and determine whether any action should be taken (including as a final option, recommendation for removal should that be considered appropriate) by Council or the Committee/Sub-Committee who originally appointed them to. This provision followed a recommendation by the Advisory Committee in 2022/23.
- 3.10 In the previous municipal year, 2023/24, the following co-opted members of the Advisory Committee failed to attend at least 50% of the scheduled meetings in person. Accordingly, the committee is asked to consider the submissions of the co-optees in person, before determining what, if any, action it wishes to take.
- 3.11 Mike Houston has attended no meetings in person or remotely. He has been absent at all three meetings in the past year.
- 3.12 Elizabeth Marshall has attended one meeting in person (33%); no meetings remotely and has been absent at two meetings (66%) in the past year.
- 3.13 Appendix 3 provides information that has been provided by the co-optees referred to above to the Committee, to assist it in reaching a decision regarding what action to take.

- 3.14 It is suggested the Committee may wish to consider from amongst the following actions as it feels appropriate for each co-opted member:
- That the person be provided with a written reminder regarding attendance expectation and/or
 - That the Committee reviews the attendance record in 6 months time to consider if it has sufficiently improved.
 - That the person be removed as a co-opted member of the committee/sub committee and instruct officers to make arrangements to fill the vacancy.
 - That no action be taken at the current time.
- Any other action the committee feels is appropriate.

3.15 The Advisory Committee will note that the scheduled April 2024 meeting was cancelled. Although attendance has been based on the remaining three meetings only, this may have impacted attendance for some members.

4. EQUALITIES IMPLICATIONS

4.1 A robust constitution and adherence to its provisions supports the work of all Members and ensures good governance at the authority..

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 No other statutory implications have been identified.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no financial implications from reviewing the attendance statistics and determining appropriate action in respect of attendance.

7. COMMENTS OF LEGAL SERVICES

7.1 Section 85 of the Local Government Act 1972 requires Members to attend at least one relevant meeting of the Authority during any period of six months, unless the absence has been approved by the Authority before the end of the six month period. If no such approval has been given, a Member who has failed to attend ceases to be a member at the end of the six month period.

- 7.2 The Council's Constitution states at Part A Chapter 6 paragraph 12 that where a co-opted Member fails to attend at least half the ordinarily scheduled meetings of the relevant committee or sub-committee in a year, the committee or sub-committee on which they sit shall receive a report at the first meeting of the municipal year allowing it to review any mitigating factors and determine whether any action should be taken. This action may include a recommendation for removal.
- 7.3 Section 27 of the Localism Act 2011 requires local authorities to promote and maintain high standards of conduct by members of the authority.
- 7.4 This report demonstrates the Council's compliance with the above legislation and the Council's constitution.
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Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Member attendance statistics 23/24
- Appendix 2 – Co-optee attendance statistics 23/24
- Appendix 3 (Exempt) – Information provided by co-opted members of the Advisory Committee.

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:

Matthew Mannion, (Head of Democratic Services) or state N/A