

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS ADVISORY COMMITTEE

HELD AT 6.30 P.M. ON WEDNESDAY, 26 JUNE 2024

**COMMITTEE ROOM - TOWER HAMLETS TOWN HALL, 160 WHITECHAPEL
ROAD, LONDON E1 1BJ**

Members Present in Person:

Councillor Abu Chowdhury
Councillor Sirajul Islam
Councillor Bodrul Choudhury (deputising for Councillor Iqbal Hossain)

Co-optees Present in Person:

John Pulford MBE Chair
Fiona Browne Vice-Chair
Elizabeth Marshall MBE
Faham Sinan-Katamba

Apologies:

Councillor Iqbal Hossain
Councillor Asma Islam

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. TO ELECT A CHAIR FOR 2024-25

Nominated by Fiona Browne and seconded by Councillor Sirajul Islam is was:

RESOLVED that John Pulford is elected as Chair of the Advisory Committee for 2024/25.

3. TO ELECT A VICE-CHAIR FOR 2024-25

Nominated by John Pulford and seconded by Councillor Abu Chowdhury it was:

RESOLVED that Fiona Browne is elected as Vice-Chair of the Advisory Committee for 2024/25.

4. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

1. That the minutes of the meeting held on 7 December 2023 be approved as a correct record of proceedings, subject to correction of some minor typographical errors.

5. REPORTS FOR CONSIDERATION

5.1 Standards Advisory Committee - Terms of Reference

Joel West, Democratic Services Team Leader (Committees) introduced the report that asked the Advisory Committee to consider and note its terms of reference and delegated powers. The report also set out the members and dates of scheduled Advisory Committee meetings for the year. Joel informed members that since the report's publication, the Aspire Group had nominated an additional substitute member, Councillor Bodrul Choudhury, which had since been approved by the Monitoring Officer under delegated powers.

Joel explained the report also proposed a minor change to the Advisory Committee's procedure rules to remedy a mis-alignment between elements of the procedure rules covering investigation of standards complaints and related provisions in the Code of Conduct for Members.

RESOLVED that the Standards Advisory Committee

1. Note the Advisory Committee's Terms of Reference (including quorum requirements), Membership, dates/times of meetings and current procedure rules as set out in Appendices 1, 2, 3 and 4 to the report, subject to an additional substitute member in Appendix 2, Councillor Bodrul Choudhury.
2. Agree to establish the following sub-committees for the municipal year 2024/25, to be convened as required on an ad-hoc basis with membership drawn from amongst the Members of the Standards Advisory Committee, including in each case a minimum of three members:-
 - Investigation and Disciplinary Sub-Committee
 - Hearings Sub-Committee.
3. Recommend the change to the Advisory Committee's procedure rules as set out in paragraph 3.16 of the report be progressed via the most appropriate governance route.

5.2 Register of Interests and Gifts and Hospitality Quarterly Update

Patricia Attawia, Democratic Services Team Leader (Member and Civic Support) introduced the report that updated the Committee on the Members'

Register of Interests and declarations of gifts and hospitality submitted by Members. Patricia also explained the background to the proposal in the report that the Advisory Committee endorse the decision to remove all Members' addresses from the Council website.

Further to questions from members, Patricia explained that any request to access information restricted from publication, such as address details, would be subject to the normal access to information rules.

RESOLVED that the Standards Advisory Committee:

1. Notes the report.
2. Endorses the decision to remove all Members' addresses from the Council website.

5.3 Dispensations under section 33 of the Localism Act 2011

Jill Bayley, Head of Safeguarding introduced the report that informed the Advisory Committee of dispensations in relation to disclosable pecuniary interests (DPI's) under section 33 of the Localism Act 2011. Jill asked the Advisory Committee to note there had been no specific or general dispensations agreed since the previous report.

RESOLVED that the Standards Advisory Committee:

1. Note the update on Dispensations as set out in Paragraphs 3.4, 3.5 and 3.6 of the report.

5.4 Standards Advisory Committee - report on Code of Conduct matters for the year 2023-2024

Jill Bayley, Head of Safeguarding introduced the report that updated the Advisory Committee on the monitoring information for complaints and investigations relating to alleged breaches of the Council's Code of Conduct for Members for the municipal year May 2023 – May 2024. It also updated the Advisory Committee on quarterly monitoring information on alleged breaches of the Council's Code of Conduct to the end of May 2024.

Further to questions from members of the Advisory Committee, Jill explained:

- Why there is sometimes an extended delay before MO discussion with IP. This is often due to complaints lacking clarity and the need to seek further input from the complainant before it can be progressed.
- That there is currently no oversight or assessment of investigations. Resources available to do so would be limited.
- Members expressed some confusion regarding the assessment of one complaint that concluded that 'the councillor was not acting as a Member at the time of the incident' as they had received advice that a Councillor could be considered as acting as such 24/7. Jill explained that associated legislation is very clear that codes of conduct cannot

cover actions when not acting as an elected member and common law makes express provision to an expectation of a private life for elected persons.

- The implications should a member of the Council be successfully prosecuted for a crime.
- She was unsure what the acronym 'SMSO' referred to in the report.

Further to questions, the Advisory Committee made the following comments and observations:

- Delays caused by Councillor non-co-operation are inexcusable. All involved need to understand importance of co-operating with the process. It was noted that non-cooperation could itself be seen as grounds for a code of conduct complaint.
- Involvement of group structures could assist reducing delays from Councillor non-co-operation.
- Asked officers to explore if the format of the report could be reviewed to improve readability.
- The Committee indicated concern that it had not been sufficiently updated on the serious allegation regarding bribery, misconduct in a public office and malfeasance of a public official and the progress and related settlement in that matter.
- Some of the information in the column 'Date and outcome of consultation with IP' appeared to be out of sequence in some complaints.

RESOLVED that the Advisory Committee:

1. Note the content of the report and the information contained in Appendix 1 and Appendix 2.

5.5 LGA Best Practice Guidance for Standards Committees

Matthew Mannion, Head of Democratic Services introduced the report that updated the Advisory Committee on the proposed creation of new LGA Best Practice Guidance for Standards Committees. Matthew explained that a draft paper from LGA would be made available to members on request to help them understand the direction of travel of this important work.

The Chair indicated he would welcome a brainstorming session to discuss survey responses.

RESOLVED that the Advisory Committee

1. Notes the report.
2. Requests a session to brainstorm ideas at an appropriate time.

5.6 Progress against relevant LGA Peer Review Actions

Matthew Mannion, Head of Democratic Services introduced the report that, following a request at the previous meeting, provided an update on progress against any actions arising from the Council's 2023 LGA Peer Review which were relevant to the work of the Advisory Committee for information and comment.

In response to a question from members, Matthew indicated that he had interpreted an action relating to the handling of complaints as being about complaints of services and, this not being of direct relevance to the Advisory Committee, had not been included in the noting report.

RESOLVED that the Standards Advisory Committee:

1. Notes the update.

5.7 Effectiveness of the Standards Advisory Committee

Linda Walker, interim Director of Legal and Monitoring Officer introduced the report that informed of proposed arrangements for improving the effectiveness of the Committee following discussions between the Chair and Vice Chair of the Advisory Committee, the Chief Executive and the Interim Monitoring Officer. Linda summarised progress made against some of the actions.

The Chair indicated he welcomed the proposed regular meetings between himself and the Council's Chief Executive. He indicated he felt it was important that another member of the SAC attended also, to ensure contingency.

Further to the proposal in paragraph 3.2 of the report regarding media articles, the Chair indicated he would prefer to receive all articles relating to LBTH without the need for any pre-assessment as to relevance.

The Advisory Committee members welcomed the report and proposals.

RESOLVED that the Advisory Committee:

1. Note the report.

5.8 Standards Advisory Committee Annual Report to Council

Jill Bayley introduced the report proposing the Advisory Committee's annual report to Council. Jill noted the report was largely factual in nature, but indicated she would welcome any feedback on it. She indicated she would circulate for comments outside of the meeting before final submission to Council.

RESOLVED that the Advisory Committee:

1. Notes the activities of the Standards Advisory Committee for the municipal year May 2023 – May 2024 as set out in the Annual Report of the Standards Advisory Committee at Appendix 1 to the report.

5.9 Member Attendance Update 2023-24

Joel West, Democratic Services Team Leader, introduced the report that provided an update on Member and Co-optee attendance at formal Council and Committee meetings.

The Advisory Committee discussed the attendance records of members and co-optees. Regarding co-optees of the Advisory Committee identified in the report for poorer attendance, members indicated they would welcome the chair having a discussion with them outside the meeting, but to otherwise take no further action at the current time.

RESOLVED that the Standards Advisory Committee:

1. Notes the attendance statistics of Members of the Council as set out in Appendices 1 and 2 to the report.
2. Notes 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 to the report and asks the Chair to make contact with those co-optees to discuss their attendance prior to the next meeting.

6. WORK PLAN

The Advisory Committee noted the potential of a new government following the upcoming 5 July General Election, which could have implications for its work planning in 2024/25.

RESOLVED that the work plan is noted.

7. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

There was none.

8. EXCLUSION OF THE PRESS AND PUBLIC

A resolution to exclude the press and public was not required.

**9. ANY OTHER EXEMPT/CONFIDENTIAL BUSINESS THAT THE CHAIR
CONSIDERS URGENT**

None.

The meeting ended at 7.50 p.m.

Chair,
Standards Advisory Committee