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| Non-Executive Report of the: Standards Advisory Committee Wednesday, 18 September 2024 |  TOWER HAMLETS |
| Report of: Linda Walker, Interim Director of Legal and Monitoring Officer | Classification: Open (Unrestricted) |
| LGA Standards Committee Guidance | |

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

Executive Summary

This report provides an update on the responses provided to Hoey Ainscough Associates in relation to the work to prepare new LGA Guidance for Standards Committees.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Note the report.

1. REASONS FOR THE DECISIONS

- 1.1 The report keeps the Committee up to date with the submissions relating to the draft LGA Guidance and allows for discussion of any matters arising.

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable to this discussion report.

3. DETAILS OF THE REPORT

- 3.1 Hoey Ainscough Associates (HAA) have been tasked by the Local Government Association (LGA) with looking into the possibility of creating new best practice guidance for Standards Committees.
- 3.2 As reported to the Committee at its June meeting, Tower Hamlets were approached to provide initial comment/thoughts as we have previously worked with Hoey Ainscough Associates on Standards matters.
- 3.3 Should any guidance be created, the next stage would be for training material to be developed to work alongside the guidance.

3.4 At this stage it is just a scoping exercise and there are no set timescales for the development of the project.

3.5 Some early questions HAA have were whether:

- the council has a 'stand-alone' or combined standards committee (or indeed no committee overseeing standards),
- what its composition is (does it reflect proportionality, or has it been waived and does it have any co-opted members, is there an executive member if appropriate who leads on the issue)
- what are its terms of reference
- Where you have parish councils what if any relationship is there between the committee and its parishes (other than individual cases) – Note – not applicable to Tower Hamlets.
- any examples of good (or indeed bad!) practice you might have. We are particularly interested in the proactive role of promoting and maintaining high standards as opposed to the reactive complaint handling aspects.

Feedback submitted – key points

3.6 The Chair and Vice-Chair and the Monitoring Officer all submitted comments to Hoey Ainscough and these have been circulated to Members for information. Some of the key points that were raised included:

- It was important that Standards Committees were proactive in their support of high standards and did not just react to complaints received.
- There was support for keeping Standards Committees separate from other Committee work but acknowledgement that linking with committees such as Audit Committee could be valuable.
- The existing complaints process involving various steps and sub-committee meetings etc was long-winded/slow given the potential sanctions available. Are other methods/processes available and better suited e.g. restorative justice, shorter decision processes, other ideas for sanctions. Can a new process better support systems learning and ensuring that lessons are learnt.
- The parity of co-opted Members compared to Councillors on the Committee was seen as important and the independence of the Chair was particularly seen as helpful. There was also support for having the same number of Co-opted Members as Councillors on the Committee.
- Should the Committee focus more widely, e.g. more formally on Member development.
- The points raised in the draft guidance about better links between the Committee and the rest of the Council and with the Executive were interesting.
- In relation to the Terms of Reference, guidance would be welcome on how much that should be expanded beyond Code of Conduct matters and if there were references to areas such as working stakeholders or residents, more clarity on what that meant.

- The draft guidance highlighted the importance of relationships with key officers but only really talked about the Monitoring Officer, it was suggested that other relevant officers be considered.

Structure/Membership of the Standards Committee

- 3.7 A traditional Standards Committee would be made up exclusively of Councillors or maybe with one or two co-opted Members.
- 3.8 Tower Hamlets appears to be more unusual in having a Committee made up of 50% co-opted Members. The officer and Chair/Vice-Chair submissions were all very supportive of the Tower Hamlets model seeing it as an excellent way of demonstrating the independence of the Committee relative to the political groups and ensuring that no one party would ever have a majority on the Committee.
- 3.9 It was noted that the current arrangements here were potentially in contention with the regulations on the formation of committees (this was picked up in the Association of Democratic Services Officers recent review of the Constitution and is in the process of being considered). Therefore, Tower Hamlets may have to amend its arrangements which was not seen as desirable.
- 3.10 Hoey Ainscough Associates are interested in the current Tower Hamlets model and have asked for more information, and it is possible the review will recommend that the Tower Hamlets model (or a variation) should be considered by the LGA.

Next steps

- 3.11 The drafting process for the LGA guidance continues and should further requests for responses be received these will be forwarded to the Committee for information.
- 3.12 Where this report identifies areas for the Committee to explore more widely, they can be added to the Committee's workplan.

4. EQUALITIES IMPLICATIONS

- 4.1 None specific to this report.

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 None specific to this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 This is a noting report in relation to LGA guidance for standards committees and as such there are no financial implications of noting the report.

7. COMMENTS OF LEGAL SERVICES

7.1 Section 27 of the Localism Act 2011 requires local authorities to promote and maintain high standards of conduct by members and co-opted members of the authority.

7.2 The matters set out in this report comply with the above legislation.

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- None.

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