

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS COMMITTEE

HELD AT 7.30 P.M. ON THURSDAY, 12 JANUARY 2012

**ROOM C1, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON,
E14 2BG**

Members Present:

Mr Patrick (Barry) O'Connor (Chair)

Mr Matthew William Rowe (Vice-Chair, in the Chair)

Ms. Salina Bagum (Independent Member)

Mr Eric Pemberton (Independent Member)

Ms Sue Rossiter (Independent Member)

Councillor Zara Davis

Councillor Zenith Rahman

Councillor Rachael Saunders

Councillor Joshua Peck (In place of Councillor Carli Harper-Penman)

Other Councillors Present:

Officers Present:

Isabella Freeman	– (Assistant Chief Executive - Legal Services, Chief Executive's)
Tony Qayum	– (Corporate Fraud Manager, Internal Audit, Resources)
David Galpin	– (Head of Legal Services (Community), Legal Services, Chief Executive's)
John Williams	– (Service Head, Democratic Services, Chief Executive's)
Antonella Burgio	– (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors; Maium Miah, Md. Mukit MBE and Carli Harper-Penman. Councillor Joshua Peck deputised for Councillor Harper-Penman.

Apologies for lateness were received from Councillor Zara Davies and Chair, Mr Patrick (Barry) O'Connor who were serving on a Standards Sub-Committee meeting immediately prior to the committee.

2. DECLARATIONS OF INTEREST

No declarations of personal or prejudicial interests were made.

3. MINUTES

The minutes of the meeting held on 11th October 2011 were approved as a correct record of proceedings.

4. REPORTS FOR CONSIDERATION

The Vice-Chair **moved** and it was agreed that the order of business be varied. Accordingly, agenda items 4.1 and 4.3 were considered as the first items of business. The published agenda order was resumed after agenda item 4.3 had been discussed.

4.1 Corporate Complaints:- Half year report 2011/12

David Galpin, Head of Legal Services – Community presented the report circulated at agenda item 4.1. Members were asked to note performance for FOI requests at paragraph 4.17 and the analysis of the following variations in performance:

- the rise in parking services complaints was attributed partly to seasonal variation caused by renewals of residents' permits and permit books and in part to some technical faults that arose during the implementation of a new IT system.
- the increase in complaints relating to dry recycling as a percentage of total complaints for refuse was very small and not considered significant
- the increase in complaints relating to summer events in parks was a seasonal variation for the half-year period reported.
- the fall in Tower Hamlets Homes (THH) complaints was larger than expected. There had been no changes in service levels therefore the Council and THH were investigating whether there had been underreporting.
- performance for Ombudsman complaints compared favourably to other London councils.

In response to Members' questions the following information was provided:

- the increase in street cleansing and parks cleansing complaints was noted. However levels of street cleanliness had remained at around 70% and performance was increasing. The service was characteristically high-volume therefore the Director was of the view that the variation was not significant. A response concerning Park cleansing complaints would be circulated following the meeting

Action: Head of Legal Services - Community

- in the second and third quarters, around 90% of Freedom of Information requests were responded to within the statutory time frame. Should performance fall below 85%, the Information Commissioner would be come involved in monitoring performance
- in all three quarters, 100% performance against response times was achieved for Stage Three Complaints.

The Committee was informed that written answers to the following questions would be provided:

- what action was taken where poor recycling practices were evidenced in the community.
- whether Stage One to Three Complaints data displayed any geographical pattern
- whether the trend for Stage One complaints resolved had increased or decreased
- whether the closure of Jack Dash House one-stop-shop had caused increased complaints

Action: Head of Legal Services - Community

RESOLVED

That subject to the actions above, the report be noted.

4.2 Annual Anti Fraud Report 2010-11

Tony Qayum, Corporate Fraud Manager presented the report circulated at agenda item 4.2 which summarised work on sensitive and reactive enquiries that had been undertaken during 2010 – 11. The Committee was asked to note the changes in structural arrangements of the Antifraud Team which was now managed through one management structure. Additionally members were asked to note the proactive initiatives at 4.7 of the report.

In response to Members' questions the following information was provided:

- statistics for staff that had left the Council following NFI probity checks referred to employees that had had incorrect work visas. Data matching had identified inconsistencies such as false National Insurance numbers. This kind of data was small and found to occur generally in low risk areas such as cleansing and catering. Employees tended to leave immediately when they were approached for investigation.
- the noted rise in insurance claims, was due to better analysis and more robust procedures. Data was represented on a rolling basis; therefore where a claim made in 2009 was not settled until 2010 an effect might be seen in statistics reported.
- the Council's Antifraud Unit had strong working relationships with all registered providers in the Borough since protocols on sharing information with RSL's provided that any referrals were evaluated and

investigated no matter whether they belonged to the Council or to the registered providers.

The Committee considered the recent conviction of a Member of the Council for fraud that had been reported in the press and enquired what were the implications on the Council. Members were informed that the Councillor concerned had pleaded guilty to failing to declare a change of circumstances however implications on his/her position as a Member of the Council would not be known until a sentence had been given. Should a sentence of more than three months be handed down, then disqualification would occur. However should there be an appeal against the conviction, no disqualification could be imposed until this had been determined. The Committee voted to suspend standing orders to allow a member of the public to comment on this matter. The member of the public, who was a prospective parliamentary candidate, wished to express his extreme concern and that of the people of the Borough on the activity the Councillor who had been convicted. In his view, this was an ethical matter and he felt that Standards Committee should send a strong message to the Mayor enquiring whether the Member concerned could be relieved of her duties. The Committee agreed to note the concerns expressed.

The Committee was asked to note that the Localism Act would impose changes on the Standards regime; however all existing matters would be dealt with under current provisions until new arrangements were in force. A transitional period would operate from 1 April 2012 until the beginning of the new Municipal Year.

RESOLVED

That the report and comments of the member of the public be noted

4.3 Covert Investigation Under the Regulation of Investigatory Powers Act 2000

David Galpin, Head of Legal Services - Community presented the report circulated at agenda item 4.3 which reported: the Council's use of covert investigations under the Regulation of Investigatory Powers Act 2000 (RIPA) in the third quarter 2011 – 2012, further information on authorisations in quarters one and two and a comment on the reduction in covert activities that had been previously requested by the Committee.

In discussion the following matters were noted:

- illegal moneylaundering investigations were no longer investigated by the Council but were dealt with through a national office.
- a Member commented that in his view RIPA authorisations for investigations that required longer surveillance seemed difficult to secure and this hindered enforcement actions by Partners. Members were informed that powers other than those under RIPA were available to Registered Social Landlords (RSL). RSL's could opt to undertake

surveillance themselves, work jointly with the Council or go to the Police.

- a Member felt that surveillance activity wasn't effectively reported to the community therefore facts and figures were doubted by the public.

The Committee made the following requests:

- that future, data be reported in the different categories of enforcements that were undertaken by the Council
- the monitor of surveillance activity might be reported more comprehensively. The Head of Legal Services - Community agreed to explore how further surveillance information could be collected and reported in future

Action: David Galpin, Head of Legal Services - Community

RESOLVED

That the report be noted

4.4 Members' Attendance, Timesheets and Declaration of Interests: Monitoring Report

John Williams, Service Head, Democratic Services presented the report circulated at agenda item 4.4 and tabled the latest timesheet performance update at the meeting.

The following matters were discussed:

Concerning data at appendix 1, the Committee:

- was informed that performance on timesheet returns was more or less constant. It was noted that those inclined to submit returns continued to do so and vice-versa.
- asked the returns submitted in respect of Councillors Kabir Ahmed Joshua Peck and Craig Aston be checked again.
- asked that a letter be written to Councillor Shahed Ali regarding the lack of returns submitted.

Action: John Williams, Service Head, Democratic Services

Concerning data at appendix 3, the Committee was informed that:

- cells shaded grey, indicated that Members were not required to undertake the designated mandatory training.
- Members were required to update the register of interests only where their circumstances had changed. Written reminders were sent half yearly.

RESOLVED

That the report be noted

4.5 Localism Act 2011: Changes to the Standards Regime

Isabella Freeman, Assistant Chief Executive, Legal Services gave an oral report and tabled a briefing for Committee Members. The following summary of the changes to the standards regime effective from 1 April 2012 was provided:

- the requirement for a Standards Committee would cease
- a Member level body would still however be required to deal with standards issues.
- a statutory duty remained to promote and maintain high standards of conduct

- the requirement for Referrals, Review and Hearing Sub-Committees was repealed
- Standards Committee's power to impose sanctions was repealed
- the Council would be enabled to establish its own hearings processes.

- the current Members' Code of Conduct would be repealed
- the Council would be required to adopt a new code of conduct consistent with the seven principles of conduct in public life
- paragraphs 3 to 7 of the present Members' Code of Conduct would be included in the new code

- Members would be required to register and disclose "Disclosable Pecuniary Interests"
- failure to register interests would become a criminal offence
- any interests not registered would need to be disclosed at meetings

Transitional arrangements would be operated from 1 April 2012.

RESOLVED

That the verbal report be noted.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

Nil items.

The meeting ended at 9.00 p.m.

Chair, Mr Patrick (Barry) O'Connor
Standards Committee