

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE

HELD AT 7.30 P.M. ON TUESDAY, 14 JANUARY 2014

**COMMITTEE ROOM 1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON E14 2BG**

Members Present:

Matthew William Rowe (Chair)	(Co-opted Member)
Eric Pemberton (Vice-Chair)	(Co-opted Member)
Grenville Mills	(Temporary Co-opted Member)
John Pulford MBE	(Co-opted Member)
Salina Bagum	(Co-opted Member)
Councillor David Edgar	
Councillor Judith Gardiner	
Councillor Zara Davis	

Observer:

Elizabeth Hall	Independent Person
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Officers Present:

John Williams	(Service Head, Democratic Services, Chief Executive's)
David Galpin	(Service Head, Legal Services, Directorate Law Probity and Governance)
Zoe Folley	(Committee Officer, Directorate Law, Probity and Governance)

Apologies.

Patrick (Barry) O'Connor, Councillor Sirajul Islam, Councillor Motin Uz-Zaman and Ezra Zahabi

Apologies for lateness from Councillor David Edgar.

Order of Business

The order of business was changed at the meeting so that that agenda items 5-7 relating to the Exempt/Confidential business were considered ahead of agenda items 3-4. However, for ease of reference the items are set out in agenda order in these minutes.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interests were made.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Chair **moved** and it was agreed that the minutes of the Standards Advisory Committee held on 24th October 2013 be approved, without amendment, as a correct record of proceedings and the Chair be authorised to sign them accordingly.

Action by:

Zoe Folley (Committee Officer, Democratic Services, CE's)

3. REPORTS FOR CONSIDERATION

3.1 Covert investigation under the Regulation of Investigatory Powers Act 2000

The Head of Legal Services (Community) presented the report regarding the Regulation of Investigatory Powers Act 2000 (RIPA).

The Committee noted the new authorisation to investigate underage and illegal tobacco sales and the key dates for the surveillance work.

The Committee also noted the decision to cancel the authorisation granted regarding test purchases around Brick Lane. The authorisation was cancelled in November 2013. This was now subject to further enforcement work.

Both authorisations had been taken to court and judged as an appropriate use of the legislation. It was intended that an Annual Report regarding use of the RIPA powers would be submitted to the Committee at the end of the year with details on the outcomes.

In response, Members asked whether the issue of electoral fraud and illegal subletting of Council properties could be investigated under the legislation as Members felt that these were important areas to address. The Head of Legal Services (Community) undertook to look into use of the powers in relation to these areas and report back to the Committee. Members also asked to be provided with a map showing the location where investigations have been carried out.

In response to further questions, Officers outlined the process for investigating electoral offences. Officers highlighted the remit of the Police and the Council in such matters. The Council's prosecution offence related to non return of canvass forms, but fraud was dealt with by the Police.

The question of whether or not covert investigation powers could be used depended on the seriousness of an offence, measured by the maximum sentence. The Returning Officer undertook to inform the Electoral 'Silver' Group meetings, that were already ongoing with the Police, of the matters that the Committee had raised.

Resolved

That the report be noted:

Action by:

David Galpin, The Head of Legal Services (Community)

3.2 Code of Conduct for Members - Complaints and Investigation Monitoring

The Interim Monitoring Officer presented the report. He highlighted the key points in the monitoring information for this quarter. In response, Members commented on the timescale for some of the ongoing investigations and sought assurances on the process. In particular cases, IDSC/01/2013 that had been ongoing for 6 months and IDSC/07/2013. The Committee were advised of the progress with these investigations that were near completion.

Members also questioned progress with the two year long investigation (ASC/01/2012). Members were advised that the matter had been subject to an external investigation and that the Monitoring Officer had recently received the Counsels opinion on the case. Members were reassured that this investigation should be completed in advance of the May Elections in the event of any changes at that Election.

Members were also advised of the complexities and legal issues surrounding some of the investigations.

In view of the above, Members sought more information on the deadlines for completing the investigations. This needed to be made clearer in the reports. In response, the Monitoring Officer offered to provide information on this in the report. For example, he suggested that the report could specify the deadline, and the reasons for any extensions.

The Committee also noted the number of complaints from Councillors (7 out of the 9 cases) and the possible reasons for this such as greater awareness of the complaints process.

Members also commented on the perceived decline in complaints from Councillors and the possible reasons for this. Accordingly, a Member considered it helpful to carryout an analysis of complaints over a period of time to identify areas for action (possible after the May Elections).

The Chair also saw merit in collating benchmarking information on complaints under the new standards regime. The Chair considered that it might prove quite helpful to undertake such an exercise in the future.

Overall, the Committee were satisfied with the format of the information in the report.

Resolved

That the complaints and investigation monitoring information contained in the report be noted.

Action by:

Mark Norman (Interim Monitoring Officer)

3.3 Review of Member Timesheets

The Service Head Democratic Services presented the report. Members were invited to consider the proposed changes to the Members' timesheet, as attached to the report (Appendix 'B'), together with the current time sheet for comparison. The intention of the changes were to update the categories and terms in response to Member feedback.

The Committee noted the outcome of the consultation with the Political Groups and Independent Members on the suggested changes. (Tabled at the meeting). This feedback suggested that an additional category be added for Constituent's Home Visits and suggested a move to a 'tick box' format. A example of how this could look was attached to the tabled information.

In response, some Councillors questioned the need for the amount of detail in the proposed timesheet (Appendix 'B') in the interest of public accountability. Councillors drew attention to the pressure on Members time in collecting the information. As a result, support was expressed for the simplified 'tick box' option and, where possible, for the form to be populated with automated statistics from the Council's systems. It was suggested that this data could include statistics for Committee Meeting attendance (including the duration of meetings as well as numbers attended), Members training attendance and Members Enquiry information. Councillors would then simply complete the sections that Members alone could complete. It also should also be recognised that Councillors worked in different ways.

However, some Members expressed supported for the current level of detail in the timesheets (as revised in Appendix B) in the interests of transparency. As a result, some considered that the detailed categories should be maintained with the addition of the automated data, where possible.

A Councillor also questioned the value of the timesheet for comparison purposes (against other Councillors) given the lack of information on the

Councillors circumstances, such as their employment status, that could affect the amount of time they could devote to duties.

A Councillor also asked about the level of public interest in the timesheets and how many people viewed the timesheets on line.

In conclusion, it was agreed that, for the time being, that the proposed revised timesheet (Appendix 'B') be introduced with the longer term aim of introducing an on-line system with automated information from the Council's systems where possible.

Resolved

1. That the proposed amendments to the Members' Timesheet proforma as attached at Appendix 'B' be supported and introduced.
2. That in the slightly longer term, officers progress the introduction of online Member timesheets with the capacity to populate information (such as Meeting attendance, details of Members Enquires) where possible.

Action by:

John Williams, Service Head Democratic Services.

4. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

Nil items

5. EXCLUSION OF THE PRESS AND PUBLIC

The Committee Resolved that the press and public be excluded from the meeting during the discussion of item 6 on the grounds that the minutes contained information classified as exempt under the provisions of Schedule 12A of the Local Government Act 1972, Paragraph 3.

6. EXEMPT/CONFIDENTIAL MINUTES

The Chair **moved** and it was agreed that the exempt/confidential minutes of the Standards Advisory Committee held on 24th October 2013 be approved, without amendment, as a correct record of proceedings and the Chair be authorised to sign them accordingly.

Action by:

Zoe Folley (Committee Officer, Democratic Services, CE's)

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

Nil items

The meeting ended at 9.00 p.m.

Chair, Matthew William Rowe
Standards (Advisory) Committee