

**London Borough of Tower Hamlets**  
**Standards Advisory Committee - Annual Report to Council**  
**Year May 2022 to May 2023**

**Introduction**

1. This is the regular Annual Report of the Advisory Committee. It sets out the key issues dealt with by the Committee during the past municipal year and identifies the priorities for 2023/24.
2. It should be noted that, as there was a change of administration following the Council election in May 2022, some of the reports considered by the Committee during this municipal year relate to the previous administration.

**Membership**

3. During the municipal year 2021/22 the Committee comprised 5 elected members and 5 independent co-opted members. The Council's Constitution provides that an independent co-opted member be appointed Chair of the Committee.

**Elected Members:**

- Cllr. Sirajul Islam
- Cllr. Shafi Ahmed
- Cllr. Amin Rahman
- Cllr. Abu Chowdhury
- Cllr. Sabina Akhtar

**Independent Co-opted Members**

- John Pulford MBE (Chair)
- Fiona Browne (Vice Chair)
- Mike Houston
- Elizabeth Marshall MBE

Nafisa Adam and Denzil Johnson resigned as independent co-opted members shortly before the start of the current municipal year and Syed Uddin resigned on 19 January 2023. The Committee thanks them for their service.

There is currently one vacancy for a co-opted member which the committee hopes to fill in the near future.

## **Independent Persons**

4. The Council has appointed two statutory Independent Persons (IPs) under the Localism Act 2011. The IPs are Ms Rachael Tiffen and Ms Amanda Orchard. Both were appointed to their current term of office as IP at Council on 19 January 2022. Ms Tiffen's second term of office and Ms Orchard's first term of office both started on 20 January 2022 and last until 20 January 2026.
5. The principal role of the IP is to give an independent view on governance issues in general and specifically in relation to alleged breaches of the Code of Conduct for Members. Both IP's work closely the Monitoring Officer and her Deputies, considering all complaints and whether an alleged breach of the Code meets the criteria for investigation.
6. It is also a statutory requirement to consult the IP before deciding on the outcome of an investigation into a complaint and whether to impose any sanction. The Member complained about may also at any stage of the process seek a view from the IP. In order to avoid any conflict of interest the Council has appointed two IPs.
7. The Council is fortunate to have appointed IPs with a sound understanding of the ethical framework who both act as advocates for the Council in promoting ethical standards and of high standards of conduct. Although not members of the Standards Advisory Committee, they attend meetings and play an important role in the proceedings. Both IPs also contribute to and participate in the Council's mandatory Ethics & Probity training programme.

## **Officers**

8. The Committee's lead officers were:
  - Janet Fasan – Director, Legal Services and Monitoring Officer
  - Matthew Mannion – Head of Democratic Services
  - Agnes Adrien – Head of Litigation and Deputy Monitoring Officer
  - Jill Bayley, Head of Safeguarding and Deputy Monitoring Officer

## **Terms of Reference**

9. The current terms of reference for the Standards Advisory Committee are contained in Part B Section 19 of the Constitution, with the Committee's procedures set out in Part D. The terms of reference and procedures are attached as Appendix A to this report.

## **Meetings**

10. The Standards Advisory Committee held four meetings during the 2022/23 municipal period on the following dates:
  - 23 June 2022
  - 22 September 2022
  - 15 February 2023
  - 18 April 2023
11. The Committee met in hybrid format with a quorum meeting physically and other members attending virtually. This system worked well during the pandemic and has been continued now that restrictions have eased as it allows for flexibility.

### **Standards Advisory Committee Work Programme 2022/23**

12. The Committee agreed a work programme at the first meeting of the municipal period on 23 June 2022. It was updated throughout the year. The key areas of business considered during the year are listed below.

### **Code of Conduct for Members – Complaint Monitoring:**

13. The Committee received bi-annual monitoring reports on complaints of alleged breach of the Code of Conduct for Members. There were seven complaints from May 2022 to May 2023.
14. Six complaints were made by members of the public and one by a Member. Five complaints were closed without investigation after consultation with the IP. One complaint is currently being investigated after consultation with the IP. One complaint has been referred to an outside agency for investigation.
15. The Committee continues to monitor whether there are lessons to take from complaints monitoring. The Committee continues to monitor remedial actions and that outcomes are reported to the complainant, to give assurance that maintaining ethical standards is given full organisational support.

### **Dispensations:**

16. The Committee received bi-annual reports on dispensations granted by the Monitoring Officer under section 33 of the Localism Act 2011 in respect of disclosable pecuniary interests (DPI's).

The meeting on 23 June 2022 noted that the Monitoring Officer had granted a continuing General Dispensation to all Members for their current four-year term to be present, speak and vote where they would otherwise have a DPI in the following matters:

- (a) Housing: where the Councillor (or spouse or partner) holds a tenancy or lease with the Council if the matter does not relate to the particular tenancy or lease of the Councillor (their spouse or partner);
  - (b) Council Tax: setting the council tax or a precept;
  - (c) Determining an allowance, travelling expense, payment or indemnity for Councillors;
  - (d) Council Officer pay where this impacts on Member Allowances.
17. A specific dispensation may also be granted where the Monitoring Officer is satisfied that:
- (a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
  - (b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
  - (c) granting the dispensation is in the interests of persons living in the authority's area; or
  - (d) it is otherwise appropriate to grant a dispensation.
- Any grant of a dispensation must specify the duration of the dispensation up to a maximum of 4 years. The regular reporting to the Standards Advisory Committee allows Members to maintain oversight of any specific dispensations that are granted.
18. General Dispensations have been granted to all Councillors, lasting for that Full Council meeting only, on two occasions during this municipal year.
19. A General Dispensation was granted to all Councillors for Full Council on 5 October 2022 for an Agenda Item regarding support for small businesses in the face of the energy bill crisis. The Dispensation lasted for the Full Council meeting on 5 October 2022 only. The decision to grant the dispensation was made due to the significant number of Members who had a DPI because they have businesses in the borough, and as a result:
- a) the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of the vote on the matter; and
  - b) Granting the dispensation would be in the interests of persons living within the authority's area; and
  - c) The number of DPIs in the matter would impede the transaction of the business.
20. A General Dispensation was granted to all Councillors for Full Council on 18 January 2023 for Agenda Item 8, a Motion concerning Tower Hamlets Homes. The Dispensation lasted for that Full Council meeting only. The Dispensation was granted on the grounds that:

- a) the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of the vote on the matter; and
- b) Granting the dispensation would be in the interests of persons living within the authority's area; and
- c) The number of DPIs in the matter would impede the transaction of the business.

### **Gifts & Hospitality:**

- 21. The Committee received quarterly reports on the requirement contained in the Code of Conduct to register gifts and hospitality received or declined with an estimated value of £25 or above.
- 22. In total 18 declarations were made within the reporting periods of the June 2022, September 2022, February 2023 and April 2023 meetings.
- 23. During the year the Committee also monitored the speed of the declarations made, taking interest in whether declarations were made within the 28-day deadline. The Committee noted that four of the 17 declarations were made after the deadline and noted the reasons for the delays.
- 24. The Committee pays particular attention to any large donations received. The Committee would encourage all large gifts to be donated to the Speaker's Charity.
- 25. The Committee noted that acceptance of gifts and hospitality by councillors is not merely an administrative issue. Acceptance can impact on Member reputation and on the Council as a whole. Members need to show they are acting in the public interest and do not gain personally from receiving gifts.
- 26. The Committee received quarterly reports on the Register of Interests and noted that reminders were sent out to Members quarterly to update their Register of Interests.

### **Member Attendance**

- 27. The Committee meeting in June 2022 received the annual report on Councillor and Co-optee attendance during the municipal year 2021-2022 at Council and Committee meetings. The report set out how attendance was recorded and provided details of attendance at meetings by the Mayor, Councillors and Co-optees.
- 28. It was noted that the Local Government Act 1972 currently forbids the holding of virtual council meetings. During the 2021-22 municipal year, council and committee meetings were held in a hybrid format. This allows members of

committees to participate remotely in a committee meeting. However they do not count as present for quorum requirements and cannot vote.

### **Terms of Reference**

29. At the meeting in June 2022 the Committee considered a report on the Committee's Terms of Reference. It was agreed that a review of the Committee procedures should be added to the workplan for review.

### **Member / Officer Relations Protocol**

30. The Member / Officer Relations Protocol (the Protocol) is in the process of updating. It is closely connected to the Code of Conduct (the Code) and the Committee has agreed that, as the Code has been updated, the Protocol should be refreshed to reflect changes.
31. A working group has been set up to review the Protocol. The draft Protocol was considered at the April meeting of the Committee and Members' comments were noted.

### **Member Learning and Development Programme and review of Member Induction**

32. The February meeting of the Committee received the regular yearly report providing an update on the Member Learning and Development Programme listing events that had taken place since October 2021, and in particular reviewed the Member Induction programme after the local elections in May 2022.
33. The Member Induction programme was spread over a period of several months, with some information being provided to candidates before the election. The programme continued after the election with some compulsory training for all Members and some more targeted training, and lots of general briefings, continuing until November. Initial attendance and engagement was good, but tailed off during the autumn for the general briefings. Sessions were provided in person with access to many also available online.
34. At the conclusion of the induction period a survey was sent to all Members to capture their views on the programme. Overall feedback was good with an average score of 4.25/5 for 'how much value has the overall induction programme been to you'.
35. Feedback from Members and officers generally shows that the Induction programme was effective and useful to Members. In particular, Members supported having an extended Induction rather than pushing everything into the early weeks. One area of focus for future learning and development is to

expand the options for the types of training delivered to include options such as pre-recorded videos and looking at the best way to mix in person and online training as appropriate.

36. The Learning and Development Programme looks to offer around 6-8 sessions a year and these will often be run by external trainers depending on the topic. Topics include Chairing Skills, Public Speaking and IT skills. The Committee saw and commented on initial plans for the programme and it looks forward to finding out how it went in its next report.

### **Guidance and Training for Members serving on outside bodies**

37. At the September meeting the Committee reviewed the Guidance for Members and Officers on outside bodies. The Committee considered changes to the Guidance and made various suggestions on improvements.

### **Implementation of best practice recommendations by the Committee on Standards in Public Life**

38. The Committee considered an update on the recommendations on best practice made by the Committee on Standards in Public Life. The Committee noted that many of the recommendations had been implemented.

### **Local Government Association report on Abuse and Intimidation of Members and Members' Addresses**

39. The Committee considered the LGA report which had been published in June 2022. The report set out seven recommendations around the safety and wellbeing of Members.
40. The Committee considered the requirement for Members to disclose their home address as part of the pecuniary interests protocol, which are made public (unless the Monitoring Officer agrees an exemption due to security issues). This requirement has been removed in relation to pre-election documentation.
41. The Committee noted that Members can be the subject of threats and intimidation and that these intimidation and threats can have a serious negative impact on their wellbeing. The Committee considered the support and guidance which is available to members to reduce the risks to them.

### **Standards Advisory Committee Work Planning for 2023-24**

42. The Committee intends to undertake a substantial work programme during 2023-24, including looking at the following items.

- Bi-annual monitoring of complaints of alleged breach of the Code of Conduct for Members.
  - Quarterly monitoring of gifts and hospitality registered.
  - Bi-annual reports on DPI dispensations.
  - Review of the Constitution
  - Members' training programme
  - Review of the Committee's Terms of Reference and procedures.
  - Monitoring of DPIs,
  - News on ethics matters elsewhere including areas such as good practice, case law, ombudsman and quasi-judicial proceedings and similar.
  - Members' attendance at meetings.
  - Annual report to Council.
  - Annual review of the Member Code of Conduct
43. The 2023/24 work programme aims to continue to embed behaviours that support the seven principles in public life described in the Nolan report, by encouraging Members to apply ethical standards in their day-to-day duties and to look at how these should influence their approach to discharging their responsibilities in their individual and collective capacities.

### **Conclusion**

44. As Chair of the Committee I wish to thank my fellow committee members, the Independent Persons and the Monitoring Officer for their contributions to the Committee's business and their commitment to promoting and maintaining high standards of ethical conduct across the Council. I also wish to thank the officers of the Council for their work in supporting the Committee during the year.
45. I would particularly like to highlight how important it is that the Council has such dedicated co-opted Members who are active contributors to the Committee's discussions and have demonstrated commitment to the role of Standards in the authority. The involvement of co-opted Members should be considered as 'good governance'. We are ahead of many local authorities in this area.

John Pulford MBE  
Independent Chair

