



LONDON BOROUGH OF BRENT

MINUTES OF THE STANDARDS COMMITTEE Thursday 9 January 2014 at 7.00 pm

PRESENT: Ketan Sheth (Chair) and Councillors Cummins, Gladbaum, Harrison and HB Patel together with Sheila Darr (Co-Opted Member)

Also present: Councillor Cheese and also Sola Afuape (Independent Member)

1. **Declarations of personal and prejudicial interests**

None made.

2. **Minutes of the previous meeting**

RESOLVED:

that the minutes of the previous meeting held on 17 October 2013 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Independent Investigator's report following an allegation of a breach of the Code of Conduct**

The report from the Monitoring Officer presented the Standards Committee with the Independent Investigator's report in relation to allegations that Councillor Paul Lorber breached the Code of Conduct. The independent report was commissioned by the Monitoring Officer in accordance with the decision of this Committee on 17 October 2013 that an investigation should take place.

Fiona Ledden (Monitoring Officer) advised that the report from the Independent Investigator came to the conclusion that Councillor Lorber had not breached the Code of Conduct in the email exchanges with Mr Smith of ACAVA during 8 and 22 September 2013 over the use of Barham Park Buildings, Sudbury. It was now for members to consider the report, to decide whether or not to accept the findings and, whether or not there were any lessons the authority could learn.

Alex Oram (ch&I associates ltd), the Independent Investigator, was present at the meeting, summarised the material of facts of the case and outlined the reasoning as to whether there had been failure to comply with the Members' Code of Conduct as set out in his report. On balance, Mr Oram found that Councillor Lorber had not

disclosed any confidential information and while his tone and choice of language may be cause for concern, it did not amount to disrespect. It was felt that Councillor Lorber was acting as a community representative and had not sought to use his position improperly to confer advantage.

Members in discussion questioned the threshold to be applied in deciding the appropriateness of language. Mr Oram commented that he had taken into account the forum in which the discussion had taken place (ie within the council) and that it had not been directed to an individual but an organisation. Members agreed with the suggestion that given the responsibility elected representatives had to advocate on behalf of the community, consideration should be given to addressing self-awareness and accountability. Additionally, it was agreed that members should be provided with additional guidance on balancing outside interests, the potential for conflict of interest including the need to sign-off correspondence appropriately so as to be clear in what capacity correspondence was being written. Furthermore, it was agreed that members should be reminded of the need to be aware of the importance of tone and to be conscious of the recipient when communicating by email.

The committee agreed to accept the findings of the Independent Investigator and the recommendations in the Monitoring Officer's report and thanked Alex Oram for his report which they considered to be well written and accessible. Members also thanked Fiona Ledden for her contribution.

The Monitoring Officer then invited specific comments on how the council could take forward any lessons learned. On the Member Development Programme, it was felt that mechanisms should be in place to ensure members attended recommended training sessions. Also, that training provided should be more interactive to encourage councillors to attend and to bring about behavioural change both for experienced and recently elected members.

Alex Oram welcomed the inclusion of member training into the discussion and reiterated guidance on making the distinction between acting in private and in official capacities. He drew attention to the changes in disclosure of interests under the Code of Conduct required by the Localism Act 2011 which underlined the need for additional guidance and training. Members also agreed on the value of engaging and communicating with the public to increase awareness of expectations.

RESOLVED:

that having reviewed the report by Alex Oram, Independent Investigator, attached as Appendix 1 to the report from the Monitoring Officer, and taking into account the views of the Independent Person as set out at paragraph 3.6 to 3.8 of the report from the Monitoring Officer, that the conclusions of the Investigator's report that during the exchanges with Mr Smith at ACAVA between 8 and 22 September 2013 Councillor Lorber did not breach the Members' Code of Conduct, be accepted.

5. Annual report from the Monitoring Officer

The Monitoring Officer's Annual Report to the Standards Committee for the period December 2012 to December 2013 provided an update on member conduct issues and the work of the Standards Committee and the Monitoring Officer during that

period. The report also reviewed the introduction of the new Standards regime which was introduced in July 2012.

The Monitoring Officer, Fiona Ledden, drew attention to the allegations and referrals received during the year where she had exercised her discretion on how they should be dealt with and had not made referrals for investigation. Regarding Gifts and Hospitality, Fiona Ledden referred to discussions that were taking place at senior officer level regarding the best way of declaring tickets given to the council by Wembley Stadium Ltd for staff and members. It was felt that as these were distributed by ballot and not donated to individuals, consideration could be given to the council making a general declaration to cover all tickets.

In discussion, members sought clarification on how allegations and referrals of misconduct were resolved. The Monitoring Officer advised that she may talk to the individual concerned or raise issues with Group Whips. Again, the importance of training in softer skills was stressed in helping members to be more aware of public perception particularly in meetings such as Planning and Licensing Committees in addition to regular training to enhance the knowledge base.

On the question of declaring Wembley Stadium event tickets, the committee discussed the extent to which members could be seen to have benefitted even where they did not personally attend an event but passed the ticket on to third party. Also discussed was the need to declare tickets given the number involved, which was considered onerous by some, weighed against the value of the council being seen to be open and transparent in its dealings with Wembley Stadium.

RESOLVED:

that the report be noted.

6. Review of the Member Development Programme and Members' Expenses

The purpose of the report from the Director of Legal and Procurement was to review the Member Development Programme and members' travel expenses. The report outlined the development sessions delivered for members since May 2012 and also outlined the upcoming induction programme for June 2014.

Fiona Ledden (Director of Legal and Procurement) referred to the draft member induction programme to be rolled out following the Local Elections in May 2014 which was being reviewed. She was pleased to report that the Member Development Programme had recently been reaccredited with the Charter for Elected Member Development for the next three years. Consideration was being given to mandatory training, ways of enhancing training to increase engagement and raising the profile of the Member Development Steering Group. Improvements were being sought through identifying best practice both in and outside London, improving training evaluation and introducing mentoring.

In considering the Director's report the Chair suggested that Group Whips attend committee meetings to inform suggestions of training needs.

RESOLVED:

that the report be noted.

7. **Date of Next Meeting**

It was noted that the date of the next meeting could be delayed so as to allow submission of the report on the Licensing Code.

8. **Any other urgent business**

None.

The meeting closed at 8.30 pm

KETAN SHETH
Chair