



Full Council

11 July 2016

Report from the Chief Legal Officer Wards Affected:

For Action

Wards affected: ALL

Process for dealing with requests to approve Members' absence from meetings

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1.0 **Summary**

- 1.1 On 26th May 2016 the Monitoring Officer commissioned an independent investigator, Richard Penn, to produce two reports. The first report on the administrative process surrounding Councillor Oladapo's death was received on Sunday 3rd July 2016 and the full report and recommendations presented to the Council's Constitutional Working Group ("CWG") on 4th July 2016. The first report of Mr Penn is attached to this report as Appendix 1.
- 1.2 This report presents to full council the recommendations made by the CWG. The second report on a complaint against a member arising out of the circumstances surrounding Councillor Oladapo's death is expected, in draft form, week commencing 11th July.
- 1.3 The CWG is chaired by Carolyn Down, the Chief Executive, and consists of the following elected members:

Councillor Butt, Leader of the Council
Councillor McLennan, Deputy Leader of the Council
Councillor Colwill, Leader of the Conservative Group

Councillor Warren, Leader of the Brent Conservative Group
Councillor Hirani, Cabinet member representative

and the following officers:

Althea Loderick, Strategic Director of Resources
Fiona Alderman, Chief Legal Officer
Thomas Cattermole, Head of Member and Executive Services

2.0 **Recommendations**

2.1 This report presents the recommendations of the CWG to full council for debate and recommends adoption of the following recommendations:

- i. Those members who are potentially likely to breach the six months rule because of their non-attendance should be given written notice of this by Members Services as soon as it becomes known through the various checks and balances.
- ii. That all reports with a recommendation that a Councillor's absence should be approved are submitted first to a meeting of the Chief Executive, Monitoring Officer and the Head of Member and Executive Services, following consultation with the relevant Group Whip. Those officers will, on the basis of each case, recommend whether or not the report should go forward.
- iii. A member will be given written notice of the date on which they will cease to be a member of the authority, in cases where it is not recommended that absence be approved.
- iv. Members of CWG will receive written notification of whether or not the report referred to in (ii) will go forward and on what basis.
- v. any report recommending extension of absence, and in particular the recommendation itself, should make clear whether the member's absence is being approved until a specific date only or perhaps contingent on the member being required to take some action, for example providing further information.
- vi. Where the approval of absence of six months or more is requested then a medical certificate should be provided to the Chief Executive and a fresh certificate presented as requested.
- vii. a member should, in the case of occasional absence, tender their apologies directly to the Head of Executive and Member Services. Those apologies received by the Chief Whip should be forwarded on by email to the Head of Executive and Member Services. Where no contact is received from a member then their absence will not be recorded under "apologies".

4.0 **Financial Implications**

4.1 None

5.0 **Legal Implications**

5.1 None

6.0 **Diversity Implications**

6.1 None.

Background Papers

None

Contact Officers

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