



LONDON BOROUGH OF BRENT

MINUTES OF THE STANDARDS COMMITTEE Thursday 28 September 2017 at 6.00 pm

PRESENT:

Councillors Allie (Chair), Ahmed, Colwill, Krupa Sheth and Moher (substituting for Kabir)

Independent Members: Sheila Darr, Robert Cawley and Karen McArthur.

Independent Persons: Kier Hopley and Nigel Shock

Also present: Councillor McLennan

1. Apologies for Absence and clarification of any alternative members

Apologies for absence were received from Councillor Kabir (with Councillor Moher substituting) and also from Margaret Adenike Bruce (Independent Member).

Before moving on to consider the main item on the agenda, Councillor Allie (as Chair) took the opportunity to formally welcome Nigel Shock to his first meeting of the Committee as a newly appointed Independent Person.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Previous Meeting

RESOLVED that the minutes of the previous meeting held on 29 June 2017 be approved as an accurate record of the meeting.

4. Matters Arising (if any)

None.

5. Update on Standards Matters

Debra Norman (Chief Legal and Monitoring Officer) introduced the report which provided the Committee with an update on:

- the final outcome of a recent Members Code of Conduct complaint against Councillor John Duffy; and
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- any gifts and hospitality registered by Members during the last quarter (July-September 2017).

In addition the Committee had also received, as additional information in advance of the meeting, details of a consultation currently being undertaken by the Department for Communities & Local Government (DCLG) on proposals for updating the criteria disqualifying individuals from being elected, or holding office as local authority members, which comments were also being sought on.

5.1 Outcome of complaint against a Councillor

Looqman Desai (Senior Lawyer – Governance) summarised the background to the complaint against Councillor Duffy, which following investigation by the Deputy Monitoring Officer had been upheld. Members noted the final Decision Notice which had been issued and published on the Council's website confirming the outcome of the complaint and recommended sanctions. These had included Councillor Duffy being requested to apologise to the Chief Executive as well as the decision being published and reported to the Committee.

Members noted that Councillor Duffy had not exercised his right to request a review of the decision prior to it being finalised and, to date, had not issued an apology to the Chief Executive.

In response to comments raised on the update, Looqman Desai confirmed that the outcome of the complaint had been reported to the Committee for information only. There was no opportunity to undertake a further investigation, as the complaint had already been concluded in accordance with the complaints procedure.

Whilst noting the limited powers available to local authorities under the current standards regime, the Committee fully supported the sanctions imposed as an outcome of the complaint. As a result, concerns were raised by members of the Committee and Independent Persons that no apology had yet been offered by Councillor Duffy, which the Committee felt compounded his original breach of the Code of Conduct. Further concern was expressed about an email Councillor Duffy had sent to all Members of the Council on the day prior to the Committee which had reiterated some of the previous accusations that had been subject to the original complaint. The Committee felt this further compounded his earlier misconduct and was unacceptable, with Members keen to explore what additional sanctions were available to them in order to reflect the concerns raised.

Looqman Desai advised that under the current standards regime there were limited additional powers available (over and above censure) to impose further sanctions given that the complaints process and original investigation had been concluded. It would, however, be possible for the Monitoring Officer on behalf of the Committee to write to Councillor Duffy expressing their concern and disappointment over his behaviour and seeking the apology originally requested, with the letter (as a further form of censure) being published on the Council's website. The Committee supported this proposal and as a more general request also felt it would be useful if a further briefing could be provided outlining the powers available to them under the current standards regime to impose sanctions and enforce compliance in case involving breaches of the Members Code of Conduct.

As a result of the discussion it was therefore **RESOLVED:**

- (1) the Monitoring Officer write to Councillor Duffy on behalf of the Committee highlighting the concerns expressed over his conduct and requesting, albeit belatedly, that he issue an apology to the Council's Chief Executive in accordance with the sanctions imposed as an outcome of the original complaint against him.
- (2) that the letter sent to Councillor Duffy under (1) above should be published on the Council's website for the remainder of the 6 month period that it was agreed the decision notice in relation to the original complaint should be published or until he had apologised (whichever occurred first).
- (3) that a separate development session should be arranged for all members of the Committee and the Independent Persons to outline the sanctions and powers currently available to them when dealing with breaches of the Member Code of Conduct.

5.2 Update on Gifts and Hospitality

The Committee noted that no receipt of gifts or hospitality had been registered by Members during July – September 2017.

5.3 DCLG consultation on disqualification criteria for elected members

Debra Norman (Chief Legal & Monitoring Officer) referred to the additional information circulated to Members in advance of the Committee regarding a consultation being undertaken by DCLG on proposals for updating the criteria disqualifying individuals from being elected, or holding office as local authority members.

Members of the Committee and the Independent Persons were invited to comment on any issues they felt should be included as part of a Council response and the following observations were made:

- Karen McArthur (Independent Member) felt the proposed criteria was sensible and should be supported. She also suggested as an additional criteria that someone be disqualified if they had been censured by their professional organisation e.g. a barrister.
- Keir Hopley (Independent Person) also commented expressing support for the proposals.

The comments were supported by the remainder of the Committee, who were generally supportive of the proposals in the consultation document and on which the Chief Legal and Monitoring Officer would submit a response accordingly.

As no further issues were raised the Chair thanked the Independent Members and Persons for their input and ongoing support.

6. Any Other Urgent Business

None.

7. Date of the Next Meeting

It was noted that the next meeting of the Committee had been scheduled to take place at 6:00pm on Monday 27 November 2017.

The meeting closed at 6:30pm

COUNCILLOR JAMES ALLIE
Chair