



Standards Committee

Tuesday, 20 September 2011 at 6.00 pm
Marriage Room, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

Membership:

Members

Independents:

Angela Ruotolo (Chair)

Sola Afuape (Vice-Chair)

first alternates

Sheila Darr

John Mann

second alternates

John Mann

Sheila Darr

Councillors:

Gladbaum

Beck

Colwill

Hossain

Lorber

HB Patel

Harrison

D Brown

HM Patel

For further information contact: Anne Reid, Principal Democratic Services Officer
020 8937 1359, anne.reid@brent.gov.uk

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www.brent.gov.uk/committees

**The press and public are likely to be excluded from this
this meeting**

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
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1	Declarations of personal and prejudicial interests	
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Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

2	Minutes of the previous meeting	p 1
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3	Matters arising (if any)	
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4	Exclusion of press and public	
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This document is not for publication as it contains the following category of exempt information as specified in Paragraph 7C, Schedule 12A of the Local Government Act 1972 (as amended by The Standards Committee (England) Regulations 2008), namely:

7C Information presented to a standards committee, or to a subcommittee of a standards committee, set up to consider any matter under regulations 13 or 16 to 20 of the Standards Committee (England) Regulations 2008, or referred under section 58(1)(c) of the Local Government Act 2000.

5	To conduct a hearing into an allegation of misconduct under the Standards Code of Conduct	p 7
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Ward Affected: All Wards

Contact Officer: Fiona Ledden,
Director of Legal and Procurement
Tel: 020 8937 1292
fiona.ledden@brent.gov.uk

6	Sub-committee membership changes (if any)	
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7	Date of Next Meeting	
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The next meeting of the committee is scheduled to take place on 6 December 2011.

8	Any Other Urgent Business	
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Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.



Please remember to ***SWITCH OFF*** your mobile phone during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.
- Toilets are available on the second floor.
- Catering facilities can be found on the first floor near The Paul Daisley Hall.
- A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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LONDON BOROUGH OF BRENT

MINUTES OF THE STANDARDS COMMITTEE

Tuesday, 22 March 2011 at 7.00 pm

PRESENT: John Mann (Chair) and Councillors Beck, Colwill and Gladbaum

Apologies were received from: Angela Ruotolo (Independent Member, Vice Chair)

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 3 November 2010 be approved as an accurate record of the meeting.

3. Matters arising

None.

4. Localism Bill - proposed changes to the Standards Regime

The Borough Solicitor's report detailed the provisions of the Localism Bill concerning Standards in Local Authorities, the likely changes and the implications for Brent. Members recalled that at the Networking Event held in January earlier in the year they were advised of the new arrangements as set out in the draft Bill which would see the end of the current standards regime including Standards for England. Local Authorities would be left with an obligation to promote and maintain high standards in the absence of a prescriptive framework. Registers of Interest would still be maintained and criminal sanctions would apply to breaches where appropriate. Individual local authorities could take a view on whether to have a code of conduct, its content and remit and decide how to persuade members to comply. London Councils were in the process of considering a London wide code and a report would be submitted once this had been drafted. It was noted that any new arrangements would need to be adopted by Full Council.

In discussion, members felt that the introduction of a more robust and transparent register of interests would be beneficial and could be more efficient. It was also felt that the role of independent members would be critical to any new arrangements. It was felt that a London based code would be useful but questioned how consensus would be achieved and the absence of sanctions. The Borough Solicitor's representative, Kathy Robinson (Legal and Procurement), drew attention to the role

of training and Monitoring Officer Advice Notes as means of maintaining standards and members were advised that some local authorities were considering the legality of suspending allowances as a sanction. The committee then went on to consider in turn the fundamental issues as set out in the report and agreed on the need for the council to have a code of conduct, based on the current Brent code or on the pan London draft code when available. Members also agreed on the need to continue with the Standards Committee as a means of investigating complaints about conduct possibly with the Monitoring Officer filtering out complaints seen to be vexatious or trivial. On the composition of the committee members agreed that the presence of independent members helped to reinforce public credibility.

Some concern was expressed that under the new arrangements there would be no obligation on a member accused of misconduct to engage with the process and that any findings would be downgraded. However, it was noted that should a member under investigation fail to take part, conclusions would be drawn, making the exercise worthwhile.

RESOLVED:-

- (i) that the report from the Borough Solicitor on the proposed changes to the standards regime be noted;
- (ii) that consideration be given to the standards regime in Brent being based on the current Brent Members Code of Conduct taking into account any pan London code once available;
- (iii) that the existing role of independent members on the Standards Committee should continue.

5. Financial and Procedural Rules Governing the Mayor's Charity Appeal

The Mayor's Office and Member Development Manager introduced the report which set out a new set of financial and procedural rules for governing the Mayor's Charity Appeal. The previous rules were agreed in 2005 and were now felt to be in need of review to ensure effectiveness and transparency. She outlined the proposed changes which allowed for a consistent approach to ensuring the appropriateness of the charities chosen, approved by the Charity Commission and benefiting the people of Brent. The second change was to put in place a robust process for dealing with charities which got into financial difficulty particularly relevant in the current economic climate.

Members discussed the rules that would govern the selection of charities and the extent to which choice should be restricted. It was agreed that a balance was required and that to restrict choice to Brent based charities would be too limiting. Additionally, consideration was also given to whether chosen charities must exclusively benefit inhabitants of Brent however it was recognised that this would be difficult to maintain and would possibly exclude the majority of charities. Members heard that the Director of Finance and Corporate Services would carry out checks on charities' financial viability.

It was agreed that efforts should be made to ensure that any donations were made as tax efficiently as possible and to using the Charities Aid Foundation. The committee welcomed the new regulations.

RESOLVED:

- (i) that the new rules relating to the financial and procedural management of the Mayor's Charity Appeal as set out in appendix 2 of the report from the Mayor's Office and Member Development Manager be noted;
- (ii) that consideration be given to the improving the efficiency of donations to the Mayor's Charities if possible using the Charities Aid Foundation.

6. Annual Review of the Member Development Programme May 2010 - April 2011

The Mayor's Office and Member Development Manager, Elly Cook, outlined the activities undertaken by members since May 2010 including the induction programme following the elections in May 2010. Her report also included an analysis of the feedback from members, identified constraints on the programme and referred to the future of the programme and to additional training opportunities including e-learning. Elly Cook was pleased to report on the main achievement namely the award of the London Council's Member Development Charter for member development excellence in recognition of work over the past three years. On the induction programme, the majority of feedback was positive. Personal development interviews had taken place and had informed the programme. She was pleased to report that no penalties had had to be imposed on members due to late cancellations. The Member Development Steering Group was strong and met quarterly. The committee noted that discussions were taking place with LB Harrow on the possibility of sharing training to reduce costs. Membership of the London Development Network would also have budgetary savings.

Members stated that they had enjoyed the courses they had attended and congratulated officers on the award of the Charter.

RESOLVED:

that the report be noted.

7. Annual Work Programme 2011/12

Kathy Robinson (Legal and Procurement) introduced the draft work programme which had been amended to reflect the changes to standards arrangements outlined in the Localism Bill referred to earlier, with a reduced number of meetings, the next ordinary meeting not expected until September 2011. The annual networking event which was well received was expected to have an expanded catchment of boroughs. Meetings would be convened to consider the outstanding complaint against two members.

RESOLVED:

that the work programme for 2011/12 be agreed.

8. **Sub-Committee membership changes**

None.

9. **Date of Next Meeting**

The date of next meeting will be agreed by the Full Council in May 2011.

10. **Any Other Urgent Business**

None.

11. **Vote of thanks**

As this was the last meeting of the municipal year, the Chair, John Mann, thanked members and officers for their services and they in turn, thanked him for his contribution over the year.

The meeting closed at 8.15 pm

JOHN MANN
Chair



LONDON BOROUGH OF BRENT

MINUTES OF THE STANDARDS COMMITTEE

Thursday, 28 April 2011 at 7.00 pm

PRESENT: John Mann (Chair), Angela Ruotolo (Vice-Chair) and Councillors Colwill and Gladbaum and Lorber (for Beck)

Apologies were received from: Councillor Beck

1. Declarations of personal and prejudicial interests

Councillor Colwill declared a personal interest as a board member of Brent Housing Partnership.

2. Sub-Committee membership changes

None.

3. Allegation of a breach of the Code of Conduct

The committee met to consider allegations against Councillors Cheese and Shaw made by a member of the public. Members had before them the covering report which outlined the allegations attached to which was an independent investigation report and considered whether either or both should be made available to the public. The Borough Solicitor reminded the committee of the guidance from Standards for England that as much information as possible should be in the public domain and advised that while the covering report was capable of being discussed without revealing personal information of the complainant, this was not the case for the investigation report. The committee agreed that subject to further amendment to protect the identity of the complainant, the covering report from the Borough Solicitor should be made public and the investigation report remain not for publication.

On the allegation against Councillor Cheese and one allegation against Councillor Shaw the Investigator found that on balance there was insufficient evidence of a breach of the Code of Conduct and the committee agreed with this finding. On the second allegation concerning Councillor Shaw members considered the Investigator's report and the appendices and agreed that there was a case to answer.

RESOLVED:-

that the following be agreed:

- (i) that the Investigator's report remain confidential and exempt from publication on the basis that it discloses sensitive personal information relating to Mr X's medical condition;
- (ii) that the public interest in holding the meeting in public outweighs the public interest in having the meeting in private, that the meeting should be held in public save for any discussions about the detail of the Investigator's report which shall be held in private and that a redacted version of the report may be made public;
- (iii) that the Investigator's finding in relation to the allegation that Councillor Cheese breached the Code of Conduct, that there has been no breach of the Code of Conduct, be accepted;
- (iv) that the Investigator's finding that in relation to the allegation that Councillor Shaw breached the Code of Conduct by making inappropriate and disparaging comments in a public meeting on 19 July 2010) about Mr X generally, that there has been no breach of the Code of Conduct, be accepted;
- (v) that in relation to the allegation that Councillor Shaw breached the Code of Conduct by disclosing information in a public meeting regarding Mr X's health and making a comment about his health, a Standards Committee hearing be held to determine whether there has been a breach of the Code of Conduct.

4. Any Other Urgent Business

None.

The meeting closed at 7.50 pm

JOHN MANN
Chair