



**Audit and Standards Advisory
Committee**

8 December 2020

**Report from:
Director of Legal, HR, Audit
& Investigations**

**Standards Report (including quarterly update on Gifts & Hospitality,
01.07.20 - 30.09.20, and mandatory training)**

Wards Affected:	All
Key or Non-Key Decision:	Not applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	1) Appendix A – Member Training Attendance record 2) Appendix B - Committee on Standards in Public Life Standards Matter 2 review – consultation questionnaire
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	(1) Debra Norman, Director of Legal, HR, Audit & Investigations (ext. 1578) (2) Bianca Robinson, Senior Constitutional & Governance Lawyer (ext. 1544)

1.0 Purpose of the Report

1.1 The purpose of this report is to update the Audit and Standards Advisory Committee on gifts and hospitality registered by Members, and the attendance record for Members in relation to mandatory training sessions.

2.0 Recommendations

2.1 That the Committee note the contents of the report.

3.0 Detail

Gifts & Hospitality

- 3.1 Members are required to register gifts and hospitality received in an official capacity worth an estimated value of at least £50. This includes a series of gifts and hospitality from the same person that add up to an estimated value of at least £50 in a municipal year.
- 3.2 Gifts and hospitality received by Members are published on the Council's website and open to inspection at the Brent Civic Centre.
- 3.3 The Committee will recall that no gifts or hospitality were recorded during 01.4.20 - 30.06.20. The position remains the same for quarter three, 01.07.20 - 30.09.20. The primary explanation for this is the national lockdowns due to Covid -19. To ensure all Members were aware that gifts and hospitality could still be declared a note was placed in the Members Bulletin (11.09.20) asking Members to complete the form if they had any Gifts and Hospitalities to declare. For ease of reference, the note to members is copied here:

"3. Members' Gifts and Hospitality

(....., Head of Executive and Member Services)

Members are reminded that under the Councillor Code of Conduct you are required to register gifts and hospitality received in an official capacity worth an estimated value of at least £50. This includes a series of gifts and hospitality from the same person that add up to an estimated value of at least £50 in a Municipal Year.

Following a request made at this week's Audit & Standards Advisory Committee (which regularly monitors the registrations made), members are reminded that if you need to register the receipt of any gifts or hospitality this can be done by either using the attached form or by emailing details to (Head of Executive & Member Services) via

.....

Please find attached the register of Interest form [here](#)"

Member Training Attendance

- 3.4 As requested by this Committee, attendance records for Members in relation to mandatory training sessions has now become a standard reporting item.
- 3.5 The Committee is reminded of the following.
- a) It is a requirement of the Members' Code of Conduct that all members' *"must attend mandatory training sessions on this Code or Members' standards in general, and in accordance with the Planning Code of Practice and Licensing Code of Practice"*.
- b) The schedule for all mandatory sessions is ordinarily published and approved in the Council calendar at the May Annual Council meeting. There was no Annual Meeting in May 2020 in view of the Regulations which removed this requirement for this municipal year because of the COVID crisis. For 20/21, the Chief Executive agreed the annual calendar of meetings in consultation with the Political Groups. The annual calendar was then confirmed at the council meeting on 13.07.20. All internal training sessions attended by Members are published on the Council's Website and on individual Member profile pages.

- c) Training session reminders are sent via email, calendar invitations, text messages and, on some occasions, direct telephone calls to Members. The same reminder process is employed for re-run(s) of sessions, where applicable, to take account of personal circumstances like work commitments and child care arrangements etc.
- d) Currently, there are four mandatory training sessions provided for all Members and five mandatory sessions provided for Committee Members and, where appropriate, co-opted Members. These are set out in Table 1 below.
- e) Mandatory sessions are provided annually and all Committee Members and substitutes are required to attend the relevant session. In addition, all other Members are invited to attend the sessions.
- f) Since the Covid -19 crisis training has been considered virtually.

3.6 Table 1

Mandatory Training	Attendee requirement
1) Standards and the Code of Practice	All Members
2) Corporate Parenting & Safeguarding Children	All Members
3) Safeguarding vulnerable adults	All Members
4) Equalities Training	All Members
5) Planning	Committee Members only
6) Alcohol and Entertainment Licensing	Committee Members only
7) Scrutiny Induction	Committee Members only
8) Audit & Standards Committee and the Audit & Standards Advisory Committee induction training	Committee Members only
9) Brent Pensions Fund – Approach to responsible investment	Committee Members only

By way of an overview:

- 3.7 A new timetable was agreed and commenced in September 2020 following the annual meeting on 14.09.20. All the Committee Members for Planning, Alcohol & Licensing and Brent Pension Fund, and all Members for equalities have attended the mandatory training sessions.
- 3.8 The following relates to the number of Members who have not attended the new training sessions (as at the 18.11.20).

Mandatory all Member sessions:

- 3 (one member presently exempt) Members need to attend the Safeguarding Vulnerable Adults Training.

- 1 Member needs to attend the Corporate Parenting & Safeguarding.

Committee Member mandatory sessions:

- 2 Members need to attend the Scrutiny Induction training.
 - 3 Members need to attend Audit and Standards Committee & Audit & Standards Committee Induction training
 - 2 Members need to attend the Scrutiny- budget/finance training
- 3.9 For the Corporate Parenting & Safeguarding Children and Safeguarding Vulnerable Adults training, a 1-1 session with the officers will be organised for Cllrs Gill and Kelcher in December 2020, presently Cllr R. Patel is exempt from attending training sessions. Cllr Daly has been referred to the Chief Whip with respect to her non-attendance.
- 3.10 The Committee will recall from its last meeting that Unconscious Bias training (which included anti-Semitism and Islamophobia) was due to be delivered. This training took place on the 11.09.20. Due to the type of session (workshop) and discussion topics it was not recorded. The session was attended by 42 members. A list of members who were not able to attend is summarised in Appendix A (2 of 2). A further session will be delivered in 2021. At present this session is not mandatory.
- 3.11 The Committee may also wish to know that the Information Governance team has finished developing the Data Protection Act E-learning modules for Elected Members. This is intended to be disseminated to Members over the Christmas period and followed by a virtual session in February 2021.
- 3.12 In light of the Covid -19 mandatory training sessions delivered by zoom have been recorded. This has built in flexibility by:
- enabling Members not able to attend scheduled sessions to view the recordings;
 - provided a resource for future use/reference;
 - released officers' time, so they are not required to schedule repeat sessions.
- 3.13 Where Members undergo training by way of a recorded session, they are required to complete the said training and inform Member Services and the relevant training officer in advance of the next meeting of the committee for which they are a member of.
- 3.14 The committee should also be aware that going forward other recorded training sessions, where appropriate, will include sessions delivered by external trainers.
- 3.15 A summary setting out the sessions of mandatory training and Members names is attached as Appendix A.

Complaints against Members

- 3.16 The Committee will recall that at its last meeting it received a detailed summary of Standard complaints considered by the Monitoring Officer in the last 24 months.
- 3.17 The Committee is reminded complaints under the Member Code of Conduct (the Code) are submitted to the Monitoring Officer (Director of Legal, HR Audit and Investigations). Following consideration of the complaint the Monitoring Officer will decide the appropriate course of action in accordance with the Member's Code of Conduct Complaints Procedure, following consultation with the Independent Person where appropriate. During quarter three the following complaints have concluded.

- 1) A complaint was made concerning a number of matters raised in an email which had been circulated to all councillors and also been seen by the complainant. On balance of probabilities, it was found the Councillor did not breach the Code. The councillor had raised their enquiries properly in their capacity as a councillor and not in order to improperly disadvantage the business concerned because of issues with individuals involved in the business in their private life.
- 2) A complainant alleged that a councillor had been untruthful at a public meeting. It was held that the complaint did not "... disclose sufficiently a serious potential breach of the Code to merit further consideration"; furthermore the complaint was "the same or substantially the same as a complaint previously dealt with" by the service area, although not under the Standards procedure.
- 3) An allegation was made that a councillor had breached the Code in relation to comments posted on a planning application. It was found the comments were provocative and unhelpful, but any finding of breach of the Code would be disproportionate on the facts.
- 4) An allegation was made that a councillor had breached the Code in relation to comments, posted online, in person as well as in relation to internal communications disclosed by way of an information request. It was determined that the complaint did not disclose "a sufficiently serious potential breach of the Code to merit further consideration" and, although this complainant may not be aware of this, it was "the same or substantially the same" as a complaint previously dealt with in relation to this particular councillor.
- 5) It was alleged the councillor made threatening and offensive statements. Upon assessment, this was not found to be the case and in turn, a finding that there has been no breach of the Code was made.
- 6) Allegations were made of a breach of the Member's Code of Conduct by Councillor M Butt and Cllr Sangani in relation to their attendance at Ealing Road Temple during a prayer and reflection event organised by the Brent Multi Faith Forum. An allegation that the councillors had brought their office or the council into disrepute was not upheld. Both councillors acknowledged that they had inadvertently breached the restrictions on such events in place at the time and were apologetic about how this may have appeared to the public. Councillor Butt apologised both on his Facebook page and in a press statement. Both he and Councillor Sangani have also given apologies to the Monitoring Officer, which have been posted on the council intranet page: <https://www.brent.gov.uk/your-council/complaints/make-a-complaint-about-a-councillor/> .

Independent/Co-opted members

- 3.18 At the annual meeting on 14 September 2020 the term of office of the independent co-opted member of the committee for Standards was extended to the annual meeting in 2021. The terms of office of the three Independent Persons, William Goh, Kier Hopley and Nigel Shock were also extended to that date.
- 3.19 The recruitment process to make appointments at the Annual meeting in 2021 has commenced and the existing Independents have all been invited to apply if they wish. In mid-December an advert for the roles will go out and it is intended the interviews will take place early in 2021. Officers hope to notify the committee at its May meeting with

the provisional appointments, with the said appointments being approved at Full Council a few days later.

Committee on Standards in Public Life launches Standards Matter 2 review

- 3.21 In September 2020, the Committee on Standards in Public Life (CSPL) launched its Standards Matter 2 review, which involves a landscape review of the institutions, processes and structures that are in place to support high standards of conduct. The review will assess best practice and highlight any themes and gaps in the way the Seven Principles of Public Life code of conduct are promoted and maintained. The Committee Chair, Jonathan Evans, stated: *'As well as sharing any lessons learned and best practice, we will consider whether there are gaps or issues that require further work. We want to check whether the Nolan principles are well understood, properly embedded and that they continue to reflect the standards expected by the public of those that serve them.'*
- 3.22 The consultation runs from the 22 September 2020 to the 18 December 2020 and seeks input from those with first-hand knowledge and expertise of the UK's system of regulating public standards. A copy of the CSPL consultation questions is attached as Appendix B. CSPL will also be carrying out research with the public to make sure they understand their expectations of those that serve them. They aim to report their findings to the Prime Minister in September 2021 with their recommendations and best practice guidance. We will keep the committee informed of the reviews progress.

4.0 Financial Implications

- 4.1 There are no financial implications arising out of this report.

5.0 Legal Implications

- 5.1 The Council, individual Members and co-opted Members are required to promote and maintain high standards of conduct in accordance with s27 of the Localism Act 2011. The attendance at mandatory training sessions is a means to achieve this and a requirement pursuant to the Brent Members' Code of Conduct as set out in Part 5, of the council's Constitution.

6.0 Equality Implications

- 6.1 There are no equality implications arising out of this report.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Not applicable.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 Not applicable.

Report sign off:

Director of Legal, HR, Audit & Investigations