

	<p style="text-align: center;">Audit and Standards Advisory Committee 15 March 2022</p>
	<p style="text-align: center;">Report from: Director of Legal, HR, Audit & Investigations</p>
<p>Annual Standards Report for 2021</p>	

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:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	(1) Debra Norman, Director of Legal, HR, Audit & Investigations (ext. 1578)

1.0 Purpose of the Report

- 1.1 This is the Monitoring Officer's Annual Report to the Audit and Standards Advisory Committee (ASAC) for 2021. It provides an update on Member conduct issues and the work of the Audit and Standards Advisory Committee, the Audit and Standards Committee (ASC) and the Monitoring Officer during 2021.

2.0 Recommendations

- 2.1 That the Committee note the contents of the report.

3.0 Detail

Committee's Work during 2021

- 3.1 The ASAC met on five occasions during 2021 and on each of these occasions discussed matters relating to standards, policy and procedure, and gifts and hospitality, as follows:

- a) On 31 March 2021, the ASAC considered and noted gifts and hospitality received and attendance for mandatory training provided by the council to members. It considered the Member Development and Learning Programme in addition to the Members' Expenses Scheme.
- b) On 11 May 2021, the Committee considered the Annual Standards report 2020. This provided an update on conduct issues, the work of the Committee, asked the committee to approve provisional appointments to Independent Person and co-opted committee member posts and noted 11 complaints had been made against members, 2 of which had resulted in public apologies. At this meeting the Committee also undertook its high-level review of the council's use of the Regulatory of Investigatory Powers Act (RIPA) during 2020.
- c) On 26 July 2021, the committee considered a quarterly update providing information concerning gifts and hospitality declared by members and mandatory training attendance records and the considered the council's draft Annual Governance Statement before it was submitted to the ASC for approval.
- d) On 22 September 2021, the Committee considered an annual review of the Member's Code of Conduct Complaints Procedure. This report outlined complaints received. In addition, the Committee noted an update on gifts and hospitality and the attendance record for members in relation to mandatory training sessions.
- e) On 7 of December 2021, the Committee considered a report on gifts and hospitality registered by members and the attendance record for members in relation to mandatory training sessions as well as a review of the council's Constitutional Working Group. The Committee also considered the a review of the Financial and Procedural Rules governing the Mayor's Charity Appeal and some minor proposed changes to these before their submission to the ASC for approval.

3.2 During January to December 2021, the ASC met on three occasions to discuss and ratify audit and standards matters, namely the annual governance statement, the statement of accounts and minor changes to the Financial and Procedural Rules governing the Mayor's Charity Appeal.

Independent/Co-opted members

- 3.3 New Independent Persons and co-opted members of the committee were appointed during 2021. One Independent person is due to stand down in May 2022 and a recruitment process is being commenced to fill the vacancy that will arise. The current appointees to these posts are:
- a) Independent Persons (Standards focused) William Goh, Kier Hopley and Nigel Shock;
 - b) Independent Co –opted Members (Standards focused) Javed Ansari and Mark Mills.

Complaints against Members

3.4 Complaints under the Member Code of Conduct 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.

- 3.5 During 2021, 9 complaints were received against different Councillors for alleged breaches of the Members Code of Conduct. 3 of these concerned the same incident and one complaint was about 3 councillors. Two councillors complained of had offered apologies for aspects of their behaviour. 3 of these complaints were resolved at initial assessment stage and did not require the involvement of an Independent Person. None of the complaints were upheld.

Gifts & Hospitality

- 3.6 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.
- 3.7 Gifts and hospitality received by Members are published on the Council's website and open to inspection at the Brent Civic Centre.
- 3.8 The Committee will recall that a number of tickets for Euro matches at Wembley Stadium were declared in the second quarter of 2021. In the third quarter a box of chocolates was declared. The low number of gifts and hospitality declarations is likely to be due to the lockdown periods and other restrictions during the pandemic. The Committee will recall, that at its request, members were reminded that gifts and hospitality could still be declared and 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. Training for all members following the elections will include advice about declaring gifts and hospitality.
- 3.9 During 2021 no Monitoring Officer Advice Notes (MOANs) have been issued to Members. A list of all MOANs issued since 2015 is available on the Member's internal SharePoint portal.

Member Training Attendance

- 3.10 At this Committee's request reports updating it on the attendance records for Member's in relation to mandatory training sessions has become a standard reporting item.
- 3.11 The Committee will know that:
- 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.
 - c) All internal training sessions attended by Members are published on the Council's Website and on individual Member profile pages.
 - d) For face-to-face training sessions, reminders are sent via email, calendar invitations, and 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 childcare arrangements etc.

e) During 2021 the Committee received regular updates on Members who had not completed the mandatory training sessions.

3.12 A detailed report on member training is elsewhere on the agenda for this evenings meeting and members of the committee are referred to this for further details.

4.0 Financial Implications

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

5.0 Legal Implications

5.1 Pursuant to the Localism Act 2011, the Council has to have arrangements in place to deal with any allegations of failure to comply with the code of conduct and must appoint an Independent Person whose views are sought and taken into account by the council before it makes its decision on an allegation that it has decided to investigate.

5.2 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:

Debra Norman

Director of Legal, HR, Audit & Investigations