

	Audit and Standards Advisory Committee 21 March 2023
	Report from: Corporate Director Governance
Annual Standards Report for 2022 (including quarterly update on gifts and hospitality)	

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:	One Appendix A - Summary Member Code of Conduct complaints considered during 2022
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Debra Norman, Corporate Director, Governance 020 8937 1578 Debra.Norman@brent.gov.uk Biancia Robinson, Senior Constitutional & Governance Lawyer 020 8937 1544 Biancia.Robinson@brent.gov.uk

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 2022. 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 2022, together with the quarterly report on gifts and hospitality registered by Members.

2.0 Recommendations

2.1 That the Committee note the contents of the report.

3.0 Detail

Committee's Work during 2022

3.1 The ASAC met on four occasions during 2022 and on each of these occasions discussed matters relating to standards, policy and procedure, and gifts and hospitality, as follows:

- (a) On the 15.03.22, this Committee considered and noted the gifts and hospitality registered by Members, and the attendance record for Members in relation to mandatory training sessions. The Committee also considered and agreed to recommend to Full Council the amendment of the Corporate acceptable use agreement to include a restriction that if Councillors failed to complete the Data Protection/UK GDPR training within a prescribed timeframe, and after a specified number of warnings, their access to the corporate systems can be restricted until the said course is completed. At the same meeting, the Committee considered the Monitoring Officer's Annual Report to the Audit and Standards Advisory Committee (ASAC) for 2022; and a report on Member Development and Learning Programme and the Members' Expenses Scheme.
- (b) On the 07.06.22, ASAC considered the quarterly report on gifts and hospitality registered by Members, and the attendance record for Members in relation to mandatory training sessions. The report also outlined the provisional appointment of an Independent Person for the purposes of Code of Conduct complaints, the Government's response to the Committee on Standards in Public Life review; and a Standard's case involving a Maldon Councillor being removed from Office. The Committee also considered the council's draft Annual Governance Statement before it was submitted to the ASC for approval.
- (c) On the 01.8.22 the Committee considered gifts and hospitality registered by Members, and the attendance record for Members in relation to mandatory training sessions. The report also updated the Committee in respect of the Committee on Standards in Public Life's (CSPL) recommendations, the London Borough of Brent's response to those recommendations and the Government's response to the Committee on Standards in Public Life review.
- (d) On the 29.09.22 ASAC considered gifts and hospitality registered by Members and the attendance record for Members in relation to mandatory training sessions. In addition the Committee considered a report on the Planning Code of Practice Review 2022 which summarised the outcome of the Independent Review, and the consequential recommended changes, in relation to the Planning Code of Practice; and the annual review of the complaints received pursuant to, and a review of, the Members' Code of Conduct Complaints procedure.

- 3.2 During January to December 2022, the ASC met on one occasion to discuss and ratify audit and standards matters, namely the Annual Governance Statement.

Independent/Co-opted members

- 3.3 The Committee will recall that a recruitment process for the Independent Persons commenced in 2022 and in July 2022 Full Council approved the provisional appointment of Julie Byrom as an Independent Person until 2026.
- 3.4 Unfortunately, during 2022 Independent Co – opted Members (Standards focused) Javed Ansari and Mark Mills stood down. A recruitment exercise to appoint to their posts has been undertaken, and officers are please to confirm a provisional appointment, subject to Full Council's approval, has been made to Rachael Tiffen. A further recruitment exercise will be run shortly inn order to fill the second Independent Co-opted Members vacant post.
- 3.5 The Committee is asked to note that at its next meeting, Full Council will be asked to approve the appointment of Rachael Tiffen as Independent Co –opted Member (Standards focused) and note and agree the three existing Independent Persons - William Goh, Kier Hopley and Julie Byrom

Complaints against Members

- 3.6 Complaints under the Member Code of Conduct are submitted to the Monitoring Officer (Corporate Director, Governance). 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.
- 3.7 During 2022, 4 complaints were received against different Councillors for alleged breaches of the Members Code of Conduct. 3 of these complaints were resolved at Initial Assessment Stage and one concluded at Assessment Stage. None of the complaints were upheld. A summary of the complaints considered during 2022 are attached as Appendix A.

Gifts & Hospitality

- 3.8 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.
- 3.9 Gifts and hospitality received by Members are published on the Council's website and open to inspection at the Brent Civic Centre.
- 3.10 The Committee will recall that towards the beginning of 2022, low numbers of gifts and hospitality were recorded and members were reminded of the need to declare gifts and hospitality received. Furthermore, following the elections, training for all members included advice about declaring gifts and hospitality. Consequently, for the first three quarters of 2022/23, there have been regular

reporting of gifts and hospitality with the main types of declarations relating to FA tickets at Wembley Stadium and various dinners and awards ceremonies.

- 3.11 For the final quarter of 2022/23 (Jan 2023 – March 2023), there have been one gift and hospitality recorded as being received as follows:

Councillor	Date of gift	Gift received	Value £	From
M Butt	21.02.23	x2 FA final Tickets	£160 (80 each)	The FA

- 3.12 The Committee will recall that hospitality accepted by the Mayor in their civic role are recorded separately and published on the Council's website.

Monitoring Officer Advice Notes (MOANs)

- 3.13 There were no MOANS issued during 2022. During 2023 two new Monitoring Officer Advice Notes (MOANs) have been issued so far to Members addressing respect and equalities and use of resources. These MOANS are part of a series which will address all aspects of the Code in turn. A list of all MOANS issued since 2015 is available on the Member's internal SharePoint portal.

Member Training Attendance

- 3.14 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.

- 3.15 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 2022 the Committee received regular updates on Members who had not completed the mandatory training sessions.

3.16 A detailed report on member training is elsewhere on the agenda for this evening's meeting and members of the committee are referred to this for further details. That said, this Committee will recall at its last meeting officers were able to confirm all mandatory training by members had been completed.

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

Corporate Director Governance