

	<p align="center">Audit and Standards Advisory Committee 26th September 2023</p>
	<p align="center">Report from the Corporate Director of Governance</p>
	<p align="center">Lead Cabinet Member N/A</p>
<p>Standards Report (including quarter two update on gifts and hospitality)</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:	Two: Appendix A - Gifts & Hospitality Register (Qtr. 2) Appendix B - Outstanding member training
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Debra Norman, Corporate Director Governance Debra.Norman@brent.gov.uk 0208 937 1578 Biancia Robinson, Senior Constitutional & Governance Lawyer Biancia.Robinson@brent.gov.uk 0208 937 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, member training and a recent case highlighting action taken as a result of non-compliance with s85 Local Government Act.

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 For the second quarter of 2023/24 there have been fourteen gifts and hospitality recorded as being received, these are set out in further detail in Appendix A, together with the details of the receiving Councillor.
- 3.4 The Committee will recall that hospitality accepted by the Mayor in their civic role are recorded separately and published on the Council's website.

Independent/Co-opted members

- 3.5 The Committee will recall that following the recruitment process for the Independent Co – opted Members (Standards focused) Full Council approved the appointment of Rachael Tiffen on the 17.05.23.
- 3.6 A further recruitment exercise took place to fill the second Independent Co-opted Members vacant post. Two candidates were appointable. On the 10.07.23, Full Council's was asked to agree the appointment of Stephen Ross as an Independent co-opted member of the Audit & Standards Advisory Committee for a four-year term of office filling the second vacancy.
- 3.7 Unfortunately, in early August, Rachel Tiffen stood down from this role. The second candidate, Rhys Jarvis, was invited and accepted the provisional offer which was subject to Full Council's approval on 18.09 23.

Member Training Attendance

- 3.8 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.
- 3.9 All members have now completed their core mandatory (refresher) training with the exception of Data Protection & Information Security. A re-run of this virtual session has been set for 05.10.23, and the 14 members who are yet to complete it have all been invited. A list of the 14 said Councillors is attached as Appendix B.
- 3.10 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 2023 the Committee will receive regular updates on Members who have not completed the mandatory training sessions.

s85 Local Government Act

- 3.11 A recent case involving Hull City Council recalling a disabled councillor under the Local Government Act 1972 has come under the spotlight; and acts as a reminder for members to maintain high standards with respect to attendance at meetings.
- 3.12 The Cllr, whilst active in her ward, failed to attend any council meetings for six months. As a result of her absence, the council said her seat has become vacant by virtue of Section 85 of the Local Government Act 1972, which provides that if a member of the local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.
- 3.13 Generally most local authorities forewarn Councillors "if they were at risk of this rule impacting them". Hull City Council did not do this, "instead only contacting Sarah to inform her of her disqualification."
- 3.14 This case acts as a reminder for Councillor's to comply with their obligation to attend council meetings and seek any extension from Full Council in advance. With respect to the London Borough of Brent attendance is very good. It is closely managed by the Executive & Member Services and Councillors are informed in advance if they risk contravening the s85 Rule, to date no members have.

4.0 Financial Considerations

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

5.0 Legal Considerations

- 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 Additional Considerations

6.1 There are no

- a) Equality, Diversity & Inclusion (EDI) considerations
- b) Stakeholder and ward member consultation and engagement
- c) Climate Change and Environmental considerations
- d) Human Resources/Property considerations (if appropriate)
- e) Communication considerations
- f) Considerations applicable to the contribution to the Borough Plan Priorities & Strategic Context.

arising out of this report

Report sign off:

Debra Norman
Corporate Director, Governance