



Standards Committee
7 January 2016

Report from the Chief Legal Officer

For Action

Wards Affected:
ALL

Annual Report to the Standards Committee 2014 – 2015

1.0 Summary

- 1.1 This is the Monitoring Officer's Annual Report to the Standards Committee for the period December 2014 to December 2015 and provides an update on member conduct issues, and the work of the Standards Committee and the Monitoring Officer during that period.

2.0 Recommendations

- 2.1 That the Committee note the report.

3.0 Detail

Members of the Standards Committee

- 3.1. The membership of the Standards Committee is now based on the political balance of the membership of the Council. The Council continues to recognise the value of an Independent Member on the committee, even though since the coming into force of the Localism Act 2011, that person is no longer able to vote. The composition of the Committee is 4 Labour and 1 Brent Conservative and Shelia Darr remains as the Independent Member.

Appointment of the Independent Persons

- 3.2. Under the Localism Act 2011, the Council is required to appoint at least one Independent Person whose views must or can be sought at various

key stages of a complaint against a member. This role is different from the role of Shelia Darr as an Independent Member of the committee.

- 3.3 The Council is in the process of recruiting Independent Persons to fulfil the requirements of the Localism Act 2011 in addition to a new role in relation to the dismissal of certain statutory officers, set out in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. This new role relates entirely to statutory officers and was considered by Full Council on 22 June 2015. The report is on the Council's website. The recruitment process will start in January 2016.

The Committee's work during December 2014 - December 2015

- 3.4 The Committee has three pre-arranged dates during the Municipal Year to discuss and decide on matters of policy and procedure. The Committee also meets on additional dates as and when required to consider complaints against councillors.
- 3.5 There has been one meeting in the review period on 21st September 2015. The March meeting was cancelled due to lack of business. This is the Committee's third meeting.
- 3.6 The September 2015 meeting considered revisions and improvements to the Members' Code of Conduct and the introduction of a Gifts and Hospitality Protocol. On 23rd November 2015 Full Council approved changes to the Council's Members' Code of Conduct and approved a gifts and hospitality protocol for members. Changes to the Code came into effect on 30th November 2015. Full Council also approved a change to Standing Orders to confirm the action members must take if they have a Disclosable Pecuniary Interest.

Complaints against Members

- 3.7 Under the previous legislation, all complaints made under the Code of Conduct had to be referred to the Standards Committee. One of the criticisms of the previous arrangement was the time spent and cost wasted on matters that need not be considered under the Code, or which could be resolved other than through a formal process. Under the new law, the Council is permitted to set out its own processes for dealing with complaints and it has adopted a system whereby the Monitoring Officer is delegated some discretion as to how some matters be dealt with. There are clear parameters for this and these are set out in the procedure that was adopted by this Committee in January 2013.
- 3.8 For the period December 2014 to December 2015, the Monitoring Officer received sixteen complaints. Nine complaints were from five different members of the public. One complaint resulted in an apology. Five complaints did not disclose a potential breach of the code and the other three complaints received in mid-December are still being dealt with. Two complaints were made by members of staff against members. One of these was resolved informally after an apology was given and the

other did not disclose a potential breach of the code. Five complaints were made by members against other members of the Council. Two of these complaints are still being dealt with. The remaining three complaints either did not disclose a potential breach of the code or it was not appropriate or in the public interest to pursue the complaints. On one occasion however the Monitoring Officer wrote to the member reaffirming expected standards of behaviour.

Monitoring Officer Advice Notes and Training

- 3.9 During the period December 2014 to December 2015, the Monitoring Officer continued to issue Advice Notes to members as required. An Advice Note sent out in August 2015 provided guidance to members on declarations of interest, in particular disclosable pecuniary interests, avoiding conflicts of interest and initial advice on how to approach disclosure of gifts and hospitality. A further Advice Note was circulated on 27th November 2015 reminding members of the key requirements of the code and the revisions approved by full council and specifying the criminal offences created by the Localism Act.
- 3.10 Members had the choice of three separate training events on the standards regime. Full details are contained in the separate report on Member Training and Development.

Review of the Register of Members' Interests

- 3.11 All members have completed a Declaration of Interests form. All forms have been reviewed and Members have been advised of any necessary corrective action which it is their responsibility to take.

Review of gifts and hospitality

- 3.12 The Members' code of conduct requires members to register gifts and hospitality. Up until 29th November 2015, Members were required to register gifts and hospitality of over £50. As from 30th November 2015, Members are also required to register a series of gifts and hospitality from the same person that add up to an estimated value of at least £50 in the same municipal year.
- 3.13 In the past 12 months the following gifts and hospitality have been registered by members:
- Cllr Ahmed – rugby world cup tickets from England rugby 2015 Ltd estimated at more than £50
 - Cllr Butt – 10/2/15 - Blue de Chanel (aftershave) from local resident - donated to Mayor's charity - value £75; 17/9/15 - rugby world cup tickets from England rugby 2015 Ltd estimated over £50; 17/11/15 England v. France (x2 tickets) from Melvin Benn, Chairman, Wembley Stadium - value unknown; 15/12/15 - 1 bottle of Prosecco and 1 box of chocolates from BDO local government team - gift donated - value unknown

- Cllr Carr – 7/1/15 - British kebab awards – reception/dinner for two - value unknown
- Cllr Collier – 19/4/15 - 3 tickets to FA cup semi final – Aston Villa v Liverpool - value estimated over £50
- Cllr Crane – 9/9/15 - dinner x2 at Celtic Manor from Capital International Ltd. LGC Pension Fund Conference - value £200
- Cllr Jones – M&S voucher from local resident - monetary value donated to Mayor’s charity - value £20

3.14 Invitations accepted by the previous and current mayors in the exercise of their civic role are recorded separately.

4.0 Financial Implications

4.1 This report contains no specific financial implications.

5.0 Legal Implications

5.1 The legal requirements relating to members’ Code of Conduct and the Standards regime are set out in the Localism Act 2011.

6.0 Diversity Implications

6.1 This report contains no specific diversity implications.

7.0 Staffing Implications

7.1 This report contains no specific staff implications.

Background papers

None

Contact

Should any person require any further information about the issues addressed in this report, please contact Looqman Desai, Locum Senior Corporate Lawyer, on telephone number 020 8937 1366.

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