



Standards Committee

28 November 2016

Report from the Chief Legal Officer

For Action

Wards Affected:
ALL

Annual Report to the Standards Committee 2016

1.0 Summary

- 1.1 This is the Monitoring Officer's Annual Report to the Standards Committee for 2016 and provides an update on Member conduct issues, and the work of the Standards Committee and the Monitoring Officer during this year.

2.0 Recommendations

- 2.1 That the Committee note the report.

3.0 Detail

The Committee's work in 2016

- 3.1 During this calendar year the Committee has met on 3 occasions to discuss and decide on matters of policy and procedure and complaints against councillors.
- 3.2 On 7 January 2016, the Committee noted that Full Council had approved the revised Members' Code of Conduct and the Members' Gifts and Hospitality Protocol as recommended by the Committee.
- 3.3 On 21 March 2016, the Committee approved a new Members' Code of Conduct Complaints Procedure and recommended that additional Independent Members be appointed.

- 3.4 On 22 September 2016, the Committee considered an independent investigation report in relation to a code of conduct complaint about Councillor Muhammed Butt. The Committee accepted the report's conclusion that there was no evidence to support the complaint and that Councillor Butt did not breach the code of conduct.

Members of the Standards Committee

- 3.5 In addition to the 5 councillors on the Committee, there are now 2 (non-voting) Independent Members on the Committee too. Namely, Sheila Darr and Rob Cawley. At its meeting on 21 November 2016, Full Council will be asked to appoint two further Standards Independent Members.

Appointment of Independent Persons

- 3.6 On 18 May 2016 the Council's current Independent Person, Mandip Johal was appointed. 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 the Independent Members.
- 3.7 The process to recruit further Independent Persons is underway and is expected to be concluded early in the new year.

Complaints against Members

- 3.8 During this year 17 complaints about Members were dealt with. 7 complaints were rejected because the Member was not acting in an official capacity. With the exception of the complaint already referred to in this report, all the other complaints were assessed by the Monitoring Officer, in accordance with the criteria specified in the Members' Code of Conduct Complaints Procedure as not disclosing either a potential breach or a sufficiently serious breach of the code to justify further consideration. The subject matter of complaints ranged from conduct at meetings to registration of interests to communications (correspondence and social media posts).
- 3.9 The experience to date suggests that the new complaints procedure which was approved in March of this year, has delivered on its objectives of dealing with complaints proportionately, expeditiously and cost effectively.

Gifts and Hospitality

- 3.10 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.

- 3.11 Together with all other registrable interests, gifts and hospitality received by Members are published on the Council's website and open to inspection at Brent Civic Centre. Consistent with previous years, the most common item registered was tickets for events at Wembley Stadium. The remainder of the items, in the main, comprised of hospitality such as community, cultural or sporting events and dinners.
- 3.12 Hospitality accepted by the Mayor in his civic role are recorded separately and published on the Council's website.

Training

- 3.13 The mandatory training provided to Members last year on standards was repeated again on 26 July 2016 with an invitation extended to co-opted Members.
- 3.14 In addition, mandatory training for members of the Planning and Alcohol & Entertainment Licensing Committee has been repeated several times in response to committee membership changes. On 10 November 2016, training for Members on social media was provided which included standards and Members' Code of Conduct implications. On 1 December 2016, external training for Members on the Licensing Act and Gambling Act will be provided.

Monitoring Officer Advice Notes

- 3.15 In June 2016 Monitoring Officer Advice Note 55 was issued reminding Members of their obligations to register and disclose interests and probity in a planning context.

4.0 Financial Implications

- 4.1 None.

5.0 Legal Implications

- 5.1 None over and above the matters discussed in the report.

6.0 Diversity Implications

- 6.1 This report contains no specific diversity implications.

Background papers

None

Contact

Should any person require any further information about the issues addressed in this report, please contact Looqman Desai, Senior Solicitor (Governance), on telephone number 020 8937 1366.

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