



**Standards Committee**  
27 March 2018

**Report from the Director of Legal  
and HR Services**

**Annual Report to the Standards Committee**

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Not applicable
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	Two: Appendix 1: Register of Gifts & Hospitality (Jan 17 – March 18) Appendix 2: Consultation questions and draft response to review of local government standards being undertaken by the Committee on Standards in Public Life
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Debra Norman, Director of Legal and HR Services (ext.1578) and Looqman Desai, Senior Solicitor (Governance) (ext.1366)

**1.0 Purpose of the Report**

- 1.1 This is the Monitoring Officer's Annual Report to the Standards Committee for 2017 and provides an update on Member conduct issues and a summary of the work of the Standards Committee and the Monitoring Officer in 2017.
- 1.2 Members also have the opportunity to comment on a public stakeholder consultation on local government standards.

**2.0 Recommendation(s)**

That the Committee:

- 2.1 Note the contents of this report.

- 2.2 Approve the proposed response to the public stakeholder consultation on local government standards.

### **3.0 Detail**

#### ***The Committee's work in 2017***

- 3.1 In 2017 the Committee met on 3 occasions to discuss matters of policy and procedure, gifts and hospitality received by Members and a Code of Conduct complaint.
- 3.2 On 29 June the Committee considered a report on (1) the Member Development Programme, including an outline of the Member induction programme to be delivered following the local elections in May 2018, and (2) expenses claimed by Members. There was also a general update on standards investigations and recent FOI decisions.
- 3.3 On 28 September 2017, a Code of Conduct complaint about Councillor John Duffy, which was upheld by the Deputy Monitoring Officer, was reported to the Committee. The Committee also commented on a Government consultation on updating statutory disqualification criteria for Members.
- 3.4 On 27 November 2017, the Committee agreed a change to the Members' Code of Conduct Complaints Procedure; noted that the Committee on Standards in Public Life (CSPL) planned to undertake a review of local government standards; reviewed gifts and hospitality received by Members in the previous quarter and requested a report on how other councils recorded the value of gifts and hospitality.

#### ***Complaints against Members***

- 3.5 During 2017 four complaints about Members were dealt with.
- 3.6 The complaint about Councillor Duffy has already been reported to the Committee because that was part of the decision.
- 3.7 The second complaint concerned the alleged conduct of a Member at a Planning Committee meeting. The Member's failure to disclose a personal interest, even though it had been registered and published on the Council's website, was upheld by the Monitoring Officer. All other complaints were rejected. The Monitoring Officer reminded the Member of the disclosure requirements at meetings and took no further action.
- 3.8 The third complaint concerned allegedly offensive comments made by a Member. It was rejected after initial assessment by the Monitoring Officer because the Member was not acting in an official capacity and/or the facts did not disclose either a potential breach or a sufficiently serious breach of the code to justify further consideration.

- 3.9 The final complaint, concerned allegedly inappropriate comments made by a Member. However, an informal resolution of the complaint was agreed.

### ***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 Gifts and hospitality received by Members are published on the Council's website and open to inspection at Brent Civic Centre. A list of gifts and hospitality registered by Members from January 2017 to 19 March 2018 (the publication of this report) is attached at **Appendix 1**.
- 3.12 At the Committee's previous meeting, Members discussed the requirements for recording the value of gifts and hospitality and requested that the practices of other councils be reviewed. A random inspection of gifts and hospitality declared by Members at various other councils suggests that a majority record the value (or approximate value) of the gift and hospitality received. For example, at Barking and Dagenham, Camden, Croyden, Ealing, Greenwich, Haringey, Lambeth, Merton, Redbridge and Southwark the value was recorded. However, others did not such as Enfield, Hackney, Islington and Waltham Forest.
- 3.13 Even though the Brent Members' Code of Conduct does not require Members to record the value (or approximate value) of gifts and hospitality they have received, they are advised to do so in the interests of transparency and accountability. This is considered to be good practice and to ensure that the highest standards are achieved more consistently, steps will be taken to amend the Members' Code of Conduct accordingly.

### ***Training***

- 3.14 Having already provided mandatory training to all Members on standards, in 2017 mandatory training to members of the Planning and Alcohol & Entertainment Licensing Committee were repeated in response to committee membership changes and as a refresher for others.
- 3.15 Ad hoc mandatory training on standards was also provided to new co-opted or independent Members.

### ***Monitoring Officer Advice Notes (MOANs)***

- 3.16 In February 2017, MOAN 56 advised Members specifically on interests and standards issues concerning the Football Association (FA)/Tottenham Hotspurs FC Wembley Stadium Planning Application.

- 3.17 In April 2017, MOAN 57 advised Members on (1) the registration and declaration of interests; (2) dealing with the council in a personal capacity; and (3) the hidden dangers of the use of social media.
- 3.18 In November 2017, MOAN 58 advised Members on (1) how call-in works; (2) the other rights councillors have to review and scrutinise decision making.

***A consultation by the Committee on Standards in Public Life***

- 3.19 The Committee on Standards in Public Life (CSPL) has now launched its review of local government standards and is seeking the views of stakeholders. The consultation questions and draft response are attached at **Appendix 2** for the Committee to consider and approve.
- 3.20 As mentioned in the draft response, the section of the Members' Code of Conduct on interests is long, complex and not easy for members to understand. Ahead of a possible change in the law, steps will be taken to simplify the Code even within the existing statutory framework.

**4.0 Financial Implications**

- 4.1 None.

**5.0 Legal Implications**

- 5.1 These are contained within the report.

**6.0 Equality Implications**

- 6.1 None.

**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**

This report is being taken in the name of the Director of Legal and HR Services.