



LONDON BOROUGH OF BRENT

MINUTES OF THE STANDARDS COMMITTEE Tuesday 27 March 2018 at 6.00 pm

PRESENT: Councillors Dixon (Chair and substitute for Councillor Allie), Ahmed, Krupa Sheth and Moher (as substitute for Councillor Kabir).

Independent Co-opted Members: Sheila Darr, Margaret Bruce.

Independent Persons: Nigel Shock and Keir Hopley

1. Election of Chair for the Meeting

RESOLVED that in the absence of the Chair and Vice-Chair, Councillor Liz Dixon (attending as a substitute on behalf of Councillor Allie) be elected as Chair of the Committee for the duration of the meeting.

2. Apologies for Absence and Clarification of Alternate Members

Apologies for absence were received from Councillors James Allie (Chair) with Councillor Liz Dixon substituting and Sandra Kabir (Vice-Chair) with Councillor Ruth Moher substituting.

In addition apologies for absence were received from Robert Cawley & Karen McArthur as Independent co-opted Members and from Mandip Johal (Independent Person).

3. Declarations of Interest

There were no declarations of interest.

4. Minutes of the Previous Meeting

RESOLVED that the minutes of the previous meeting of the Committee held on Monday 27 November 2017 be approved as an accurate record of the meeting.

5. Matters Arising (if any)

No matters were identified for consideration.

6. Annual Report to the Standards Committee

Looqman Desai (Senior Solicitor, Governance) introduced the Monitoring Officers Annual Report to the Standards Committee which provided an update on Member conduct issues along with a summary of the work undertaken by the Committee and Monitoring Officer in 2017.

In addition the Committee received an update on the launch of the Committee on Standards in Public Life (CSPL) review of local government standards with the Committee being asked to review a draft response to the accompanying consultation.

6.1 Review of Committee's work during 2017

The Committee noted the review of the work undertaken at its three meetings during the course of the 2017/18 Municipal Year which had been focussed on reviewing matters of policy, procedures, gifts and hospitality and a code of conduct complaint.

6.2 Complaints against Members

The Committee noted:

- 6.2.1 that four complaints against Members had been dealt with during 2017;
- 6.2.2 the outcome of each complaint and action taken in response, as detailed within section 3.5 – 3.9 of the report with no significant reporting issues having been identified.

6.3 Review of Gifts and Hospitality

The Committee noted:

- 6.3.1 The list of gifts and hospitality registered by Members from January 2017 to 19 March 2018 as detailed within Appendix 1 of the report;
- 6.3.2 That in response to Members request at the previous meeting a review of the practice followed within other London Boroughs in relation to recording the value of gifts and hospitality had been undertaken. The results had been detailed within section 3.12 of the report, with a majority of other authorities recording the value (or approximate value) of the gift or hospitality received by the Member.
- 6.3.3 Whilst Brent's Members Code of Conduct did not specifically require Members to record the value of gifts or hospitality received they were strongly advised to do so as good practice and in the interests of transparency and accountability. In order to ensure a more consistent approach however, the Monitoring Officer was recommending an amendment to the Members Code of Conduct requiring that Members register the value (or approximate value) of any gifts or hospitality received.

Comments were then sought on the update provided with the following issues raised:

- The support expressed by the Independent co-opted Members and Independent Persons for the recommended change in the Members Code of Conduct relating to the registration of gifts and hospitality. The introduction of

a requirement to register the value or approximate value was seen as a more transparent approach;

- Confirmation was provided that whilst it was for individual Members to decide what value to register for each specific gift or hospitality, where this was not immediately clear e.g. tickets for certain events with no face value, Officers would be able to assist and advise with approximate values also being acceptable.

As a result of the update provided it was therefore **RESOLVED** to support the recommended change being sought to the Members Code of Conduct requiring that Members include as part of any registration of gifts or hospitality received the value (or approximate value) of them.

6.4 Training & Monitoring Officer Advice Notes (MOANs)

- 6.4 The Committee noted the summary of training provided to all Members and Independent co-opted Members along with details of the Monitoring Officer Advice Notes issued during 2017.

6.5 Consultation by the Committee on Standards in Public Life (CSPL) on review of local government standards

Looqman Desai provided the Committee with an update on the launch of a consultation exercise being undertaken by the CSPL to support their review of local government standards. Members were advised that the consultation had been based on a number of questions on which draft responses had been prepared, as detailed in Appendix 2 of the report, and on which the Committee's views were now being sought.

The following were identified as key issues within the consultation response for Members consideration:

- 6.5.1 The need to address the lack of statutory provision for non-pecuniary interests which had meant different requirements being placed on Members in relation to pecuniary and non-pecuniary interests making the code of conduct more complex and difficult to understand.

Members supported the concerns highlighted and **RESOLVED** to support the inclusion of a recommendation within the response that in the interests of consistency and greater assurance the statutory rules should make comprehensive provision for both pecuniary and non-pecuniary interests.

- 6.5.2 Whilst Brent's Code of Conduct required members to notify the Monitoring Officer of any change to a registered or new interest within 28 days of becoming aware of it, the statutory rules did not require Members to update their register of disclosable pecuniary interests until that interest had actually arisen at a meeting. It was therefore felt that a statutory obligation to require this within 28 days of the Member becoming aware (as already the case in Brent) would achieve greater robustness and consistency. The Committee also **RESOLVED** to support this as a recommendation for inclusion within the final response.

6.5.3 The concerns raised regarding the adequacy of the sanctions currently available to address serious and/or persistent misconduct. These concerns were fully supported by the Committee. Whilst wanting to maintain the more flexible and less prescriptive nature of the current standards regime which was recognised as an improvement on the previous Standards Board arrangements, Members were keen to see consideration given to the reinstatement of the full range of sanctions previously available including suspension and disqualification and forfeiting of certain allowances for the most serious and/or persistent misconduct. It was therefore **RESOLVED** that this also should be highlighted as an issue within the final response.

6.5.4 The need for careful review of any requirement on members to have to publish their full home address (unless considered sensitive). Whilst noting that issues relating to intimidation were rare the Committee were aware and supportive of the response towards the CSPLs recommendation seeking to remove a similar requirement for candidates in local elections having to include their home address on ballot papers. It was therefore felt that the requirement on councillors to have to publish their full address would run counter to any change in law being proposed in relation to elections.

Members did, however, recognise that there would be some circumstances in which a partial disclosure may be justified and necessary in the interests of transparency, especially in relation to planning and other regulatory matters. It was therefore suggested that a partial disclosure of the first part and the numerical pre-fix of the second part of a post code may be a more proportionate approach rather than the publication of a full address, which the Committee **RESOLVED** to recommend as a proposal for inclusion in the final response.

As an additional issue highlighted at the meeting, Looqman Desai advised the Committee that the review had identified the potential to address the long and complex structure of the current Members' Code of Conduct by simplifying it and making it easier to follow and understand. Members were again supportive of the code being simplified as far as was possible within the existing statutory framework, subject to the final changes being approved by Full Council.

As a result of the discussion it was therefore **RESOLVED**:

- (1) to approve the proposed response to the CSPL public stakeholder consultation on local government standards, subject to the comments and additional recommendations detailed in 6.5 above.
- (2) to approve the Monitoring Officer seeking to simplify the Members' Code of Conduct with the propose changes being recommended to the Annual Council meeting in May 2018 for final consideration and formal approval.

7. Any Other Urgent Business

Councillor Dixon (as Chair) advised that although having submitted her apologies this would be Mandip Johal's final meeting as an Independent Person given that her term of office was due to expire in May 18.

The Committee took the opportunity to formally thank her for the support provided to both Members and the Monitoring Officer during her term of office and also wished all retiring Members well in advance of the local elections in May 18.

8. Date of the Next Meeting

It was noted that future arrangements for the Committee would need to be confirmed following the Annual Council meeting on 14 May 2018.

The meeting closed at 6:36pm

L DIXON
Chair