



STANDARDS COMMITTEE

Monday, 10th July, 2017

at 6.30 pm

Room 102, Hackney Town Hall, Mare Street,
London E8 1EA

Committee Membership:

Deputy Mayor Anntoinette Bramble (Chair), Councillor Katie Hanson, Councillor Ben Hayhurst, Councillor Clayeon McKenzie, Councillor Sally Mulready, Councillor Clare Potter and Councillor Jessica Webb (Vice-Chair)

Julia Bennett, George Gross, Adedoja Labinjo and Onagete Louison

Suki Binjal
Interim Director of
Legal Services

Contact:
Gareth Sykes
Governance Services
Tel: 020 8356 1567
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The press and public are welcome to attend this meeting

Dates of future meetings –

AGENDA

Monday, 10th July, 2017

ORDER OF BUSINESS

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Access and Information

Location

Hackney Town Hall is on Mare Street, bordered by Wilton Way and Reading Lane, almost directly opposite Hackney Picturehouse

Trains – Hackney Central Station (London Overground) – Turn right on leaving the station, turn right again at the traffic lights into Mare Street, walk 200 metres and look for the Hackney Town Hall, almost next to The Empire immediately after Wilton Way.

Buses 30, 48, 55, 106, 236, 254, 277, 394, D6 and W15.

Facilities

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in the Assembly Halls, rooms 101, 102 & 103 and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

Copies of the Agenda

The Hackney website contains a full database of meeting agendas, reports and minutes. Log on at: www.hackney.gov.uk

Paper copies are also available from the Governance Services Officers whose contact details are shown on page 1 of the agenda.

Council & Democracy- www.hackney.gov.uk

The Council & Democracy section of the Hackney Council website contains details about the democratic process at Hackney, including:

- [Mayor of Hackney](#)
- [Your Councillors](#)
- [Cabinet](#)
- [Speaker](#)
- [MPs, MEPs and GLA](#)
- [Committee Reports](#)
- [Council Meetings](#)
- [Forward Plan](#)
- [Register to Vote](#)
- [Introduction to the Council](#)
- [Council Departments](#)

RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting room. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to **all** Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- The Director of Legal, Services;
- The Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

1. Do you have a disclosable pecuniary interest in any matter on the agenda or which is being considered at the meeting?

You will have a disclosable pecuniary interest in a matter if it:

- relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

2. If you have a disclosable pecuniary interest in an item on the agenda you must:

- Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- You must leave the room when the item in which you have an interest is being discussed. You cannot stay in the meeting room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the room and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

3. Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

4. If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the room, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the room unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the room. Once you have finished making your representation, you must leave the room whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the room. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

Further Information

Advice can be obtained from Suki Binjal, Interim Director of Legal, Services, on 020 8356 6237 or email suki.binjal@hackney.gov.uk



FS 566728



MINUTES OF AN EXTRAORDINARY MEETING OF THE STANDARDS COMMITTEE

WEDNESDAY, 24TH MAY, 2017

Councillors Present: Deputy Mayor Anntoinette Bramble in the Chair

Cllr Katie Hanson, Cllr Ben Hayhurst,
Cllr Clayeon McKenzie, Cllr Sally Mulready,
Cllr Clare Potter and Cllr Jessica Webb (Vice-Chair)

1 Appointment of Chair and Vice-Chair of the Standards Committee

Councillor Jessica Webb proposed that Deputy Mayor Bramble be elected to serve as Chair of the Standards Committee for the 2017/18 Municipal Year. This was duly seconded by Councillor Clare Potter.

There were no other nominations.

RESOLVED that Deputy Mayor Bramble be elected to serve as Chair of the Standards Committee for the 2017/18 Municipal Year.

Deputy Mayor Bramble proposed that Councillor Jessica Webb be elected to serve as Vice Chair of the Standards Committee for the 2017/18 Municipal Year. This was duly seconded by Councillor Katie Hanson.

There were no other nominations.

RESOLVED that Councillor Jessica Webb be elected to serve as Vice Chair of the Standards Committee for the 2017/18 Municipal Year.

Duration of the meeting: Times Not Specified

Signed

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Chair of Committee

Contact:

Gareth Sykes, Governance Services

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MINUTES OF A MEETING OF THE STANDARDS COMMITTEE

WEDNESDAY 15 FEBRUARY 2017

Councillors Present: Deputy Mayor Anntoinette Bramble (Chair), Councillor Katie Hanson, Councillor Ben Hayhurst, Councillor Sally Mulready, Councillor Clare Potter and Councillor Jessica Webb (Vice-Chair).

Co-optees Present: Julia Bennett, George Gross and Onagete Louison

Apologies: Councillor Clayeon McKenzie and Co-optee Adedoja Labinjo.

Officers in Attendance: Bruce Devile, Head of Governance & Business Intelligence
Tess Merrett, Governance Services Manager
Rob Miller, Director of ICT
Yinka Owa, Director of Legal
Gareth Sykes, Governance Services Officer

Also in Attendance: Jonathan Stopes-Roe (Independent Person)

1 Election of Chair of the remainder of the Municipal Year 2016-17

1.1 The Committee agreed the election of Deputy Mayor Anntoinette Bramble as Chair of the Standards Committee for the remainder of the municipal year 2016-17.

2 Apologies for absence

2.1 Apologies for absence were received from Councillor Clayeon McKenzie and Co-optee Adedoja Labinjo.

3 Declarations of interests

3.1 There were no declarations of interest.

3 Minutes of previous meeting

4.1 The committee agreed the minutes of the meeting of the previous Standards Committee meeting held on 21 July 2016.

- 4.2 Yinka Owa, Director of Legal, updated the committee on the current status of the work on the Council's whistleblowing policy. Yinka Owa advised members that the policy had not changed since 2014. The policy would be presented at the next Audit Committee meeting before being considered at the next Standards Committee meeting.

5 Annual Report on Compliance with Guidance on Members' Use of ICT

- 5.1 Rob Miller, Director of ICT, introduced the sixth annual report on members' use of ICT.
- 5.2 Committee members noted the table, at 6.6 in the report, that there had been one reported breach during the Municipal year of 2015/16.
- 5.3 Committee members noted the table, at section 6.7 in the paper. There had only been three known or reported breaches since the commencement of annual reporting to the Standards Committee in 2013.
- 5.4 Rob Miller informed Standards Committee members, under section 7, Refresh of the Council's Guidance for Members' uses of ICT, that the new Using Systems and Data policy will ensure that the Council's guidance is up to date with current systems and the latest UK Government guidance. The policy would also be reviewed to consolidate the number of policy documents and ensure that it is easy to understand for a non-technical audience.
- 5.5 Rob Miller stressed to the Committee members the need for the policy to strike the right balance between technical security measures and user responsibility, with a focus on helping to improve the Council's service delivery.
- 5.6 Rob Miller informed Standards Committee members that the revised policy had been designed to avoid adding disproportionate technical restrictions which can lead to people taking risks.
- 5.7 In addition to the ICT security guidance, the refreshed policy will include guidance on use of social media and reasonable use of services such as mobile data.
- 5.8 It was proposed to provide briefings to each political group to support Members in applying the new guidance to their Council work.
- 5.9 Rob Miller explained, in relation to the review of Members' ICT requirements that last year a pilot scheme had been run which had improved the ICT provision for Members. This scheme had recommended that Members should be offered a choice of upgrades, based on a choice of laptop or tablet. Rob Miller advised that most Members have now been issued with new equipment and the ICT team have received good feedback from users on the scheme.
- 5.10 Councillor Ben Hayhurst welcomed the report and the new policy as being accessible and easy to understand. He added that it was important to encourage all Members to come to the 'drop in' support sessions run by the ICT team and to remind Members

that any websites that they visited using Council-provided ICT equipment would be flagged up.

- 5.11 Rob Miller replied that training and support for Members were important but it was understood that it was difficult to arrange a time suit everyone because Members were very busy. The ICT team are introducing the facility to reserve bookable support slots and holding drop in advice sessions to make it easy to access support.
- 5.12 Councillor Ben Hayhurst enquired about the procedure for resetting passwords.
- 5.13 Rob Miller replied that the ICT team had followed the revised advice on resetting passwords outlined last year by GCHQ. It had recommended that organisations end the requirement for periodic resetting of users' passwords as this can actually lead to systems being secure due to users writing down their passwords. The Committee noted that this was the approach that had now been adopted across government.
- 5.14 Councillor Katie Hanson welcomed this approach, and felt that the previous approach risked totally defeating the purpose of keeping access secure. Cllr Hanson noted the importance of having an approach that reflects human behaviour e.g. forgetting or losing passwords.

6 Review of the Register of Members' and Co optees Declaration of Interests

- 6.1 Yinka Owa, Director of Legal, introduced the report. The Localism Act 2011 requires all local authorities to adopt a Code of Conduct for its elected Members and voting co-optees. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 requires all Members to complete a declaration of interests form on their election to office, and of voting co-optees to complete a form on their appointment to office.
- 6.2 The Localism Act 2011 also places an obligation on all local authorities to promote high ethical standards in public office. Regulations also require Members and Co-optees to be transparent and declare all disclosable interests on their declaration of interest form.
- 6.3 The declaration of interest forms are held in a hard copy register and on the Council's website. Having reviewed the forms, the majority of Members have been keeping their forms updated. There is a small number of Councillors who have not updated their forms since 2014, they had been sent a reminder to send in an updated form if there had been any changes.
- 6.4 The Standards Committee noted the report.

7 Review of the Members' Training and Development Programme

- 7.1 Bruce Devile, Head of Governance and Business Intelligence, presented the report updating the Committee on the Members' Training and Development Programme. The programme's aim was to provide the necessary training and tools to Members to enable them to reach their full potential in their various roles as Councillors.

- 7.2 The change in approach had come about as a result of Mayor Philip Glanville's commitment last September to launch a review of how Councillors are supported. A fresh look at member training was about to be launched.
- 7.3 The training was now more focused with the emphasis on a more individual approach to training to meet Members' needs and aspirations. A dedicated Members training page was to be created. It would include links to all the main components, including the Local Government Association and Local Government and Intelligence Unit learning hub, dates of briefings and back to floor session, PDP templates and guidance, as well as key contacts.
- 7.4 Councillor Clare Potter explained that because of timings she was not always able to make the briefings and suggested that the slides from these sessions should be automatically circulated to Members.
- 7.5 Bruce Devile explained that with these briefings it was about trying to strike the best balance between getting the best attendance levels and holding them on dedicated nights.
- 7.6 Councillor Sally Mulready highlighted the need for effective training around resident or personal welfare.
- 7.7 Bruce Devile replied that annual reviews were conducted of the training and that the best advice was sought from the relevant authorities e.g. the Metropolitan Police.
- 7.8 Councillor Jessica Webb made some suggested additions to the areas of training for induction. It would be useful if training was made available on planning and licensing to all Councillors and that they were encouraged to attend. She commended the very good mental health and first aid training that had taken place recently.
- 7.9 Councillor Katie Hanson concurred that training in planning and licensing training would be useful.
- 7.10 Julia Bennett welcomed the review of the training and felt it was now much more comprehensive.
- 7.11 Councillor Ben Hayhurst commended the recent Mental Health workshop that had been run. He recommended that further mental health training should be rolled out as part of Councillors generic training.
- 7.12 The Chair re-iterated the comments from committee members that the new training programme was welcomed. Work would continue to keep improving ways to support Councillors in their professional and personal development.

8 Safety arrangements for Member surgeries

- 8.1 Bruce Devile, Head of Governance and Business Intelligence, presented the report, providing an update on Member safety, with particular regard to personal safety at ward surgeries. Hackney Council had spoken to other authorities for advice in this area to check whether any best or new practice was in place. No new or better practice was

found. Hackney Council had given individual support to members to address specific concerns or threats to safety and this was supported by the Police. This approach was set to continue.

- 8.2 The Committee noted that in order to address any concerns about venue safety for members' surgeries, a programme of risk assessment would start in early 2017. These would start with those venues where lone working takes place. If any issues arise from the risk assessment the Member Services team would work with the members concerned to put place in place as many measures as possible to negate these concerns.
- 8.3 On 17 January 2017 a training session for all members was run by the Police around safety at surgeries and terrorism threats with particular regard to those in public office. It also gave Members the opportunity to seek advice and ask questions from a police expert in this area.
- 8.4 Councillor Sally Mulready commented that risks were constantly changing and that sometimes the safety arrangements for Councillors alone at surgeries were unsatisfactory. Councillor Mulready queried what the position was of the Council in the event of an attack on a Councillor at a surgery.
- 8.5 Yinka Owa explained that that the Council would support the Councillor but insurance would not cover Councillors surgeries only Council-owned property. Any investigation into an attack on a Councillor would be led by the Police.
- 8.6 Councillor Katie Hanson commented that the position of ward surgeries was on the cusp of this issue. It was understood that it was not a Council property, however there was an obligation to ensure a duty of care. Health and Safety personnel needed to speak to Councillors and discuss what injuries are covered by insurance.
- 8.7 Yinka Owa reiterated that any work in this area would only relate to Council buildings.
- 8.8 Bruce Devile added that these issues were part of the larger overall work on member safety. Some work could be undertaken to have surgeries at 'safer' venues but that would move away from wards which is not what Members would want to do.
- 8.9 The Chair added that there was definitely a piece of work here to look into areas of liability and insurance for example. The Council did not want to do something after an incident had happened.
- 8.10 Councillor Sally Mulready recommended that these issues needed to be covered in the Councillors Handbook next year. It was also important that the handbook include a section on when Councillors become ill or have severe disabilities.
- 8.11 The Chair recommended that the Council should review how its Members hold their surgeries and provide them with information on this.
- 8.12 Bruce Devile replied that this was the kind of work that Members Services were working on at the moment. Any work would be tailored to individual members' needs. Specific cases would need to be assessed on case by case basis.

- 8.13 Councillor Ben Hayhurst added that there needed to be a level of proportionality on this issue, in order to avoid any overreaction, which could result in having the opposite effect of what was originally intended. There needed to be a degree of flexibility on what arrangements could be made.
- 8.14 Bruce Devile responded that Members services would not be issuing any stringent rules to members on this matter. Ultimately it would be up to Members to decide how safety arrangements were applied.
- 8.15 Councillor Jessica Webb suggested whether Members could utilise staff training sessions on health and safety.
- 8.16 Bruce Devile explained that they could look at joint training sessions but it would have to be appropriate, in order to ensure there was no potential conflicts of interest.
- 8.17 Councillor Katie Hanson added that kind of training may work but it was agreed that it needed to be at an appropriate level.

Duration of the meeting: 6.30pm – 7.15pm

Signed

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Chair of Committee

Contact: Gareth Sykes, Governance Services

STANDARDS COMMITTEE 15 FEBRUARY 2017 MEETING MINUTES

1 Election of Chair of the remainder of the Municipal Year 2016-17

- 1.2 The Committee agreed the election of Deputy Mayor Anntoinette Bramble as Chair of the Standards Committee for the remainder of the municipal year 2016-17.

2 Apologies for absence

- 2.1 Apologies for absence were received from Councillor Clayeon McKenzie and Co-optee Adedoja Labinjo.

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- 8.11 The Chair recommended that the Council should review how its Members hold their surgeries and provide them with information on this.
- 8.12 Bruce Devile replied that this was the kind of work that Members Services were working on at the moment. Any work would be tailored to individual members' needs. Specific cases would need to be assessed on case by case basis.
- 8.13 Councillor Ben Hayhurst added that there needed to be of a level of proportionality on this issue, in order to avoid any overreaction, which could result in having the

opposite effect of what was originally intended. There needed to be a degree of flexibility on what arrangements could be made.

- 8.14 Bruce Devile responded that Members services would not be issuing any stringent rules to members on this matter. Ultimately it would be up to Members to decide how safety arrangements were applied.
- 8.15 Councillor Jessica Webb suggested whether Members could utilise staff training sessions on health and safety.
- 8.16 Bruce Devile explained that they could look at joint training sessions but it would have to be appropriate, in order to ensure there was no potential conflicts of interest.
- 8.17 Councillor Katie Hanson added that kind of training may work but it was agreed that it needed to be at an appropriate level.

Meeting finished at 7.15pm

REPORT OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

WHISTLE-BLOWING PROGRESS REPORT AUDIT COMMITTEE - 20 April 2017 STANDARDS COMMITTEE – 10 July 2017	Classification Public	Enclosures AGENDA ITEM No
	Ward(s) affected ALL	

1. INTRODUCTION

- 1.1 This report summarises the Council's corporate arrangements for Whistleblowing and provides members with an update of the cases received in 2016/17.
- 1.2 An effective whistleblowing hotline procedure is an essential part of the Council's corporate governance arrangements. It helps promote an open, honest and accountable culture amongst all workers where they can express their concerns without fear of victimisation or termination of employment.
- 1.3 The Audit Committee receives regular updates relating to whistle-blowing at its quarterly meetings as part of the Internal Audit Quarterly Update Report. This report is produced to provide members with an annual overview of whistleblowing arrangements within Hackney.
- 1.4 As part of the Council's whistle-blowing arrangements, a telephone hotline service is managed by the external provider Expolink, who operate a 24 hour, 7 day a week reporting service. This facility is advertised throughout Council buildings on staff notice boards as well as on the intranet. Details are also provided to all new recruits as part of their induction process.

2. SUMMARY

- 2.1 In keeping with previous years the level of whistleblowing referrals remains a low percentage of overall referrals to the Audit & Anti Fraud Investigations Team. Nevertheless, whistleblowing is an important component in the Council's reporting arrangements because it provides those who might otherwise be reluctant to do so with a process in which to raise their concerns.
- 2.2 A considerable number of referrals to Audit & Anti Fraud could fit the criteria for whistleblowing but in general, managers and staff tend to refer matters of concern under the requirements of the Council's Financial Procedure Rule 4.12 which states: -

"All issues of potential fraud/financial irregularity will be investigated in accordance with the Council's Anti-Fraud and Corruption Policy. Concerns

should be reported at the earliest opportunity to the Director, Audit and Anti-Fraud who will have lead responsibility for any subsequent investigation, in certain circumstances investigations may be carried out in collaboration with individual Group Directors.”

- 2.3 For clarity any member of staff referring irregularities to the Audit & Ant Fraud Service could expect to be afforded the same protection as if they were claiming to be a whistleblower.

3. RECOMMENDATIONS

3.1 That the Audit Committee note the contents of this report

3.2 That the Standards Committee note the contents of this report

4. RELATED DECISIONS

None

5. FINANCIAL CONSIDERATIONS

There are no financial implications arising from this report

6. COMMENTS OF THE DIRECTOR, LEGAL

- 6.1 The law on whistleblowing is contained in the Employment Rights Act 1996, as amended by the Public Interest Disclosure Act 1998. Whistleblowers have a right not to be dismissed or suffer any detriment as a result of making a protected disclosure. To be protected, the whistleblower must make a disclosure of information and reasonably believe that the information tends to show that one or more of the following has occurred or is likely to occur: -

- (i) a criminal offence;
- (ii) breach of any legal obligation;
- (iii) a miscarriage of justice;
- (iv) danger to the health and safety of any individual;
- (v) damage to the environment; or
- (vi) the deliberate concealment of information about any of the above.

- 6.2 The whistleblower is protected if the disclosure is made in any one of the prescribed ways laid down by law, one of which is to the employer. The Employment Rights Act 1996, section 47B provides that a worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by the employer done on the ground that the worker has made a protected disclosure. A whistle-blowing policy is therefore recognised as essential to encourage and facilitate this.

- 6.3 The Council must satisfy itself that:-

- (i) that matters raised under the whistleblowing procedures are being properly dealt with and within reasonable timescales;
- (ii) that persons using the procedures are not in any way subject to reprisals for raising matters;
- (iii) that where complaints are substantiated that prompt and effective action is taken including the application of the Council's disciplinary procedures and any others of relevance;

- (iv) that where financial and other irregularities are uncovered that a prompt and robust review of systems and processes takes place to mitigate the risk or opportunities or re-occurrence;
- (v) that any compliance lessons for the Council from the reported cases are being captured, disseminated and implemented.

6.4 Consideration of this Report is within the role of the Audit Sub Committee to monitor the Council's policies on 'Raising Concerns at Work' in respect of the anti-fraud and anti-corruption strategy.

7. BACKGROUND

7.1 Whistleblowing occurs when an employee reports a genuine concern that is in the public interest to be resolved. The Council encourages issues of concern to be raised, providing this is done in good faith (i.e. not maliciously). There is a legal framework in place to support those who blow the whistle to help to ensure that they do not suffer a detriment from doing so. The following are some of the things that concerns may be raised about: -

- Fraud and corruption within or against the Council
- A danger in the workplace
- Deliberate neglect of people in care
- Dumping damaging material in the environment

These are wide-ranging areas of concern, and the expertise to deal effectively with them lies with different Council departments.

7.2 Anyone who works for the Council, or who has recently worked for the Council, can 'blow the whistle'. Whilst protection afforded to whistleblowing only covers issues where there is a degree of public interest in reality many reports received relate to disgruntled staff and often do not result in the allegation being upheld.

7.3 The Whistleblowing Policy does not extend to members of the public or service users because the confidentiality and protection from reprisal issues either do not extend to these groups, or they operate in a very different way to how they affect staff. The Council has a complaints system through which the public and service users can report concerns. The public are also able to report concerns about fraud against the Council through the tenancy fraud and blue badge parking hotlines, or by reporting concerns directly to the Audit & Anti-Fraud Division.

7.4 Hackney Homes introduced whistleblowing policies in line with Hackney's own policy prior to reintegration in April 2016, and continue to follow these same regulations. Hackney Learning Trust staff are also covered by the Council arrangements following their reintegration, as are workers at the community maintained schools. Any investigations into allegations of fraud or irregularity arising from whistleblowing reports are carried out by the Council's Audit & Anti-Fraud Division.

7.5 Hackney Learning Trust staff also have access to Expolink as a means of reporting concerns, in addition to reporting to line management or Audit & Anti-Fraud.

7.6 There are no implications for the equalities policies of the Council as the whistleblowing policy is accessible to all staff and partners across the Council.

8. REFERRALS FOR THE PERIOD APRIL 2016 TO MARCH 2017

8.1 Whistleblowing reports to Expolink are reported as part of the quarterly Audit & Anti Fraud Progress Reports. A specific summary of all whistleblowing activity was last reported to Members in April 2016. The following table summarises Expolink activity in recent years.

	2014/15	2015/16	2016/17
Fraud & Corruption referrals	4	2	0
Other referrals	2	0	1
Total referrals	6	2	1

8.2 The concern that was reported under the category 'Other referrals' during 2016/17 comprises allegations of a breach of staffing policies and inadequate operational procedures.

8.3 Concerns of fraud or corruption can be reported in a number of ways. In addition to the matters raised through the Expolink telephone hotline (see section 1.4), workers may raise whistleblowing concerns through alternative channels and still be entitled to the same degree of protection that would be afforded if they had used the telephone hotline. Of the 38 internal investigations referred in 2016/17 to date 12 have been raised in this way (i.e. none via Expolink, 12 by other whistleblowing routes). The following table shows all referrals by department and fraud type, with whistleblowing cases identified in brackets:

Description	Neighbourhoods	Children, Adults & Community Health		Finance & Resources	Chief Executives	Total
	& Housing	CACH	HLT			
Theft of IT Equipment	0	0	0	0	0	0
Other Theft	1	0	0	1	0	2
Cheque/Credit card fraud	1	1	0	0	0	2
Immigration/ID issues	1	0	0	0	0	1
Employee issues	10 (6)	1	1 (1)	8 (2)	0	20 (9)
Payments, contracts, procurement	6 (1)	2	0	1	0	9 (1)
Housing irregularities	0	0	1	0	0	1
Staff parking	0	0	1	0	0	1
Other Theft	2 (2)	0	0	0	0	2 (2)
Total	21 (9)	4	3 (1)	10 (2)	0	38(12)

8.4 Whistleblowing referrals investigated by Audit & Anti-Fraud are dealt with under normal investigative procedures and outcomes regularly include recommendations on appropriate disciplinary action, advice on measures to be taken to address system weaknesses, and referrals to internal audit for follow-up action wherever more significant problems are identified. If concerns are more appropriately dealt with by another service (e.g. Human Resources) a referral is made. Outcomes of the 12 cases identified at section 4.3 (Table 2) are as follows:

- One employee was dismissed as a result of the investigation
- One employee is suspended pending management action
- Five cases remain under investigation
- No further action arose following five investigations

8.5 In relation to the legal comments contained in this report, it should be noted that every effort is made to protect the identity of the whistleblower in order to guard against the possibility of reprisals. It is not always possible to keep the identity confidential, but it is clear in the policy that any detrimental retaliatory actions arising from a whistleblowing concern being raised (for example, threats, disciplinary action or dismissal) will be regarded as a serious disciplinary offence.

9. FUTURE DEVELOPMENTS

9.1 New staff will continue to be provided with information about relevant Hackney procedures as part of the induction process (e.g. The Anti-Fraud & Corruption Policy, Code of Conduct, Whistleblowing Policy), together with contact details and information about the Expolink hotline service.

9.2 Contact details for Expolink will continue to be advertised electronically and on staff noticeboards.

9.3 The Audit Committee will continue to receive quarterly progress reports and an annual report on whistleblowing arrangements and investigation outcomes.

IAN WILLIAMS

Group Director of Finance and Corporate Resources

Report Originating Officers:

Tracy Barnett

☎020-8356 3119

Michael Sheffield

☎020-8356 2505

Financial considerations:

Michael Honeysett

☎020-8356 3332

Legal comments:

Patricia Narebor

☎020-8356 2029

Background papers:

None

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Standards Committee Terms of Reference

The Standards Committee is responsible for promoting and maintaining high ethical standards at the Council. The Standards Committee is responsible for the following functions:

1. To review and maintain oversight of the Council's ethical framework and procedures and make reports and recommendations accordingly;
2. To review and maintain oversight of the conduct of Members and co-opted members of the Council and assist them in upholding high ethical standards;
3. To advise Full Council and its Committees on the adoption of a Members' Code of Conduct, codes of practice and protocols relating to ethical governance matters;
4. To hear and consider complaints made against Members and co-opted members under the Code of Conduct, codes of practice or protocols;
5. To adopt procedures for considering complaints made under the Code of Conduct, codes of practice or protocols;
6. To consider whether to grant applications for dispensation to Members and co-opted members, in accordance with Members' Code of Conduct; and
7. To maintain oversight of ethical governance training provided to Members and co-opted members and make reports and recommendations accordingly.

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STANDARDS COMMITTEE DRAFT ANNUAL REPORT 2016/17

STANDARDS COMMITTEE

10 July 2017

COUNCIL

26 July 2017

CLASSIFICATION:

Open

WARD(S) AFFECTED

All Wards

**Tim Shields
Chief Executive**

1. SUMMARY

- 1.1 This report gives an overview of the work and activities of the Standards Committee over the past year and provides information on the monitoring of the Members' Code of Conduct.

2. RECOMMENDATIONS

- 2.1 **That the Standards Committee considers the Annual Report for 2016/17, as attached at Appendix 1, and endorse it for submission to Full Council.**
- 2.2 **That Full Council notes the Standards Committee's Annual Report for 2016/17, as attached at Appendix 1.**

3. RELATED DECISIONS

- 3.1 This is the fifth Annual Report of the Standards Committee established by the Council on 1 July 2012.

4. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

- 4.1 This report sets out the work and activities of the Standards Committee over the previous municipal year and therefore does not contain any potential financial implications.

5. COMMENTS OF THE INTERIM DIRECTOR, LEGAL

- 5.1 The Council has a legal duty under the Localism Act 2011, to promote and maintain high standards of conduct of Members and co-opted Members in public office.

- 5.2 The Council therefore established a Standards Committee to help promote and uphold high standards of conduct amongst Members and co-opted Members.

6. BACKGROUND TO THE REPORT

- 6.1 This Annual Report is submitted to Council in line with best practice for the Council to maintain an overview of the work of the Standards Committee. This is the fifth Annual Report of the Standards Committee established by the Council following implementation of the Localism Act 2011 and the introduction of related ethical governance arrangements.

- 6.2 In upholding high standards the Committee monitors and makes recommendations on the Members' Code of Conduct and considers complaints made under the Code.

6.3 The Standards Committee during 2016/17 undertook work in the following areas, which are explained in further detail in Appendix 1 of this report:

- Annual Report on Compliance with Guidance on Members' Use of ICT
- Review of the Register of Members' and Co-optees Declaration of interests
- Review of the Members' Training and Development Programme
- Safety arrangements for Member surgeries

Tim Shields
Chief Executive

APPENDICES

Appendix 1 – Standards Committee Annual Report 2016/17

Report Author	Tess Merrett, Governance Services
Comments of the Group Director, Finance and Corporate Resources	Jackie Moylan Assistant Director of Finance 0208 356 3032 Jackie.Moylan@hackney.gov.uk
Comments of the Director, Legal	Suki Binjal Director of Legal (interim), suki.binjal@hackney.gov.uk

**STANDARDS COMMITTEE
DRAFT ANNUAL REPORT 2016/17**

Introduction from Councillor Anntoinette Bramble, Chair of the Committee for 2016/17 and Cabinet Member for ethical governance matters

This report provides an overview of the Committee's work in the 2016/17 Municipal Year, in what was the Committee's fifth year since its establishment by the Council following the introduction of the Localism Act 2011. This Annual Report outlines the key areas of work undertaken by the Committee during 2016/17 as well as looking at future work and challenges.

This is my first annual report since taking on responsibility for this Committee last year. I am pleased to report that Members and co-opted members continue to uphold high ethical standards and that the ethical governance framework introduced in July 2012 is well embedded. I am also pleased to report that the refreshed Members' training programme has recently been launched and I have received some positive feedback already from Members.

It is again regrettable that the opposition parties have decided again not to take up their place on the Standards Committee for the 2016/17 Municipal Year. The Committee functions in an independent and non-party political way. It will continue to retain the places for the opposition parties in the hope that they will be taken up.

2. Membership

For 2016/17, membership of the Committee was as follows:

- Cllr Sophie Linden, Deputy Mayor, Chair of the Committee, resigned from the Council on 9 June 2016;
- Cllr Anntoinette Bramble, Deputy Mayor, Elected Chair of the Committee at its meeting on 15 February 2017 (following Cllr Sophie Linden's resignation)
- Six non-executive Council Members – Councillors Katie Hanson, Ben Hayhurst, Clayeon McKenzie, Sally Mulready, Clare Potter and Jessica Webb (vice-chair); and
- Six non-voting co-opted members – Julia Bennett, George Gross, Adedoja Labinjo and Onagete Louison (plus two vacancies).

- There remains One Conservative and one Liberal Democrat vacancy on the committee.

The table below outlines Members' and co-optees' attendance at meetings of the Standards Committee meetings during the 2016/17 Municipal Year. As ever, Members and co-optees had a large number of alternative commitments such as other public meetings, ward commitments, representing the Council on outside bodies and work commitments, and were therefore not always available to attend every meeting of the Committee. However, there was high attendance at the Committee meetings during 2016/17.

Member	25/05/16 Extraordinary meeting	21/07/16	15/02/17* *re-scheduled from 12/01/17
Julia Bennett	N	P	P
Cllr Sophie Linden	P	N Resigned as Councillor and Committee Chair on 9 June 2016	N
Cllr Anntoinette Bramble	N	N	P Elected as Chair of the Standards Committee
George Gross	N	P	P
Cllr Katie Hanson	P	P	P
Cllr Ben Hayhurst	P	P	P
Adedoja Labinjo	N	P	A
Onagete Louison	N	P	P
Cllr Clayeon McKenzie	N	P	A
Cllr Sally Mulready	P	A	P
Cllr Clare Potter	P	A	P
Jonathan Stopes-Roe	N	P	P
Cllr Jessica Webb (Vice Chair)	P	P	P

Key:

P = Present

N = Not required to attend

A = Apologies for absence

3. Terms of reference 2016/17

The Standards Committee operated within the following terms of reference for 2016/17 Municipal Year, which went to the Standards Committee meeting on 21st July 2016:

The Standards Committee is responsible for promoting and maintaining high ethical standards at the Council. The Standards Committee is responsible for the following functions:

1. To review and maintain oversight of the Council's ethical framework and procedures and make reports and recommendations accordingly;
2. To review and maintain oversight of the conduct of Members and co-opted members of the Council and assist them in upholding high ethical standards;
3. To advise Full Council and its Committees on the adoption of a Members' Code of Conduct, codes of practice and protocols relating to ethical governance matters;
4. To hear and consider complaints made against Members and co-opted members under the Code of Conduct, codes of practice or protocols;
5. To adopt procedures for considering complaints made under the Code of Conduct, codes of practice or protocols;
6. To consider whether to grant applications for dispensation to Members and co-opted members, in accordance with Members' Code of Conduct; and
7. To maintain oversight of ethical governance training provided to Members and co-opted members and make reports and recommendations accordingly.

4. Members' Code of Conduct

All Members on their election to office and co-optees on their appointment are required to sign a declaration confirming that they will abide by the Members' Code of Conduct. It is important for them to have good knowledge of the requirements of the Code. Similarly, officers who work directly with Members and co-optees need to have a good understanding of the Code in order to give Members effective support.

The Committee is pleased with the support and training provided to Members on the Code of Conduct and believes that it helps contribute to the high ethical governance standards demonstrated by Members and Co-optees of

the Council. It is expected that Members and Co-opted Members will attend refresher sessions during the next Municipal Year. The Committee will continue to monitor training on the Code of Conduct to ensure that high standards continue.

5. Member Induction, Training and Development Programme

The Committee received a report at its meeting on 15 February 2017 updating the Committee on the Members' Training and Development Programme. The programme's aim was to provide the necessary training and tools to Members to enable them to reach their full potential in their various roles as Councillors. The change in approach had come about as a result of Mayor Philip Glanville's commitment last September to launch a review of how Councillors are supported. The training is now more focused with the emphasis on a more individual approach to training to meet Members' needs and aspirations. A dedicated Members training page has been created and is expected to go live shortly. This will include links to all the main components, including the Local Government Association and Local Government and Intelligence Unit learning hub, dates of briefings and back to floor session, PDP templates and guidance, as well as key contacts.

At the 15 February 2017 Standards Committee meeting members noted that with the briefings it was a challenge trying to strike the best balance between getting the best attendance levels and holding them on dedicated nights. Annual reviews were conducted of the training and consultations which had been provided by the various relevant authorities e.g. the Metropolitan Police Service.

Committee members welcomed the new training programme. Work would continue to improve the various ways to support Councillors in their professional and personal development.

A number of courses had been run between September 2016 and March 2017. These courses included:

- Planning Training
- Code of Conduct
- Overview and Scrutiny Training
- Housing and Planning Act Training
- Police and Personal Safety Training
- Recycling 2020 Training
- Housing Advice Training
- Mental Health First

Positive feedback had been received from Members particularly for the session on mental health, housing and personal safety.

6. Review of Register of Declaration of Interests Forms

The Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 requires all local authorities to adopt a Code of Conduct and for all its all Members and voting co-optees to complete and return a declaration of interests form.

The Localism Act 2011 also places an obligation on all local authorities to promote high ethical standards in public office. Regulations also require Members and Co-optees to be transparent and declare all disclosable interests on their declaration of interest form.

The Committee received a report on this subject at its meeting on 15th February 2017. The Committee noted that the declaration of interest forms are held in a hard copy register and on the Council's website. Having reviewed the forms, the majority of Members have been keeping their forms updated. There was a small number of Councillors who have not updated their forms since 2014, and they had been sent a reminder to send in an updated form if there had been any changes.

8. Complaints about Member Conduct

Jonathan Stopes-Roe continued to serve as the Council's Independent Person on ethical governance matters. A report will be considered by full Council at its 26th July 2017 meeting to re-appoint him for a further 4 year term.

There was one complaint received under the Members' Code of Conduct that were referred to the Standards Assessment Sub-Committee and no further action was recommended.

9. Guidance for Members on Use of ICT – 6th Annual Report

The Committee received a report at its meeting on 15 February 2017 on Compliance with Guidance on Members' Use of ICT. The Committee noted in the report, that there had been one reported breach during the Municipal year of 2015/16. There had only been three known or reported breaches since the commencement of annual reporting to the Standards Committee in 2013.

There was one reported breach of the Guidance on Members' Use of ICT in 2016/17 which was referred to the Standards Assessment Sub-Committee and no further action was recommended.

The Committee was also briefed on the refresh of the Council's guidance for Members' uses of ICT, which would ensure that the Council's guidance is up to date with current systems and the latest UK Government guidance. The revised policy had been designed to avoid adding disproportionate technical

restrictions which can lead to people taking risks. In addition the refreshed policy will include guidance on use of social media, reasonable use of services and would also be reviewed to consolidate the number of policy documents.

10. Dispensation Requests

Under the Council's dispensation Procedure, the Standards Committee is responsible for considering requests for dispensations on the grounds that it is in the interests of residents or that it is otherwise appropriate to grant dispensation for some other reason.

There were no requests for dispensation put to the Standards Committee during the 2016/17 period.

11. Conclusion

The Standards Committee has now been in operation for five years following its establishment by Council. The Committee remains dedicated to maintaining high ethical standards in Hackney and supporting Members and co-optees in doing so. The Committee is pleased to see that the current framework is operating successfully and the Committee believes that Council Members and co-optees continue to demonstrate high ethical standards.

The Committee's ongoing focus will be to support Members to ensure that they are fully aware of the principles of the Code of Conduct and to monitor attendance at training and completion of Register of Interests' forms.

I thank the four co-optees of the Committee for their assistance and hard work on the Committee and the Independent Person, Mr Jonathan Stopes-Roe, for his contribution to our work.

Councillor Anntoinette Bramble
Chair of Standards Committee 2016/17

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STANDARDS COMMITTEE WORK PROGRAMME 2017/18

STANDARDS COMMITTEE 10 JULY 2017	CLASSIFICATION: Open
WARD(S) AFFECTED All Wards	
Tim Shields, Chief Executive	

1. INTRODUCTION

- 1.1 In line with established good practice, the Standards Committee sets out a work programme to help it focus its attention on promoting and maintaining high ethical standards among Members of the Council.
- 1.2 This report outlines the areas of work which the Committee will be undertaking to ensure that it maintains effective oversight of Member conduct and ensures that high ethical governance standards are maintained.
- 1.3 The report therefore invites the Committee to agree a work programme for the year 2017/18.

2. RECOMMENDATION

- 2.1 **Standards Committee is asked to agree the draft work programme for 2017/18 as detailed in Appendix 1 to this report.**

3. REASON FOR DECISION

- 3.1 Issues concerning ethical governance including the promotion and maintenance of high ethical standards among Members of the Council are within the remit of the Committee. Agreement of the Committee's work programme would therefore enhance the work of the Committee.

4. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

- 4.1 This report seeks agreement for the work programme of the Standards Committee and does not have financial implications.

5. COMMENTS OF THE INTERIM DIRECTOR, LEGAL

- 5.1 The work programme enables the Council to discharge its legal obligation under the Localism Act 2011, to promote and maintain high standards in public office.

6. BACKGROUND

- 6.1 The Localism Act 2011 places an obligation on the Council to ensure that high ethical standards are promoted and maintained among its Members. At the Council meeting on 28 March 2012, the Council appointed the Standards Committee to assist with promoting and maintaining high ethical standards in the Council.
- 6.2 The suggested work programme, attached at Appendix 1, is intended to help the Committee to focus attention on its responsibilities and duties, with particular attention on ensuring all Members receive appropriate training, complete their register of interests forms and continue to uphold high ethical governance standards. There is some flexibility to add items to the work programme subject to time and resources.

6.3 Complaints received in the year may necessitate additional meetings being held by a Sub-Committee of the Standards Committee.

Tim Shields
Chief Executive

LIST OF APPENDICES

Appendix 1 –Standards Committee Work Programme 2017/18

BACKGROUND PAPERS

No documents which require listing been relied upon in the preparation of this report.

Report Author	Tess Merrett Governance Services 02083563432
Comments of the Director, Finance and Corporate Resources	Jackie Moylan Assistant Director of Finance 0208 356 3032 Jackie.Moylan@hackney.gov.uk
Comments of the Director, Legal	Stephen Rix Head of Litigation 020 8356 6122

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**STANDARDS COMMITTEE
WORK PROGRAMME 2017/18**

MEETING DATE	ITEM	ACTION	PURPOSE	RESPONSIBILITY
10/07/2017	Standards Committee Terms of Reference	Noting	The Committee will be asked to note its terms of reference.	Monitoring Officer
	Standards Committee Annual Report 2016/17	Decision	The report will provide Members with an annual review of the Committee's work for comment and commendation to Council. It will also update Members on proposed areas of work for the future.	Monitoring Officer
	Draft Work Programme	Decision	The report will ask Members to agree the priorities for and work of the Committee for 2016/17.	Monitoring Officer
Page 31 12/02/2018	Review of the Register of Members' and Co-optees' Declaration of Interests	Information	The report informs the Committee on Members and Co-optees completion of their declaration of interests' forms	Monitoring Officer
	Review of the Members' Training and Development Programme	Information	The Committee will be asked to consider a report on training provided to Members especially with focus on ethical governance matters. The report will include an overview of the training and e-learning training provided, information on attendance and feedback received from Members. The Committee will be asked to provide comments and suggestions on any further training needs	Monitoring Officer
	Annual Report on Compliance with Guidance on	Information	The Committee will be asked to consider a report on Members' use of ICT especially with focus on ethical governance matters. The report will include an	Monitoring Officer

**STANDARDS COMMITTEE
WORK PROGRAMME 2017/18**

	Members' Use of ICT		overview of the training and e-learning training provided, information on attendance and feedback received from Members. The Committee will be asked to provide comments and suggestions on any further training needs.	
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The Standards Committee and Standards Sub-Committees may meet as and when required to consider complaints made under the Members' Code of Conduct.

DRAFT