



STANDARDS COMMITTEE

Wednesday 16 February 2022
at 6.30 pm

The live stream can be viewed here:

<https://youtu.be/XBH6Q1rT0eM>

Back-up: <https://youtu.be/zLq2Bdkrgrs>

Members of the Committee:

Councillor Anntoinette Bramble, Deputy Mayor and Cabinet Member for Education, Young People and Children's Social Care (Chair)

Councillor Kofo David (Vice-Chair)

Councillor Humaira Garasia

Councillor Katie Hanson

Councillor Anna Lynch

Councillor Sem Moema, Mayoral Adviser Private Renting and Housing Affordability

Councillor Carole Williams, Cabinet Member for Employment, Skills and Human Resources

Councillor Caroline Woodley, Cabinet Member for Families, Early Years and Play

Independent Person

Feryal Ertan, Independent Person to Standards Committee

Co-opted Members

Nicola Hanns

Aoife Scannell

Mark Carroll

Chief Executive

Tuesday 8 February 2022

www.hackney.gov.uk

Contact:

Andrew Spragg, Governance Services

governance@hackney.gov.uk

Standards Committee

Wednesday 16 February 2022

Agenda

1 Apologies for Absence

2 Declarations of Interest - Members to declare as appropriate

A Member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A Member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 8.1-15.2 of Section Two of Part 5 of the Constitution and Appendix A of the Members' Code of Conduct.

3 To Confirm the Unrestricted Minutes of the Standards Committee Held on 11 January 2022 (Pages 9 - 10)

4 Update on Members' Training and Development Programme 2021/22 (Pages 11 - 16)

5 Members' Register of Interests and Gifts and Hospitality Forms (Pages 17 - 28)

6 Amendment to Dispensations Previously Granted - London Energy Limited (Pages 29 - 32)

7 Update on Complaints Received Under the Members Code of Conduct (Pages 33 - 36)

Public Attendance

The Town Hall is not presently open to the general public, and there is limited capacity within the meeting rooms. However, the High Court has ruled that where meetings are required to be 'open to the public' or 'held in public' then members of the public are entitled to have access by way of physical attendance at the meeting. The Council will need to ensure that access by the public is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice.

Those members of the public who wish to observe a meeting are still encouraged to make use of the live-stream facility in the first instance. You can find the link on the agenda front sheet.

Members of the public who would ordinarily attend a meeting to ask a question, make a deputation or present a petition will be able to attend if they wish. They may also let the relevant committee support officer know that they would like the Chair of the meeting to ask the question, make the deputation or present the petition on their behalf (in line with current Constitutional arrangements).

In the case of the Planning Sub-Committee, those wishing to make representations at the meeting should attend in person where possible.

Regardless of why a member of the public wishes to attend a meeting, they will need to advise the relevant committee support officer of their intention in advance of the meeting date. You can find contact details for the committee support officer on the agenda front page. This is to support track and trace. The committee support officer will be able to confirm whether the proposed attendance can be accommodated with the room capacities that exist to ensure that the meeting is covid-secure.

As there will be a maximum capacity in each meeting room, priority will be given to those who are attending to participate in a meeting rather than observe.

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present. This is particularly important in the case of the Planning Sub-Committee, as it may have a number of items on the agenda involving public representation.

Before attending the meeting

The public, staff and councillors are asked to review the information below as this is important in minimising the risk for everyone.

If you are experiencing covid symptoms, you should follow government guidance. Under no circumstances should you attend a meeting if you are experiencing covid symptoms.

Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through the NHS website. If you do not have access to the internet, or have difficulty with the digital portals, you are able to call the 119 service to book a test.

If you're an essential worker and you are experiencing Coronavirus symptoms, you can apply for priority testing through GOV.UK by following the guidance for essential workers. You can also get tested through this route if you have symptoms of coronavirus and live with an essential worker.

Availability of home testing in the case of people with symptoms is limited, so please use testing centres where you can.

Even if you are not experiencing covid symptoms, you are requested to take an asymptomatic test (lateral flow test) in the 24 hours before attending the meeting.

You can do so by visiting any lateral flow test centre; details of the rapid testing sites in Hackney can be found here. Alternatively, you can obtain home testing kits from pharmacies or order them here.

You must not attend a lateral flow test site if you have Coronavirus symptoms; rather you must book a test appointment at your nearest walk-through or drive-through centre.

Lateral flow tests take around 30 minutes to deliver a result, so please factor the time it will take to administer the test and then wait for the result when deciding when to take the test.

If your lateral flow test returns a positive result then you must follow Government guidance; self-isolate and make arrangements for a PCR test. Under no circumstances should you attend the meeting.

Attending the Town Hall for meetings

To make our buildings Covid-safe, it is very important that you observe the rules and guidance on social distancing, one-way systems, hand washing, and the wearing of masks (unless you are exempt from doing so). You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

To minimise risk, we ask that Councillors arrive fifteen minutes before the meeting starts and leave the meeting room immediately after the meeting has concluded. The public will be invited into the room five minutes before the meeting starts.

Members of the public will be permitted to enter the building via the front entrance of the Town Hall no earlier than ten minutes before the meeting is scheduled to start. They will be required to sign in and have their temperature checked as they enter the building. Security will direct them to the Chamber or Committee Room as appropriate.

Seats will be allocated, and people must remain in the seat that has been allocated to them.

Refreshments will not be provided, so it is recommended that you bring a bottle of water with you.

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. 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:

- Director of Legal and Governance 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.

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.

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 meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting 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 meeting 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.

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.

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 meeting, 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 meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting 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 meeting. Once you have finished making your representation, you must leave the meeting 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 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 non pecuniary interest.

Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal and Governance Services via email dawn.carter-mcdonald@hackney.gov.uk

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**DRAFT MINUTES OF THE STANDARDS COMMITTEE
HELD ON
TUESDAY 11 JANUARY 2022**

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED HERE:

<https://www.youtube.com/watch?v=kYr-zXejWeM>

Chair:	Deputy Mayor Bramble
Councillors in Attendance:	Cllr Katie Hanson; Cllr Carole Williams; Cllr Caroline Woodley
Apologies:	None Given
Officers in Attendance:	Dawn Carter-McDonald, Director of Legal and Governance Services Louise Humphreys, Head of Legal and Governance Services Andrew Spragg, Governance Services Team Leader

1. Apologies for Absence

- 1.1 There were no apologies for absence. Councillors Kofo David, Anna Lynch and Sem Moema joined the meeting remotely. Co-Opted Members Nicola Hanns and Aofie Scannell joined the meeting remotely. The Independent Person Feryal Ertan joined the meeting remotely.

2. Declarations of Interest - Members to declare as appropriate

- 2.1 There were no declarations of interest.

3. Unrestricted Minutes of the Previous Meeting of Standards Committee held on 13 July 2021

RESOLVED: That the minutes of the meeting held on 13 July 2021 be agreed as a true and accurate record of proceedings.

4. Adoption of new Councillor Code of Conduct

- 4.1 The Head of Legal and Governance Services introduced the report. The Chair highlighted her involvement with the Local Government Association (LGA) as Chair of the Children and Young People Board and previous role as Deputy Leader of the LGA Labour Group. She thanked the Task and Finish Group and officers for their work, and referenced draft guidance

related to the harassment and intimidation of local councillors which she felt complemented the Code.

- 4.2 Officers outlined that the Code of Conduct training would be mandatory for new and returning Councillors in May 2022, and that a range of different training models would be used to ensure maximum impact.

RESOLVED:

- i) **To recommend to Full Council that the revised Councillor Code of Conduct be adopted and come into effect following the elections in May 2022.**
- ii) **To recommend to Full Council that the Councillor Code of Conduct Guidance and the Code of Conduct Complaints Assessment, Investigations and Hearings Procedure Note be endorsed for use alongside the Councillor Code of Conduct.**

5. Assessment and Hearing Sub-Committees: Terms of Reference

- 5.1 The Governance Services Team Leader introduced the report. There were no further comments.

RESOLVED:

- i) **To approve the terms of reference for the Assessment Sub-Committee**
- ii) **To approve the terms of reference for the Hearing Sub-Committee**

6. Dates of Future Meetings - 16 February 2022

- 6.1 The Committee noted its next meeting in February 2022.

End of Meeting

Duration of the meeting: 7pm - 7.20pm

Contact:

Andrew Spragg, Governance Services Team Leader
andrew.spragg@hackney.gov.uk



UPDATE ON MEMBERS' TRAINING AND DEVELOPMENT PROGRAMME 2021/22	
STANDARDS COMMITTEE MEETING DATE (2021/22) 16 February 2022	CLASSIFICATION: OPEN
WARD(S) AFFECTED N/A	
Group Director Mark Carroll, Chief Executive	

1. INTRODUCTION

- 1.1 This report provides an update with regards to the Members' Training & Development Programme the aim of which is to provide the necessary training and tools to Members to enable them to reach their full potential in their various roles as Councillors.

2. RECOMMENDATION

Standards Committee is recommended to note the update with regards to the Council's Members' training and development programme.

3. REASONS FOR THE DECISION

- 3.1 To note.

4. BACKGROUND

- 4.1 The member training programme, refreshed for the 2018-22 term, has continued to deliver training, after an initial pause at the start of the Covid-19 pandemic, but predominantly via video calls/briefings.
- 4.2 A new induction and training programme for the new cohort of members in May 2022 is in development, embracing the technology gains from being able to easily access and record video training, but also ensuring individual personal professional development and increased ward level on the ground in person focus for induction. The new training programme will also include the mandatory training recently agreed by the Standards Committee.

5. TRAINING & DEVELOPMENT OFFER

- 5.1 The training 'offer' is focused on promoting both individual and collective learning to meet the needs and aspirations and includes:
- Individual Personal Development Plans (PDP), which are optional for

Members, help to formalise each Councillors' area of work (e.g. committee) and their stated interests and personal aspirations. The Mayor and his Cabinet Members have regular 121's where training and development needs are also discussed; any needs will be recorded in the Members' PDP.

- Using established training resources from the LGA and LGIU with a focus on Member individual development. These are tailored courses delivered through varying formats from e-learning to detailed multi courses and peer support. The LGA/LGIU offer is designed specifically for Members and has had extensive Member input in its design and delivery.
- 'In house' briefing sessions on key subject areas for the borough, including 'hot topics' e.g. Adult social care expenditure and Lettings Policy
- Ensuring statutory or role enhancing training is delivered (e.g. Planning, Licensing)
- Training and information around resident or personal welfare – e.g. personal safety and mental health first aid.
- Making appropriate officer updates or notes available to all Members.
- Access to the Council's 'learning hub' for online learning courses including courses dedicated to Members.
- One to one sessions with officers where in depth knowledge or briefing is required.
- Sessions that allow opportunity for discussion, interaction and clarification.
- External training courses and briefings where required.
- An induction programme for new Councillors.
- Focussed training for Cabinet Members managed through the Mayor's office.

5.2 To enhance the offer for 2022/26 a new Members' intranet is in development for launch in May 2022 to ensure all the relevant member information and training resources and videos are easily accessible and in one place. This includes links to all the main components such as LGA/LGIU & the learning hub, dates of briefings, PDP templates and guidance, as well as key contacts. It will be the main landing page for all members to help them undertake their roles effectively.

5.3 Members have the following available to them, alongside more wider training courses, to help them undertake their role as a Councillor:

- Meeting with the Chief Executive to understand the strategy for the council
- Meeting with Member Services to develop a PDP
- Meetings with other key senior officers (as appropriate) to gain deep knowledge in areas of interest and ward issues
- Code of conduct (compulsory)
- Payroll & declarations information (compulsory)
- Training specific to any appointments (e.g. committee)
- Information and guidance around casework and surgeries including members support
- Information around the working and functions of the Council (officers and Members)
- ICT hardware and practical set up including accessing emails and meeting papers, casework on Covalent
- Buddying with another Councillor
- Relevant LGIU or similar courses for new Councillors (e.g. personal safety)

- Member information booklet (A new resource developed to give Hackney specific information that Members need all in one place)
- Ward profile information for their ward

5.4 For the 2021/22 year, Member training sessions have been arranged as shown below. In order to continue to provide the necessary training to Members during Covid-19, a few changes have taken place with regards to the delivery of training. Training for Members is delivered virtually with the sessions being recorded for future access for those unable to attend the session.

June 2021 - January 2022

Training Title	Training Date	Invitees	Covid19 Measures - Training delivery
Early Years Strategy	08/06/2021	All Members	Video briefing
Lettings Policy	14/06/2021	All Members	Video briefing
Personal Safety Awareness	22/06/2021	All Members	Video briefing
Lettings Policy Review	23/06/2021	All Members	Video briefing
Member Drop-in re Physical Meetings	23/06/2021	All Members	Video briefing
Planning	01/07/2021	All Members	Video briefing
Cyberattack Update	12/07/2021	All Members	Video briefing
Safeguarding & Corporate Parenting	14/17/2021	All Members	Video briefing
Casework Training	15/07/2021	New Members	Video briefing
Housing Services	15/07/2021	All Members	Video briefing
Independent Settings	01/09/2021	All Members	Video briefing
Health and Wellbeing	22/09/2021	All Members	Video briefing
Restricting Residual Waste	23/09/2021	All Members	Video briefing

Safeguarding & Corporate Parenting	11/10/2021	All Members	Video briefing
PSPO	12/10/2021	All Members	Video briefing
Member Safety	28/10/2021	All Members	Video briefing
Rough Sleeping	01/11/2021	All Members	Video briefing
Housing Services Budget Proposals and Rent	09/11/2021	All Members	Video briefing
Adult Safeguarding	15/11/2021	All Members	Video briefing
Race to Net Zero	16/11/2021	All Members	Video briefing
Housing Services Budget Proposals and Rents	23/11/2021	All Members	Video briefing
Mental Health Training for Councillors and the Community	24/11/2021	All Members	Video briefing
Hate Crime Awareness	30/11/2021	All Members	Video briefing
Hackney Community Fund Drop-in	10/01/2022	All Members	Video briefing
Violence Against Women & Girls	11/01/2022	All Members	Video briefing
Why is Adult Social Care always overspent	13/01/2022	All Members	Video briefing
Planning	25/01/2022	Committee Members	Video briefing
Hackney Green Infrastructure Strategy	27/01/2022	All Members	Video briefing

Cancelled Sessions 2021

Training Title	Training Date	Reason for cancellation
N/A		

Upcoming Sessions

Training Title	Training Date	Invitees
Counter Terrorism - Safety Training	07/02/2022	All Members
Finance & Budget	10/02/2022	All Members
Lettings Policy Review	22/02/2022	All Members
Planning	23/02/2022	Committee Members
Poverty Reduction	24/02/2022	All Members
Housing Register	28/02/2022	All Members
Online Personal Safety	23/05/2022	All Members
Licensing	31/05/2022	Committee Members

5.5 Members of the Audit Committee, Pensions Committee and the Pensions Board (which is formed of Co-opted Members only) attend regular training and update sessions in advance of the meeting taking place. For example the following topics have been covered recently; responsible investment, investment strategy and an introduction to Hackney Fund Governance.

5.6 A number of Members have also attended external courses and programmes provided by the LGA (e.g. the Leadership Academy) and other external organisations including the Westminster Forum Projects, CIPFA and CFPS.

6 COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

6.1 The report asks the Standards Committee to note the update with regards to the Council's Members' training and development programme.

6.2 There are no financial implications arising from the recommendation of this report, costs for delivering the Members' training and development programme will be funded from existing budgets.

7. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

7.1 Standards Committee is responsible for monitoring the Council's training and development programme for elected Members and voting co-opted Members. The Member Training and Development Programme should be designed to provide appropriate, comprehensive support for Members' training and

development requirements to enable them to fully undertake their roles as elected Members and voting co-optees.

APPENDICES

None.

BACKGROUND PAPERS

None.

Report Author	Bruce Devile, Head of Business Intelligence, Elections & Member Services Bruce.devile@hackney.gov.uk 020 8356 3418
Comments of the Group Director of Finance and Corporate Resources	Deirdre Worrell Director of Neighbourhoods and Housing Finance Deirdre.Worrell@hackney.gov.uk 020 8356 7350
Comments of the Director of Legal and Governance Services	Louise Humphreys Head of Legal and Governance Services louise.humphreys@hackney.gov.uk 020 8356 4817



MEMBERS' REGISTER OF INTERESTS AND GIFTS AND HOSPITALITY FORMS	
STANDARDS COMMITTEE	CLASSIFICATION:
MEETING DATE (2021/22) 16 February 2022	OPEN
WARD(S) AFFECTED N/A	
Director Dawn Carter-McDonald, Director of Legal and Governance and Monitoring Officer	

1. SUMMARY

- 1.1 This report proposes the adoption of revised forms in respect of both declarations of interest and declarations of gifts and hospitality following the receipt of comments from Councillors and the adoption of the Council's new Councillors Code of Conduct.

2. RECOMMENDATIONS

- (i) **That the Standards Committee endorse the revisions to the Declarations of Interest Form & Declaration of Gifts and Hospitality Form for use with effect from May 2022**

3. BACKGROUND

- 3.1 In September 2019, the Standards Committee recommended that a review be undertaken of the Members' Declaration of Interests Form and established a Member Working Group for that purpose.
- 3.2 The Standards Committee received a report on 13 February 2020 providing an update on the work of the Member Working Group, including the proposal to adopt a revised version of the Register of Interest form. This was agreed.
- 3.3 Following the adoption of the revised form, a number of queries and comments were received from Councillors. Some considered that the layout of the form, in terms of how it dealt with the declarations required in respect of spouses and civil partners, was confusing. Concerns were also raised as to the lack of guidance on how to complete the form within the form itself. Finally, some queries were raised as the wording within the form appeared to contradict the content of guidance previously circulated.
- 3.4 In addition, the adoption of the new Councillor Code of Conduct ("the Code") by Full Council on 26 January 2022, has necessitated a further short review of the

form to ensure that the requirements of the new Code have been fully addressed within the form.

4. PROPOSED AMENDMENTS

4.1 In terms of the Register of Interest form:

- The layout is proposed to be amended to:
 - Clearly highlight which interests are disclosable pecuniary interests and which are other disclosable interests; and
 - To use a vertical rather than horizontal format and separation as between the Councillor and their spouse, civil partner etc.
- Guidance has been added in each section to aid understanding of what matters ought to be disclosed.
- A declaration has been added to the end of the form to ensure that Councillors are fully aware of their responsibilities as regards declaring interest under the Localism Act 2011 and the consequences of failing to comply.

The proposed revised form is at **Appendix 1** to this report.

4.2 Members of the Committee will recall that guidance on the interests is also provided within the new Councillor Code of Conduct Guidance, which was endorsed by both this Committee and also full Council.

4.3 Given the requirement under the new Code for Councillors, which in the Code is defined as any elected member and voting co-optee, to declare not only gifts and hospitality over the value of £25 which have been accepted but also any such gifts and hospitality which have been declined, it is proposed that the gifts and hospitality declaration be separated from the Register of Interest form. The proposed new form is at **Appendix 2** of the report.

4.4 The rationale for this proposal is that it is likely that Councillors will need to update this on a more frequent basis than interests, given the requirement for declarations to be made within 28 days of acceptance or refusal.

4.5 As with the declaration of interests form, the opportunity has also been taken to add a declaration at the end of the form to ensure that Councillors are fully aware of their responsibilities under the Code of Conduct as regards gifts and hospitality.

4.6 Rather than formally re-issue any new form at this stage, given the impending elections in May 2022, it is proposed that the amended form come into use with effect from after the elections. This would avoid Councillors having to complete a new form for the last quarter of their term of office. Of course, Councillors remain subject to the legal requirement to update their Register of Interests Form and declare any gifts or hospitality accepted within the appropriate time frames.

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

6.1 There are no financial implications arising from this report.

7. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

7.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests for both members of the Council and co-optees. It is a matter for the Council to determine what matters ought to be entered into that register and by virtue of the adoption of the Code of Conduct, the Council has determined those matters.

7.2 Section 30 of the Localism Act 2011 provides that a member or co-optee must, before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the Council, notify the Monitoring Officer of any disclosable pecuniary interests which the person has at the time when the notification is given.

7.3 The Council's new adopted Code of Conduct requires the disclosure of gifts and hospitality accepted or declined with a value of £25 or more.

7.4 The use of forms enables members and co-optees to easily comply with these requirements whilst maintaining consistency in the manner in which such declarations are made.

APPENDICES

Appendix 1 - Register of Interests Form

Appendix 2 - Gifts and Hospitality Declaration Form

BACKGROUND PAPERS

None

Report Author	Louise Humphreys Head of Legal and Governance louise.humphreys@hackney.gov.uk Tel 020 8356 4817
Comments of the Group Director, Finance and Corporate Resources	Jackie Moylan Director of Financial Management jackie.moylan@hackney.gov.uk Tel 020 8356 3032
Comments of the Director of Legal and Governance	Dawn Carter-McDonald Director of Legal and Governance dawn.carter-mcdonald@hackney.gov.uk Tel 020 8356 6234

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Register of Members' Interests

Mayor / Councillor

I, _____, an elected member of the London Borough of Hackney give notice that I and / or my spouse, civil partner or person with whom I am living as a spouse or civil partner (where you are aware that they have such an interest) have the following interests which I am required to register under the Localism Act 2011 and under the Council's Code of Conduct. Where no such interest exists, I have put "none" in the relevant entry.

DISCLOSABLE PECUNIARY INTERESTS

EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION

Details of any employment, office, trade, profession or vocation carried out for profit or gain to include a description of that employment etc and the name of employer or business. In the case of an office, please provide the name of the person / body who made the appointment.

You

Name of employer or business:

Job title:

Description of employment or business:

Your Spouse, Civil Partner or Person with whom you are living as such

Name of employer or business:

Job title:

Description of employment or business:

SPONSORSHIP

Any payment or provision of any financial benefit (other than from the London Borough of Hackney) made or provided within the relevant period in respect of any expenses incurred by the Member in the carrying out of your duties as a Member or towards your election expenses. This includes any payment or financial benefit from a Trade Union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

You

Your Spouse, Civil Partner or Person with whom you are living as such

CONTRACTS

Any contract made either between you and the London Borough of Hackney or between a body in which you have a beneficial interest (i.e. owner, director, stocks, shares) and the London Borough of Hackney under which goods or services are to be provided or works executed and which has not been fully discharged. This also includes any contracts entered into between wholly owned local authority companies and the Council, where you have a beneficial interest in that company. Please note that in respect of stocks and shares there is no requirement that the holding be of a specific amount in order to trigger a declaration.

You

Description of contract:

Your Spouse, Civil Partner or Person with whom you are living as such

Description of contract:

LAND

Any beneficial interest in any land which is within the area of the London Borough of Hackney. This includes land which you own (whether occupied by yourself or another person, such as a tenant), lease from another person whether on a short term or long term basis, or upon which you may hold a mortgage or other charge over. The information provided should be sufficient to identify the land in question, such as a postal address with post code or where there is no postal address sufficient information to be able to identify it e.g. grid references. You should also identify the nature of your interest in the land e.g. owner, lessee, tenant etc.

You

Address:

Interest (e.g. owner / tenant / lessee):

Your Spouse, Civil Partner or Person with whom you are living as such

Address:

Interest (e.g. owner / tenant / lessee):

LICENCES

Any licence to occupy land, whether held alone or jointly with another person, for one month or longer within the area of the London Borough of Hackney. The information provided should be sufficient to identify the land in question, such as a postal address with post code or where there is no postal address sufficient information to be able to identify it e.g. grid references.

You

Address:

Your Spouse, Civil Partner or Person with whom you are living as such

Address:

CORPORATE TENANCIES

Any tenancy where the landlord is the London Borough of Hackney and the tenant is a body in which you have a beneficial interest e.g. a company which you own or of which you are a Director, or hold securities in. The information provided should be sufficient to identify the land in question, such as a postal address with post code or where there is no postal address sufficient information to be able to identify it e.g. grid references.

You

Address:

Your Spouse, Civil Partner or Person with whom you are living as such

Address:

SECURITIES

The name of any body (e.g. company, industrial or provident society, co-operative society or other corporate body) which to your knowledge has a place of business or land in the London Borough of Hackney, and in which you have a beneficial interest.

For the purposes of this requirement a beneficial interest exists if the total nominal value of the securities exceeds £25,000 or 1/100th of the total issued share capital or, if the share capital is of more than one class, the total nominal value of the shares of any one class exceeds 1/100th of the total issued shared capital of that class. A security means any shares, debentures, debenture stock, loan stock, bonds, units of collective investment scheme or any other securities of any description, other than money deposited with a building society.

You

Name of body:

Your Spouse, Civil Partner or Person with whom you are living as such

Name of body:

OTHER REGISTERABLE INTERESTS

OTHER BODIES

Any body or organisation of which you are a member or in a position of general control or management and to which you have been appointed or nominated by the London Borough of Hackney. This covers all appointments made by the Council, Cabinet or a Committee. It also includes appointments as a School Governor where this is made by the Council, so for example an appointment as Local Authority Governor would need to be declared, whereas an appointment as a co-opted governor would not.

You

Name of body:

Your Spouse, Civil Partner or Person with whom you are living as such

Name of body:

OTHER MEMBERSHIPS

Any membership you have, or position of general control or management, in any body:

- *exercising functions of a public nature*
- *directed to a charitable purpose; or*
- *one of whose principal purposes include the influence of public opinion (including any political party or trade union)*

You

Name or organisation:

Your Spouse, Civil Partner or Person with whom you are living as such

Name or organisation:

Declaration

I recognise and understand that it is a breach of the Localism Act 2011 and a criminal offence, if without reasonable excuse, I:

- (a) Fail to give notice to the Monitoring Officer of any disclosable pecuniary interest which either I have or which my spouse, civil partner or person with whom I am living as a spouse or civil partner has within 28 days of becoming a member of the Council;
- (b) Fail to disclose at a meeting of the Council (or any committee or sub-committee) an unregistered disclosable pecuniary interest in any matter to be considered at that meeting of which I am aware (unless the interest is a sensitive interest, in which case I must only disclose the fact that I have a disclosable pecuniary interest in the matter concerned but not the details of that disclosable pecuniary interest);
- (c) In the circumstances described in (b) above, fail to give notice to the Monitoring Officer of that interest within 28 days of the meeting, unless it is already the subject of a pending notification to the Monitoring Officer; or
- (d) Participate in any discussion or vote on a matter in which I have a disclosable pecuniary interest unless I have received a dispensation from the Monitoring Officer or Standards Committee, as the case may be, in accordance with the Localism Act.

I recognise and understand that it is a breach of the Localism Act 2011 and a criminal offence to provide information in this register which is false or misleading and:

- (a) I know that the information is false or misleading, or
- (b) I am reckless as to whether the information is true and not misleading.

<i>Signed:</i>	
<i>Date:</i>	

Received by the Monitoring Officer

<i>Signed:</i>	
<i>Date:</i>	

Published on

Register of Gifts and Hospitality

Mayor/Councillor

I, Councillor _____, an elected member of the London Borough of Hackney give notice of the following gifts and hospitality that I have either accepted or refused in accordance with the requirements of the Council's Code of Conduct.

GIFTS AND HOSPITALITY ACCEPTED

Any gift or hospitality accepted with a value of £25 or above

<i>Description of gift or hospitality received and date received</i>	<i>Approximate value</i>	<i>Received from</i>

GIFTS AND HOSPITALITY REFUSED

Any gift or hospitality refused with a value of £25 or above

<i>Description of gift or hospitality received and date received</i>	<i>Approximate value</i>	<i>Received from</i>

Declaration

I recognise and understand that it is a breach of the Council’s Code of Conduct

- (a) not to register with the Monitoring Officer any gift or hospitality which I have accepted with a value of over £25 within 28 days of receipt.
- (b) not to register with the Monitoring Officer any gift or hospitality which I have declined with a value of over £25 within 28 days of the offer being made.

<i>Signed:</i>	
<i>Date:</i>	

Received by the Monitoring Officer

<i>Signed:</i>	
<i>Date:</i>	

Published on



AMENDMENT TO DISPENSATIONS PREVIOUSLY GRANTED - LONDON ENERGY LIMITED	
STANDARDS COMMITTEE	CLASSIFICATION:
MEETING DATE (2021/22) 16 February 2022	OPEN
WARD(S) AFFECTED N/A	
Director Dawn Carter-McDonald, Director of Legal & Governance and Monitoring Officer	

1. SUMMARY

- 1.1 This report relates to dispensations for Members as a consequence of appointments to the North London Waste Authority and London Energy Limited. It follows on from, and makes corrections to, a report presented to the Standards Committee on 17 February 2021.

2. RECOMMENDATIONS

The Standards Committee is asked to note the amendment to the previous report dated 17 February 2021.

3. BACKGROUND

North London Waste Authority

- 3.1 North London Waste Authority (“NLWA”) is the statutory joint waste disposal authority for north London and as such is responsible for the disposal of waste collected by seven north London boroughs (the constituent boroughs):
- The London Borough of Barnet
 - The London Borough of Camden
 - The London Borough of Enfield
 - The London Borough of Hackney
 - The London Borough of Haringey
 - The London Borough of Islington
 - The London Borough of Waltham Forest
- 3.2 NLWA is established as a statutory joint waste disposal authority under Schedule 1 to the Waste Regulation and Disposal (Authorities) Order 1985. The Authority’s main waste disposal functions are set out in section 51 of the Environmental Protection Act 1990. 3.4. The Authority has a membership of 14 councillors, with each constituent borough appointing two councillors. The London Borough of Hackney appointments are a function of the executive and

made by the Mayor, as set out in the Constitution. Substitute members are not permitted (i.e. another Councillor may not attend meetings as an NLWA member if the appointed member is absent).

LondonEnergy Limited

- 3.3 NLWA is the sole shareholder in LondonEnergy Ltd (“LEL”). This is a company which operates an energy from waste facility and other waste facilities at the Edmonton EcoPark in Enfield, and waste transfer stations and reuse and recycling centres in the north London area. NLWA has a waste services contract with LEL for disposal of the waste delivered by the constituent boroughs.

Previous Report to Standards Committee

- 3.4 At its meeting on 17 February 2021, the Standards Committee considered a report seeking dispensations for a number of members of the Council with regards to their appointments to NLWA / LEL and dispensations were granted in respect of each of the three Councillors named in that report.
- 3.5 It has since come to light that the report erroneously referred to Councillor Coban and Councillor Nicholson as having been appointed to LEL. Councillor Coban was at that time (and indeed remains) a Council representative on NLWA but he is not, and never has been, appointed to LEL. Councillor Nicholson had at that time been appointed to NLWA whilst Councillor Rennison was on maternity leave, but he was not appointed to LEL to ‘cover’ Councillor Rennison during this period.

4. CURRENT POSITION ON APPOINTMENTS TO NLWA AND LEL

- 4.1 At its meeting on 24 May 2021, Cabinet noted the appointment by the Mayor of two representatives to the NLWA - Councillor Coban and Councillor Chapman - for the period of one year to expire in May 2022.
- 4.2 In respect of LEL, the Council is not responsible for the appointment to the Board, as that is solely a matter for LEL to determine. Councillor Rennison was appointed as a Non-Executive Director with effect from 24 January 2021. It is understood that Councillor Rennison’s appointment arose as she was, at that time, the Vice Chair of NLWA and she remains a Non-Executive Director notwithstanding that she is no longer a Council appointee to NLWA. Non-Executive Directors receive £13,285 per annum as compensation for their time given to undertaking this role.

5. DISPENSATIONS

- 5.1 A paid directorship amounts to a disclosable pecuniary interest (“DPI”) within the meaning of the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

5.2 The existence of a DPI means that, unless a dispensation has been granted, the Councillor in question may not participate in any discussion of matters relating to that interest at any meeting of the Council and must leave the room whilst the matter is under discussion until after a vote has been taken.

5.3 A dispensation may be granted if:

- (a) the number of persons prohibited from participating in the meeting would be so great a proportion as to impede the transaction of the business
- (b) without the dispensation the balance of political groups on the committee would be affected and affect the outcome of any voting
- (c) granting dispensation is in the interests of residents
- (d) each member of the executive would be prohibited from participating in any particular business to be transacted by the executive
- (e) it is otherwise appropriate to grant a dispensation.

In respect of cases falling within (c) and (e) above, only the Standards Committee may grant such a dispensation, in all other cases it is a matter for the Monitoring Officer to determine.

5.4 As the Standards Committee voted to grant Councillor Rennison a dispensation in respect of LEL at its meeting on 17 February 2021, no further action is required. No dispensation is required to be granted to either Councillor Coban or Councillor Chapman with regards to their appointment to NLWA as this would amount to a personal interest rather than a disclosable pecuniary interest.

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

6.1 The costs associated with LEL are borne by the company, and have no substantial implications for the finances of the Council. There are no financial implications arising from the Standards Committee granting this dispensation.

7. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

7.1 The power to grant a dispensation in such circumstances is outlined under section 33 of the Localism Act 2011.

7.2 The legislation states that the Council may grant a dispensation only if, having had regard to all relevant circumstances, any of the grounds referred to in paragraph 5.3 above is made. Any dispensation granted under section 33 must specify the period for which it has effect, and the period specified may not exceed four years.

APPENDICES

None

BACKGROUND PAPERS

Report to Standards Committee on 17 February 2021 entitled "DISPENSATION - London Energy Limited - Non-Exec Director Appointments"

Report Author	Louise Humphreys Head of Legal and Governance louise.humphreys@hackney.gov.uk Tel 020 8356 4817
Comments for the Group Director, Finance and Corporate Resources	Jackie Moylan Director of Financial Management jackie.moylan@hackney.gov.uk Tel 020 8356 3032
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UPDATE ON COMPLAINTS RECEIVED UNDER THE MEMBERS' CODE OF CONDUCT	
STANDARDS COMMITTEE	CLASSIFICATION:
MEETING DATE (2021/22) 16 February 2022	OPEN
WARD(S) AFFECTED N/A	
Director Dawn Carter-McDonald, Director of Legal and Governance and Monitoring Officer	

1. SUMMARY

- 1.1 This report provides an update in relation to complaints received alleging a breach of the Council's Code of Conduct for Members and Voting Co-Optees ("the Code of Conduct").

2. RECOMMENDATION

That the Standards Committee notes the report.

3. BACKGROUND

- 3.1 At its meeting on 13 July 2021, the Committee received its Annual Report 2020/2021 which included reference to complaints received alleging a breach of the Code of Conduct until July 2021. This followed a report to the Standards Committee on 17 February 2021, which provided an update on complaints since July 2020.
- 3.2 Upon receipt of a complaint alleging a breach of the Code of Conduct, the Monitoring Officers carries out a preliminary review, called a jurisdictional assessment, to determine whether there is jurisdiction to accept the complaint. Examples of when a complaint will not pass this jurisdictional assessment are:
- Where the subject of the complaint is no longer an elected member or voting co-optee or was not such a person at the time of the alleged conduct;
 - Where the complaint does not relate to the conduct of the person as an elected member or voting co-optee; or
 - Where the complaint is a service complaint.
- 3.3 Assuming the complaint passes the jurisdictional assessment, the complaint moves to a threshold assessment phase to determine whether it should proceed to investigation. The Monitoring Officer may at this point seek clarification from the complainant. The Monitoring Officer will also notify the elected member or voting co-optee of receipt of the complaint. It is a

requirement of the Localism Act 2011 that the Monitoring Officer seeks the views of the Independent Person with regard to any complaint received against a Councillor, and this occurs at this stage. In deciding whether the assessment threshold is met, the Monitoring Officer takes into account factors such as:

- Whether the complaint contains sufficient evidence to demonstrate a potential breach of the Code of Conduct;
- How long ago the conduct complained of took place;
- Whether the complaint appears to be trivial, malicious, vexatious or politically motivated;
- Whether an investigation is in the public interest; or
- Whether there are alternative, more appropriate remedies.

3.4 The potential outcomes of the assessment phase are that no further action should be taken, that an informal resolution of the complaint ought to be sought, or that the matter be the subject of a formal investigation. Although decisions at this stage are usually taken by the Monitoring Officer, having sought advice from the Independent Person, the Monitoring Officer has the absolute discretion to refer matters to an Assessment Sub-Committee of the Standards Committee for a decision as to whether the assessment threshold has been met.

3.5 The Monitoring Officer will, having reached a decision on the course of action to be taken, advise the complainant and the elected member or voting co-optee of the outcome. The decision of the Monitoring Officer is final and there is no recourse allowed from either the subject member or complainant other than via a complaint to the Local Government Ombudsman or to the High Court on an application for judicial review.

3.6 If the matter proceeds to formal investigation, then an investigator is appointed by the Monitoring Officer to conduct that investigation. The scope of the investigation is a matter for the Investigator. Once the investigation has been concluded, a draft report is prepared which will be shared with the Monitoring Officer (so that they can satisfy themselves that it is to an appropriate standard) and the relevant parties for comment. The Investigator is under no obligation to accept comments made by the relevant parties. The final report must find either that there has been a failure to comply with the Code of Conduct or there has not been such a failure. If it is concluded that there has been no failure, the parties are notified and no further action is taken. If it is concluded that there has been a failure to comply, then the Monitoring Officer will determine whether to refer the matter to a Hearing Sub-Committee of the Standards Committee or seek a local resolution of the complaint.

4. COMPLAINTS RECEIVED

4.1 Since the Committee last received an update on complaints, 9 new complaints have been submitted to the Monitoring Officer, 1 of which was later withdrawn prior to conclusion of the assessment phase. Of the remaining 8 complaints, the allegations and outcomes were as follows:

- Alleged breach of the Code of Conduct in relation to the manner in which a Member responded to a tweet. The Monitoring Officer concluded that the matter did not reach the assessment threshold.
- Alleged breach of the Code of Conduct in relation to a Member not responding to correspondence from a member of the public. The Monitoring Officer concluded that the assessment threshold was not met but offered words of advice to the Member in question by way of a local resolution.
- Alleged breach of the Code of Conduct by three Members in relation to the manner in which complaints made to them were handled. The Monitoring Officer concluded that the matter did not meet the assessment threshold.
- Alleged breach of the Code of Conduct in relation to a Member ignoring the wishes of the public with regards to a topic under consultation and in holding unofficial meetings and stating incorrect facts. The Monitoring Officer concluded that the matter did not meet the assessment threshold.
- Alleged breach of the Code of Conduct in relation to a Member only replying to certain people and blocking the complainant and others on Twitter. The Monitoring Officer concluded that the matter did not meet the assessment threshold
- Three separate complaints each alleging a breach of the Code of Conduct in relation to a personal photo shared by a Member on Twitter. The Monitoring Officer concluded that the matter did not meet the assessment threshold.

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

5.1 There are no financial implications arising from this report.

6. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

6.1 In accordance with the Localism Act 2011, and as provided for in the Council's Constitution, it is the duty of the Standards Committee to receive updates from the Monitoring Officer with regard to complaints received alleging a breach of the Code of Conduct and the outcome of those complaints. This report complies with those obligations.

APPENDICES

None

BACKGROUND PAPERS

None

Report Author	Louise Humphreys Head of Legal and Governance louise.humphreys@hackney.gov.uk Tel 020 8356 4817
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