



STANDARDS COMMITTEE

Tuesday 11 July 2023
at 6.30 pm Hackney Town Hall

The live stream can be viewed here:

<https://youtube.com/live/OODgNz0bnQc>

Backup link:

<https://youtube.com/live/H4b6el1ha0c>

Members of the Committee:

Deputy Mayor Anntoinette Bramble (Chair)

Councillor Lynne Troughton (Vice-Chair)

Councillor Frank Baffour

Councillor Sade Etti

Councillor Humaira Garasia

Councillor Anna Lynch

Councillor Sem Moema

Councillor Joseph Ogundemuren

Feryal Ertan, Independent Person

Nicola Hanns

Aoife Scannell, Co-Optee

Ian Williams

Acting Chief Executive

Date Monday 3 July 2023

www.hackney.gov.uk

Contact: Natalie Kokayi

Governance Officer

governance@hackney.gov.uk

Standards Committee Tuesday 11 July 2023 Agenda

1 Apologies for Absence

2 Declarations of Interest

Members are invited to consider the guidance which accompanies this agenda and make declarations as appropriate.

3 Minutes of the Previous Meeting (Pages 7 - 10)

Members are to consider the minutes of the previous meeting held on 15 February 2023.

**4 Terms of Reference and Work Programme of Standards Committee
(Pages 11 - 28)**

5 Annual Report (Pages 29 - 38)

6 Any Other Business the Chair Considers to be Urgent

Public Attendance

The Town Hall is open. Information on forthcoming Council meetings can be obtained from the Town Hall Reception.

Members of the public and representatives of the press are entitled to attend Council meetings and remain and hear discussions on matters within the public part of the meeting. They are not, however, entitled to participate in any discussions. Council meetings can also be observed via the live-stream facility, the link for which appears on the agenda front sheet of each committee meeting.

On occasions part of the meeting may be held in private and will not be open to the public. This is if an item being considered is likely to lead to the disclosure of exempt or confidential information in accordance with Schedule 12A of the Local Government Act 1972 (as amended). Reasons for exemption will be specified for each respective agenda item.

For further information, including public participation, please visit our website

<https://hackney.gov.uk/menu#get-involved-council-decisions> or contact:

governance@hackney.gov.uk

Rights of Press and Public to Report on Meetings

The Openness of Local Government Bodies Regulations 2014 give the public the right to film, record audio, take photographs, and use social media and the internet at meetings to report on any meetings that are open to the public.

By attending a public meeting of the Council, Executive, any committee or sub-committee, any Panel or Commission, or any Board you are agreeing to these guidelines as a whole and in particular the stipulations listed below:

- Anyone planning to record meetings of the Council and its public meetings through any audio, visual or written methods they find appropriate can do so providing they do not disturb the conduct of the meeting;
- You are welcome to attend a public meeting to report proceedings, either in 'real time' or after conclusion of the meeting, on a blog, social networking site, news forum or other online media;
- You may use a laptop, tablet device, smartphone or portable camera to record a written or audio transcript of proceedings during the meeting;
- Facilities within the Town Hall and Council Chamber are limited and recording equipment must be of a reasonable size and nature to be easily accommodated.
- You are asked to contact the Officer whose name appears at the beginning of this Agenda if you have any large or complex recording equipment to see whether this can be accommodated within the existing facilities;
- You must not interrupt proceedings and digital equipment must be set to 'silent' mode;
- You should focus any recording equipment on 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 to respect the wishes of those who do not want to be filmed and photographed may result in the Chair instructing you to cease reporting or recording and you may potentially be excluded from the meeting if you fail to comply;

- Any person whose behaviour threatens to disrupt orderly conduct will be asked to leave;
- Be aware that libellous comments against the council, individual Councillors or officers could result in legal action being taken against you;
- The recorded images must not be edited in a way in which there is a clear aim to distort the truth or misrepresent those taking part in the proceedings;
- Personal attacks of any kind or offensive comments that target or disparage any ethnic, racial, age, religion, gender, sexual orientation or disability status could also result in legal action being taken against you.

Failure to comply with the above requirements may result in the support and assistance of the Council in the recording of proceedings being withdrawn. The Council regards violation of any of the points above as a risk to the orderly conduct of a meeting. The Council therefore reserves the right to exclude any person from the current meeting and refuse entry to any further council meetings, where a breach of these requirements occurs. The Chair of the meeting will ensure that the meeting runs in an effective manner and has the power to ensure that the meeting is not disturbed through the use of flash photography, intrusive camera equipment or the person recording the meeting moving around the room.

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You must not:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups, voluntary organisations in the borough or governorships at any educational institution within the borough.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. You **may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.

Standards Committee Wednesday 15 February 2023

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE

The live stream can be viewed here:

<https://youtu.be/WDI18XXiluY>

Councillors Present: Deputy Mayor Anntoinette Bramble in the Chair
Cllr Sade Etti, Cllr Joseph Ogundemuren and Cllr Lynne Troughton

Co-optees Present: Nicola Harris

Joining remotely: Feryal Ertan, Independent Person

Officers in Attendance: Dawn Carter McDonald (Director of Legal, Democratic and Electoral Services)
Louise Humphreys (Head of Legal and Governance)
Tessa Mitchell (Governance Team Leader)

1 Apologies for Absence

1.1. Apologies for absence were received from Cllr Anna Lynch.

2 Declarations of Interest - Members to Declare As Appropriate

2.1. There were no declarations of interest.

3 Consideration of Minutes Of The Previous Meeting held on 12 July 2022.

RESOLVED:

That the minutes of the previous meeting held on 12 July 2022 were agreed as a true and accurate record of the proceedings.

4 Dispensation - London Energy Limited

4.1. The report was introduced by the Director of Legal, Democratic and Electoral Services who outlined the proposed dispensation for Councillor Mete Coban on the basis of his appointment to the board of London Energy Limited.

4.2. The Chair noted that this matter had previously been raised at the Committee and the Director has now come forward with the proposal regarding the dispensation as outlined in the report.

RESOLVED:

The Decision:

The Standards Sub-Committee agreed that a dispensation was granted to Councillor Mete Coban in respect of his appointment to the board of London Energy Limited under section 33 Localism Act 2011, such dispensation to last until the earliest of the following (a) Councillor Coban ceasing to be an elected member of Hackney Council, or (b) Councillor Coban's appointment to LEL coming to an end.

5 Mandatory Training Update

5.1. The report was introduced by the Head of Legal and Governance. The report advised the Committee of the outcome of the review undertaken by the monitoring Officer with regards to mandatory training introduced by the Councillor Code of Conduct adopted by Full Council in January 2022, which became effective following elections in May 2022. The report also advised the committee of proposed changes to the mandatory training that the Monitoring Officer intends to make. The committee noted the following:

- The importance of putting the appropriate infrastructure in place to support members in meeting their responsibilities regarding standards and conduct which was previously raised at committee - part of this approach includes mandatory training;
- It had now approached one year since the new code of conduct was implemented and it was considered an opportune moment to review mandatory training elements;
- The report set out the review of mandatory training undertaken by the Monitoring Officer, part of which included the review of forms members returned;
- Training was scheduled throughout the year and members had an option to view recordings after the training session;
- Information was captured only for members who returned the forms therefore there was caution about the data and forms as it only captured information from members who had self certified;
- Some data was more accurate as it was correlated with other data captured e.g Planning captured separate information of members training attendance;

- The training timetable was considered ambitious given the complexity of the municipal calendar and officers considered they would be realistic about what could be scheduled each year;
- Prioritising social media training was highlighted and to make it available as flexible as possible for members to attend;
- Discussions with the Head of Member Services had been ongoing to consider more Innovative approaches to training;
- Mandatory training may be for specific councillors who sat on specific committees.

ACTION: Head of Legal and Governance

To request Member Services capture and maintain a record of attendees to all mandatory training where possible and to confirm that all members are sent the links to recordings after training has taken place.

ACTION: Head of Legal and Governance

To request Member Services email members to highlight the importance of completing self-certification forms following attendance at training.

ACTION: Head of Legal and Governance

To consider ways of using ICT to support members to self certificate their attendance at training.

RESOLVED:

That the Standards Committee note the changes which the Monitoring Officer intends to make to section 11 of the Code of Conduct as regards to mandatory training.

6 Any other Business the Chair Considers to be Urgent

6.1. There was no urgent business.

END OF MEETING

Duration of Meeting: 6:30 - 7.00pm
Chair: Deputy Mayor Anntoinette Bramble

Contact:

Natalie Kokayi

Governance Officer

natalie.kokayi@hackney.gov.uk

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Title of Report	Standards Committee Terms of Reference and Work Programme for 2023/2024
For Consideration By	Standards Committee
Meeting Date	11 July 2023
Classification	Open
<u>Ward(s) Affected</u>	N / A
Director	Dawn Carter-McDonald, Director of Legal, Democratic and Electoral Services

1. **Introduction**

- 1.1. In line with established good practice, every year the Standards Committee notes its Terms of Reference and sets out a work programme for the forthcoming municipal year to help it focus its attention on promoting and maintaining high ethical standards among Members of the Council.
- 1.2. The report therefore invites the Committee to note its Terms of Reference and agree the work programme for the year.

2. **Recommendations**

- 2.1. **That the Terms of Reference for the Standards Committee as detailed in Appendix 1 be noted.**
- 2.2. **That the work programme for 2023/2024 as detailed in Appendix 2 be approved.**

3. **Background**

- 3.1. 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 and set its terms of reference accordingly.
- 3.2. The Council has been undertaking a review of its Constitution, including how the various terms of reference for each Committee etc are presented. The

changes do not affect the substance of the role and responsibility of any of the Council's Committees. The revised Constitution will be presented to Full Council for adoption at its meeting on 26 July. A copy of the 'new look' terms of reference for this Committee is included at Appendix 3 of this report as an 'advanced look'. Assuming Full Council adopts the new Constitution, with or without amendment, the revised terms of reference will be presented to the next meeting of the Committee for formal adoption.

- 3.3. The suggested work programme, attached as Appendix 2, 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 flexibility to add items to the work programme subject to time and resources.
- 3.4. Complaints received in the year may necessitate additional meetings being held by a Sub-Committee of the Standards Committee.

4. Comments of the Group Director of Finance and Corporate Resources.

- 4.1. This report asks the Committee to note its terms of reference and those of its Sub-Committees and seeks approval of the work programme of the Standards Committee for the forthcoming year. There are no financial implications outside of the approved budget of the Council.

5. Comments of the Director of Legal, Democratic and Electoral Services

- 5.1. The Committee's terms of reference are approved by Full Council, should any amendments be proposed to the terms of reference these would need to be referred to Full Council.
- 5.2. 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.
- 5.3. There are no legal implications arising directly from this report.

Appendices

Appendix 1 - Terms of Reference

Appendix 2 - Work Programme 2023/2024

Appendix 3 - Draft Terms of Reference under new Constitution

Background documents

None

Report Author	Louise Humphreys Head of Legal and Governance louise.humphreys@hackney.gov.uk 020 8356 4817
Comments for the Group Director of Finance and Corporate Resources prepared by	Name Title Email Tel
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Dawn Carter-McDonald Director of Legal, Democratic and Electoral Services dawn.carter-mcdonald@hackney.gov.uk 020 8356 6234

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Appendix 1

Terms of Reference

Standards Committee

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 councillors 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 councillors 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 councillors 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.

The quorum for the Standards Committee shall be 3 elected Councillors.

There are two sub-committees of the Standards Committee:

Standards Assessment Sub-Committee

To consider allegations that a member or co-opted member (herein referred to as Subject Member) has failed to comply with the Member's Code of Conduct as may be referred to the Assessment Sub-Committee by the Monitoring Officer to determine whether:

- (a) No further action should be taken because the complaint does not reach the required threshold;

Appendix 1

- (b) To refer the complaint for local resolution; or
- (c) To refer the complaint for formal investigation.

Quorum - The quorum of the Assessment Sub-Committee is three Councillor Members of the Standards Committee in a voting capacity.

Notes:

One or more Co-opted Members of Standards Committee will be invited to attend the Sub-Committee and contribute to the proceedings in a non voting capacity.

The Independent Person to Standards Committee will be invited to attend the Sub-Committee and contribute to the proceedings in a non voting capacity.

Any member of the Standards Committee, against whom a Code of Conduct complaint has been made, shall not be selected as a member of the Assessment Sub-Committee until consideration of their complaint has been concluded.

Where possible the composition of the Assessment Sub-Committee will be politically balanced.

Standards Hearing Sub-Committee

(a) To conduct hearings into allegations referred for formal investigation into an alleged breach of the Member Code of Conduct, whether initiated by either the Monitoring Officer or the Assessment Sub-Committee, concludes that there have been one or more failures to comply with the Member Code of Conduct and the Monitoring Officer has determined that the matter should be referred to the Hearing Sub-Committee for consideration.

(b) Where the Hearing Sub-Committee determines that the Subject Member has failed to comply with the Members' Code of Conduct to determine what, if any, lawful sanction should be imposed and where appropriate make recommendations as to sanction to full Council, the Elected Mayor, Group Leader or other persons.

(c) In consequence of the hearing and determination of any allegation to make such recommendations to full Council as the Hearing Sub-Committee considers appropriate having regard to the need to promote and maintain high standards of conduct amongst members.

Quorum - The quorum of the Hearing Sub-Committee is three Councillor Members of the Standards Committee In a voting capacity.

Appendix 1

Notes:

One or more Co-opted Members of the Standards Committee will be invited to attend the Sub-Committee and contribute to the proceedings in a non voting capacity.

The Independent Person to Standards Committee will be invited to attend the Sub-Committee and contribute to the proceedings in a non voting capacity.

Any member of the Standards Committee, against whom a Code of Conduct complaint has been made, shall not be selected as a member of the Hearing Sub-Committee until consideration of their complaint has been concluded.

Where possible the composition of the Hearing Sub-Committee will be politically balanced.

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**STANDARDS COMMITTEE
WORK PROGRAMME 2023 / 2024**

MEETING DATE	ITEM	ACTION	PURPOSE	RESPONSIBILITY
July 2023	Standards Committee Terms of Reference	Note	To note the Committee's terms of reference for the municipal year	Monitoring Officer
July 2023	Draft Work Programme	Decision	To agree the work programme and the priorities for the Committee for 2023/2024	Monitoring Officer
July 2023	Standards Committee Annual Report 2022/2023	Decision	To provide Members with a review of the Committee's work for the 2022/2023 Municipal Year for comment and commendation to Council	Monitoring Officer
July 2023	Council's Constitution	Note	To note the outcome of work on the revision of the Council's Constitution prior to its consideration by Full Council in so far as it touches upon matters within the purview of this Committee	Monitoring Officer
November 2023/February 2024	Annual Report on Compliance with Guidance on	Decision	To receive the annual report on compliance by Members with the Guidance for their use of ICT systems and information	Head of ICT

**STANDARDS COMMITTEE
WORK PROGRAMME 2023 / 2024**

MEETING DATE	ITEM	ACTION	PURPOSE	RESPONSIBILITY
	Members' Use of ICT Information			
February 2024	Update on Mandatory Training	Note	To update the Committee on compliance by Members with the mandatory training requirements	Monitoring Officer
February 2024	Update on Code of Conduct complaints	Information	To update the Committee on any complaints received since the previous meeting	Monitoring Officer
February 2024	Review of the Register of Interests and Declarations of Gifts and Hospitality	Information	To inform the Committee on the completion of declarations of interest, and any gifts and hospitality accepted, by Members and Co-Optees	Monitoring Officer
February 2024	Review of the Members' Training for 2023/2024	Decision	To receive a report on training provided to Members during the 2022 / 2023 Municipal Year	Head of Business Intelligence, Elections & Member Services

**STANDARDS COMMITTEE
WORK PROGRAMME 2023 / 2024**

The Standards Sub-Committees may meet as and when required to consider complaints made under the Members' Code of Conduct.

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**Appendix 3 - Terms of Reference of Council Committees etc
Standards Committee****Functions**

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 councillors 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 councillors 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 councillors 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.

There are two sub-committees of the Standards Committee:

Standards Assessment Sub-Committee

To consider allegations that a member or co-opted member (herein referred to as Subject Member) has failed to comply with the Member's Code of Conduct as may be referred to the Assessment Sub-Committee by the Monitoring Officer to determine whether:

- (a) No further action should be taken because the complaint does not reach the required threshold;
- (b) To refer the complaint for local resolution; or
- (c) To refer the complaint for formal investigation.

Appendix 3

Quorum

The quorum of the Assessment Sub-Committee is three Councillor Members of the Standards Committee in a voting capacity.

Notes:

One or more Co-opted Members of Standards Committee will be invited to attend the Sub-Committee and contribute to the proceedings in a non voting capacity.

The Independent Person to Standards Committee will be invited to attend the Sub-Committee and contribute to the proceedings in a non voting capacity.

Any member of the Standards Committee, against whom a Code of Conduct complaint has been made, shall not be selected as a member of the Assessment Sub-Committee until consideration of their complaint has been concluded.

Where possible the composition of the Assessment Sub-Committee will be politically balanced.

Standards Hearing Sub-Committee

- (a) To conduct hearings into allegations referred for formal investigation into an alleged breach of the Member Code of Conduct, whether initiated by either the Monitoring Officer or the Assessment Sub-Committee, concludes that there have been one or more failures to comply with the Member Code of Conduct and the Monitoring Officer has determined that the matter should be referred to the Hearing Sub-Committee for consideration.
- (b) Where the Hearing Sub-Committee determines that the Subject Member has failed to comply with the Members' Code of Conduct to determine what, if any, lawful sanction should be imposed and where appropriate make recommendations as to sanction to Full Council, the Elected Mayor, Group Leader or other persons.
- (c) In consequence of the hearing and determination of any allegation to make such recommendations to Full Council as the Hearing Sub-Committee considers appropriate having regard to the need to promote and maintain high standards of conduct amongst members.

Quorum

The quorum of the Hearing Sub-Committee is three Councillors who are Members of the Standards Committee in a voting capacity.

Appendix 3

Notes:

One or more Co-opted Members of the Standards Committee will be invited to attend the Sub-Committee and contribute to the proceedings in a non voting capacity.

The Independent Person to Standards Committee will be invited to attend the Sub-Committee and contribute to the proceedings in a non voting capacity.

Any member of the Standards Committee, against whom a Code of Conduct complaint has been made, shall not be selected as a member of the Hearing Sub-Committee until consideration of their complaint has been concluded.

Where possible the composition of the Hearing Sub-Committee will be politically balanced.

Type of Committee

Standards Committee is a non-executive committee established by Full Council to discharge regulatory functions.

Membership

Membership of this Committee is appointed in accordance with political balance at Full Council.

Chairing arrangements

The Chair and Vice Chair of this committee is appointed at Full Council. In the absence of the Chair or Vice Chair, and subject to being quorate, the Committee members can agree who may preside over the meeting based on the number of those present in person.

Quorum and Voting Arrangements

The Quorum for the Standards Committee shall be 3 elected Councillors.

Substitutes

Substitutes to the Committee will be appointed by Full Council for the purposes of establishing a quorum and will have the same voting rights as regular committee members.

Order of Business

Appendix 3

- (a) Receive apologies;
- (b) Receive any declarations of interest from Councillors;
- (c) Approve the minutes of the previous meeting
- (d) Receive questions from, and provide answers to, members of the public on matters covered on the agenda;
- (e) Consider reports as set out in the agenda.
- (f) Consider any items of urgent business.

Who may attend?

Meetings of the Committee will normally be open to the public, unless confidential or exempt information is to be discussed.

Location

This Committee meets at the Council's main offices or any other suitable location.

You can also view meetings online in accordance with the Access to Information Procedure Rules in Part 6, Section C of the Council's Constitution with the Protocol on Recording and Live Streaming Council Meetings set out in Part 6, Section F of the Constitution.

Questions to the Committee

A member of the public who lives, works, or studies in the Borough can ask a question of the Committee with one supplementary question relating to an item on the agenda.

A Councillor may ask a question of the Committee with one supplementary question relating to an item on the agenda.

The total amount of time for questions with notice at the Committee will be no more than 15 minutes.

If the Chair agrees, a member of the public can ask a question at the Committee without having given notice. If a question without notice is asked, the Chair will explain that it might not be possible to give a full answer at the meeting and that a written response will be provided.

Frequency of meetings

The Committee meets on dates set out in the Council's meetings calendar.

Appendix 3

Papers and Notice

The agenda and any papers for the Committee will be issued at least 5 working days in advance of the meeting, except in the case of matters of urgency.

Review

The terms of reference will be reviewed on an annual basis, or as necessary, to support the functions and objectives of this Committee. Updates to the terms of reference will be agreed annually at the Committee's first meeting of the municipal year.

Last reviewed: Date xxx

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Title of Report	Standards Committee Annual Report 2022 / 2023
For Consideration By	Standards Committee
Meeting Date	11 July 2023
Classification	Open
<u>Ward(s) Affected</u>	N / A
Director	Dawn Carter-McDonald, Director of Legal, Democratic and Electoral Services

1. Introduction

- 1.1. This Standards Committee Annual Report 2022 / 2023 provides an overview of the work and activities of the Standards Committee during the last municipal year and provides information on complaints received alleging breaches of the Councillor Code of Conduct.

2. Recommendations

- 2.1. **That the Annual Report for 2022 / 2023 be endorsed and submitted to Full Council.**

3. Background

- 3.1. Each year Full Council receives a report from the Standards Committee detailing the work of the Committee in the preceding municipal year. This is to ensure that all Councillors have an overview of the Committee's work in promoting and maintaining high ethical standards for elected and co-opted Members and information about any complaints received alleging a breach of the Code of Conduct, including any trends. This is the eleventh annual report since the implementation of the Localism Act 2011.

4. **Comments of the Group Director of 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 give rise to any financial implications.

5. **Comments of the Director of Legal, Democratic and Electoral Services**

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 and therefore established a Standards Committee to ensure compliance with this duty. The Annual Report is one mechanism by which the Council's compliance with this duty can be demonstrated. There are no legal implications arising directly from this report.

Appendices

Appendix 1 - Standards Committee Annual Report 2022 / 2023

Background documents

None

Report Author	Louise Humphreys Head of Legal and Governance louise.humphreys@hackney.gov.uk 020 8356 4817
Comments for the Group Director of Finance and Corporate Resources prepared by	
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Dawn Carter-McDonald Director of Legal, Democratic and Electoral Services dawn.carter-mcdonald@hackney.gov.uk 020 8356 6234



Standards Committee Annual Report 2022 / 2023



Chair's Foreword

As Chair of the Standards Committee, I would like to present the Committee's Annual Report which outlines the work undertaken by the Committee in the 2022/2023 municipal year.

This is the twelfth year since the Standards Committee was established following the introduction of the Localism Act 2011 and my seventh report as Chair.

The Standards Committee remains committed to working with, and supporting, members of the Council to ensure that they respect the Code of Conduct and uphold the standards expected of those in public life which are encapsulated in the Seven Principles of Public Life (also known as the Nolan Principles).

To achieve this the Committee has worked closely with the Council's Monitoring Officer to ensure that the principles of good governance and ethical standards remain central to the business of the Council and to instil confidence in those elected to public office.

It remains a matter of personal regret that the opposition group has continued their decision of not taking up its place on the Standards Committee in 2022/2023, particularly as the Committee functions in an independent and non-party political way, and ethical standards are a matter for all members of the Council.

I would like to extend my sincere thanks to those Councillors appointed to the Committee, the Independent Person, the Co-Optees for all their hard work and support during the municipal year. I would also like to commend the Monitoring Officer, the Deputy Monitoring Officer for their most professional and successful operation of the standards regime at the Council. Finally, I would like to offer my thanks to all those officers who have engaged with the Standards Committee during the year.

Councillor Anntoinette Bramble, Chair of the Standards Committee for 2022/23 and Deputy Mayor



Introduction

The Standards Committee submits an annual report to full Council summarising the work the Committee has carried out in the previous municipal year. This report comprises the annual report for the 2022/2023 municipal year together with background information regarding the standards regime at the London Borough of Hackney. All references to 2022/2023 in this report refer to the municipal year.

Membership

For 2022/23, the membership of the Standards Committee was as follows:

Cllr Anntoinette Bramble, Deputy Mayor (Chair)
Cllr Lynne Troughton (Vice Chair)
Cllr Frank Baffour
Cllr Polly Billington
Cllr Sade Etti
Cllr Humaira Garasia
Cllr Anna Lynch
Cllr Joseph Ogundemuren
Vacancy (Conservative Group)

Non-voting co-opted members:

Nicola Hanns
Aoife Scannell

Independent Person

Feryal Ertan

Background Information

The Code of Conduct

The Localism Act 2011 requires every local authority to have a Code of Conduct, which sets out the conduct that is expected of elected and co-opted members of the Authority when they are acting in that capacity.

The Code applies whenever a member (a) conducts the business of the Authority (including the business of their office as an elected member or co-opted member) or (b) acts, claims to act or gives the impression they are acting as a representative of the Authority.

A “co-opted member” means any person who is a member of any committee or sub-committee of the Council with a right to vote but who is not one of its elected members. In the case of the London Borough of Hackney non-voting co-optees are also required to abide by the Code of Conduct.

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The Monitoring Officer

The Monitoring Officer holds a statutory role and is responsible for promoting and maintaining high standards of conduct and for reporting any actual or potential breaches of the law and maladministration to the full Council and/or to the Cabinet (as set out in s.5(1) of the Local Government and Housing Act 1989).

The Monitoring Officer administers the arrangements for addressing complaints made under the Code of Conduct. The Monitoring Officer's role includes the assessment and review of every complaint received under the Code of Conduct. Following consultation with the Independent Person and consideration of the initial comments of the subject member the Monitoring Officer decides whether the complaint will be investigated.

The Council's Monitoring Officer continues to be Dawn Carter-McDonald, formerly Director of Legal and Governance and now Director of Legal, Democratic and Electoral Services.

Independent Person

The Authority has appointed one Independent Person who is invited to attend all meetings of the Standards Committee. The appointment of the Independent Person is determined by a meeting of Full Council.

The Independent Person must be consulted by the Monitoring Officer before they make a decision on a matter that has been referred to it for investigation; they can also be consulted at any other stage; and can also be consulted by a member or co-opted member against whom a complaint has been made.

Standards Committee Terms of Reference 2022/23

The Standards Committee is responsible for the promotion and maintenance of high ethical standards within the Council, helping to secure adherence to the adopted Code of Conduct, monitoring the operation of the Code of Conduct and conducting hearings following investigations into alleged breaches of the Code of Conduct.

The terms of reference for 2022/23 are set out in the Council's Constitution and are reproduced in full below :

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;

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4. To hear and consider complaints made against the Elected Mayor, Councillors 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.

Councillor Code of Conduct (“the Code”)

On election to office, the Elected Mayor and all Councillors are required to sign a declaration confirming that they will abide by the Code. Co-optees are required to sign a similar declaration on their appointment.

On 8 January 2022, the Standards Committee recommended to Full Council that it adopt a new code of conduct. On 26 January 2022, Full Council resolved to adopt the Code to take effect after the May 2022 elections.

In addition to the Code itself, two further documents were produced which sit alongside it. The first document provides Councillors with guidance on the application of the Code and their obligations under it. The second document is a procedural note setting out how complaints alleging a breach of the Code will be assessed and investigated, including how and when any complaints may be referred either to an Assessment Sub-Committee of the Standards Committee or a Hearing Sub-Committee of the Standards Committee.

The Committee also approved terms of reference for the standing Assessment Sub-Committee and Hearing Sub-Committee.

Co-Optees

Membership of the Standards Committee comprises up to six non-voting co-optees as well as Councillors and the Independent Person.

Following the end of the terms of office of a number of co-optees, two recruitment campaigns for co-optees took place during the municipal year. Regrettably these campaigns have not resulted in any appointments being made. However, we remain committed to conducting further recruitment campaigns to fill these vacancies.

Aoiffe Scannell and Nicola Hanns continued their appointments as non-voting co-optees throughout 2022/2023 and provided valuable assistance to the work of the Standards Committee.

Complaints about the Conduct of the Elected Mayor, Councillors or Co-Optees

During 2022/2023 there were 13 complaints alleging a breach of the Code of Conduct which were considered by the Monitoring Officer.

In considering any complaint alleging a breach of the Code of Conduct, the Monitoring Officer is required whether she has jurisdiction to consider the complaint and whether the complaint reaches the threshold for investigation.

In terms of the jurisdictional assessment, complaints will not pass this element if:

- The subject of the complaint is no longer an elected member or co-optee or was not an elected member or co-optee at the time of the alleged conduct;
- The complaint is made anonymously, unless there is a clear public interest in considering the complaint on an anonymous basis and the Monitoring Officer determines that a fair investigation can be carried out;
- The same, or substantially the same, alleged conduct has been the subject of a previous allegation under the Code of Conduct and there is nothing further to be gained by considering the matter again;
- The complaint is essentially against the action of the Council as a whole and cannot properly be directed against an individual;
- The complaint does not relate to the conduct of the person as either an elected member or a co-optee;
- The complaint is a service complaint;
- The complaint is about conduct which is the subject of legal proceedings against the Council involving the complainant; or
- The complaint is about an officer of the Council.

In terms of the threshold assessment the Monitoring Officer considers matters such as whether there is evidence to demonstrate a potential breach of the code; the date of the conduct that is the subject of the complaint; whether the complaint appears to be trivial, malicious, vexatious, politically motivated or tit-for-tat; whether an investigation is in the public interest; whether there are alternative, more appropriate remedies to resolve the complaint; and whether the complaint is one of a series of multiple complaints.

In reaching a decision on the threshold assessment, the Monitoring Officer is required to consult the Independent Person and have regard to their views.

Of the 13 complaints received:

- All were submitted by members of the public.
- All complaints passed the jurisdictional test.

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- The most common cause for complaint (7) related to people not responding to resident enquiries, complaints or requests for assistance.
- The second most common cause for complaint (3) related to posts appearing on social media or how people interacted with others on social media (including blocking).
- Of the remaining complaints, 1 concerned alleged conduct at a meeting, 1 alleged transphobia and 1 made an allegation that the views of residents were being ignored.
- None of the complaints met the threshold test for further investigation.

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.

During 2021/2023 there was one request for a dispensation made to the Standards Committee concerning an appointment of a Councillor as a Director of London Energy Limited. The dispensation was granted.

Use of ICT

The Standards Committee received its annual report concerning the use of ICT by the Elected Mayor and Councillors during the 2021 calendar year and was pleased to note that there were no incidents reported in relation to the use of telephony, email, or the internet and no information security breaches.

The annual report for the 2022 calendar year will be received by the Committee during this municipal year.

Conclusion

The Committee has dealt with a wide variety of matters during 2022/2023. The Committee's aim is to continue to develop and maintain the Council's ethical governance framework for the benefit of the authority, elected members and ultimately local people. The Committee is looking forward to the next municipal year.

Contacts

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