

UNRESTRICTED MINUTES OF A MEETING OF THE STANDARDS COMMITTEE

MONDAY, 18TH FEBRUARY, 2019

Councillors Present:	Deputy Mayor Anntoinette Bramble in the Chair Cllr Jessica Webb (Vice-Chair), Cllr Sem Moema, Cllr Anna Lynch and Cllr Humaira Garasia
Co optees Present	Onagete Louison and Adedoja Labinjo
Also in Attendance:	Jonathan Stopes-Rowe – Independent Person Standards Committee
Apologies:	Councillor Caroline Woodley and Councillor Katie Hanson
Officers in Attendance:	Ms Dawn Carter-McDonald – Head of Legal & Governance Mr Rob Miller – Director – ICT Services Mr Bruce Devile – Head of Business Intelligence & Member Services Mr Clifford Hart – Governance Services Officer

1 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Hanson and Woodley.

NOTED

1 URGENT BUSINESS

There were no items of urgent business.

NOTED

3 DECLARATIONS OF INTEREST - Members to declare as appropriate

There were no declarations of interests.

NOTED

4 DEPUTATIONS/PETITIONS AND QUESTIONS

There were no deputations, petitions or questions.

NOTED

5 UNRESTRICTED MINUTES OF THE STANDARDS COMMITTEE HELD ON 2 JULY 2018

The Clerk to the Committee – Mr Hart advised of an amendment to the attendance details of the meeting held on 2 July 2018 to include the attendance of the Independent Person – Mr Stopes Roe.

There being no other amendments on a MOTION by the Chair it was:

RESOLVED

That the unrestricted minutes of the Standards Committee held on 2 July 2018 be confirmed as accurate record of the proceedings subject to the inclusion of Mr Stopes-Roe – Independent Person, in the attendance record.

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

The Chair asked for a brief introduction to the report which was given by Rob Miller – Head of ICT.

Mr Miller highlighted that Hackney Council's Member Code of Conduct provided that a Member must act in accordance with the Council's requirements and ensure that Council resources were not used for any unauthorised or political purpose (unless that use reasonably facilitated discharging the Council's functions). This included Information & Communications Technology (ICT) resources with Members' use of the Council's systems and information being covered by the Council's policies for *Using Systems and Data* and *Information Classification and Marking* which was updated in 2017 as part of the 2017 Annual Report to Standards Committee.

Mr Miller commented that following the municipal elections in May 2018 all Members were contacted to arrange appointments for setting new Members up with ICT access and to arrange the transfer of returning Members onto the Council's new email and productivity systems (based on Google G Suite). The ICT Services team also participated in the Members' Induction event to help inform Members about the services and support provided. Mr Miller advised that currently some Members had not yet arranged appointments to complete the migration to the Council's new email service (3 Members) and / or security updates to laptop computers (4 Members). These were being followed up through Member Services and group whips. Also a further 22 Members had iPads which had not yet been updated to the Council's new device management standard. As these already had security controls in place which allowed remote deletion of data in the event of a device being lost or stolen it was proposed to address this as part of the planned refresh of Members' ICT hardware.

With regard to the monitoring of compliance with the guidance for Members' use of ICT Mr Miller advised that this was carried out by Corporate ICT staff. There were no incidents relating to Members' use of the Council's ICT systems recorded during the 2018 calendar year.

In respect of the planned refresh of Members' ICT hardware, Mr Miller commented that as reported in the 2018 report, the ICT equipment provided to Members was based on the findings of a pilot of upgraded ICT equipment in early 2016. Members were given a choice of either being provided with a laptop PC or iPad, with Members who preferred to use their own equipment being able to do so. Members' response to these upgrades had been positive and the same model was used for new Members joining the Council following the municipal election in 2018. Members would continue to have access to the Council's free wifi service

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which provided fast, consistent wifi across the core Council campus (Hackney Town Hall, Hackney Service Centre, Annex and Christopher Addison House).

Mr Miller further commented that as a result of the low attendance by Members at support and advice sessions which were offered in July and October 2018 with a total of 2 Members attended the 2 evening sessions, ICT support for Members was now based on access to telephone, online and bookable 1:1 support.

Mr Miller briefly commented that the ICT Services team presented outline recommendations for future changes to Members' ICT provision to the Member Reference Group in November 2018. Members' feedback would now be used to inform the direction taken for proposed hardware upgrades later in 2019, and it was proposed that the devices that the Council had provided for Members (laptop PCs or iPads) would be refreshed as a full upgrade for all Members. Members would continue to be offered a choice of iPad or laptop devices. Other legacy equipment retained by some Members would be recovered where there was an ongoing cost to the Council (eg mobile phones, which have call plans) and retained by Members where there was no ongoing cost if they wish (eg printers – noting that repairs and consumables would not be provided by the Council).

Mr Miller concluded that Members would continue to be provided with access to email, calendar and Committee papers on the same basis as was currently available. The support offer would continue on the current basis with options of telephone, online and bookable in-person support in the Council offices.

The Committee, in welcoming the report, commented particularly on the timing and location of the roll out of the proposed training, to ensure accessibility and full participation, and take up by all Members, and asked that officers take account of this during the scheduling of the roll out.

There being no further points of clarification on a **MOTION** by the Chair it was:

RESOLVED

- i. That the update on Members' use of ICT as detailed in section 6 of the report be noted;**
- ii. that the follow up work taking place for a small number of Members to ensure that standard access and security arrangements were in place as referred to in paragraphs 6.5 and 6.6 of the report be noted;**
- iii. that the proposed direction for Data Protection guidance and Members' ICT provision as referred to in paragraphs 7 and 8 of the report be noted; and**
- iv. that the comments expressed by Members in relation to the timing and location of the roll out of proposed training be noted and officers be asked to take account of this during the scheduling of the roll out.**

7 Review of the Members' Training and Development Programme

The Chair asked for a brief introduction to the report.

The Head of Business Intelligence & Member Services – Mr Devile advised the Committee that the report provided the Committee with an update on the Members' Training & Development Programme, the aim of which was to provide the necessary training and tools to members to enable them to reach their full potential in their various roles as councillors. Mr Devile commented that the training 'offer' continued to

focus on a more bespoke and individual approach to training to meet individual needs and aspirations as detailed in the body of the report.

Mr Devile also advised of the dedicated members training web page had been introduced to ensure all the relevant information was easily accessible and in one place. This included 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 would continue to be the main landing page for all training and development for members and they should be able to find either the information or a link to it.

Mr Devile referred to the particular needs of new Members and focussed support in their role. Induction programmes were run at the start of each term of office with additional one off introductory sessions run when needed. Where new councillors started during administrations following by elections, particular attention was needed to be given to these members to ensure they were able to start their role as fully and as quickly as possible as the cycle of council meetings normally did not break for by elections.

Mr Devile also referred to the Members Induction Event which was held following the election in May 2018. Members were invited to attend the Town Hall to meet and engage with Directors, senior staff and key officers from services across the Council. The event provided an opportunity for new and returning members to network, gain information and updates from services and an insight into the key projects taking place.

Mr Devile further commented that Members also had available to them, alongside more wider training courses, to help them undertake their role as a councillor, as detailed in the report.

The Committee undertook a wide ranging discussion of the report and expressed the following main comments and concerns, to be taken account of by officers:

- Clear guidance on mandatory and non mandatory training
- Refresher courses on annual basis i.e code of conduct, and declarations/register of interests
- training courses that could be offered on a collective, individual or online basis
- An ability to record an absence where a date was offered and a member was unable to attend through a previously arranged other commitment
- The timing of training courses and review of commence time with possible training sessions in a morning or lunch time
- Possible 1:1 sessions and walk in mornings or evenings
- Possibly other locations other than the Town Hall
- The concerns of co-opted members of the lack of guidance and training, and the need for better understanding and invitation to co-opted members for both mandatory/non mandatory training sessions in future

The Chair then summarised and it was:

RESOLVED

- i. That the update with regards to the Council's member training and development programme be noted; and
- ii. That the comments and concerns of members expressed during discussion be noted and taken account of particularly in relation to:
 - Clear guidance on mandatory and non mandatory training
 - Refresher courses on annual basis i.e code of conduct, and declarations/register of interests
 - training courses that could be offered on a collective, individual or online basis
 - An ability to record an absence where a date was offered and a member was unable to attend through a previously arranged other commitment
 - The timing of training courses and review of commence time with possible training sessions in a morning or lunch time
 - Possible 1:1 sessions and walk in mornings or evenings
 - Possibly other locations other than the Town Hall
 - The concerns of co-opted members of the lack of guidance and training, and the need for better understanding and invitation to co-opted members for both mandatory/non mandatory training sessions in future

8 REVIEW OF THE REGISTER OF MEMBERS' AND CO-OPTES' DECLARATION OF INTEREST FORM & REVIEW OF THE CODE OF CONDUCT

The Chair asked for a brief introduction of the report.

The Head of Legal & Governance – Ms Carter-McDonald advised the meeting that The Localism Act 2011 required all local authorities to adopt a Code of Conduct for its elected Members and voting co-optees. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 required all Members to complete a declaration of interests form on their election to office, and for voting co-optees to complete a form on their appointment to office. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 provided that Members and co-optees must complete a declaration of interest form. Ms Carter-McDonald informed the meeting that the Council's Code of Conduct implemented the Regulations and provided that all Members and co-optees (including non-voting co-optees) must complete a declaration of interest form.

Ms Carter-McDonald further informed the meeting that Standards Committee further required regular review of compliance with the Regulations and the Code of Conduct by the Monitoring Officer. The Localism Act 2011 placed an obligation on all local authorities to promote high ethical standards in public office. Regulations also required Members and co-optees to be transparent and declare all disclosable interests on their declaration of interest form. The declaration of interests forms were held in a hard copy register and on the Council's website as

well.

Ms Carter-McDonald advised the meeting that following on from the Municipal election in May 2018, all elected Members were required to complete an ROI form within 28 days of taking up office. Governance and Member Services ensured that this was done. Appropriate advice and guidance was sent to Members following their election in May 2018. Ms Carter-McDonald suggested that a quarterly email be sent from member services to remind members to review and update their form and advise Governance Services accordingly. It had been common practice to also keep Members updated as and when necessary, on case law relating to declarations of interest. Following on from the election in May 2018 all Members of the Council were required to, and attended mandatory training on the Members Code of Conduct.

Ms Carter-McDonald further advised that following the review by Central Government in early 2018 of standards in public life in England and Wales, as defined in the Localism Act 2011, the key findings and recommendations of that review were published on 30 January 2019. The headline findings would form part of a verbal update later in this agenda. Ms Carter-McDonald informed the Committee that it was likely that the review findings, if brought into effect by central government, would require revisions to Localism Act 2011, and subsequently revisions will be required to the existing Members Code of Conduct. It will be suggested that Members receive a further report in the early summer of 2019, following an in-depth review of the key findings and their implications.

The Chair, in thanking Ms Carter-McDonald for her succinct introduction, welcomed the suggestion to advise Members in a quarterly email from member services to remind members to review and update their form and advise Governance Services accordingly.

Following comments by Members in terms of declaring interests on the ROI and the assumption that it was safer to declare a matter rather than not and that by not doing so a member may then find that they were 'politically' exposed Ms Carter-McDonald advised that if there were doubts or ambiguities then Members were advised to seek clarification, via both Governance Services and herself.

The Chair then summarised and it was:

RESOLVED

- i. That the report be noted; and
- ii. That a quarterly email will be sent from member services to remind members to review and update their form and advise Governance services accordingly.

9 Review of the Member complaints process and form/toolkit

The Chair asked for a brief introduction of the circulated report.

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The Head of Legal & Governance – Ms Carter-McDonald, commented that as the Committee were aware under the requirements of Section 28 of the Localism Act 2011 Hackney Council had arrangements in place to investigate complaints made against Members under the Members' Code of Conduct. As it had been some time since the process had been reviewed, the Standards Committee at its last meeting in July, asked officers to review this process and the accompanying documents.

Ms Carter-McDonald advised that the review had now been completed and the documents refreshed. As part of the review, a flowchart of the process had been included and this should help officers and members of the public in following the process through. The Localism Act 2011 placed an obligation on the Council to ensure that high ethical standards were promoted and maintained among its Members.

The Committee, in welcoming the review expressed (in summary) in relation to the flow chart circulated, some further revisions in box form, and to be further circulated to Members:

- outcomes as regards to findings of investigation
- whether the complaint findings warrant consideration by a Review Committee
- possible outcomes/decision of the Review Committee
- Informing the subject member and advertising/reporting of the decision to Full Council

The Chair then summarised and it was:

RESOLVED

That the updated complaints procedure and complaints form attached as appendices 1-3 to this report be noted and agreed, and that a revised flow chart be circulated to the Committee for information including boxes showing:

- **outcomes as regards to findings of investigation**
- **whether the complaint findings warrant consideration by a Review Committee**
- **possible outcomes/decision of the Review Committee**
- **Informing the subject member and advertising/reporting of the decision to Full Council**

10 Verbal Review of the number of complaints about Members

RESOLVED

That the verbal update regarding the number of complaints received against members for the Municipal Year commencing May 2018 to date be noted.

11 Verbal update on the outcome of the Committee of Standards in Public Life Consultation

The Chair asked for a verbal update to the Committee on this item.

The Head of Legal & Governance – Ms Carter-McDonald Dawn informed the Committee of the Government's Committee on Standards in Public Life's recently published report and

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recommendations on ethical standards in local government, following a year-long review and wide consultation.

Ms Carter-McDonald advised Members that the main headline findings of the report were:

- a new power for local authorities to suspend councillors without allowances for up to six months
- revised rules on declaring interests, gifts and hospitality
- local authorities retain ownership of their own Codes of Conduct
- a right of appeal *for suspended councillors to the Local Government Ombudsman*
- a strengthened role for the Independent Person
- greater transparency about the number and nature of Code complaints.

Ms Carter-McDonald, in reference to how the Committee might further wish to consider the implications of the outlined proposals, suggested that the Committee may agree that it has further discussion in the early summer when officers have had time to evaluate the findings and recommendations so that the Council will be prepared for their implementation once the recommendations come in to being. Ms Carter-McDonald also advised that given the Government's current legislative timetable it was unlikely that this would hit statute until early 2020 at the earliest but that it was of considerable benefit to work on the implications of the key findings at this juncture.

The Committee welcomed the verbal summary, and on a **MOTION** by the Chair it was:-

RESOLVED

- i. **That the verbal update with regard to the Government's Committee on Standards in Public Life's recently published report and recommendations on ethical standards in local government, following a year-long review and wide consultation, be noted; and**
- ii. **that a further report be brought to the Standards Committee in July 2019 detailing a full evaluation of the findings and recommendations, and the implications for the LB Hackney and covering the main headline issues arising from the review as follows:**
 - **a new power for local authorities to suspend councillors without allowances for up to six months**
 - **revised rules on declaring interests, gifts and hospitality**
 - **local authorities retain ownership of their own Codes of Conduct**
 - **a right of appeal for suspended councillors to the Local Government Ombudsman**
 - **a strengthened role for the Independent Person**
 - **greater transparency about the number and nature of Code complaints.**

12 TO CONSIDER ANY UNRESTRICTED ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT

There were no items of urgent business.

NOTED

13 DATES OF FUTURE MEETINGS

NOTED that there were no other scheduled meetings of Standards Committee in the current Municipal Year 2018/19, and that the provisional 2019/20 meetings of the Standards Committee were scheduled to take place on:

1 July 2019
13 February 2020

14 EXCLUSION OF THE PUBLIC AND PRESS

There were no exempt matters to be considered.

NOTED

15 TO CONSIDER ANY EXEMPT ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT

Nil items

Duration of the meeting: 18:30hrs- 19.35hrs

Signed

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Chair of Committee

Contact:
Clifford Hart, Governance Services