

## UNRESTRICTED MINUTES OF A MEETING OF THE STANDARDS COMMITTEE

THURSDAY, 13TH FEBRUARY, 2020

**Councillors Present:** Deputy Mayor Anntoinette Bramble in the Chair

Cllr Jessica Webb (Vice-Chair),  
Cllr Soraya Adejare, Cllr Anna Lynch and  
Cllr Carole Williams

**Co optees Present** Nicola Hanns and Aoife Scannell

**Apologies:** Councillor Humaira Garasia, Councillor Katie Hanson and Councillor Sem Moema

**Officers in Attendance:**

**Also in Attendance:**

### 1 Apologies for Absence

An apology for lateness was received from Councillor Lynch.

Apologies for absence were received on behalf of Councillors Garasia, Hanson, and Moema, Co-opted members Ms Labinjo and Ms Louison, and also from the Independent person – Mr Stopes-Roe.

**NOTED**

### 2 Welcome by the Chair of the Standards Committee to the newly appointed Co-opted Members

The Chair welcomed Ms Hanns and Ms Scannell to the meeting and congratulated them on their appointments as Co-opted members.

**NOTED**

### 3 Urgent Business

There were no items of urgent business.

**NOTED**

### 4 Declarations of Interest - Members to declare as appropriate

There were no declarations of interests.

**NOTED**

## 5 Deputations/Petitions/Questions

There were no deputations, petitions or questions.

### NOTED

## 6 To Confirm the Unrestricted Minutes of The Standards Committee held on 16 September 2019, and 13 January 2020 (Special)

### RESOLVED

**That the unrestricted minutes of the meetings of Standards Committee held on 16 September 2019, and 13 January 2020 (special) be confirmed as an accurate record of the proceedings.**

## 7 Review of recommendations relating to Best Practice arising the Committee on Standards in Public Life on the subject of ethical standards in Local Government

The Chair advised that the report before Standards Committee detailed the recent comparison of the Council's current Ethical Standards arrangements in place to identify whether they conformed to the fifteen best practice recommendations identified by the Government's Committee - Standards in Public Life's CSPL report, arising from a recommendation of the Standards Committee of 16 September 2019.

The Chair asked for an introduction of the report.

The Head of Legal & Governance – Ms Carter-McDonald informed the Committee that as intimated by the Chair, the Standards Committee at its meeting on 16 September 2019 considered the findings of the Government's Committee on Standards in Public Life (CSPL) review on the subject of local government ethical standards. As part of that consideration and arising from the recommendations before the Committee on 16 September, the Committee agreed that the Council's Monitoring Officer undertake a comparison of the Council's current Ethical Standards arrangements in place with a view to identifying whether they conformed to the fifteen best practice recommendations identified by the CSPL report.

Ms Carter-McDonald advised that the comparison analysis in respect of the fifteen best practice recommendations was now reported back to the Standards Committee for its consideration. The findings had shown that the Council currently operated within the auspices of thirteen recommended best practice proposals, as two of the recommendations were for District and Parish Councils to comply with only. The comparison clearly showed LBH compliance with twelve of the thirteen recommendations for Local Authorities, together with the one recommendation showing that the Council partially met the proposed best practice.

Ms Carter-McDonald commented that in respect of the partially met recommendation - *Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities* – it was the case that the Monitoring Officer was able to

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seek amendment to, and amend parts of the Code of conduct as set out in Part 5 of the Constitution and the code defined those parts which were within the power of the Monitoring officer and those parts which are reserved for Full Council to amend.

Ms Carter-McDonald advised that having carried out a thorough review it was felt that in terms of this recommendation it was a partial compliance as it was the case that the Co-optees and the independent person could arguably be deemed to be members of the public. Whilst LBH did not seek the views of community organisations it undertook research with other local authorities when required to. It was therefore as a result of the comparison findings the Committee were being asked to note the findings and to adopt the one finding currently partially met, and recommend its adoption to Full Council.

Ms Carter- McDonald further reminded the Committee that the Council had a duty under s.27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a code of conduct that was consistent with the Nolan Principles. The identified findings represented in the main a good comparison of the LB Hackney's current arrangements benchmarked against the 13 best recommendations of the CSPL review . It was the case that the Council had the discretion to review and update its Code of Conduct for Members to reflect some of the identified good practice prior to legislation being introduced, and therefore it was proposed that the Standards Committee recommend to Full Council the adoption of best practice as recommended by the CSPL where the Council currently did not meet the proposed one best practice proposal as outlined.

The Chair thanked Ms McDonald-Carter for her succinct introduction.

The Committee briefly discussed the report and three collective observations were identified:

- That it was reassuring to note that following a robust assessment of the thirteen recommendations of the CSPL these were already contained within the Council's current Code of Conduct with only one of the thirteen recommendations being partially met.
- In the wider context of the review of standards in public life and proposed primary changes legislation the Council would be on a firm footing to undertake a review of overall current practices and implementation of new procedures
- That the best practice compliance as detailed in the appendix would require to be published as part of an overall publicity awareness when the Council considers and approves the awaited primary legislative changes to the current ethical governance arrangements, arising from the review of Standards in Public Life by the CSPL

The Chair thanked members for their comments and contributions.

There being no further comments on a **MOTION** by the Chair it was:

## **RESOLVED**

- i. **That the comparison findings of the Monitoring Officer on Best Practice as detailed in the attached appendix 1 of the report in respect of the 15 Best Practice recommendations of the CSPL report be noted;**

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- ii. That it be agreed that the Council's Best Practice protocol be amended where applicable in line with the findings of the Monitoring Officer in respect of the 15 recommendations of the CSPL report;
- iii. That Full Council be recommended to agree the proposed updates as detailed in the appendix 1 of the report; and
- iv. That the matter of best practice compliance as detailed in the appendix to the report form part of an overall publicity awareness when the Council considers and approves the awaited primary legislative changes to the current ethical governance arrangements, arising from the review of Standards in Public Life by the CSPL.

## **8 Review of the current Members Declarations of Interests Form**

The Chair in asking for an introduction of the report advised that the report provided Standards Committee with an update of the review of the Members Declaration of Interests form arising from a recommendation of the Standards Committee of 16 September 2019.

The Head of Legal & Governance – Ms Carter-McDonald advised the Committee that at its meeting on 16 September it had considered findings of the Government's Committee on Standards in Public Life (CSPL) review on the subject of local government ethical standards. In considering the report the Standards Committee during its wide ranging discussions particularly commented on the existing LB Hackney register of gifts and hospitality and general declarations form, and concerns that it was not particularly helpful or clear. As a result the committee felt that it was an opportune time to review and suggest a clearer summary of what should and should not be declared, and it was therefore agreed that a task and finish group comprising of members and officers look at the issues of declarations, and explanations of what was best practice and examples of what things should be recorded.

Ms Carter-McDonald advised that the task and finish group – comprising of Councillor Lynch, a senior Lawyer, the Clerk to the Committee – Clifford Hart, and herself met on 11 November 2019 and carried out a succinct and robust review of the current declaration form and as a result a number of changes were recommended as detailed in Appendix 1 attached to the report.

Ms Carter-McDonald commented that following on from the task and finish group officers then revised the existing declarations form shown at appendix 2 of the report and were proposing the adoption of a new declaration form as detailed at Appendix 3 to the report. Ms Carter McDonald commented that the new form attempted to answer some of the concerns raised regarding ambiguity and now showed a much clearer and better explanation of what was being requested. The Committee was therefore being asked to consider the findings of the Task and Finish Group and the proposed changes to the existing form and to agree to adopt the new form for use by members from the beginning of the Municipal Year 2020/21.

The Chair thanked Ms Carter-McDonald for her succinct introduction.

In opening the discussion up on the findings of the task group the Chair asked Councillor Lynch – who had been a task group member to give her views.

In thanking the Chair for the opportunity to give her view Councillor Lynch commented that the task group exercise had been a very robust and drill down process and a clear view had been given of the existing form being not quite as robust as other two other local authorities declarations forms. It was a fact that as the group had begun to drill down the views expressed then easily flowed which had resulted in the revisions being proposed. Councillor Lynch felt that it was the case that in drilling down it clearly exposed the need for plain English and a clear simple explanation of what each category meant. It was felt that the revised form would assist greatly – especially for newly elected Councillors who at the point of becoming a Councillor had an array of issues to grasp and the intensity of the beginning of an administration was somewhat added to by the complication of the declaration form.

Councillor Lynch further commented that it was felt during discussion at the task group that members could have to a degree have possibly /inadvertently breached the code of conduct by default by not completing the declaration form correctly due to a lack of clear clarity of information required. Councillor Lynch in commending the report and the recommendations to the Committee thanked officers for their efforts in bringing the report back to the Committee.

Ms Hanns expressed similar sentiments with regard to the completion of the declarations form. As a newly appointed Co-optee to the Committee she had found the form not particularly clear and had had to seek guidance as to what some of the required declarations had meant. Upon seeing the proposed form she had felt that it had answered some of the concerns she had expressed and thought that the new form would greatly assist members in the future.

Ms Scannell as a newly appointed Co-opted Member, in echoing the sentiments expressed by Ms Hanns commented that she was in agreement with Councillor Lynch as regards the possibility of inadvertently breaching the code of conduct. Ms Scannell also felt that it would benefit to have a training session for members on an annual basis and written guide/explanation which accompanied the form.

The Chair thanked Members for their contributions. The Chair commented that the newly revised form would greatly assist going forward and she thanked both Councillor Lynch, and Ms Carter-McDonald and Mr Hart for their efforts to bring the revised form proposals back to the Committee for consideration.

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

## **RESOLVED**

- i. That the findings of the Member Working Group of 11 November 2019 attached at Appendix 1 to the report in respect of a short review of the current Members Register of Interests Declarations Form, following the request of Standards Committee of 16 September to review the current Members Register of Interests Form attached at Appendix 2 of the report, be noted; and**
- ii. that the proposed revised new Members Declarations of Interests Form attached at Appendix 3 of the report be agreed for use by Members for the Municipal Year 2020/21.**

**9 Verbal Review of the number of complaints about Members**

The Chair asked Ms Carter-McDonald to update the Committee.

Ms Carter-McDonald advised the meeting that there had been no complaints received since the last meeting Standards Committee since September 2019.

**NOTED**

**10 Any other unrestricted business the Chair considers to be urgent**

There were no items of unrestricted urgent business.

**NOTED**

**11 DATES AND TIMES OF MEETINGS OF STANDARDS COMMITTEE - 2019/20**

**NOTED** – That there were no other scheduled meetings of Standards Committee in the current Municipal Year 2019/20. The provisional 2020/21 meetings of the Standards Committee were scheduled to take place on:

14 July 2020

17 February 2021

**12 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED**

THAT the press and public be excluded from the proceedings of the Standards Committee during consideration of Exempt item 13 on the agenda on the grounds that it is likely, in the view of the nature of the business to be transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Local Government Act 1972 as amended.

**13 To Confirm the exempt Minutes of The Standards Committee held on 13 January 2020**

**RESOLVED**

That the exempt minutes of the meetings of Standards Committee held on 13 January 2020 (special) be confirmed as an accurate record of the proceedings.

**14 Any other exempt business the Chair considers to be urgent**

There were no items of exempt urgent business.

**NOTED**

**Duration of the meeting:** Times Not Specified

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**Signed**

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**Chair of Committee**

**Contact:**  
Clifford Hart, Governance Services