

**UNRESTRICTED MINUTES OF A MEETING  
OF THE STANDARDS COMMITTEE  
WEDNESDAY, 17TH FEBRUARY 2021**

<b>Councillors Present:</b>	<b>Deputy Mayor Anntoinette Bramble in the Chair</b>  <b>Cllr Jessica Webb (Vice-Chair), Cllr Soraya Adejare, Cllr Humaira Garasia, Cllr Katie Hanson, Cllr Anna Lynch, Cllr Sem Moema and Cllr Carole Williams</b>
<b>Co-optees Present</b>	<b>Ms Adedoja Labinjo , Ms Onagete Louison, Ms Aoife Scannell</b>
<b>Officers in Attendance:</b>	<b>Dawn-Carter McDonald - Interim Director of Legal &amp; Governance Louise Humphreys - Head of legal &amp; Governance Clifford Hart - Senior Governance Services Officer</b>
<b>Also in Attendance:</b>	<b>Jonathan Stopes-Roe - Independent Person</b>

Please note as the meeting was live streamed the minutes as shown are a summary of the proceedings.

The live stream recording of the meeting can be accessed as follows:  
<https://youtu.be/s5TfUkbCkEk>

**At 6.30pm - VICE CHAIR COUNCILLOR WEBB IN THE CHAIR**

The Vice-Chair, Cllr Webb, opened the meeting and advised that, as the Chair would not be able to join the proceedings until 7.00pm due to another work commitment, she proposed that the meeting be adjourned for a period of 30 minutes.

The Committee agreed to adjourn the meeting without dissent.

The Committee adjourned at 6.33pm and reconvened at 7.00pm.

The Vice-Chair, Cllr Webb, opened the meeting and the Chair then joined the meeting and continued with the proceedings.

**DEPUTY MAYOR BRAMBLE IN THE CHAIR**

## **1. Apologies for Absence**

- 1.1 An apology for absence was received from Nicola Hanns, Co-opted Member.
- 1.2 The Chair thanked the Vice-Chair for taking the proceedings at the commencement of the meeting.

## **2. Urgent Business**

- 2.1 There were no items of urgent business.

## **3. Declarations of Interest - Members to declare as appropriate**

- 3.1 Deputy Mayor Bramble advised the Committee of the declaration appearing on her member declaration form as regards her position as Deputy Chair of the LGA, as the LGA was referred to in Item 9 that evening. There were no other declarations of interests.

## **4. Deputations/Petitions/Questions**

- 4.1 There were no deputations, petitions or questions.

## **5. To Confirm the Unrestricted Minutes of the Standards Committee held on 14 July 2020**

### **RESOLVED**

**That the unrestricted minutes of the meeting of Standards Committee held on 14 July 2020 be confirmed as an accurate record of the proceedings.**

## **6. Dispensation - London Energy Limited - Non-Executive Director Appointments**

6.1 The Interim Director of Legal & Governance Services, Ms Carter-McDonald introduced the report. She informed the Committee that the report set out a proposed dispensation for Cllr Rennison and Cllr Coban on the basis of their appointment as non-executive directors of London Energy Limited (LEL), as detailed in paragraphs 3.11 and 3.12 of the report.

6.2 Ms Carter-McDonald also advised the Committee that Cllr Rennison would be commencing maternity leave from 1 March 2021 and the report therefore proposed arrangements for Cllr Nicholson to cover Cllr Rennison's appointment with regard to both LEL and also the North London Waste Authority (NLWA).

6.3 As stated in the report the pecuniary interests created by these appointments would prohibit Cllr Rennison, Cllr Nicholson and Cllr Coban from participating in NWLA and Council business related to LEL under section 31(4) of Localism Act 2011, and would

prevent them undertaking their role as committee members of the NLWA, or taking any decision pertaining to the LEL at Cabinet. This would be to the detriment of Hackney residents, as the purpose of the appointment was to ensure closer alignment of the NWLA with the LEL. In light of this, it was therefore recommended that the Standards Committee grant a dispensation under section 33 of the Localism Act 2011 on the grounds that it was in the interests of the persons living in the Hackney area. This dispensation would be effective until the local election date in 2022 or upon the cessation of the appointment.

6.4 Ms Carter-McDonald also advised that the Council's Constitution provided for the certain dispensations to be granted by the Monitoring Officer, but a dispensation sought on the grounds that it was in the interests of citizens of the borough must be approved by the Standards Committee.

6.5 The Chair thanked Ms McDonald-Carter for her introduction, and asked if there were any points of clarification.

6.6 Councillor Adejare:

- Commented that in her view the report was unclear in terms of what the dispensation was for, and whether it was for Cllrs appointed to NLWA, or the newly created body LEL;
- Sought clarification as to the membership of LEL and any allowance paid, and an explanation as to why the appointed Cllrs received an allowance for being a member of this body and who paid the allowance. In addition, was it permissible given that the Cllrs concerned already received an allowance from the Local Authority
- Asked whether the NLWA ceasing and being replaced by LEL
- Sought clarification around the issue of declaring a pecuniary interest and participation in Council Committees when the NLWA or LEL was discussed

6.7 In response Ms Carter-McDonald and the Chair advised that:

- Standards Committee was being asked to agree dispensations for the following members to the NWLA: Cllr Rennison, Cllr Nicholson (on a temporary basis as maternity cover for Cllr Rennison) and Cllr Coban to be granted in accordance with section 33 of the Localism Act 2011 on the grounds that it is in the interests of the persons living in the Hackney area.
- The NLWA would continue to exist with the participation of the 7 north London authorities - Barnet, Camden, Enfield, Hackney, Haringey, Islington, and Waltham Forest - this membership had not changed
- NLWA has a membership of 14 councillors, with each constituent borough appointing two councillors. The London Borough of Hackney appointments were a function of the executive and made by the Mayor, as set out in the constitution. Substitute members were not permitted (i.e. another Member may not attend meetings as an NLWA member if the appointed member is absent).
- LEL had been created by the NLWA and NLWA was the sole shareholder in LEL. LEL is overseen by the LEL Board and it was the decision of the LEL to pay the non-executive directors £13,285 per annum for their work, which would take approximately two days a month. Officers were not paid in respect to these appointments, and the decision to make payment was solely LEL's decision.
- A paid directorship would qualify as a disclosable pecuniary interest, and would prohibit a Councillor from participating in business related to that directorship. Therefore,

to allow Cllr Rennison, Cllr Nicholson and Cllr Coban to participate in discussion and to take decisions relating to LondonEnergy Ltd (whether in meetings of North London Waste Authority or of this Council), a dispensation would be required under section 33 of the Localism Act 2011 on the grounds that it was in the interests of the persons living in the Hackney area.

6.7 The Chair advised that she would speak further with Councillor Adejare on this issue if Councillor Adejare wished to raise any further issues pertaining to her points of clarification.

6.8 There being further points of clarification on a **MOTION** by the Chair it was:

## **RESOLVED**

**That Cllr Rennison, Cllr Nicholson and Cllr Coban be granted dispensations under section 33 of the Localism Act 2011 in respect of NLWA and LEL on the grounds that it is in the interests of the persons living in the Hackney area.**

## **7. Update on complaints received in relation to members since July 2020 to date**

7.1 In the absence of Ms Carter-McDonald, due to a temporary technical issue, the Head of Legal and Governance Services, Mrs Louise Humphreys, introduced the report. She advised the Committee that during the period from 14 July 2020 to date, three complaints had been received under the Code of Conduct for Members and Co-Optees. Mrs Humphreys advised that the report highlighted the three courses of action open to the Monitoring Officer when carrying out a preliminary review of the complaint which included taking into account the views of the Independent Person being:

- i. that a complaint against a subject member should be formally considered in accordance with procedures which will require the convening of a Standards Assessment Sub-Committee;
- ii. not to take any further action;
- iii. to seek an informal resolution with the subject member concerned.

7.2 Mrs Humphreys advised that the first complaint consisted of twenty-one individual complaints received regarding the conduct of one subject member between October and December 2021. The Monitoring Officer had determined that the twenty-one complaints would be taken together and referred to the Standards Assessment Sub-Committee for consideration and had commenced the arrangements for convening this meeting. However following the resignation of the subject member from their office of Councillor on 31 December 2020, no further action was taken, and the complainants were informed accordingly.

7.3 With regard to the two other complaints which were received, these concerned two individual members. Following preliminary assessments of both complaints, and having consulted the Independent Person, the Monitoring Officer decided that no further action should be taken in respect of one complaint and that the other should be the subject of an informal resolution with the subject member concerned.

7.4 The Chair thanked Mrs Humphreys for her introduction and asked if Members had any comments or points of clarification.

7.5 Cllr Lynch, in reference to the complaints received, and more particularly the twenty one individual complaints, asked whether and what steps could be taken to try to ensure that such issues did not progress to such a point and whether there were any lessons learned/advice for Members going forward.

7.6 Cllr Adejare, in concurring with the comments, sought clarification as to the rules in circumstances when a member resigns and whether that would prevent that individual from then seeking further office.

7.7 In response, Ms Carter-McDonald (who had rejoined the meeting) advised the point raised by Cllr Lynch was almost identical to the matter raised by Ms Hanns prior to the meeting. In terms of the issues it was a question of trying to ensure that members would not find themselves in this position in the future by reminding all members around how they engaged with the public and used social media. Going forward there would be a reminder to Members of this ICT acceptable use policy with an emphasis on ensuring that members acted so as not to potentially be seen to have brought their office or the Council into disrepute.

7.8 Ms Carter-McDonald also commented that the decision to take a matter to the Standards Assessment Sub-Committee was not one which was taken lightly and full consideration was given to the detail of a complaint, in line with the requirements of the Code of Conduct. It was only after seeking and taking into account the views of the Independent Person that the Monitoring Officer made a decision as to whether a complaint met the threshold for referral.

7.9 Ms Carter-McDonald commented that all complaints followed the said procedures, and advised that as Monitoring Officer she was also empowered to send a complaint direct for independent investigation without consideration by the Standards Assessment Sub-Committee if she considered that this was warranted by the seriousness of the complaint in circumstances where the complaint clearly met the threshold of a breach of the member code of conduct.

7.10 Cllr Hanson commented that whilst Members were aware that the Standards Committee itself did not have the power to disqualify a member from office the rules of disqualification were set out in law and specific i.e. disqualification through bankruptcy, or a serious criminal offence, and whilst the matter of a complaint against a former Councillor did not preclude them standing for public office for another authority, were the Council to have found a breach of its Code had occurred then the Council would then be duty bound to advise accordingly. Ms Carter-McDonald concurred with and thanked Cllr Hanson for her point of clarification.

7.11 The Chair, in thanking members for their comments stated that whilst it had been the case that there had not been any complaints received in the years prior to the recent three complaints received it was reassuring to have the process of consideration outlined and explained and the robust process that was enacted for that purpose.

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

## RESOLVED

- i. That the report be noted; and
- ii. That comments expressed during the discussion of the report with regard to lessons learned during this period, particularly with reference to the member who received 21 complaints, be noted.

## 8. Recruitment of Independent Person and Co-Opted Members to Standards Committee 2021

8.1 The Chair, in asking for an introduction of the report, advised that as this would be the final meeting for the Independent Person, Mr Stopes-Roe, and two Co-Opted Members, Ms Labinjo and Ms Louison. The Chair wished to place on record her thanks to each for their professionalism, their independence of view and their invaluable contributions to the work of the Standards Committee during their terms of office.

8.2 Ms Carter-McDonald informed the Committee that the report sought approval from the Standards Committee to commence recruitment for an Independent Person, and at least two and up to four Co-Optee vacancies on the Standards Committee. The outlined process was self explanatory and in accordance with the law the resulting recruitment process would require formal agreement of Full Council to any proposed appointments.

8.3 Ms Carter-McDonald placed on record her thanks to the Independent Person, Mr Stopes-Roe for all his hard work and support to her as the Monitoring Officer; his knowledge and understanding of ethical standards had been greatly valued by her. Ms Carter-McDonald also placed on record her thanks to the two Co-Opted members who were leaving office for their pragmatic and excellent contributions to the work of the Standards Committee and positive contribution to other meetings and work associated with the Committee, and she wished both Ms Labinjo and Ms Louison well in the future.

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

## RESOLVED

- i. That approval be given to recruit an Independent Person and no less than two, and up to four, Co-opted members vacancies to the Standards Committee.

## 9. Draft Model Members Code of Conduct proposals recommended by the Local Government Association - Verbal Update

9.1 Ms Carter-McDonald updated the Committee on the latest position with regards to the Local Government Association's (LGA) proposals for a new Members' Code of Conduct and the work of the Task and Finish Group.



9.2 Ms Carter-McDonald advised that the LGA would be publishing draft guidance to sit alongside their model Code of Conduct and that once this had been published a further meeting of the Task and Finish Group would be convened to review this guidance as well as suggested amendments to the model Code of Conduct prior to a meeting of the Standards Committee being convened to consider recommending that a new Code be adopted.

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

**RESOLVED**

**That the verbal update be noted.**

**10. Verbal update on the current position with regards to recommendations arising from the Government's Committee on Standards in Public Life on the subject of ethical standards in local government**

10.1 Ms Carter-McDonald advised the meeting that the Government had not formally confirmed its position on the Committee's recommendations and whether these would be taken forward via new primary legislation; this was partly as a result of the current pandemic crisis.

10.2 The Chair thanked Ms Carter-McDonald for her update and commented that it was extremely disappointing that the Government had not yet acted on adopting the recommendations before it. The Chair added that Councillors had continued to act in their roles throughout the pandemic and had conducted business virtually and maintained the vital work of local councils. The Chair added that she would consider drafting a communique to the Government with regard to the need to consider and adopt the proposed recommendations, and perhaps this could be signed on behalf of the Committee, and that she would advise Members accordingly.

There being no further points of clarification the Chair **MOVED** and it was:

**RESOLVED**

**That the verbal update be noted.**

**11. Verbal update on the implementation of the revised declarations of interests form for Members and Co-opted Members**

11.1 The Chair, in asking for a brief update, commented that improvements to the declaration of interests form were continual in nature recognising that members, whether long standing or more recently elected, required support in understanding the matters to be declared. She expressed the view that it was always best to err on the side of caution and put everything possible in the form, so as to not fall foul of the rules.

11.2 Ms Carter-McDonald advised the meeting that the new declaration form had been rolled out and that Members could seek advice and assistance on completing the form from Member Services and Governance Services, Most of the completed forms had now

been uploaded on to the Council’s web page for public viewing in accordance with the requirements of the Localism Act 2011. Ms Carter-McDonald reminded the Committee that a dispensation had been given to all Members as regards their personal addresses so that these were not displayed online, but were still recorded on the version maintained internally.

11.3 The Chair thanked Ms Carter-McDonald for her update and asked if there were any comments from the Committee.

11.4 Cllr Moema commented that, as a Councillor in a relationship with a fellow Councillor, she had found the form quite difficult to complete. She expressed the opinion that it would be of considerable assistance to have guidance on such matters, together with explanation on what sections of the form meant, so that that would be visible on line and the public would also understand the relevance of the information stated. Ms Carter-McDonald noted Cllr Moema’s comments which she would take back to officers for review going forward.

There being no further comments the Chair **MOVED** and it was

**RESOLVED**

**That the verbal update be noted.**

**12. To consider any unrestricted items of business the Chair considers to be urgent**

There were no further items of urgent business.

**Duration of the meeting: 18:30 - 1833 then 19:00 -19:55hrs**

**Signed**

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**Chair of Committee**

**Contact:**

Clifford Hart, Governance Services  
[clifford.hart@hackney.gov.uk](mailto:clifford.hart@hackney.gov.uk)