

NOTICE OF MEETING

STANDARDS COMMITTEE

Thursday, 30th June, 2022, 7.00 pm - 40 Cumberland Road,
Wood Green N22 7SG (watch the live meeting [Here](#) and watch
the recording [here](#))

Councillors: Felicia Opoku (Chair), Ali, Barbara Blake, Scott Emery and Reg Rice

Quorum: 3

1. **FILMING AT MEETINGS**

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

3. **URGENT BUSINESS**

The Chair will consider the admission of any late items of Urgent Business. (Late items will be considered under the agenda item where they appear. New items will be dealt with under items 8 and 13 below).

4. **DECLARATIONS OF INTEREST**

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

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

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

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. MINUTES (PAGES 1 - 6)

To confirm and sign the minutes of the Standards Committee meeting held on 28 February 2022.

6. APPOINTMENT OF THE STANDARDS ASSESSMENT AND HEARING SUB-COMMITTEES (PAGES 7 - 10)

7. COMMITTEE WORK PROGRAMME (PAGES 11 - 12)

This paper seeks to identify topics that will come to the attention of the Standards Committee and seeks members' input.

8. NO FURTHER ACTION CODE OF CONDUCT COMPLAINTS - MONITORING OFFICER ANNUAL REPORT: (PAGES 13 - 16)

9. NEW ITEMS OF URGENT BUSINESS

10. DATES OF FUTURE MEETINGS

To note the dates of future meetings:

4 October 2022
24 January 2023
21 March 2023

11. EXCLUSION OF THE PRESS AND PUBLIC

Items 13-15 are likely to be subject to a motion to exclude the press and public from the meeting as they contain exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 1 & 2; namely, information relating to any individual and information likely to reveal the identity of an individual.

12. NO FURTHER ACTION CODE OF CONDUCT COMPLAINTS - MONITORING OFFICER ANNUAL REPORT: (PAGES 17 - 20)

13. EXEMPT MINUTES (PAGES 21 - 24)

To confirm and sign the exempt minutes of the Standards Committee meeting held on 28 February 2022.

14. NEW ITEMS OF EXEMPT URGENT BUSINESS

Fiona Rae, Acting Committees Manager
Tel – 020 8489 3541
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Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Wednesday, 22 June 2022

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MINUTES OF MEETING Standards Committee HELD ON Monday, 28th February, 2022, 7.00 - 8.55 pm

PRESENT:

Councillors: Felicia Opoku (Chair), Barbara Blake, Vincent Carroll and Peter Mitchell

ALSO ATTENDING: Fiona Alderman, Stephen Lawrence – Orumwense, Ayshe Simsek

44. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and attendees noted this information.

45. APOLOGIES FOR ABSENCE

There were later apologies for absence from Cllr Ogiehor.

46. URGENT BUSINESS

There were no new items of urgent business.

The Chair agreed to accept the following reports which were listed on the published agenda, as late business. These reports were late due to the need to update them following further key discussions and they also could not await the next meeting in June.

- Member's Allowance Scheme 2022/23
- LGA Code of Conduct.

47. DECLARATIONS OF INTEREST

None

48. MINUTES

RESOLVED

To approve the minutes of the meeting held on the 25th of January 2022.

49. REGISTER OF INTERESTS - DISCLOSABLE PECUNIARY INTEREST IN LAND

This report responded to and took forward discussion from the previous Committee meetings on the declaration of home addresses on Members' Register of Interests forms.

It was noted that, since the previous discussion on this issue by the Committee, there had not been any new guidance from the government or LGA on withholding home addresses from their Register of Interests.

There had been more guidance issued for councillors on keeping safe but no changes to this requirement.

In response to questions

- Members still had an obligation to notify the Monitoring Officer of a change of address even if there had been previous agreement to not disclose the home address, due to this being a sensitive interest.
- Democratic Services would still need to keep a Register of Interest , for file purposes, and not for publication with a Member's address.
- Where the Monitoring Officer had agreed that a home address was treated as a sensitive interest, Members were still required at a meeting to disclose the fact that they had a disclosable interest in the matter concerned but details of that interest need not be disclosed.

RESOLVED

To note the report and for the Democratic Services Manager to provide an update to the Committee if there are any changes to legislation or guidance on this matter.

50. MEMBER'S ALLOWANCE SCHEME 2022/23

The Democratic Services and Scrutiny Manager introduced the report on the Member Allowance Scheme for 2022/23 and the Committee were asked to discuss and comment on any changes required to Appendix 1, Members Allowance Scheme 2022/23 as set out in paragraph 6.4 and 6.5.

The Committee considered the latest position on the local government officer pay increase of 1.75% which had not yet been agreed. The Committee felt that given the current economic climate together with steep increases in the cost of living being faced by residents, it was not felt appropriate to agree any increases to Member's Allowances. There was an annual opportunity to review the position on index linking the increase in the Basic Allowance to the local government officer pay increase in 2023.

RESOLVED

To recommend that the Members' Allowances Scheme, set out at Appendix A, be adopted by Full Council on 14 March 2022.

51. LOCAL GOVERNMENT ASSOCIATION (LGA) MODEL COUNCILLOR CODE OF CONDUCT

The Committee were asked to discuss and comment on the LGA Model Code of Conduct and Guidance in Appendix 1 and 2 and consider comparison with the Council's Member Code of Conduct in Appendix 3.

The Committee were asked to note that there would be similar discussions with the Political Groups, Group Leaders, other Statutory Officers and the Independent Persons on the LGA Model Code attached

The Deputy Monitoring Officer continued to present information in the attached report.

In response to questions, the following was noted.

- The Deputy Monitoring officer offered to contact LGA to find out which Councils had not adopted the code and the reasons for this.
- The Council had already reduced the amount for declaring gifts and hospitality from £50 to £25.
- Noted that the guidance from the LGA provided useful examples which could be helpful for training sessions for new Members.
- The paragraphs highlighted in yellow were used for reading purposes.
- There was a query about the LGA code's direction on confidentiality and access to information and the exception that a councillor could disclose this information to a third party to obtain professional legal advice. It was clarified that queries raised about the confidential or exempt information should be put forward to the Monitoring Officer. The Deputy Monitoring Officer suggested that this direction may relate to a situation where the Member had a query about the obligation to not disclose and they may seek advice on the nature and extent of the obligation.
- The way the LGA deals with the classification of interests was different to the Council's Code of Conduct , which classifies interests as either personal, prejudicial and disclosable . The LGA code takes the issue of declaration of interests further and asks Members to fully consider the interest they have and even if it does not fit into the categories to declare this and consider if appropriate to participate in the meeting.
- Noted that the table on page 108 table contained an error in transposition.
- Comment was made about page 71 and the case examples provided concerning tweeting about another councillor's actions and how these had been found to be bringing the Council in disrepute. This was felt a harsh reprimand. The Deputy Monitoring officer added that councillors may take issue with the outcome arising from the particular case and this information was not included.

- The pathway forward for the report was to include comments from the Committee and be considered by political group leaders and political group members.
- Clarified that the new councillors in May 2022 would be adopting existing code of conduct.
- Agreed that key points from LGA Code are considered and compared to the Council Code of Conduct and also that the Committee and Members are kept abreast of any annual changes made by the LGA.
- The Deputy Monitoring Officer suggested developing a hybrid version of the Code of Conduct as there was some good elements from the LGA code that would be useful for the council to adopt.

RESOLVED

To note the report and receive an updated Code of Conduct following consultations with political groups.

52. COMMITTEE WORK PROGRAMME

The LGA Code of conduct would likely come forward to a meeting of Standards Committee later in the year.

53. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

54. DATES OF FUTURE MEETINGS

30th of June 2022.

55. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

To exclude the press and public from the meeting as the remaining items contained exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 1 & 2; namely, information relating to any individual and information likely to reveal the identity of an individual.

56. NO. SC005/2021

Exempt information.

57. ANNUAL UPDATE ON COMPLAINTS

Deferred to the next meeting in June.

58. EXEMPT MINUTES

RESOLVED

To approve the exempt minutes of the meeting held on the 25th of January 2022.

59. NEW ITEMS OF EXEMPT URGENT BUSINESS

None

CHAIR: Councillor Felicia Opoku

Signed by Chair

Date

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Report for: Standards Committee – 30 June 2022

Title: Confirmation of the Membership of the Standards Assessment and Hearing Sub-Committees

Report authorised by: Fiona Alderman, Head of Legal and Governance (Monitoring Officer)

Lead Officer: Ayshe Simsek, Democratic Services and Scrutiny Manager
ayshe.simsek@haringey.gov.uk, 020 8489 2929

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** Non Key Decision

1. Describe the issue under consideration

- 1.1 This report seeks confirmation of the Membership of the Standards Assessment and Hearing Sub-Committees.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

The Standards Committee is asked:

- 3.1 To agree that, given the need for members' expertise and discretion, the membership of the Standards Assessment Sub-Committee and the Standards Hearing Sub-Committee be the same as the membership of the Standards Committee.

4. Remit of Standards Committee

- 4.1 The Articles of the Council's Constitution set out the remit of the Standards Committee at Article 9:

9.01 Standards Committee

The Council meeting will establish a Standards Committee to promote and maintain high standards of conduct by Members and Co-opted Members of the Council.

9.02 Composition

The Standards Committee will be composed of Councillors appointed on the basis of political balance. In addition, the Standards Committee may appoint up to six non-voting co-opted members.

Quorum. The quorum of the Standards Committee is three.

9.03 Role and Function

The Standards Committee will have the following roles and functions:

- (a) Promoting and maintaining high standards of conduct by Councillors, co-opted members and representatives of religious organisations and parent governor representatives;*
- (b) Assisting the Leader, Councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members' Code of Conduct;*
- (c) Advising the Council on the adoption or revision of the Members' Code of Conduct;*
- (d) Monitoring the operation of the Members' Code of Conduct;*
- (e) Advising, training or arranging to train Councillors and co-opted members on matters relating to the Members' Code of Conduct and the ethical framework;*
- (f) Granting dispensations to Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;*
- (g) Advising the Council on codes and protocols forming the Council's ethical framework and its governance arrangements, monitoring the effectiveness of those arrangements and making reports and recommendations accordingly;*
- (i) Responding to national reviews and consultations on standards related issues;*
- (j) Granting exemptions for politically restricted posts and giving directions to include a post on the list of restricted posts;*
- (k) Advising the Council on the appointment of independent persons and taking steps to select them;*
- (l) Considering amendments to the Constitution and recommending proposals to full Council for approval*

9.04 Assessment Sub-Committee

The Standards Committee will establish an Assessment Sub-Committee to assess allegations that a member or co-opted member has failed to comply with the Members' Code of Conduct, as referred by the Monitoring Officer.

9.05 Composition

The Assessment Sub-Committee will be composed of Councillors appointed on the basis of political balance.

9.06 Role and Function

The Assessment Sub-Committee will have the following roles and functions: To consider all allegations referred to the Sub-Committee by the Monitoring Officer that a member or co-opted member has failed to comply with the Members' Code of Conduct and to determine whether the allegation:

- (a) merits no further investigation and is dismissed, or*

(b) merits further investigation.

9.07 Hearing Sub-Committee

The Standards Committee will establish a Hearing Sub-Committee to conduct hearings into allegations that a member or co-opted member has failed to comply with the Members' Code of Conduct and to determine such allegations.

9.08 Composition

The Hearing Sub-Committee will be composed of Councillors appointed on the basis of political balance.

9.09 Role and Function

The Hearing Sub-Committee will have the following roles and functions:

(a) To conduct hearings into allegations referred for investigation by the Assessment Sub-Committee that a member or co-opted member has failed to comply with the Members' Code of Conduct.

(b) To determine whether or not the member or co-opted member did/did not fail to comply with the Members' Code of Conduct.

(c) Where the Sub-Committee has determined that a member has failed to comply with the Members' Code of Conduct to take such action as it may lawfully take.

(d) In consequence of the hearing and determination of any allegation to make recommendations to the Council with a view to promoting high standards of conduct amongst members.

5. Memberships of the Standards Assessment Sub-Committee and Hearing Sub-Committees

5.1 In addition to the above, there is more detail given in the Members' Code of Conduct and the Protocol on Complaints against Members on how the sub-committees of the Standards Committees fulfil their role.

5.2 In Part 4 Section B of the Council's Constitution, the requirement that Members undertake training before participating in the work of the Assessment and Hearing Sub Committees:

In the case of meetings of Committees/Sub-Committees where prior member training is required, only those members who have attended appropriate training can be selected as substitutes. Currently these bodies are the Standards Committee and its Sub-Committees....

Reserve members will be trained for the relevant body as soon as possible after their appointment.

5.3 It is suggested that the Standards Committee agree that, given the need for members' expertise and discretion, the membership of the Standards Assessment Sub-Committee and the Standards Hearing Sub-Committee be the same as the membership of the Standards Committee.

5.4 It is customary for meetings of the Standards Assessment Sub-Committee to begin with the election of the Chair, which allows flexibility in case the Chair of

the parent committee is unable to attend or has recused his- or herself from consideration of a complaint without giving a misleading impression for the reason for the election. It is proposed that that tradition is continued.

6. Contribution to strategic outcomes

Not applicable.

7. Statutory Officers comments (Chief Finance Officer (including procurement), Head of Legal and Governance, Equalities)

Finance and Procurement

There are no direct financial implications arising from the recommendations in this report. The financial implications of the Committee's work programme, in particular the review of Members' allowances, will be set out for Members at the relevant time.

Legal

The Head of Legal and Governance (Monitoring Officer) has been consulted on the contents of this report.

Equality

There are no direct equalities implications arising from the recommendations in this report. Equalities impacts of the work programme, in particular the scheme of Members' Allowances, will be set out for Members at the relevant time.

8. Use of Appendices

Not applicable.

9. Local Government (Access to Information) Act 1985

Council Constitution.

Report for: Standards Committee – 30 June 2022

Title: Committee Work Programme

Report authorised by: Fiona Alderman, Head of Legal and Governance (Monitoring Officer)

Lead Officer: Ayshe Simsek, Democratic Services and Scrutiny Manager
ayshe.simsek@haringey.gov.uk, 020 8489 2929

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** Non-Key Decision

1. Describe the issue under consideration

- 1.1 Members to note current work programme and put forward any comments on suggested areas of work.

4 October 2022

1. Potential constitutional changes following a review by Legal and Finance and Procurement - TBC
2. Report on Code of Conduct changes following consideration of LGA code – TBC
3. Outside Bodies
4. Independent Person appointments 2023- 2027

24 January 2023

1. Member's Allowance Scheme 2023/24
2. Independent Person Appointments

21 March 2023

1. Member's Allowance Scheme 2023/24

Report for: Standards Committee, 30th June 2022

Title: No Further Action Code of Conduct Complaints - Monitoring Officer Annual Report:

Report authorised by: Fiona Alderman – Head of Legal and Governance and Monitoring Officer

Lead Officer: Haydee Nunes De Souza – Head of Legal (Social Care, Education, Employment and Contracts) and Deputy Monitoring Officer.

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** Non key

1. Describe the issue under consideration

- 1.1 This is an annual report on the code of conduct complaints considered by the Monitoring Officer and determined not to merit any further action.

Cabinet Member Introduction

N/A

2. Recommendations

- 2.1. The Committee is asked to note the report

3. Reasons for decision

- 3.1 The Protocol for Complaints Against Members requires the Monitoring Officer to report annually to the Standards Committee on complaints dealt with by the Monitoring Officer and determined not to merit any further action.

4. Alternative options considered

- 4.1. There are no alternative options to be considered.

5. Background information

- 5.1 The Protocol for Complaints Against Members requires the Monitoring Officer to review every allegation of breach of the code of conduct received and to decide on whether it merits reference to the Assessment Sub-Committee of the Standards Committee. The Monitoring Officer must consult with the Independent

Person before making her decision. The Protocol sets out the criteria by which the Monitoring Officer may make the decision, and which are as follows:

5.3 ...The Monitoring Officer may determine that an allegation does not merit any further action, where:

(a) The allegation does not demonstrate a breach of the Members' Code of Conduct; for example it relates to a member's private life to which the Code does not apply or it is about dissatisfaction with a Council decision or service, or

(b) It is about someone who is no longer a member or a co-opted member of the Council, or

(c) There is insufficient evidence upon which to investigate and/or the person making the allegation has failed to co-operate with the Monitoring Officer to specify the allegation sufficiently, or

(d) The same or a similar allegation has been investigated and determined, or

(e) It is an anonymous allegation which does not include sufficient documentary evidence to indicate a significant breach of the Member's Code of Conduct, or

(f) The Monitoring Officer facilitates an informal resolution without the need for a formal investigation. This may involve the member accepting that his/her conduct was unacceptable and offering an apology or other remedial action by the Council. If the Monitoring Officer considers an offer of informal resolution is reasonable but the person making the allegation is not willing to accept it, the allegation will be referred to the Standards Committee for determination, or

(g) the complaint is considered to be frivolous or vexatious, or

(h) The matters to which the allegation refers took place longer than three months before the date of receipt of the allegation and there are no exceptional circumstances which merit the investigation of matters outside that timescale, nor is it otherwise appropriate to investigate the allegation.

5.2 In the period 1 May 2021 – 31 April 2022, the Monitoring Officer determined that 6 complaints of alleged breach of the code of conduct by councillors did not merit any further action. The rationale for the Monitoring Officer decisions were mostly that the conduct complained about did not demonstrate a breach of the code. The Independent Person was consulted in making these decisions and agreed with the Monitoring Officer's conclusion. A table of the complaints is attached in the Exempt Report.

6. Contribution to strategic outcomes

6.1. The report supports the governance of the Council and its decision-making, thereby assisting the Council to meet its strategic outcomes.

7. Statutory Officers comments (Chief Finance Officer (including procurement), Head of Legal and Governance , Equalities)

Finance

7.1. None

Procurement

7.2. None.

Legal

7.3. By virtue of section 27 of the Localism Act 2011, the Council is required to promote and maintain high standards of conduct by members and co-opted members and to adopt a Code of Conduct. The Council's Constitution includes the Code of Conduct and the Protocol for Complaints Against Members. The annual report is in keeping with the requirements of the Protocol and serves to inform the Committee of the exercise of the Monitoring Officer's discretion in managing the members complaint process.

Equality

7.4. None

8. Use of Appendices

8.1. Exempt Appendix 1

9. Background information Local Government (Access to Information) Act 1985

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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