

NOTICE OF MEETING

STANDARDS COMMITTEE

Monday, 28th February, 2022, 7.00 pm - 40 Cumberland Road, Wood Green N22 7SG (watch the live meeting, [Here](#) watch the recording [here](#))

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

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 item 10&16 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 25 January 2022.

6. REGISTER OF INTERESTS - DISCLOSABLE PECUNIARY INTEREST IN LAND (PAGES 7 - 10)

7. MEMBER'S ALLOWANCE SCHEME 2022/23

Report to follow.

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

Report to follow.

9. 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.

10. NEW ITEMS OF URGENT BUSINESS

11. DATES OF FUTURE MEETINGS

To note the dates of future meetings:

28th June 2022

4th October 2022

24th of January 2023

21st of March 2023

12. 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.

13. NO. SC005/2021 (PAGES 13 - 70)

14. ANNUAL UPDATE ON COMPLAINTS

Report to follow.

15. EXEMPT MINUTES (PAGES 71 - 72) 25 JAN 2022

16. NEW ITEMS OF EXEMPT URGENT BUSINESS

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

Sunday, 20 February 2022

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**MINUTES OF MEETING Standards Committee HELD ON
Tuesday, 25th January, 2022, 7pm – 8.30pm**

PRESENT:

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

ALSO ATTENDING: Minesh Jani, Fiona Alderman, Stephen Lawrence Orumwense, Ayshe Simsek

30. FILMING AT MEETINGS

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

31. APOLOGIES FOR ABSENCE

There were apologies for absence from Cllr Barbara Blake and Cllr Ogiehor.

32. URGENT BUSINESS

There were no new items of urgent business.

33. DECLARATIONS OF INTEREST

There were no declarations of interest put forward.

34. MINUTES

RESOLVED

To approve the minutes of the meeting held on the 5 October as a correct record.

35. ANTI-FRAUD AND CORRUPTION STRATEGY (INCLUDING BRIBERY)

The Committee considered the Anti-Fraud and Corruption Strategy to increase its awareness of the Council's attitude and approach on this key governance area. The Strategy provided guidance to relevant individuals, employees, Councillors, members of the public and organisations working in partnership with the Council, on the Council's stance on Fraud and Corruption and the steps people should take if they suspect fraud and corruption. The strategy also set out how the Council would deal with any allegations.

The Head of Audit and Risk presented and explained the content of attached appendices [Fraud Response Plan, Whistleblowing Policy, Sanctions Policy, Anti

Money Laundering Policy, and Anti Bribery Policy]. These documents were under review and were scheduled to be presented to the Corporate Committee in July 2022.

The Committee noted the Council had a zero tolerance to fraud and corruption and would use the full range of sanctions to act against individuals or organisations, found to be committing fraud against the Council.

The Committee noted that the Council's Anti-fraud and Corruption Strategy and the related appendices were published on the Haringey website and intranet site. In addition, all policies were published separately to enable anyone searching for the individual policy to locate these easily. The website pages also provided details of how to report suspected cases of fraud and corruption.

In response to questions from the Committee, the following information was provided:

- There was a need for the Council to be satisfied that the money flowing to the Council was through legitimate means. In addition, any significant sum of monies being paid into the Council would always need to be checked that from a legitimate source.
- The above applied to property transactions/tenant and landlord relationship. The Committee noted example of a property situation provided, where a property had been left without ownership and a significant sum of funds found, the Council had been obliged to investigate the potential source of these funds as it was not in keeping with the economic profile of the resident.
- Noted that the threshold of £10k as a cash payment ,without requirement to provide information on the sources of funds, was the standard threshold applied by most local authorities and financial organisations. However, the Head of Audit acknowledged, it was prudent reflecting on this amount, in light of the decreased accessibility to cash following Covid pandemic . This issue could be considered in the review of the policy which would be considered at Corporate Committee in July.
- Noted that there were patterns of behaviours associated with money laundering and fraud which staff were trained to understand and identify. The main areas related to tenancy fraud and right to buy.
- Noted that there was a new online learning course for staff on the Fraud and Bribery Act and agreed that it would be useful for Councillors to have access to this online module. Councillors currently had access to two eLearning modules on GDPR and Cyber security.[Democratic Services and Scrutiny Manager to action]

RESOLVED

To note the Corporate Anti-fraud and Corruption Strategy together with the appended Fraud Response Plan, Whistle-blowing Policy, Sanctions Policy, Anti-money Laundering Policy and the Anti-bribery Policy.

36. MEMBERS ALLOWANCE SCHEME 2022/23

The Committee considered an early report on the Member's Allowance Scheme for 2022/23 and Officers sought understanding of any changes required to the current scheme, prior to approval by full Council. This was in accordance with Article 14.03 of the Council's Constitution.

The Committee noted that, before the Council could adopt a Members Allowances Scheme, it had a duty to consider the recommendations of an Independent Remuneration Panel in relation to the payment of Members Allowances. The most recent report had just been published on the 14th of January 2022. This was attached at Appendix 2. The Democratic Services Manager highlighted the key issues from the report which were:

- Continuing to recommend that the Basic Allowance is increased on an annual basis, in line with the local government officer pay increase.
- A further review of SRA's to be taken forward by the Independent Review Panel in 2022 to 2023, providing some potential recommendations for the 2023/24 municipal year.
- No changes to the SRA bandings published in the 2018 report.
- Acknowledgement of Councillors wider community leadership and partnership role.

The Committee made the following comments:

- The SRA bandings in the attached IRP report remained out of touch with local Council decision making on Member's Allowances and the SRA thresholds were too high. Committee Members felt that they were not realistic in expecting residents to accept these potentially high payments for local representations.
- The IRP report did not provide any evidence to support its claim that allowances should not be an incentive to carry out the Councillor role but also not be a disincentive.
- There was general agreement to the keeping the Basic Member Allowance index linked to rises to local government officer pay awards and it was suggested that the 1.75 increase being negotiated with local government officers could be applied and capped at this figure.
- There was discussion about the percentage rate connections between the SRA bandings and the Committee discussed the difficulties in having a set scheme as in Wales. The SRA's thresholds in Haringey were traditionally in the lower ranges of the proposed SRA bandings and noted that most Councils in London did not fully apply the SRA banding thresholds. This was a locally agreed issue with Councillors mindful of resident's expectations.

RESOLVED

To note the comments above and the report be considered at the 28th of February meeting following discussion with member colleagues.

37. RECENT DEVELOPMENTS ON ETHICAL STANDARDS.

The report highlighted recent developments in the ethical standards of elected members that might be of interest to members of the Standards Committee in its role of promoting and maintaining high standard of conduct. The report contained information on:

- Independent Investigator report considered by Southwark Council which found that Councillor had breached Code of Conduct by acting anonymously through Twitter. The Cabinet Member has since resigned but the report was helpful in understanding the situations where Councillors need to be aware if they are acting in them in their official and nonofficial capacity.
- Details of a case concerning a Councillor at Maldon District Council was included. The Councillor had breached a code of conduct and was found to be bullying colleagues and staff. When receiving the sanctions at a Council meeting, he had disrupted the meeting and Police were called.
- The Committee on Standards in Public Life published on 'Upholding Standards in Public Life', the final report and recommendations was included.

Comments and responses to Councillor questions were as follows:

- The information on ethical standards was reported on in the Local Government Lawyers bulletin.
- Considered whether the ban on a Councillor attending a meeting could be agreed as would mean disqualification of the Councillor.
- Regarding appointments to external private bodies and passing information after stopping being a Councillor, it was noted that any appointments to private bodies would need to be declared on the Councillor's Register of Interest. There was not much control in place once the Councillor was no longer in office. However, there could be legal proceedings taken forward for passing confidential information that would have been obtained when the individual was a Councillor.
- The Register of Interest form included a section for completing a note of gifts and hospitalities and Planning Members also needed to declare if they had been contacted for lobbying purposes.
- Regardless of the use social media, the key issue from the Southwark case was the Councillor deceitfully trying to influence decision making.
- Questioned whether the sanctions available to Councils when taking forward a breach of the Nolan principles were robust and strong enough to deter breaches.

RESOLVED

To note the report.

38. COMMITTEE WORK PROGRAMME

RESOLVED

To note the attached Committee Work programme.

39. NEW ITEMS OF URGENT BUSINESS

None

40. DATES OF FUTURE MEETINGS

28 February 2022.

41. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

To exclude the press and public as set 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.

42. APPOINTMENT OF INDEPENDENT PERSON - STANDARDS COMMITTEE FROM 30 JUNE 2022 - 29 JUNE 2023

As set out in the exempt minutes.

43. NEW ITEMS OF EXEMPT URGENT BUSINESS

None

CHAIR: Councillor Felicia Opoku

Signed by Chair

Date

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Report for: Standards Committee – 28 February 2022

Title: Register of Interests – Disclosable Pecuniary interest in Land

Report

Authorised by: Ayshe Simsek, Democratic Service and Scrutiny Manager

Lead Officer: Ayshe Simsek| 020 8482929| ayshe.simsek@haringey.gov.uk

Ward(s) affected: N/A

Report for Key/

Non Key Decision: Non-Key

1. Describe the issue under consideration

This report responds to and takes forward discussion from the previous Committee meetings on the declaration of home addresses on Members' Register of Interests form.

2. Cabinet Member Introduction

N/A.

3. Recommendations

3.1 To note the report.

4. Reasons for decision

4.1 To respond to a request from the Chair of Standards and Committee members to explore consideration of the requirement to divulge a Councillor's home address on the Councillor Register of Interest form published on the Council's website . There is longstanding concern about councillor's personal safety from having this information on the website.

5. Alternative options considered

Not applicable

6. Background information

6.1 The model Code of Conduct was issued by the Secretary of State under section 50 of the Local Government Act 2000 in 2007, regarding the conduct which is expected of members and co-opted members of an authority. The Localism Act in 2011 also brought in changes to the Standards regime and provided further guidance on the declaration of interests, including introducing pecuniary and non-pecuniary interests to further help with separating out the business interests of members and co-opted members.

6.2 The Council have continued to adopt a code of conduct for Councillors and this is set out in part 5 of the Constitution. The code is based on the 7 Nolan principles of selflessness; integrity; objectivity; accountability; openness; honesty and

leadership; and is essential in promoting confidence in the authority for decision making and ensuring that the interests of the whole borough are at the forefront of decision making.

- 6.3 The code of conduct sets out how the business of the authority should be conducted and sets out the responsibility of members acting on behalf of the local authority. It provides a list of general obligations and the definition of personal interests, prejudicial interests, pecuniary interests and those interests which are disclosable and non-disclosable.
- 6.4 There is a need for members to register their interests within 28 days of taking public office. This register is needed so that the public, authority staff, and fellow members know which Councillor's interest might give rise to a conflict of interest. Members must also advise of any change to their register of interests within 28 days. The Localism Act further prescribes, at section 29 (5b), that the member's register of interest is published on the Council's website.
- 6.5 The model Code of Conduct for Members in 2007 provided a list of interests that must be disclosed. This included any Land and property in the authority's area in which a member has a beneficial interest (or a licence to occupy for more than 28 days) including but not limited to, the Land and house that the member may live in and any allotments a member owns or uses. This is also adopted in the Council's Constitution and land is listed as a disclosable pecuniary interest.
- 6.6 It has been the continuing advice of the Monitoring Officer to advise members to register their home address on the declaration of interest form in order to meet this requirement.
- 6.7 The mechanism for withholding an interest from the register (to include redactions) is contained within section 32 of the Localism Act, which deals with 'Sensitive Interests'. This provision is designed to cover situations where the nature of the interest is such that the member or co-opted member, and the authority's Monitoring Officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation. This is also replicated in the Council Constitution at part 5, section 8.1.
- 6.8 The operation of section 32 requires some evidence in relation to the member whose interests are under consideration. That is, there would need to be some material on which to form a rational view as to whether disclosure could lead to the relevant individuals being subjected to violence or intimidation.
- 6.9 At the October meeting the Committee recognised the sympathetic stance from Monitoring Officers, over the last couple of years, when considering applications for home address to be withheld as a sensitive interest due to concern about intimidation and harassment. There had been a number of requests put forward that had been granted. After this meeting political group support officers were asked to highlight section 32 of the Localism Act to Councillors and allow them to consider putting forward applications to the Monitoring Officer, if required.

6.10 The LGA held online free seminars open to all councillors on personal safety in December and February and the web links were sent to all Councillors. Democratic services provide a weekly email to the police on the Councillor surgeries taking place. There will be a further training session on Personal Safety as part of the Member Training programme for Councillors in May 2022.

7. Contribution to strategic outcomes

Members of the Council are directly responsible for the setting and oversight of all strategic priorities.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

There are no financial implications arising from this noting report.

Legal

Legal implications are contained within the body of this report.

Equality

9. Use of Appendices

None

10. Local Government (Access to Information) Act 1985

N/A

Report for: Standards Committee – 28 February 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.

28th June 2022

- 1. Early report on any potential constitutional changes following a review by Legal and Finance and Procurement**
- 2. Report on LGA Code of Conduct**

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of the Local Government Act 1972.

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