

MINUTES OF MEETING Standards Committee HELD ON Tuesday, 31st October, 2023, 7.00pm

PRESENT:

Councillors: Erdal Dogan, Felicia Opoku, Ibrahim Ali (Chair), Scott Emery and Simmons-Safo

ALSO ATTENDING:

18. FILMING AT MEETINGS

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

19. APOLOGIES FOR ABSENCE

There were apologies for lateness from Cllr Simmons- Safo.(arrived at 7.15pm)

Cllr Emery arrived at 7.10pm

20. URGENT BUSINESS

There was one item of urgent business in relation to agenda item 7 which proposed changes to the Constitution, Part three Section E, Property Delegations. This was late for the reasons set out in the late business sheet and the Chair agreed to accept this as late urgent business as there was a need to ensure that the committee considered this information before the Full Council meeting on the 20th of November.

21. DECLARATIONS OF INTEREST

There were no declarations of interest put forward.

22. MINUTES

RESOLVED

To approve and sign the minutes of the meeting held on the 27th of June 2023.

23. RECRUITMENT OF INDEPENDENT MEMBERS FOR STANDARDS COMMITTEE AND DISCIPLINARY, GRIEVANCE AND DISMISSAL PANEL

The Head of Legal and Monitoring Officer introduced the report which sought approval to commence the recruitment of Independent Persons to support the Standards

Committee in relation to allegations that members or co-opted members have failed to comply with the Member's Code of Conduct, and to be considered for appointment to the Disciplinary, Grievance and Dismissal Panel when considering the dismissal of either the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer.

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

- The incumbent primary Independent person had been in place for some time and had provided expertise, advice and support. There was no legal statutory bar to not allow the committee to re-appoint her to the Independent Person role, if she applied to this position. It was noted that attracting required candidates with expertise and experience to this role could be difficult however; it was good practice to have recruitment process every 4 years to provide this opportunity to local residents to apply.
- Applications from interested candidates from outside the borough were still considered if they had the right skills and experience.
- The primary and secondary independent member role would be advertised in Haringey, and Democratic services would seek to ensure that this was promoted as locally as possible.
- Due to the nature of the role, candidates would not be considered if they had a conflict of interest. The advert would set out where applicants could not apply i.e. if they had been a previous councillor or co-opted member.
- The advert and JD would contain the allowance, which was £1250 for the primary Independent Person.
- There would need to be three members of the Standards Committee on the shortlisting and interview panel.
- The panel should be politically proportionate. The Chair asked members to email the Democratic Services manager with their availability for the shortlisting exercise for the week beginning the 22nd of January and interviews for the week beginning the 29th of January.

RESOLVED

1. To approve the commencement of the recruitment exercise for two Independent Persons.
2. To propose the annual allowance for Independent Persons of £1,250 for the primary member and £250 for the secondary member (subject to Council approval).
3. To propose that the Independent Persons appointed shall also be available to be considered for appointment to the relevant committee appointed by the Council (currently Disciplinary, Grievance and Dismissal Panel) which is responsible for advising the Council on matters relating to the dismissal of the

Head of Paid Service, the Chief Finance Officer or the Monitoring Officer (subject to Council approval).

Reasons for decision

The Council has a legal duty to put in place arrangements for having an Independent Person in relation to allegations of breaches of the Code of Conduct. It must also have in place arrangements for at least two Independent Persons to participate in recommendations in relation to the dismissal of statutory officers. The law requires that IPS appointed in relation to the Standards regime to be invited to participate in this process.

Alternative options considered

Under section, 28(7) of the Localism Act 2011 the Council must appoint at least one Independent Person (IP) whose views are to be sought and taken into account by the Council before it makes its decisions on allegations about breaches of the Code of Conduct by Members or co-opted Members of the Council.

Under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 the Council must also have in place arrangements for inviting IPS to be involved in making recommendations to Council before any decision to dismiss a statutory officer is made. Authorities must invite any IPS supporting the Standards Committee for this purpose although it is also possible to use IPS from other authorities for this purpose where the authority considers it appropriate.

24. PROPOSED CHANGES TO THE CONSTITUTION - PART THREE - RESPONSIBILITIES FOR FUNCTIONS, SECTION E - SCHEME OF DELEGATION - SECTION 2 GENERAL DELEGATION TO DIRECTORS - PROPERTY DELEGATIONS

The Committee were asked to recommend amendments to the Council's Constitution at the Full Council on the 20th of November 2023. These amendments responded to actions arising from the Independent External Property Services Review and concerned: Part Three – Responsibilities for Functions, Section E – Scheme of Delegation - Section 2 General Delegation to Directors. These amendments had been considered and commented on by the Member Constitution Working Group at two meetings and were recommended to the Standards Committee for approval and onward adoption by full Council.

These proposed amendments further responded to the action in the review that the *delegated authority about the management of land be amended to reflect the corporate nature of the asset.*

The Committee noted that The Constitution Working Group considered changes to Section 2 General Delegations to Directors, for Property Matters, on the 6th of October and 27th of October and made comments which have been responded to and set out in Appendix 3 and 4. These changes would further underpin and inform compilation of a property decision making protocol which would go forward to

Constitution Working Group and Standards Committee in the coming months for approval and addition to the Council's Constitution.

In considering the track changes to Section E – Scheme of Delegation - Section 2 General Delegation to Directors, the Chair noticed that there were out of date references to the Staffing and Remuneration Committee which had expired as a committee and been replaced by the Appointments Panel and Disciplinary, Grievance and Dismissal Panel and it was agreed to rectify these references in the report to the Council meeting.

RESOLVED

1. To agree the proposed amendments to Part Three – Responsibilities for Functions, Section E – Scheme of Delegation - Section 2 General Delegation to Directors, Property Matters, as set out in track changes in Appendix 3 and also proposed final version at Appendix 4.
2. To recommend these amendments to the Council's Constitution for approval at full Council on the 20th of November in accordance with part three section B, paragraph 5(l) of the Committee's terms of reference.

Reasons for decision

This is in accordance with the powers of the Standards Committee which are set out at part three section B, paragraph 5(l), *Considering amendments to the Constitution and recommending proposals to full Council for approval.*

Alternative options considered.

None - The amendments to the Council's Constitution are required as set out at Appendix 1, External Property Review Action Plan, reference item 1.

25. COMMITTEE WORK PROGRAMME

NOTED

26. NEW ITEMS OF URGENT BUSINESS

NONE

27. EXCLUSION OF THE PRESS AND PUBLIC

NONE

28. EXEMPT MINUTES

RESOLVED

To confirm and sign the exempt minutes of the Standards Committee meeting held on the 27 June 2023 .

29. NEW ITEMS OF EXEMPT URGENT BUSINESS

NONE

CHAIR: Councillor Ibrahim Ali

Signed by Chair

Date