



Haringey Council

Agenda item:

[No.]

STANDARDS COMMITTEE

ON 6 JUNE 2011

Report Title. Annual Report from the Standards Committee : 2010 /11

Report of Standards Committee

Bernie Ryan

Signed : Annabel Loyd, Chair of the Standards Committee and Mr Bernie Ryan,
Monitoring Officer, London Borough of Haringey

Contact Officer : Clifford Hart, Committees Manager

Telephone: 020 8489 2920 E-mail: clifford.hart@haringey.gov.uk

Wards(s) affected: n/a

Report for: non key decision

1. Purpose of the report

1.1 To report on the activities of Standards Committee over the previous year and to give information on the monitoring of the Members' Code of Conduct and of complaints against members.

<p>2. Introduction by Cabinet Member – n/a</p>
<p>3. State link(s) with Council Plan Priorities and actions and /or other Strategies: 3.1. This report is part of ensuring good ethical governance of the authority and complements the Council's Code of Governance and Annual Governance Statement.</p>
<p>4. Recommendations</p> <p>4.1 That the Standards Committee consider and note the enclosed Annual Report.</p>
<p>5. Reason for recommendation(s) 5.1. It is required to consider and endorse the Annual Report for 2009/10.</p>
<p>6. Other options considered 6.1. n/a</p>
<p>7. Summary This item reports on the activities of Standards Committee for the Municipal Year 2010/11 and gives information on the monitoring of the Members' Code of Conduct and of complaints against Members.</p>
<p>8. Chief Financial Officer Comments 8.1 The report is noted and there are no specific financial implications</p>
<p>9. Head of Legal Services Comments 9.1. The legal implications are contained in the main report</p>
<p>10. Head of Procurement Comments –[Required for Procurement Committee] 10.1. n/a</p>
<p>11. Equalities & Community Cohesion Comments 11.1. There are no specific implications. The Committee is bound by its terms of</p>

reference and will conduct itself within these.

12. Consultation

12.1. n/a

13. Service Financial Comments

13.1. n/a

14. Use of appendices /Tables and photographs

14.1. Attached annual report at appendix A and Appendix B Gifts and hospitality register

15. Local Government (Access to Information) Act 1985

15.1. [Also list reasons for exemption or confidentiality (if applicable)] – n/a

APPENDIX 1

ANNUAL REPORT OF THE STANDARDS COMMITTEE: 2010/11

1. Introduction

This item reports on the activities of Standards Committee for the Municipal Year 2010/11 and gives information on the monitoring of the Members' Code of Conduct and of complaints against Members.

Standards Committees for all Authorities in 2008/09 had gone through a period of major change due to the implementation of the 2007 LGA and the publication of a new Model Code of Conduct which Haringey - in common with other Authorities - has adopted, un-amended, as its own Code. The 2010/11 year has successfully continued to work with these new arrangements and has had 2 meetings of its Assessment Sub-committee, 1 meeting of its Review Sub-Committee, and 1 Standards Determination Hearing Panels.

The Register of Interests is available for all to view both in hard copy and on the Council's website. Individual declarations made at meetings are also able to be viewed on-line as part of meetings' minutes. At the beginning of the year, Councillors were informed that their register of interests would be placed on the Council website unless they chose to opt out from this. No Councillor signalled a wish not to be included in this online register and this increased transparency has therefore been implemented throughout the year.

Independent Members

The Committee welcomes the appointment of Andrea Rabe & Christopher Watts as new independent members, who were appointed in November 2010, and confirmed on 22 November 2010. The Committee organised the recruitment to the positions and was able to select both from a high-quality pool of applicants. The vacancies have arisen as a result of (i) the resignation of 1 Independent Member – John Batterham in July 2010, and (ii) the period of office of one of the existing Independent Members (Carol Sykes) coming to an end on 23 May 2011. However Ms Sykes period of office has been extended a further 6 months (agreed on 4 April 2011 by Full Council) for the period 24 May 2011 to 30 September 2011 to cover the maternity period of Independent member Rachel Hatch. This was done in order to allow for continuity, and to bring wealth of knowledge and expertise to the Committee from serving for 5 years to date, which would assist the development of the 2 newly appointed Members.

The Standards Committee continues to work for the improvement of ethical standards in the Council in Haringey, and we look forward to another successful year ahead. We recognise that we would not be able to carry out our work without the support of Officers, whom we would like to thank.

Annabel Loyd
Chair, Standards Committee
June 2011

2. Signatories to the Members' Code of Conduct

At the end of the reporting year all 57 Councillors had signed accepting the Code of Conduct, as had all independent Members of the Standards Committee, and the 4 Co-opted Members of the Overview and Scrutiny Committee.

Details of the Standards Committee

3.1 Political Breakdown

At the start of the reporting period, Standards Committee consisted of

4 Labour Councillors; 3 Liberal Democrat Councillors; 6 Independent Members

3.2 Changes in Membership

Following the resignation of 1 Independent Member in July 2010 (J Batterham), a recruitment process was commenced to fill this Independent Member position as well as to fill a vacancy that would arise in May 2011 due to the term of office of one the existing independent members ceasing. The vacancies were appointed to in November 2010 and confirmed by Full Council on 22 November 2010, with one appointee (Ms Andrea Rabe) commencing their term of office with immediate effect, and the other appointee (Mr Christopher Watts) commencing their appointment on 23 May 2011..

3.3 Chair and Deputy Chair

Ms A Loyd & Ms R Hatch and were elected, respectively, as Chair and Deputy Chair for the Municipal Year 2010/11.

3.4 Meetings

Three ordinary meetings and a number of training sessions were held during the year. The Minutes of Meetings held during the year, having been previously circulated, are available, by request, from the Standards Committee Manager and for inspection in the Members' Rooms, prior to and immediately following the Council Meeting on 18th July 2010.

The Minutes are also available on the authority's website at <http://www.minutes.haringey.gov.uk> .

3.5 Monitoring Officer

The Committee's Lead officer continued to be John Suddaby. the Authority's Monitoring Officer until 23 May 2011.

3.6 New arrangements for Local Filter of complaints

New arrangements for dealing with complaints under the Members' Code of Conduct became effective from 8 May 2008 and gave the Standards Committee the responsibility for assessing, reviewing and determining complaints that a Member has

failed to abide by the Code of Conduct. Standards for England would still determine cases in exceptional circumstances and will retain a responsibility for advising Standards Committees and overseeing the effectiveness of the new arrangements.

The Council's Standards Committee set up two new sub-committees to discharge their new functions. The Assessment Sub-Committee decides if there is sufficient evidence to refer a complaint to the Monitoring Officer for investigation or in the most serious cases to the SBE. If the decision is to take no action, a complainant can request a review to be undertaken by a Review Sub-Committee with a different membership. Where a hearing into a complaint is necessary this will be undertaken by a Hearing Sub-Committee in accordance with existing procedures.

These Sub-Committees comprise members of the Standards Committee selected in rotation so far as is practicable. There will always be at least one elected Councillor but the Chair must be an independent member under the Regulations.

Since the membership of the Sub-Committees is not fixed but selected in rotation, power has been delegated to the Head of Local Democracy and Member Services to appoint the membership for meeting in consultation with the Chair of the Standards Committee and the Monitoring Officer, detailed in the Scheme of Delegation to Officers (Appendix E, Part F.7, Section 9, paragraph 1.4 of the Constitution).

Training of Standards Committee Members in the new responsibilities has continued and took place in early June, and September 2010. The Assessment Sub-Committee has met on 2 occasions where no action has been taken on 1 complaint and 1 complaint being referred to the Monitoring Officer for investigation. The Review Sub-Committee met on 1 occasion and agreed that no action be taken on the case referred to it.

The Standards Committee – Determination Hearing Panel met on 1 occasion to consider the outcome of an investigation into the conduct of an individual Councillor, with the hearing panel imposing a 4 month suspension of the subject Councillor concerned.,.

In respect of granting exemptions from political restriction to Council posts, the amendments to the legislation also gave local Standards Committees a new role, replacing the national adjudicator, in granting exemptions to officers at or above SCP 44 whose grade would otherwise place their posts within the list of those politically restricted. If a post below Deputy Chief Officer level does not require the officer to give regular advice to Member bodies/Committees or to speak regularly to the media as a Council representative, then the Standards Committee will be able, on the officer's application, to grant an exemption from political restrictions. Any person can ask the Standards Committee to consider whether to direct the inclusion of any post within the politically restricted list applying the criteria above.

4 Register of Members' Interests (ROI)

The ROI is available for inspection, by appointment within normal working hours, at River Park House.

Additionally, a simplified version of the ROI is included on the Haringey Council website. The simplification consisted of:

- modification of entries by removal of personal contact details;
- allowing Members to opt in or opt out of having their register published on the website.

5 Registration Form for Gifts and Hospitalities

5.1 Summary of Registrations

All signatories to the Members' Code of Conduct are required to register with the Monitoring Officer each Gift or item of Hospitality of value of £25 or more received and arising out of their official positions. Registration of items valued at less than £25 was, and still is, voluntary.

Entries registered for items of gifts and hospitality offered during the year are available under each individual Member's Register of Interests.

5.2 Access

The RGH was available for inspection, by appointment within normal working hours, at River Park House. It was also available on the Authority's website.

Under the terms of the 2007LGA and the new Members' Code of Conduct, the RGH has now been combined with the Register of Financial and Other Interests to form the Register of Interests. This means that the full register of interests and of gifts and hospitalities has been placed on the Council website unless individual Councillors have opted for this not to happen in their individual case. No such requests for exemption have been received and therefore this combined register has been published on the website and amended during the course of the year.

All entries remain available for inspection at River Park House. For the year 2010/11 onwards, the Register of Members Interests minus home addresses will be placed on the Council's website unless individual Members specifically opt out of this.

6 Declarations of Interest

The definitions of "personal interest" and "prejudicial interest" are given in the Members' Code of Conduct.

A prejudicial interest is a personal interest which either relates to a Council regulatory function or affects the financial interests of the Member or relevant person and which would be perceived as so significant by a member of the public that the Member would be likely to be unable to judge the public interest. Thus all interests as defined by the Code are personal, with some that meet additional criteria being termed prejudicial.

Declaration of Interests is placed as a specific Item on the Agenda of every meeting of the Full Council and of every meeting of every serviced committee.

Council Minutes show there were 30 declarations of personal, non-prejudicial interest at meetings of the full Council during the whole year. There were 2 declarations of prejudicial interest.

7 Complaints about alleged failures to adhere to the Members' Code of Conduct

7.1 Complaints decided during the year

The number of complaints concerning alleged breaches of the Members' Code of Conduct which were decided during the year is shown in Table 3.

Table 1: Complaints decided during the year

	Last Year	this Year
Decided by an Ethical Standards Officer	0	0
Decided by the Adjudication Panel for England	0	0
Decided by the Standards Committee	4	2
No of Complaints received in 2010/11	3	2
No of Assessment Sub-Committees held	4	2
No of Complaints sent for investigation following Assessment Sub-Committee	1	1
No of complaints rejected at Assessment Sub-Committees	2	1
No of Review Sub- Committees held	1	1
No of Determination hearings held	3	1

7.2 Complaints outstanding

As of 31 May 2011 there is 1 complaint being dealt with at various stages of the procedure which had not been finally dealt with.