

UNRESTRICTED MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE HELD ON Thursday, 15th October, 2015, at 19.00hrs.

PRESENT:

Councillors: James Ryan, Lorna Reith, Raj Sahota (Chair), Peter Mitchell, David Beacham

24. FILMING AT MEETINGS

The Committee noted the arrangements in respect of filming at meetings, as outlined by the Chair.

25. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Morris, for whom Councillor Beacham was substituting, and from Councillor Weston, for whom Councillor Mitchell was substituting.

NOTED

26. URGENT BUSINESS

There were no items of urgent business.

NOTED

27. DECLARATIONS OF INTEREST

Councillors Beacham & Reith declared a personal interest in Item 11, as members of the Homes for Haringey Board.

NOTED

28. MINUTES

The Chair asked if there were any points of clarification or accuracy.

Councillor James Ryan asked that in future, any comments attributed or referenced to either him or the Assistant Director Corporate Governance & Monitoring Officer – Mr Ryan (Bernie) be clearly stated by showing their full name – this would then avoid any such confusion.

NOTED

RESOLVED

That minutes of the Standards Committee held on 15 June 2015 be agreed and signed by the Chair as an accurate record of the proceedings.

29. VERBAL REPORT OF ASSISTANT DIRECTOR CORPORATE GOVERNANCE & MONITORING OFFICER

The Assistant Director Corporate Governance & Monitoring Officer's Principal Lawyer Ms Vydulinska advised the Committee that since the commencement of the 2015/16 Municipal Year there had been one referral from the Monitoring Officer for consideration by the Standards Assessment Sub-Committee in relation to a complaint received regarding a potential breach of the member Code of Conduct. The Sub-Committee had met on 14 September 2015 to consider the referral and the complaint had been dismissed.

NOTED

30. RECRUITMENT OF INDEPENDENT MEMBERS FOR STANDARDS COMMITTEE AND STAFFING AND REMUNERATION COMMITTEE

The Chair asked for a brief introduction to the report.

The Assistant Director Corporate Governance & Monitoring Officer's Principal Lawyer Ms Vydulinska advised the Committee that the report 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 Staffing and Remuneration Committee when considering the dismissal of either the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer.

Ms Vydulinska advised that the Council had a legal duty to put in place arrangements for having an Independent Person in relation to allegations of breaches of the Code of Conduct, and 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 required Independent Persons appointed in relation to the Standards regime to be invited to participate in this process. Under section 28(7) of the Localism Act 2011 the Council had to appoint at least one Independent Person (IP) whose views were to be sought and taken into account by the Council before it made 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 was made.

Ms Vydulinska also advised that Authorities had to invite any IPs supporting the Standards Committee for that purpose although it was also possible to use IPs from other authorities for this purpose where the authority considered it appropriate. An IP

was required to be appointed following an advertisement and application process and confirmation by full Council. The proposed appointments had to be made at the latest, by the May 2016 Annual Council meeting., and it was intended to recommend appointments at the Full Council meeting in March 2016.

Ms Vydulinska further advised that the Council had appointed two Independent Persons in July 2012 (a primary and a secondary/deputy IP) and although only the primary IP had been engaged in respect of these duties, it was still considered prudent to have a secondary IP as a reserve, not least because of the additional duties for which the IPs may now be used. The incumbent primary IP had provided excellent independent support to the Standards Committee and the Monitoring Officer, however the law did not allow the Council to reappoint her when her term expired on 30th June 2016.

Ms Vydulinska concluded that the current primary IP was remunerated at a rate of £1,000 per year and the secondary IP at a rate of £250 per annum. Councils were able to also remunerate IPs that were invited to participate in recommendations relating to the dismissal of the statutory officers, however the remuneration must not exceed that paid to the IPs under the standards regime. Whilst the views of the IP were fairly regularly sought and her attendance required at hearings relating to breaches of the Code, it was not clear whether or not the attendance of IPs would be required in relation to the dismissal of a statutory officer, and it was therefore proposed that payment to the primary IP was increased to £1250 to accommodate any potential role in the panel considering dismissal of statutory officers, but that the payment for the secondary IP who had not as yet had to attend a hearing in relation to the breach of the Code of Conduct by a member remain the same at £250. The proposals represented a small increase of £250 to the current budget, to cover the additional role of the IPs in making recommendations to Council in respect of the dismissal of a statutory officer.

Following a brief discussion of the report and points of clarifications from members as to the process of advertisement, and recruitment, together with minor points in relation to person spec and application for as circulated the Chair summarised and it was:

RESOLVED

- i. That approval be given to the commencement of the recruitment exercise for two Independent Persons;
- ii. That approval be given to the annual allowance for independent members of £1,250 for the primary member and £250 for the secondary member (subject to Council approval); and
- iii. That the Independent Persons appointed also be available to be considered for appointment to the relevant committee appointed by the Council (currently Staffing and Remuneration Committee) 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)

31. ANY OTHER UNRESTRICTED ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT

Nil items

32. DATES OF NEXT MEETINGS

28 January 2016

7 March 2016

Noted

33. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED

That the press and public be excluded the from the meeting for consideration of Item 11 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paragraphs 1 & 2; namely information relating to any individual, and information likely to reveal the identity of an individual.

34. CONSIDERATION OF THE OUTCOME OF INVESTIGATIONS IN RESPECT OF STANDARDS ASSESSMENT SUB-COMMITTEE COMPLAINT REFERRAL NO. SC005/1415

AGREED RECOMMENDATIONS

There being no further business to discuss the meeting ended at 20.08hrs.

35. ANY OTHER EXEMPT BUSINESS THE CHAIR CONSIDERS TO BE URGENT

Nil Items

CHAIR: Councillor Raj Sahota

Signed by Chair

Date