

**Report for:** Standards Committee 6 July 2017  
**Title:** **Committees and Outline Work Programme**  
**Report authorised by:** Bernie Ryan, Assistant Director – Corporate Governance and Monitoring Officer  
**Lead Officer:** Michael Kay, Democratic Services Manager  
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**Ward(s) affected:** N/A

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

**1. Describe the issue under consideration**

1.1 This report seeks confirmation of the Membership of the Standards Assessment and Hearing Sub-Committees and sets out some suggestions for the Committee's work programme, in particular how the Committee could proceed with its planned review of Members' allowances.

**2. Cabinet Member Introduction**

N/A

**3. Recommendations**

That the Committee:

- 3.1 Agree the membership of the Standards Assessment Sub Committee and the Standards Hearing Sub Committee as set out at 5.3
- 3.2 Note and comment on the proposals for the Committee's outline work programme

**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 the membership of the parent committee agreed at Annual Council also be the membership of the two sub-committees, given the need for Members' expertise and discretion on these matters.
- 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. Standards Work Programme**

- 6.1 There are three further meetings of the Standards Committee in 2017/18: 14 September, 16 November and 8 March 2019.
- 6.2 The Standards Committee agreed when it considered the proposed Members' Allowances Scheme for 2017-18 on 7 March 2017 that it would undertake a full review of Members' Allowances in this municipal year. These would be to inform the allowances scheme put to Council in March 2018 for 2018-19, following the municipal elections.
- 6.3 It is suggested that the Standards Committee receive at its meeting in September some factual briefing on Members' allowances, including the

Haringey scheme, available guidance and comparative information. This could outline what positions in other boroughs attract allowances, at what levels, and what other payments were available for Members, for example allowances for broadband etc. Members could use this information to suggest options that could be prepared its November meeting.

- 6.4 At its November meeting, Members could consider the options as drawn up, and determine how they would want to engage other Members before concluding its review by agreeing recommendations at its March 2018 meeting.
- 6.5 At the outset of this work, Members should note that London Councils have indicated that they will be preparing new guidance on Members' Allowances for publication in early 2018-19, but after municipal elections. The Council must pay regard to this guidance in setting its allowances, and it is therefore suggested that the review focus on the structure of the allowance scheme, rather than the specific levels of allowances to be paid. The levels of individual allowances would need to be revisited in the light of the new guidance, so the levels emerging from the Committee's review would take effect for only a year.
- 6.6 Other matters to be considered at the Committee's remaining meetings would depend on matters arising from complaints received and constitutional changes put forward for the Committee's consideration. In particular, the report on constitutional changes that was deferred without consideration from the March meeting to this meeting included a recommendation that the Council's procedures be reviewed. Should that recommendation be agreed, this would comprise another matter to return to the Committee in September and November for recommendation to the November Council.

**7. Contribution to strategic outcomes**

N/A

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

**9. Use of Appendices**

N/A

10. **Local Government (Access to Information) Act 1985**
  - a. London Borough of Haringey Constitution