

**STANDARDS COMMITTEE**  
**Friday, 29 January 2016**

Minutes of the meeting of the Standards Committee held at Committee Room - 2nd  
Floor West Wing, Guildhall on Friday, 29 January 2016 at 11.30 am

**Present**

**Members:**

Edward Lord (Chairman)  
Oliver Lodge (Deputy Chairman)  
Judith Barnes  
Nigel Challis  
Mark Greenburgh  
Michael Hudson  
Deputy Alastair King  
Dan Large  
Felicity Lusk  
Virginia Rounding  
Tom Sleigh

**Officers:**

Gemma Stokley	- Town Clerk's Department
Michael Cogher	- Comptroller and City Solicitor
Edward Wood	- Comptroller and City Solicitor's Department
Deborah Cluett	- Comptroller and City Solicitor's Department
Charles Henty	- Secondary and Under-Sheriff of London and High Bailiff of Southwark

**1. APOLOGIES**

There were no apologies for absence.

**2. DECLARATIONS BY MEMBERS OF ANY PERSONAL AND PREJUDICIAL INTERESTS**

There were no declarations.

**3. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 2 October 2015 were considered and approved as a correct record.

**MATTERS ARISING**

**Complaints Procedure and Form (page 3)** – The Comptroller and City Solicitor informed the Committee that a written report summarising Complaints dealt with informally by the Chief Commoner would be submitted to their next meeting.

**Revised Guidance to Members re: Code of Conduct (page 3)** – The Town Clerk reported that, at the Committee’s request, relevant Committee Chairmen had been contacted to request that they remind their Co-opted Members of the need to submit responses to the Town Clerk at their next scheduled meetings. This had resulted in a further 12 responses meaning that there had now been 87 responses in total and 83 responses still outstanding from Co-opted Members from across the organisation.

The Committee requested that the Town Clerk provide a breakdown of responses by Committee for their next meeting so that they were able to identify if there were issues of compliance in particular areas.

The Chairman highlighted that he had particular concerns around the lack of responses received from those co-opted Members who sat on the City Corporation’s statutory consultative committees.

The Comptroller and City Solicitor informed the Committee that he would be producing a report on the legal status/constitution of the various Sub, Consultative and Grand Committees for whom responses were still outstanding to the next meeting of the Standards Committee with advice on how best to proceed in each case.

The Committee agreed that this would be helpful and would enable them to re-think their policy on this matter so that if a body were purely advisory and the City Corporation were keen to encourage participation, it might not be necessary for all members of that body to submit a response.

The Chairman reported that the City’s Property Investment Board had recently taken the decision to co-opt an additional 3 Members who would also be required to return the necessary forms.

#### **4. MINUTES OF THE ASSESSMENT SUB COMMITTEE**

##### **4A. 16 December 2015**

The Committee received the public minutes and summary of the Assessment Sub-Committee meeting held on 16 December 2015.

The Chairman reported that Mr Sleight had now been replaced by Mr Lodge on the Sub-Committee. This was because the matter involved officers who reported to a body on which Mr Sleight was currently serving as Deputy Chairman and so he had taken the decision that it would be best for him to stand down.

##### **4B. 21 January 2016**

The Chairman reported that the Assessment Sub Committee that originally met on 21 January 2016 would be reconvened today following Members’ request for further clarification on a number of issues. The minutes of both the original and the reconvened Assessment Sub Committee meeting would be submitted to the next meeting of the Standards Committee for information.

5. **STANDARDS COMMITTEE- TERMS OF REFERENCE AND FREQUENCY OF MEETINGS**

The Committee considered a report of the Town Clerk concerning its Terms of Reference, the terms of reference of its sub committees and its frequency of meetings ahead of submission of the White Paper to the Court of Common Council on 21<sup>st</sup> April 2016.

The Deputy Chairman disagreed with the fact that there continued to be a dual measure of service for Standards Committee Members. He suggested that this be amended to read "None of the appointed shall serve on the Committee for more than eight years in total". The Committee unanimously agreed with this amendment.

With reference to terms of reference of the Hearing Sub Committee, the Deputy Chairman stated that it seemed wrong to suggest that the Sub Committee could 'impose' any sanctions given that, if removal of a Member from a particular committee or committees was decided upon then a recommendation would have to be made to the relevant appointing body in each case. The Comptroller and City Solicitor suggested that this could be amended to read "...it may take any one or a combination of the following actions...". The Committee suggested that approval of the final wording of this paragraph be delegated to the Town Clerk and Comptroller and City Solicitor in consultation with the Chairman and Deputy Chairman.

The Chairman highlighted that both Mr Challis and Mr Hudson would be up for re-appointment to the Committee in April 2016.

**RESOLVED – That:**

- (a) Members approve the Standards Committee's Terms of Reference for submission to the Court of Common Council on 21<sup>st</sup> April 2016 subject to the amendment referred to above regarding the maximum length of service for Standards Committee members;
- (b) Members agree that the Standards Committee continue to meet three times per annum; and
- (c) Members note the scheduled meeting dates for the remainder of 2016 and 2017.

6. **DECLARATION OF GIFTS AND HOSPITALITY IN RELATION TO THE SPECIAL PROVISION MADE FOR THE LORD MAYOR AS A CEREMONIAL OFFICE HOLDER**

The Committee received a report of the Private Secretary & Chief of Staff updating Members on the Lord Mayor's declaration of gifts and hospitality.

In response to a question regarding the policy around the retention of gifts by the Lord Mayor, the Chairman reported that a note was kept on file at Mansion House on this. A Co-opted Member commented that the policy for Government and Royalty was that all gifts received went to storage unless purchased by the

officer holder and it therefore seemed that the Lord Mayor's policy on this was not consistent with the approach adopted elsewhere. The Chairman highlighted that there was a considerable amount of personal cost incurred by the Lord Mayor whilst in office and that this was an unpaid office with no tax implications.

The Chairman went on to inform the Committee that he was to receive a report directly from Mansion House should the Lord Mayor receive any gift/hospitality of a politically sensitive nature. He confirmed that there had been no such report to date.

The Chairman drew Members' attention to the addition of overseas hospitality as requested by the Committee at their last meeting.

## **RECEIVED.**

### **7. UPDATE ON SHRIEVAL DECLARATION ARRANGEMENTS**

The Committee received a report of the Secondary of London updating Members on the arrangements that had now been implemented for the Sheriffs' declarations of gifts and hospitality.

The Chairman reported that, whilst one of the City's Sheriffs was, typically, not a Common Councilman or Alderman, they were still 'caught' by the Code of Conduct as ex-officio members of a number of City of London Corporation committees.

The Secondary reported that the Old Bailey had followed the example set by Mansion House in terms of the registering of gifts and hospitality and he hoped that this was to the Committee's satisfaction. He went on to report that, unlike the Lord Mayor, the Sheriffs did not tend to be the recipients of very expensive gifts.

The Committee were informed that the new arrangements around registering gifts and hospitality had been in place since the beginning of the new Shrievalty in September 2015 and that the Secondary would continue to provide similar public reports on this matter to the Committee on a quarterly basis.

A Member suggested that the assumption that one of the Sheriffs was always an Alderman be removed. It was also noted that the value of gifts was very much a guesstimate and that it was therefore unnecessary to include this information in future reports.

In response to a question regarding the policy around the retention of gifts, the Secondary repeated that the gifts given to the Sheriffs tended to be small, personal items but that, if a gift of great significance/value were to be received he would seek advice on the retention of such a gift.

Members asked that future reports record whether either Sheriff were accompanied by their escort at events.

Finally, Members informed the Secondary that it was not necessary to list invitations to events from the Queen in future reports.

The Chairman, on behalf of the Committee, thanked the Secondary for his efforts in this area and for his comprehensive report and log.

**RECEIVED.**

**8. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

**Ward Newsletters in the run up to the 2017 Common Council Elections**

A Member referred to the forthcoming 2017 Common Council elections and questioned whether any guidance currently existed for Members around using publications such as Ward Newsletters for what might be perceived as electioneering.

The Comptroller and City Solicitor reported that the Local Government Act 1986 touched upon this matter with regard to 'promoting political ends'.

A Member commented that this matter did not seem to be within the remit of this Committee and highlighted the fact that guidance around the appropriate use of Corporation resources was normally circulated to all Members nearer the election period.

Members went on to question the publication of the Ward Newsletters and whether there was any oversight of this at officer level given that they were produced at the Corporation's cost. The Comptroller and City Solicitor undertook to ascertain exactly what oversight of these publications was currently in place.

The Chairman suggested that a minute on this item be sent to the Policy and Resources Committee given that it was their decision a number of years ago to create Ward newsletters and to print and post these at the City Corporation's expense. It would then be for them to consider whether or not guidance on the appropriate use of these publications should be issued to Members in the run up to the 2017 elections.

**9. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**  
**Hearing Sub Procedures**

The Chairman highlighted that the Hearings Sub Committee had taken a decision earlier this morning to proceed to a full Hearing with regard to a complaint submitted to them. He went on to report that, as this would be the first of such hearings that the Sub Committee would oversee, there were some questions around whether this should be held in public or private session (different authorities currently took very different approaches to this) and further questions around what approach should be taken with regard to the publication of any decisions reached by the hearing. The Chairman welcomed the views of the Committee on this matter.

The Committee were informed that the advice from the Assistant City Solicitor had been that the Sub Committee would have sufficient legal justification to hold the forthcoming hearing in private session.

One Co-opted Member commented that she was of the view that any decision reached should be published unless there was good reason not to. She added that her instinct was that the hearing should also be held in public for the same reason. However, another Co-opted Member disagreed and stated that the hearing should be held in private with a view then taken as to whether or not any decisions made should be made public on a case by case basis, taking into consideration the severity of each case.

An Independent Person concurred that the hearing should be held in private as was the case with many trade/professional bodies but that a strong case could then be made for making any decisions reached public.

A Member stated that he felt that hearings in general should be held in public unless this would be of concern to the complainant.

In response to a question, the Chairman confirmed that, if a hearing were to be held in public, the press would be entitled to attend and also to make audio/visual recordings of the proceedings.

The Comptroller and City Solicitor confirmed that the provisions of the Local Government Act 1972 now applied to such meetings and therefore there was a presumption that hearings would be held in public unless they dealt with exempt information. He added that it would be for the relevant Sub Committee to take a view regarding any exempt information on a case by case basis. Where a complaint under the Code of Conduct was connected to disciplinary proceedings against an employee for example, it was likely that any hearing would be held in non-public session. Other complaints may be more public in nature. The Committee were informed that, where cases were held in private session, public minutes providing a sufficient summary would still have to be produced.

The Chairman thanked Members for their views and stated that all future hearings would be held in public unless there were clear, sufficient legal grounds for them to be private. With regard to decisions taken by the Sub Committee, it was agreed that these should be made public with the reasons behind such decisions also published unless these contained exempt information as covered by the Local Government Act 1972.

### **Dispensations Sub Committee**

A copy of a letter sent to all Members of the Court of Common Council on behalf of the Chairman of the Standards Committee and the Comptroller and City Solicitor was tabled. The letter concerned a forthcoming debate and vote that was due to take place at the Finance Committee and potentially the Court of Common Council regarding the Business Rate Premium and any disclosable pecuniary interests Members might have around this. The letter had also advised Members that a Dispensations Sub Committee had been scheduled for

Wednesday, 10 February 2016 to consider any written requests for a dispensation that Members might want to submit to enable them to talk and vote on this matter.

The Chairman sought the availability of two Common Councilmen and one Co-opted Member to sit on the forthcoming Dispensations Sub Committee.

**RESOLVED** – That, the following Members be appointed to the Dispensations Sub Committee scheduled for 10.00am on Wednesday 10 February 2016:

- Nigel Challis
- Dan Large (Co-opted Member)
- Edward Lord
- Virginia Rounding

**The meeting ended at 12.40 pm**

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Chairman

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