

STANDARDS COMMITTEE
Friday, 7 October 2016

Minutes of the meeting of the Standards Committee held at Committee Room - 2nd
Floor West Wing, Guildhall on Friday, 7 October 2016 at 11.30 am

Present

Members:

Oliver Lodge (Chairman)
Edward Lord (Deputy Chairman)
Judith Barnes
Nigel Challis
Mark Greenburgh
Deputy Jamie Ingham Clark
Dan Large
Oliver Lodge (Chairman)
Edward Lord (Deputy Chairman)
Virginia Rounding
Alderman Sir Alan Yarrow

Also Present:

Deputy Michael Welbank, Chief Commoner

Officers:

Gemma Stokley	-	Town Clerk's Department
Chrissie Morgan	-	Director of Human Resources
Michael Cogher	-	Comptroller and City Solicitor
Edward Wood	-	Comptroller and City Solicitor's Department

1. APOLOGIES

Apologies for absence were received from Neil Asten (Independent Person) and Deputy Alastair King.

2. DECLARATIONS BY MEMBERS OF ANY PERSONAL AND PREJUDICIAL INTERESTS

The Chairman and Deputy Ingham Clark declared a non-pecuniary interest in relation to agenda Item 3 (Minutes of the Previous Meeting), stating that they were both members of the Guildhall Lodge.

The Deputy Chairman declared a non-pecuniary interest in relation to the same agenda Item, stating that he was a Member of the City of London Lodge of Installed Members.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 8 July 2016 were considered and approved as a correct record.

MATTERS ARISING

Freemasonry (page 1) – In response to a query raised at the last meeting, the Town Clerk reported that she had made enquiries with the Remembrancer's Office to ascertain whether lodges were unique in receiving free use of the Guildhall Crypts three times per year. The Town Clerk reported that she had been informed that this arrangement was unique to the 4 lodges associated with the City of London. In response to further questions, the Town Clerk stated that it was her understanding that this was a matter of custom and practice and was a historical arrangement overseen by the Remembrancer.

The Chief Commoner reported that the Remembrancer reported to the Hospitality Working Party on such matters. The Deputy Chairman stated that he suspected that, historically, this arrangement had been agreed by the Chief Commoner. The Town Clerk undertook to make further enquiries on behalf of the Committee and to ask the Remembrancer on what grounds masonic lodges received preferential rates for use of Guildhall Crypt.

A Member highlighted that the Finance Committee had recently been looking at all non-pecuniary gifts/benefits and suggested that this should also feature here.

Co-opted Member Vacancy (page 3) – The Town Clerk reported that, following the Committee's instructions to proceed with recruiting to the recently created co-opted Member vacancy, it was hoped that the advertisement would 'go live' later this month following final sign-off from the Chairman and Deputy Chairman.

The Town Clerk outlined a draft timetable for recruitment, highlighting that final interviews were likely to take place early in the New Year.

The Town Clerk undertook to notify all Members of the Standards Committee once the advertisement had 'gone live' so that they could look to encourage any suitable candidates they might know to apply.

Complaint to the Chairman of the General Purposes Committee of Aldermen (page 4) – The Chairman reported that he was still awaiting a response to the formal complaint he had filed with the Chairman of the General Purposes Committee of Aldermen regarding unacceptable comments made by an Alderman at the Court of Common Council meeting at which the Annual Report of the Standards Committee had first been considered.

4. **LORD MAYOR'S REGISTER OF GIFTS AND HOSPITALITY**

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

RECEIVED.

5. **SHERIFFS' REGISTER OF GIFTS AND HOSPITALITY**

The Committee received a report of the Secondary of London presenting the updated position on gifts and hospitality received by the Sheriffs of the City of London.

Members stated that, in the interest of transparency, they were grateful to now receive these reports for ceremonial officeholders on a regular basis.

In response to a question regarding the Sheriffs' overseas travel, the Town Clerk reported that the Sheriffs often accompanied the Lord Mayor on official City of London business overseas and that this was not, therefore a gift.

RECEIVED.

6. **ANNUAL REVIEW OF PROTOCOL ON MEMBER/OFFICER RELATIONS**

The Committee considered a report of the Director of Human Resources providing Members with an annual review of the Protocol on Member/Officer relations and highlighting any related issues that have arisen in the year 1 August 2015 – 31 July 2016.

The Director of Human Resources highlighted that, in addition to the standard annual report to the Committee, some changes were also recommended this year in terms of the Member/Officer Protocol. The Director went on to highlight that whilst the Protocol was not explicitly part of either the Member or Employee Code of Conduct, it was now also recommended that the document be appended to the Employee Code of Conduct in order to make the connection between the two and the fact that the Protocol should be viewed in conjunction with this document clear.

The Chairman stated that he would also like to see the Protocol appended to the Guidance on the Members Code of Conduct going forward. He highlighted that this had also been the subject of some Member Development sessions delivered by the Comptroller and City Solicitor and it was hoped that this would also be offered to all new Members elected in Spring 2017 as a priority.

In response to questions, the Town Clerk reported that two Member Development sessions on the Member/officer Protocol had taken place over the past 3 months, with the Chairman of the Standards Committee writing to all directly elected and Co-opted Members strongly encouraging them to attend on the back of the recent complaint dealt with by the Committee. The Town Clerk reported that approximately 50 directly elected and Co-opted Members had attended across the two sessions. The Comptroller and City Solicitor reported that he was very aware of the need to promote the Protocol amongst both Officers and Members and would be happy to host one more session before the end of the year and further sessions in March/April 2017 for new and returning Members.

The Chairman highlighted that any changes to the Member/Officer Protocol would also need the approval of the Establishment Committee who would then refer the matter up to the Court of Common Council for final approval.

With regard to the suggested changes to the Member/Officer protocol, the Chairman questioned whether it was appropriate to give such prominence to the Public Sector Equality Duty or whether this might appear disproportionate in the absence of specific reference to any other legislation. The Committee agreed that this might appear to be the case and so suggested some modification to the proposed recommendations.

RESOLVED – That, Members:

- Note the report;
- Approve the inclusion of specific reference to equality and diversity in the Protocol on Member/Officer Relations by including additional points in the Protocol's Expectations as follows:
 - 1) *(m) Commitment to equality, diversity and inclusion in their relationship with Members and colleagues that as appropriate takes into account our Public Sector Equality Duty*
 - 2) *(i) Commitment to equality, diversity and inclusion in their relationship with Officers and colleagues that as appropriate takes into account our Public Sector Equality Duty;*
- Approve the recommendation of the Establishment Committee to append the Protocol on Member/Officer Relations to the Employee Code of Conduct as set out in paragraph 8 of this report; and
- Append the Protocol on Member/Officer Relations to the 'Guidance to Members -Members' Code of Conduct' document.

7. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
Code of Conduct

A Member questioned whether the possibility of an elected Member trying to sue the City of London Corporation could be considered a breach of the Code of Conduct.

The Comptroller and City Solicitor clarified that this was not in breach of the Code of Conduct and that Members were entitled to exercise their legal rights. He added that, should any legal action be unsuccessful, the Member would be liable to pay the relevant associated costs.

8. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
Annual Committee Dinner

The Chairman reported that the date of this year's Committee dinner was still to be confirmed with the Remembrancer's Department.

Potential Judicial Review

In response to questions, the Comptroller and City Solicitor updated the Committee on a potential judicial review. The Comptroller confirmed that, in July, he had received a 19 page letter before claim concerning the recent case overseen by the Committee and alleging procedural impropriety. The Comptroller went on to confirm that he had robustly responded to each of the points in the letter before claim, concluding that they did not begin to raise an arguable case and were out of time.

The Committee were informed that a further two points were raised in early September which were also fully responded to and it was, again, pointed out that there was a timing issue – any challenge should be made promptly and, in any event, within 3 months – this timeframe had clearly lapsed. The Committee were informed that no further communication had been received to date.

The meeting ended at 12.35 pm

Chairman

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