

STANDARDS COMMITTEE
Friday, 16 May 2014

Minutes of the meeting of the Standards Committee held at Committee Room, 2nd Floor, West Wing, Guildhall on Friday, 16 May 2014 at 11.30 am

Present

Members:

Edward Lord (Chairman)
Oliver Lodge (Deputy Chairman)
Nigel Challis
Michael Hudson
Deputy Alastair King
Alderman Julian Malins
Virginia Rounding
Judith Barnes
Felicity Lusk (Co-opted Member)

Officers:

Lorraine Brook	- Town Clerk's Department
Michael Cogher	- Comptroller & City Solicitor
Edward Wood	- Comptroller & City Solicitor's Department

Also present: Neil Asten (Independent Person), Deputy John Bennett (Chief Commoner) and Chris Taylor (Independent Person) were also present at the meeting.

1. **APOLOGIES**

Apologies for absence were received from Tom Sleight and Anju Sanehi (Independent Person).

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were none.

3. **ORDER OF THE COURT OF COMMON COUNCIL**

The Order of the Court of Common Council, dated 1st May 2014, appointing the Committee and approving its Terms of Reference, was received.

RESOLVED – That the Court Order be amended as follows to provide greater clarification regarding the maximum length of service that an appointee can undertake: "None of the appointed shall serve on the Committee for more than a maximum of eight years in total."

4. **ELECTION OF CHAIRMAN**

The Committee proceeded to elect a Chairman in accordance with Standing Order No. 29.

The Town Clerk read out a list of Members eligible to stand as Chairman and Edward Lord, being the only Member indicating his willingness to serve, was duly elected Chairman for the ensuing year.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee proceeded to elect a Deputy Chairman in accordance with Standing Order No. 30.

The Town Clerk read out a list of Members eligible to stand as Deputy Chairman and Oliver Lodge, being the only Member indicating his willingness to serve, was duly elected Deputy Chairman for the ensuing year.

The Chairman then welcomed the Chief Commoner, Deputy John Bennett, the Independent Persons and also the new Members of the Committee to the meeting. The Chairman, on behalf of the Committee, also thanked The Revd Dr Martin Dudley for his service to the Committee ahead of his term of Office expiring at the end of March.

6. **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 31st January 2014 were approved as an accurate record.

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

The Committee received a report of the Town Clerk regarding the Committee's terms of reference and frequency of meetings in 2014/2015.

It was noted that, with reference to the Committee's membership in 2014/2015, and not 2013/14 as referenced at paragraph 11 of the report, Deputy Alistair King had been omitted from the list of Members. It was further noted that with regards to the Committee's frequency of meetings, as had been agreed by the Committee previously, three meetings would be scheduled each year.

In response to a question, the Chairman clarified the arrangements for considering complaints and alleged breaches of the Members' Code of Conduct.

It was suggested that, as per the discussion at Item 3, the Order of the Court be amended to specify that "none of the appointed shall serve on the Committee for more than a maximum of eight years in total." However, the Committee was of the view that, like other Committees of the Court of Common Council, a gap be introduced to enable former Members of the Committee to be reflected to serve on the committee once a reasonable break had taken place, thus ensuring that there was a sufficient turnover in membership but also giving interested Members the chance to serve on the Committee again.

The Committee asked that the Town Clerk and the Comptroller & City Solicitor explore the matter further and report back to the Committee in due course.

RESOLVED:- That –

- (i) the report be noted; and
- (ii) the Town Clerk and the Comptroller & City Solicitor give consideration to an amendment to the Committee's constitution in respect of the length of service a Member could serve on the Committee and the introduction of a defined break in service.

8. AMENDMENTS TO THE MEMBERS' CODE OF CONDUCT

Following a brief introduction by the Comptroller and City Solicitor in respect of the current Members' Code of Conduct, the Committee considered a joint report of the Town Clerk and the Comptroller and City Solicitor regarding proposed amendments to the Members' Code of Conduct (disclosable interests) and the introduction of a mandatory registration regime for gifts and hospitality.

Following consideration of a report at its meeting on 31st January 2014 in respect of amendments to the Members' Code of Conduct (disclosable interests) and the introduction of a mandatory registration regime for gifts and hospitality, the Committee's amendments were submitted to the Policy and Resources Committee for information, due to that Committee's responsibility for monitoring the Corporation's overall governance arrangements. Members were advised that a number of queries were raised at the meeting of the Policy and Resources Committee, including whether the threshold for gifts and hospitality was too high, and it was suggested that the issue of declaring membership of a charity should be better defined to ensure that the Members' declaration requirements were relevant.

With reference to the Code of Conduct, as set out on pages 23 and 24 of the report, it was agreed that the notification of any disclosable interest should be sent to the Town Clerk (on behalf of the Monitoring Officer) and that the Code should be revised accordingly. Following a query regarding sensitive interests, it was agreed that the Code should, in the second paragraph, detail how a sensitive issue needs to be confirmed by the Monitoring Officer to allow non-disclosure and should therefore be discussed with him/her.

With regards to the inclusion of "charities or bodies directed to charitable purpose" as a disclosable interest, and acknowledging the Policy and Resources Committee's view that the Code should not be too onerous in relation to simple membership of charities or bodies directed to charitable purpose, it was agreed that the Code should be amended as follows: "Charities or bodies directed to charitable purpose where you hold a position of general control or management."

In respect of the introduction of a mandatory registration regime for gifts and hospitality, the Committee agreed that, as per its previous deliberations, a mandatory regime was required given the circumstances at the City of London Corporation and the extent of gifts and hospitality offered to Members. With regards to the threshold for registration, the Committee acknowledged that the £250 threshold (or £500 cumulative value) was high in comparison to other local authorities but agreed that the threshold was appropriate. It was noted

however that where Members wished to register gifts and hospitality below the threshold, their declarations form would be updated.

To ensure that the revised wording of the Members' Code of Conduct could be submitted to the Court of Common Council without unnecessary delay and the annual reminder to update forms (with accompanying guidance to Members and Co-opted Members) circulated ahead of the recess, it was agreed that delegated authority be granted to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Standards Committee, to agree the final wording of the Members' Code of Conduct.

RESOLVED:- That –

- (i) the Members' Code of Conduct be revised to include (i) amended wording concerning charities or bodies directed to charitable purpose; (ii) additional wording that notification of any disclosable interest should be sent to the Town Clerk (on behalf of the Monitoring Officer); and (iii) additional information regarding how a sensitive issue needs to be confirmed by the Monitoring Officer to allow non-disclosure; and
- (ii) delegated authority be granted to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Standards Committee, to agree the final wording of the Members' Code of Conduct.

9. ANNUAL REPORT OF THE STANDARDS COMMITTEE

The Committee considered a report of the Town Clerk setting out the Committee's key activities following the changes to the City Corporation's governance arrangements in 2012 and which would inform the Committee's Annual report to the Court of Common Council which, it was proposed, would be submitted for information in June 2014. Members were advised that the report was for decision rather than for information and comments were invited in respect of the information on pages 26 to 29 which would form the basis of the Annual report.

A number of typographic errors were identified (paragraphs 3 and 7) and it was noted that reference to "other London Boroughs" (paragraph 12) should be amended. In respect of paragraph 5 which set out details about allegations of breaches of the Members' Code of Conduct it was agreed that additional information about the composition of the Assessment Sub Committee should be included in the final version of the Annual Report. Likewise, at paragraph 7 it was felt that the role of the Independent Persons should be clarified. It was noted that any amendments arising from the committee's discussions would be reflected appropriately in the final report to the Court of Common Council.

RESOLVED: - That-

- (i) the contents of the Annual report be approved, subject to the amendments proposed by the Committee; and
- (ii) in accordance with the Committee's terms of reference, the Annual Report be referred to the Court of Common Council for information; and
- (iii) an Annual Report be produced and submitted to the Court of Common Council each year, in accordance with the Committee's terms of reference.

10. **CO-OPTED MEMBER APPOINTMENTS- UPDATE**

The Town Clerk provided an oral update in respect of the arrangements to appoint two Co-opted Members of the Standards Committee. Members were advised about the delays that had been incurred following advertisement of the vacancies in January 2014, due principally to conflicts of interest amongst some members of the Appointment Panel and the need therefore to identify alternative representatives, but also as a result of recent changes to the composition of the Appointment Panel.

It was noted that alternative representatives had now been identified to serve on the Panel and it was anticipated that interviews would take place in late June 2014. Members were advised that all applicants had been kept informed about the delays to the appointment process.

As the Committee was not scheduled to meet until the autumn, it was agreed that delegated authority should be granted to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Standards Committee, to consider the Panel's recommendations following the interviews. This would ensure that any recommended Co-opted Member appointments could be submitted to the Court of Common Council for approval without unnecessary delay.

RESOLVED:- That delegated authority be granted to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Standards Committee, to consider the Panel's recommendations following the interviews to ensure that any recommended Co-opted Member appointments can be submitted to the Court of Common Council for approval without unnecessary delay.

11. **PROTOCOL ON MEMBER/OFFICER RELATIONS**

The Committee considered a report of the Town Clerk regarding the Protocol on Member/Officer relations which the Committee now had responsibility for keeping under review and monitoring.

Having considered the Protocol, as set out in Appendix 1 to the report, the Committee agreed that all Members should be aware of its existence and endorsed its inclusion in the Standards Committee's Handbook which would be published ahead of the recess. Likewise, it was felt that all officers should be made aware of the Protocol and therefore the matter should be raised with the Director of HR and the Town Clerk to ensure that both Members and officers were suitably informed.

RESOLVED:- That-

- (i) the Standards Committee review the Protocol on Member/Officer Relations on an annual basis, subject to ad hoc updates being submitted to the Committee for consideration;
- (ii) the Protocol on Member/Officer Relations be included in the Standards Committee's Handbook; and
- (iii) the Director of HR and the Town Clerk be advised about the Protocol to ensure that both Members and officers are suitably informed.

12. **REPORT OF ACTION TAKEN BETWEEN MEETINGS**

The Committee received a report of the Town Clerk regarding a decision that had been taken since the last meeting of the Standards Committee in accordance with Standing Order 41(b).

At its meeting on 31st January 2014, the Committee granted delegated authority to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Standards Committee, to approve the wording of the Committee's terms of reference ahead of submission to the Court of Common Council on 1st May 2014 and the start of the new municipal year.

RESOLVED:- That the report of action taken between meetings be noted.

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

Updates by the Comptroller and City Solicitor

In response to a question regarding the arrangements whereby the Committee would be kept informed of the City's involvement in employment tribunals and Member/officer issues, the Chairman suggested that a standing item be included on each agenda for the Committee to enable the Comptroller and City Solicitor to update Members about any relevant issues. The Comptroller and City Solicitor undertook to liaise with Chief Officers ahead of scheduled meetings of the Standards Committee in order to keep Members informed of any issues that were relevant to the work of the Committee.

RESOLVED:- That a standing item be included on every agenda to enable the Comptroller and City Solicitor to keep Members informed of any issues that are relevant to the work of the Committee.

14. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no urgent items.

The meeting ended at 12.16 pm

Chairman

Contact Officer: Lorraine Brook
tel.no.: 020 7332 1409
lorraine.brook@cityoflondon.gov.uk