

Report – Standards Committee

Annual Report

To be presented on Thursday, 19th July 2018

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

SUMMARY

The Standards Committee is required to prepare an annual report on its activity for submission to the Court of Common Council. The report covers the May 2017 to April 2018 period. It should be noted that five alleged breaches of the Code of Conduct were considered by the Committee during 2017/18.

RECOMMENDATION

We submit this report for information.

MAIN REPORT

Background

1. The purpose of this report is to brief Members on the work undertaken over the May 2017 to April 2018 period by the Standards Committee.
2. In accordance with the Committee's terms of reference, the Committee is required to deal with allegations of breaches of the Code of Conduct and to submit an annual report on its activities to the Court of Common Council.

Alleged breaches of the Code of Conduct

3. During 2017/18, five alleged breaches of the Members' Code of Conduct have been considered.
4. The Assessments Sub (Standards) Committee has considered the details of these alleged breaches and decided that no further action should be taken in respect of two alleged breaches. In two other cases, a breach of the Code was admitted, but the Sub Committee decided that the matters should not proceed to investigation subject to a suitable apology being made, and standards training being undertaken by the Members in question, with the Monitoring Officer's report, minutes from the meeting, decision letter and related apologies placed in the public domain by way of publication. The Sub Committee decided that one other alleged breach should be the subject of an investigation and a hearing. Subsequent action in relation to this case took place after the end of the reporting period and is on-going.

Activities of the Committee during 2017/18

5. Below is a brief synopsis of the activities undertaken by the Committee in 2017/18.

Independent review of the City of London Corporation's standards framework

6. In November 2017, the Standards Committee met with the Chairman of the Standards Regime Review Working Party on the Working Party's findings. The Court of Common Council then approved recommendations on the Standards Review on 8 March 2018 and the revised Code of Conduct and Guidance to Members came into effect on that date.
7. The revised complaints procedure provides for the Standards Committee to continue to consider alleged breaches of the Code of Conduct at the assessment and hearing stage, with any future appeals following the hearing stage to be considered by a new Standards Appeal Committee (not members of the Standards Committee). The revised complaints procedure will be implemented on a date to be determined by the Town Clerk following appropriate training of the members of the Standards Appeals Committee and required revision to the Standards Committee terms of reference.
8. In accordance with the wishes of the Court, and to reinforce their independence from the Standards Committee, Independent Persons will not in future routinely attend the Committee's meetings, other than (1) hearings where they have a statutory role and (2) meetings at which their role is under discussion and they may contribute useful information. However, they will be invited to attend separate six-monthly briefing sessions with the Chairman, Deputy Chairman and relevant officers, to be updated on the Committee's discussions and decisions about the Code of Conduct and conduct matters generally, and will continue to receive all agendas and minutes.

Membership and composition of the Standards Committee

9. During the 2017/18 municipal year, the Standards Committee comprised of twelve Members, four of whom were co-opted and independent from the City Corporation. Whilst Co-opted Members are no longer a statutory requirement and have no formal vote, following the introduction of the Localism Act 2011, the City of London Corporation has agreed to the inclusion of Co-opted Members on the Committee to maximise the breadth of knowledge and experience available. At the Court of Common Council meeting on 19 April 2018 the Standards Committee was increased to sixteen Members, four of whom are to be co-opted and independent from the City Corporation.
10. In December 2017, the term of office of Judith Barnes, one of the Committee's four Co-opted Members, expired and subsequently this was renewed for a second and final four-year term of office expiring in March 2022 under urgency provisions (Standing Orders 19 and 41). The terms of office of two other Co-opted Members, Dan Large and Mark Greenburgh, expire in December 2018. Both have expressed a wish to be reappointed and the process to consider this is currently underway.

11. The fourth Co-opted Member position has been vacant for some time, pending the outcome of the Standards Regime Review. It is now proposed to undertake a recruitment process to fill this vacancy.

Annual Review of Protocol on Member/Officer relations

12. In October 2017, the Committee undertook its annual review of the Protocol on Member/Officer relations. At this point it was agreed that the Committee should receive at its next meeting an updated report, to include comment on how allegations of a breach of the Protocol should be dealt with where the individual then declines to make a complaint. At an inquorate meeting of the Committee members in January 2018, it was noted that the Committee would also receive a further report on amended wording for the Protocol relating to the dispute procedure for officers.

Employee Code of Conduct

13. At the January 2018 meeting, the Committee received an annual update on the Employee Code of Conduct which details the standards of conduct expected of employees and covers political neutrality, relationships with Members and the wider Nolan Principles. Breaches of the Employee Code of Conduct are dealt with as disciplinary matters, although minor breaches are dealt with informally in accordance with the statutory ACAS Code of Practice. The Employee Code of Conduct is subject to review to take account of relevant policy and legislation changes.

Standards Framework Training

14. Three specific Member Development sessions on the Code of Conduct and Protocol on Member/Officer relations took place during the year, led by the Comptroller and City Solicitor and attended by a total of 34 Members. The Code of Conduct was also a major part of the training provided as part of the 2017 Member Induction Day (attended by most new Members). Further sessions would now be arranged focusing on the outcome of the review of the Standards framework and the revised Code of Conduct, Guidance on the Code and complaints procedure.

Gifts and Hospitality - Ceremonial Officeholders

15. The Committee has again received reports on Gifts and Hospitality for both the Lord Mayor and the Sheriffs.
16. All gifts and hospitality received by the Lord Mayor and other ceremonial office holders, namely the Sheriffs, continue to be published on the Corporate webpages. There are also links between the Lord Mayor's pages and the office holder's existing register of interests. It was agreed that the same financial thresholds for hospitality should apply to the Lord Mayor as for other Members of the Court unless diplomatic, commercial or political sensitivities were a consideration, in which case such instances would be reported to the Committee rather than included on the published register.
17. These provisions ensure that there is transparency about the gifts and hospitality received by ceremonial officeholders.

Dispensations

18. The Committee, and our Dispensations Sub Committee, has determined requests from members for dispensations to speak and / or vote on agenda matters that they would otherwise be prevented from taking part in by virtue of a disclosable pecuniary interest, with due regard to the relevant criteria for a City of London dispensation and additional factors that can be taken into account. Nineteen dispensation requests have been determined, with 3 granted in full, 11 partially granted (speaking rights only), and 5 rejected.

All of which we submit to the judgement of this Honourable Court.

DATED this 18th May 2018.

SIGNED on behalf of the Committee.

Oliver Arthur Wynlayne Lodge
Chairman, Standards Committee