

Report – Standards Committee

Annual Report

To be presented on Thursday, 18th July 2019

*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 2018 to April 2019 period. It should be noted that four alleged breaches of the Code of Conduct were considered by the Committee during 2018/19.

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 2018 to April 2019 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 2018/19, four 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 three of these. In the remaining case, the Sub Committee decided that the alleged breach should be the subject of an investigation and a hearing, which, at the time of reporting, is scheduled to take place in June 2019.

Activities of the Committee during 2018/19

5. Below is a brief synopsis of the activities undertaken by the Committee in 2018/19.

Implementing the Outcome of Standards Framework Review

6. The outcomes of the Standards Review, as approved by the Court of Common Council on 8 March 2018 led, amongst other things, to the implementation of a revised complaints procedure which came in to force on 19 July 2018 following appropriate training of the members of the Standards Appeals Committee and

appropriate revision to the Standards Committee terms of reference. The revised procedure provides for the Standards Committee to continue to consider and determine allegations of 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).

7. Also, in accordance with the outcome of the review and to reinforce their independence from the Standards Committee, Independent Persons no longer 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. The Independent Persons are, however, 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. They also continue to receive all agendas and minutes of Standards Committee meetings. The new arrangements seem to be working satisfactorily. Two six monthly briefings have taken place with the Independent Persons to date and proved to be useful forums in which to share relevant information.

Membership and composition of the Standards Committee

8. During the 2018/19 municipal year, the Standards Committee comprised of sixteen 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.
9. In December 2018, the terms of office of two of the Committee's Co-opted Members, Dan Large and Mark Greenburgh, expired. Both expressed a wish to be reappointed. The Standards Committee recommended their reappointment to the Court of Common Council, for a four-year and a three-year term of office respectively, to commence from the expiry of their current terms in December 2018. Both reappointments were consented to by the Court of Common Council in July 2018.
10. The fourth Co-opted Member position had been vacant for some time, pending the outcome of the Standards Regime Review. At the conclusion of the review and confirmation that the constitution of the Standards Committee in terms of Co-opted Members was to remain unchanged, a recruitment campaign commenced in late August 2018. A Selection Panel was convened in October 2018 to consider the eight valid applications received. Following assessment by the Panel, three candidates were invited to attend interview in December 2018. Of those three, the Panel were unanimously of the view that Nicholas Cooke Q.C. be appointed to fill the existing Co-opted Member vacancy. The recommendation of the Selection Panel was considered and approved by the Standards Committee at their 25 January 2019 meeting and subsequently by

the Court of Common Council on 7 March 2019. Mr Cooke was appointed for an initial two-year term of office to expire in March 2021.

11. In March 2019, Mr Greenburgh resigned as a Co-opted Member of the Standards Committee and the Standards Committee will now therefore begin to consider the future recruitment process around this new vacancy.

Co-opted Members and Declarations of Interest

12. The City Corporation's Code of Conduct for Members, adopted in its latest iteration by the Court of Common Council on 8 March 2018, applies to any Member of the City Corporation and any Member of a Committee of the City Corporation. The Code requires the registration of disclosable pecuniary interests, as specified in regulations made by the Secretary of State, together with certain non-pecuniary interests.
13. In May 2018, the Town Clerk commenced the annual exercise to contact Elected and Co-opted Members to remind them to review and update their existing declarations. Co-opted Members whose declarations were not currently held on file were invited to complete and return a form detailing their registrable interests within 28 days. The Town Clerk informed Co-opted Members that, going forward, and to promote greater consistency and transparency, their declarations would be published on the City Corporation's webpages alongside those of Elected Members. The publication of completed returns online commenced during August 2018.
14. All necessary Co-optee Declarations of Interest forms have been returned and have been publicly available since March 2019.

Dispensations Policy and Guidance

15. In July 2018, the Town Clerk authorised the establishment of a Dispensations (Standards) Working Party under the urgency provisions of Standing Order No. 41(a). The Working Party was formed with a view to providing an enhanced level of consistency, of requisite information about disclosable pecuniary interests and of the regulations around such interests and dispensations.
16. The Working Party met regularly to consider dispensation policy and associated issues, and originally reported its findings to the Standards Committee in October 2018. It was agreed that comments arising from the Standards Committee's first look at the proposed new documentation be referred back to the Dispensations Working Party for further consideration as part of the finalisation of the documents.
17. The Standards Committee were also keen to ensure that all Members had the opportunity to consider and comment on the documentation prior to implementation. It was agreed that a public meeting of the Standards Committee should be convened with all members of the Court and Co-opted Members invited to attend and participate. The meeting took place on 15 November 2018 and generated useful input, which was supplemented by a series of workshops for Members (including co-opted Members) which were

facilitated by members of the Standards Committee and held throughout December 2018 to further discuss the documentation.

18. The draft documentation was also the subject of two motions at the December 2018 Court of Common Council meeting. One of the motions was amended and carried with the substantive motion being a request from the Court that the Standards Committee “should, as part of the current review of its policy and guidance on dispensations, adopt a position where Members would generally be granted a dispensation to speak (but not vote) on all matters concerning their Ward where they have an engaged disclosable pecuniary interest other than when that disclosable pecuniary interest would be directly and materially impacted by a matter to be determined at a meeting of the Court or one of its committees or sub-committees, subject of course to the proper exercise of the statutory discretion in each case”. This wording is now included within the Dispensation Policy.
19. The Standards Committee noted the points raised in all forms throughout the extensive consultation process. Many of the points were incorporated into the Policy and applied to the Application Form.
20. The new policy and guidance came into effect on 1 March 2019.

Standards Framework Training

21. All Members of the Standards Committee were offered training focusing on the outcome of the review of the Standards framework and the revised Code of Conduct, Guidance on the Code and complaints procedure which was delivered by the Comptroller and City Solicitor in October 2018.
22. Further training on the Code of Conduct, led by the Comptroller and City Solicitor was also offered to all Members in November 2018 and was attended by a total of 27 Members.

Ongoing Activity

23. Whilst this report is an account of time past, it is important to note that, with a new dispensations regime being monitored, much that is mentioned remains part of works in progress.

Recommendation

24. We submit this report for information.

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

DATED this 3rd May 2019.

SIGNED on behalf of the Committee.

Ann Holmes
Chairman, Standards Committee