

## **STANDARDS COMMITTEE**

### **What is the Standards Committee?**

All Councils are required to establish a Standards Committee as part of a new ethical framework for public authorities following the Local Government Act 2000. The aim is to promote high standards of ethical conduct among elected councillors, independent and co-opted members. The framework is overseen by the Standards Board for England.

### **What does the Standards Committee do?**

The standards committee gives the council advice on adopting a local code of conduct, monitoring the effectiveness of the code, training members on the code and promoting and maintaining high standards of conduct for members. It also respond to national reviews and consultations on standards related issues and is able to grant dispensations to members allowing them to take part and vote in certain circumstances, when they would not otherwise be entitled to. Finally, the committee conducts formal hearings to hear any complaints that have been referred from the Standards Board. Click here for further information

### **What is the Code of Conduct?**

Every council is required to adopt a Code of Conduct that sets out the rules governing the behaviour of its members. All elected, co-opted and independent members of the council are covered by the code. Click here for further information.

### **Who is the Monitoring officer and what is their role?**

Islington's monitoring officer is Louise Round, Director of Law and Public Services. Click here for further information.

## **Useful Links**

- [Local Government Act 2000](#)
- [Standards Board for England](#)
- [Committee Membership](#)
- [Dates of Meetings](#)

- [Terms of Reference \(from constitution\)](#)
- [Annual reports](#)
- [Committee reports?](#)

- [Islington's Code of Conduct](#)

- [Meet Louise Round, our monitoring officer](#)

## Who is the Investigating officer and what is their role?

The investigating officer is appointed by the monitoring officer. They may be an officer of the authority, an officer of another local authority or an external Investigating officer. Click [here](#) for further information.

## The complaints process

If a complaint is made to the Standards Board for England an Ethical Standards Officers (ESO) investigates the claim in the first instance. Click [here](#) for further information on the complaints process.

- [Standards Board for England](#)

## What the committee can't do

The responsibilities of the standards committee are very specific and there are issues which may concern members of the public which they can't investigate. Please click [here](#) for further information.

- [Islington Council's Complaints Procedure](#)
- [Local Government Ombudsman](#)
- [District Auditor](#)

## Codes and Protocols

The committee has been instrumental in the preparation of several codes and protocols used by the council.

- [Planning code of conduct](#)
- [Licensing code of conduct](#)
- [Guidance on Member/officer relations](#)
- [Process at standards committee hearings](#)
- [Islington's whistle blowing policy](#)

## Complaints from members of staff

This process can also be used by members of staff of the council who feel the code of conduct has been breached. They are able to report these breaches in complete confidence. Click [here](#) for further information

- [Islington's Whistle blowing policy](#)

## **Register of Members' Interests**

All councillors are obliged to record their financial interests in a register. Information on the kind of interests that must be registered can be found at paragraphs 14 & 15 of the Members Code of Conduct. The register is not available online but members of the public can view it at the Town Hall, Upper Street, N1 2UD, by prior appointment by calling John Lynch on 0207 527 3002.

## **Further Information**

For further information about the Standards Committee please call John Lynch on 020 7527 3002 or email [john.lynch@islington.gov.uk](mailto:john.lynch@islington.gov.uk).

To subscribe for forthcoming Standards Committee papers please register [here](#).

To register for our email alert system please click [here](#). Once you have registered, you will be emailed as soon as Standards committee papers are uploaded to the internet.

## **What does the Standards Committee do?**

The Local Government Act 2000 requires the Standards Committee to cover several functions. These include:

1. giving the council advice on adopting a local Code of Conduct;
2. monitoring the effectiveness of the Code;
3. training members on the code, or arranging for such training;
4. promoting and maintaining high standards of conduct for members;
5. helping members to follow the Code of Conduct
6. granting dispensations to members; and
7. hearing complaints about possible breaches that have been referred by the Standards Board for England.

Meetings of the committee take place in the Town Hall in the evening. The committee meets approximately 4 times a year, although other meetings may be necessary if the committee starts hearing complaints against individual councillors. The committee meetings are open to the public to attend and observe. Support to the committee comes from the Director of Law and Public Services who acts as legal advisor to the committee and the Head of Scrutiny and Democratic Services who acts as clerk to the committee. Details of meetings and agendas can be found on the council's [Democracy in Islington](#) web pages.

## **What is the Code of Conduct?**

The code covers areas of individual behaviour such as members not abusing their position or not misusing the authority's resources. In addition there are rules governing disclosure of interests and withdrawal from meetings where members have relevant interests. Members are also required to record on the public register their financial and other interests.

## **Who is the monitoring officer and what is their role?**

The monitoring officer is a statutory appointment under Section 5 of the Local Government and Housing Act 1989. It is the monitoring officer's role under this Act to report on any issues about the council's legal powers, possible maladministration, impropriety and probity. The Local Government Act 2000 introduced new responsibilities for the monitoring officer which include:

- establishing and maintaining a register of member interests and a register of member gifts and hospitality
- investigating claims of misconduct by a member which has been referred back from the Standards Board for England
- key role in promoting and maintaining high standards of conduct through support to the Standards Committee

The monitoring officer also provides advice to councillors on interpretation of the Code of Conduct.

## **The Complaints Process**

All complaints have to be made in writing the first instance to the Standards Board for England. An Ethical Standards Officer will decide whether the matter should be investigated. Full details of the process are set out on the Standards Boards website.

If the matter is investigated then there are four possible outcomes:

1. That there is no evidence of failure by the member concerned to comply with the code of conduct.
2. That no action is required in respect of the matters which are subject to investigation.
3. That the matter should be referred to the Monitoring Officer of the relevant authority for determination by the local Standards Committee.
4. That the matter should be referred to the Adjudication Panel for England for adjudication by a tribunal.

If the matter is referred to the local authority's monitoring officer for investigation, then they will appoint an Investigating officer to examine the matter in more detail and report back to them with their findings. The Monitoring officer then reports the findings to the local authority's standards committee. If the Monitoring Officer finds there has been no breach of the code of conduct and the standards committee agree then the matter is closed. However, if the committee disagree or the monitoring officer reports that there has been a breach of the code of conduct, then a formal hearing is held.

The standards committee acts in an inquisitorial manner, rather than an adversarial manner, seeking the truth in relation to the conduct of the member on the balance of the information available to it, and may commission further investigation or information if it needs to do so in order to come to a decision.

At any point in the course of the investigation, if the Investigating officer is of the opinion that the seriousness of the matter or the nature of the allegations are such that it would be inappropriate for the Standards Committee to determine the matter, they may, after consulting the monitoring officer, suspend their investigation and the monitoring officer shall then request the Ethical Standards Officer to resume their investigation of the matter.

## **What is the role of the investigating officer?**

The function of the Investigating Officer is to ensure, as far as possible, that all the information which is relevant to the allegation is identified and presented to the Standards Committee, to enable the Standards Committee to come to an informed decision as to whether the member has failed to comply with the authority's Code of Conduct for Members and any consequent action.

## **What the committee cannot do**

The standards committee cannot deal with complaints about members direct. If you feel a member has breached the code of conduct, you need to contact the Standards Board for England in writing who will then decide whether to investigate your complaint.

The committee also does not deal with complaints about council officers or service delivery. If you have a complaint about these issues you will need to use the council's complaint process. The procedure also gives details of the role of the Local Government Ombudsman in dealing with complaints covering maladministration.

## **Whistle blowing policy**

Malpractice is taken very seriously and the council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect all employees and others we deal with, who have concerns in the interest of the public about malpractice in the council, to come forward and voice those concerns.

The council will set out procedures that will:

- provide avenues for employees to raise serious concerns;
- ensure that employees are aware of how to pursue their concerns and that they receive a response;
- ensure that employees understand their responsibility for reporting malpractice;
- reassure employees that they will be protected from victimisation if they raise concerns in good faith.

The aim of this policy is to help develop a culture of openness, accountability and integrity. It demonstrates that the council is committed to ensuring its affairs are carried out ethically, honestly and to high standards. Not only is it good employment practice to have a whistleblowing policy that will help prevent corruption, fraud and mismanagement, it will also help to uphold the reputation of the authority and maintain public confidence.