
AGENDA FOR THE STANDARDS COMMITTEE

A meeting of the Standards Committee will be held in Committee Room 2, Town Hall, Upper Street, N1 2UD on **16 November 2023 at 7.30 pm.**

Enquiries to : Philippa Green
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Despatched : 8 November 2023

Membership

Councillors:

Councillor Anjna Khurana (Chair)
Councillor Satnam Gill OBE
Councillor Jason Jackson
Councillor Fin Craig

Substitute Members

Substitutes:

Councillor Heather Staff
Councillor Angelo Weekes

Independent Persons:

Luke Rigg
Robert Milne

Substitutes:

Quorum: is 3 Councillors

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The next planned meeting of the Standards Committee will be on 27 June 2024

Please note all committee agendas, reports and minutes are available on the council's website: www.democracy.islington.gov.uk

Agenda Item 3

London Borough of Islington

Standards Committee - Tuesday, 27 June 2023

Minutes of the meeting of the Standards Committee held at Committee Room 2, Town Hall, Upper Street, N1 2UD on Tuesday, 27 June 2023 at 7.00 pm.

Present: **Councillors:** Khurana (Chair), Jackson and Craig

Also Present: **Independent Persons:** Luke Rigg

Officers: Marie Rosenthal, Interim Director of Law and Governance and Monitoring Officer
 Sonal Mistry, Senior Lawyer (Governance)

Councillor Anjna Khurana in the Chair

1 **APOLOGIES FOR ABSENCE (ITEM NO. 1)**

Apologies were received from Cllr Gill.

2 **DECLARATIONS OF INTEREST (ITEM NO. 2)**

None.

3 **MINUTES OF THE LAST MEETING (ITEM NO. 3)**

RESOLVED:

That the minutes of the meeting held on 15 March 2023 be confirmed as an accurate record of the meeting and the Chair be authorised to sign them.

4 **STRENGTHENING THE ROLE OF STANDARDS COMMITTEE (ITEM NO. 4)**

The Chair introduced the paper advising that the proposals arose from the Constitution review and relate to strengthening the role of the Standards Committee in future, in particular in relation to the committee having responsibility for determining requests for dispensations for members who have either a pecuniary or personal interest and to the committee receiving the Annual Report on Member Standards and Conduct.

In relation to dispensations, the circumstances under which the committee can grant a dispensation were reviewed and agreed.

The Chair introduced the second proposal; that the Standards Committee receives the Annual Report on Member Standards and Conduct in future, rather than the Audit and Risk Committee.

The previous year's report, attached as Appendix 2 was considered. Luke Rigg, Independent Person, commented that the report struck a reasonable

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balance between confidentiality and transparency and the format was agreed for future years.

The revised Terms of Reference for Standards Committee, reflecting these changes was attached as Appendix 1.

RESOLVED:

- 2.1 That the committee will receive the Annual Report on Member Standards and Conduct in future years was agreed.
- 2.2 That the committee accepts responsibility for determining future requests for dispensations to any member in respect of statutory and non-statutory disclosable interests was agreed.
- 2.3. The revised Committee Terms of Reference, attached as Appendix 1, were agreed.
- 2.4 The 2021/22 Annual Report on Member Standards and Conduct, attached as Appendix 2, was noted.

5 REVIEW OF THE COUNCIL'S CODE OF CONDUCT FOR MEMBERS (ITEM NO. 5)

The Chair introduced the report and a tabled amendment, published in a second despatch, which proposed changes to the Code of Conduct, to clarify the arrangements regarding personal interests. The proposed changes set out in Appendix A and the tabled amendment were reviewed.

The Interim Director of Law and Governance advised that the proposed changes relate to other registerable interests, including serving on a body as a result of a council appointment and involvement in charities and organisations on a personal level and suggest expanding the requirement to declare these interests if held by your spouse or partner.

RESOLVED:

- 2.1 That the Code of Conduct for Members has been reviewed for compliance with the Local Government Association Model Councillor Code of Conduct 2020 and best practice be noted.
- 2.2. That the changes to the Code of Conduct for Members as detailed in Appendix A and modified in the tabled amendment be recommend to Council for approval.

6 REVIEW OF ARRANGEMENTS FOR DEALING WITH STANDARDS ALLEGATIONS (ITEM NO. 6)

The Chair introduced the report which seeks final agreement to the updated arrangements for dealing with Standards allegations, as set out in Appendix A.

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The Senior Lawyer (Governance) outlined the review process. Cllr Jackson enquired who had been involved in the review. The Interim Director of Law and Governance advised that that the review had looked at other procedures across London and that the Independent Persons had been consulted. The Interim Director of Law and Governance advised that, in her view, the new arrangements were a simplified and improved process. Luke Rigg, Independent Person, confirmed that his comments, which were made with reference to the LGA Guidance, had been reflected in the proposed arrangements.

RESOLVED:

2.1 That the revised Procedure set out in Appendix A be approved.

MEETING CLOSED AT 7.26 pm

Chair

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Resources Department
7 Newington Barrow Way
London N7 7EP

Report of: The Director of Law and Governance and Monitoring Officer

Meeting of: Standards Committee

Date: 16 November 2023

Ward(s): All

Subject: Annual Report on Member Standards and Conduct

1. Synopsis

- 1.1. The councillor's role is central to the council; councillors act as community leaders, ensuring that the council is focussed on its residents and communities. Councillors also set the vision for the borough and the priorities for service delivery and make significant decisions on behalf of residents, including key strategies and setting the annual budget. Councillors are also trusted by residents experiencing difficulties, to act as an advocate on their behalf.
- 1.2. To ensure that trust in the Council is maintained, it is vitally important that councillors demonstrate high standards of conduct, make well informed and appropriate decisions, engage positively in development opportunities and are held to account if their conduct fails to reach the high standards required.
- 1.3. The council has a duty to ensure that councillors understand the importance of high standards of personal conduct and proactively engage with and promote [the Seven Principles of Public Life](#) and the Code of Conduct for Members and are effectively supported in their role and equipped to undertake it successfully.
- 1.4. In accordance with the Standards Committee Terms of Reference, the Monitoring Officer is required to submit to the committee an annual report concerning standards of member conduct, including a summary of complaints received under

the Code of Conduct Complaints Procedure and their outcome. The complaints received in the municipal year 2022-23 are detailed below. This report also includes information on member training and development and declarations of interest.

2. Recommendations

- 2.1. To note the contents of this report.

3. Background

Member training and development

- 3.1. The election in May 2022 was followed by a weekend member induction event covering training in governance arrangements and the councillors' roles. Induction was followed by an intensive training and development programme including:

May 2022
Introduction to Finance
Data Protection & Information Governance
Civil Emergencies, Emergency Planning, Your Safety and Security
Full Council, purpose, how it works, the terminology explained
June 2022
Effective Scrutiny
Planning for Committee Members
Licensing for Committee Members
Executive Member training
Adult Safeguarding
Chairing Skills
Corporate Parenting
July 2022
Audit Committee Training for Audit committee members
Introduction to the Budget
S106, CIL and WIP funding
Communities (VCS, LIF, TRAs, community centres)
September 2022
Housing Needs / Allocations Policy
Benefits overview
Planning & Licensing Procedures for all members

- 3.2. Following completion of the intensive induction programme, member development is now focussing on longer term training and development needs, led by the Member Training and Development Steering Group. The Group is chaired by Cllr Khondoker and attendees include senior members and officers. The council committed to working towards the Local Government Association Charter Status, which is a three year programme for member development, in March 2023. A Member Development Strategy is being submitted to Audit and Risk Committee for approval in November.
- 3.3. Reflecting the importance of member development, the training budget was also increased from past years, facilitating an increase in development opportunities. The training and development activities attended by members in 2022-23 included; mentoring, coaching sessions for senior members, Licensing training, Safeguarding for Governors, and a range of Local Government Association training and development opportunities including; Building Safety, Black, Asian & Multi Ethnic Councillors events, LGPS Fundamental Training, the Enhanced Children Services Programme, Being an Effective Cabinet Member, the Black, Asian & Multi Ethnic Weekender, Stir to Action, the LGBTQ+ Weekender, Young Councillors Weekender and Effective Opposition.
- 3.4. Information about free of charge and subsidised development opportunities, provided by London Councils and the Local Government Association, was regularly circulated to Members and the political group office.
- 3.5. Members were also provided with specific advice on governance issues from time to time, including advice regarding declarations of interest, gifts and hospitality declarations and information governance.

Financial Declarations

- 3.6. All members reviewed, confirmed and where necessary, updated, their register of interests, including their financial declarations, in March 2023. The Members Register of Interests is available on the Council's [democracy website](#).
- 3.7. The declarations of interest made at meetings, declarations regarding gifts and hospitality and the councillors' attendance record at committee meetings are also all available on the Council's [democracy website](#).

Complaints

- 3.8. All complaints under the Members Code of Conduct are referred to the Monitoring Officer (the Director of Law and Governance). Following consideration of the complaint, the Monitoring Officer decides whether it is appropriate to seek an informal resolution. Where there is no informal resolution, the Monitoring Officer may:

- decide not to investigate further,
- decide that the matter requires investigation.
- decide to refer the decision as to whether or not there is to be an investigation to the Standards Committee.

3.9 One formal complaint against a councillor was received which required the Standards Committee to be convened. The Standards Committee met to consider the complaint on 9 and 18 January 2023. At the meeting on 18 January 2023 the committee determined that, on a balance of probabilities, an Islington Councillor improperly communicated confidential information, and brought the council into disrepute, contrary to paragraphs 4 and 5 of the council's Code of Conduct for Members, and in breach of the Nolan Principles of Integrity, Accountability and Leadership. The committee resolved to send a formal letter to the Subject Councillor setting out its findings.

3.10 A number of other complaints were received, which did not require the Standards Committee to be convened, as follows:

	Complaint	Received	Status	Outcome
1	That the ward councillors ignored communications regarding business rates.	14.04.2022	Closed	The complainant did not proceed with a formal complaint.
2	That a councillor has failed to declare an interest.	04.11.2022	Resolved	The initial assessment found that an inadvertent breach of the Code of Conduct had taken place and been addressed through correction of the councillor's register of interests. A full investigation was not recommended.
3	That a councillor excluded residents from a consultation process, presented biased information, did not appropriately	08.02.2023	Closed	The complaint was assessed as falling outside the jurisdiction of the Code of Conduct and, if proven, would not be a breach of the Code of Conduct under which the subject member was operating at the time of the alleged conduct.

	consider equalities impacts and predetermined the outcome of the consultation.			
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4. Implications

4.1. Financial Implications

- 4.1.1. The budget for member training and development was increased to £35,000 in 2022/23 as part of the council's commitment to member training and development. The council spent £32,594 on training courses and development opportunities for councillors in the 2022/23 financial year.

4.2. Legal Implications

- 4.2.1. The Council has a duty to promote and maintain high standards of conduct by Members and Co-opted Members (section 27(1) Localism Act 2011). The Council has adopted a Code dealing with the conduct that is expected of Members and Co-opted Members when they are acting in that capacity (as required by section 27(2) Localism Act 2011). The Code has been revised to incorporate the LGA Model Councillor Code of Conduct 2020.

4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

- 4.3.1. There are no environmental implications arising directly from this report.

4.4. Equalities Impact Assessment

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 4.4.2. An Equalities Impact Assessment is not required. There are no equalities implications arising directly from this report.

5. Conclusion and reasons for recommendations

- 5.1. Standards Committee is asked to note the content of this report to maintain an overview of member conduct.

Appendices: None.

Background papers: None.

Final report clearance:

Authorised by:

Director of Law and Governance and Monitoring Officer

Date: 7 November 2023

Report Author: Philippa Green, Head of Democratic Services and Governance

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Legal Services, 7 Newington Barrow Way, London, N7 7EP

Report of: Director of Law & Governance and Monitoring Officer

Meeting of: Standards Committee

Date: 16 November 2023

Subject: General Dispensations under the Code of Conduct

1. Synopsis

- 1.1. To propose that a general dispensation be granted to all councillors in relation to a limited range of interests that they may have in matters coming before the council's decision-making bodies. This will enable them to participate in meetings where these interests may be thought to arise but their position is shared with a significant proportion of other members of the council and/or in the community and transaction of council business might otherwise be impeded.

2. Recommendations

- 2.1. To grant the dispensation in respect of trade union membership detailed in paragraph 3.5 of this report, in respect of participation in discussion and voting at meetings, with effect until the annual meeting following the next full local elections.

3. Background

- 3.1. Section 31(4) of the Localism Act 2011 provides that a Member who has a disclosable pecuniary interest in any matter to be considered at a meeting may not participate in any discussion, or vote on the matter. However, by virtue of section 33, an authority may, on a written request by a Member, grant a dispensation relieving the member from either or both of the restrictions in Section 31(4) if criteria set out in section 33(2) of the Act are satisfied. Dispensations may also be granted in relation to the personal interests set out in the Code of Conduct.

3.2. The relevant criteria are that:

- (a) Without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
- (b) Without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
- (c) Granting the dispensation is in the interests of persons living in the authority's area; or
- (d) it is otherwise appropriate to grant a dispensation.

3.3. It is common practice in many other local authorities for a set of general dispensations for all members to be agreed for each administration, based on those that were included in the nationally applicable Code of Conduct that applied prior to the Localism Act 2011 and dispensations have already been granted to all councillors in the following circumstances:

- (i.) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
- (ii.) school meals, extra-curricular activities, school organisation issues or school transport, and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iii.) an allowance, payment or indemnity given to members;
- (iv.) setting council tax or a precept under the Local Government Finance Act 1992.
- (v.) Setting of Council Housing rent levels and approving the Housing Revenue Account (HRA): where the Councillor (or spouse or partner) holds a tenancy or lease with the Council [by way of clarification as these may be regarded as financial rather than Housing matters];
- (vi.) Housing benefit in relation to over arching budget reports: where the Councillor (or spouse or partner) receives housing benefit;
- (vii.) Adult Social Care in relation to overarching budget reports: where the Councillor (or spouse or partner) receives adult social care support.

- (viii.) For a Member in receipt of Council Tax Benefit in relation to Local Council Tax Support.
 - (ix.) Government grants and related support and including cost of living grants.
 - (x.) Non Domestic Rates and Discretionary Rate Relief except where it affects the member's individual property.
- 3.4. The vast majority of elected members are members of at least one trade union and without a dispensation relating to trade union membership, it would mean that 'the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business' and the proposed dispensation therefore meets the criteria for an exemption under Section 33 of the Localism Act 2011.
- 3.5. It is therefore proposed that an additional dispensation be granted to all members in respect of trade union membership with immediate effect, until the Annual Meeting following the next local elections in 2026.

4. Implications

4.1. Financial Implications

- 4.1.1. No specific financial implications arise from this report.

4.2. Legal Implications

- 4.2.1. These are contained in the body of the report.

4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

- 4.3.1. No specific environmental implications arise from this report.

4.4. Equalities Impact Assessment

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2. No equalities implications arise from this report.

5. Conclusion and reasons for recommendations

5.1. That a general dispensation be granted to all councillors in relation to trade union membership in matters coming before the council's decision-making bodies, for the reasons stated above.

Appendices: None

Background papers: None

Final report clearance:

Authorised by:

Director of Law and Governance and Monitoring Officer

Date: 7 November 2023

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Legal Implications
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