

STANDARDS COMMITTEE

WEDNESDAY, 29 JUNE 2022 AT 6.30 PM
COMMITTEE ROOM 1, CROWDALE CENTRE, 218 EVERSOLT STREET, LONDON,
NW1 1BD

Enquiries to: Cheryl Hardman, Committee Services
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MEMBERS

Councillor Richard Cotton (Chair) (L)

Councillors Siân Berry (G), Marcus Boyland (L), Judy Dixey (LD),
Rebecca Filer (L), Sharon Hardwick (L), Nancy Jirira (LD),
Andrew Parkinson (C) and Gio Spinella (C)

INDEPENDENT PERSONS

Maggie Redfern and Sue Terry

SUBSTITUTE MEMBERS

Councillors Samata Khatoon (L), Izzy Lenga (L), Awale Olad (L) and
Stephen Stark (C)

L = Labour, C = Conservative, LD = Liberal Democrat, G = Green

Issued on: Tuesday, 21 June 2022

CROWDALE CENTRE CORONAVIRUS AND FIRE EVACUATION MEASURES

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If you are planning to attend a meeting in person, please note the following:-

- If you are feeling unwell, please do not attend.
- You are encouraged to wear a face covering inside the building, except when you are seated in the meeting room.
- Hand sanitiser will be available – please sanitise on arrival and at regular intervals during your visit.

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Do not use the lifts. If you are a wheelchair user or have a mobility problem which prevents you from using the staircases, please proceed to the lift lobby area where you will be evacuated from the building.

Do not wait immediately outside the building – proceed to Oakley Square and await further instructions.

MEETINGS IN CAMDEN

Agendas for public meetings are available in advance on the Council's website at www.camden.gov.uk. If you are interested in a particular item being considered at a meeting and you wish to speak (called making a deputation), please write to the Committee Officer listed on the front of the agenda. The deadline for deputation requests for this meeting is **5pm on Monday, 27 June 2022**. If your deputation request is accepted, the option to make your deputation remotely via Microsoft Teams will be available.

The Council is allowed to discuss some items in private, although this does not happen often – any such items will be discussed at the end of the meeting and you will be asked to leave at this point. Any members of the public joining the meeting remotely will also be asked to leave.

Members of the public have a right to film, record or photograph public meetings for reporting purposes. This does not apply to any of the Council's meetings which are private or not open to the public. Laws on public order offences and defamation still apply, and you should exercise your rights with responsibility. Please respect the views of others when reporting from a meeting. You may be asked to stop filming, photographing or recording a meeting if the Chair feels that the activity is disrupting the meeting.

This meeting will be webcast and can be watched live or viewed for twelve months afterwards at www.camden.gov.uk/webcast. If you are attending a meeting but do not wish to appear on the webcast you are advised to sit in the public gallery.

If you have any views or questions about meetings at Camden Council please call Committee Services on 020 7974 1915.

WEBCASTING NOTICE

This meeting will be broadcast live by the Council via www.camden.gov.uk/webcast. The whole of the meeting will be filmed and recorded, except where there are confidential or exempt items, and the footage will be on the website for at least 12 months. A copy of it will also be retained in accordance with the Council's data retention policy.

If you make a representation to the meeting you will be deemed by the Council to have consented to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

The Council is obliged by law to allow members of the public to take photographs, film, audio-record, blog or tweet the proceedings at public meetings. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

We have a privacy notice that explains our use of webcasting data which you can see at www.camden.gov.uk/webcast

If you have any queries regarding webcasting or the recording of meetings by the public, please contact the webcasting co-ordinator on 020 7974 5653.

**STANDARDS COMMITTEE
29 JUNE 2022**

THERE ARE NO PRIVATE REPORTS

PLEASE NOTE THAT PART OF THIS MEETING MAY NOT BE OPEN TO THE PUBLIC AND PRESS BECAUSE IT MAY INVOLVE THE CONSIDERATION OF EXEMPT INFORMATION WITHIN THE MEANING OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972, OR CONFIDENTIAL WITHIN THE MEANING OF SECTION 100(A)(2) OF THE ACT.

AGENDA

Wards

1. GUIDANCE ON HYBRID MEETINGS

To agree the procedures for the operation of hybrid meetings.

(Pages 7 -
12)

2. ELECTION OF VICE-CHAIR

To elect a Vice-Chair for the municipal year 2022-23.

3. APOLOGIES

4. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

5. ANNOUNCEMENTS

Broadcast of the meeting

The Chair to announce the following: 'In addition to the rights by law that the public and press have to record this meeting, I would like to remind everyone that this meeting is being broadcast live by the Council to the Internet and can be viewed on our website for twelve months after the meeting. After that time, webcasts are archived and can be made available upon request.'

If you have asked to address the meeting, you are deemed to be consenting to having your contributions recorded and broadcast, including video when switched on, and to the use of those sound recordings and images for webcasting and/or training purposes.'

Any other announcements

6. DEPUTATIONS (IF ANY)

7. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

8. MINUTES

To approve and sign the minutes of the meeting held on 31 January 2022. (Pages 13 - 20)

9. STANDARDS COMMITTEE: TERMS OF REFERENCE AND PROCEDURES All Wards

Report of the Borough Solicitor. (Pages 21 - 26)

This report provides an introduction to the Standards Committee, outlining its purpose, membership and how it operates in practice.

10. UPDATE ON STANDARDS MATTERS, JUNE 2022 All Wards

Report of the Borough Solicitor. (Pages 27 - 34)

This report brings to Members' attention recent standards news items for information and updates on actions from the previous Standards Committee meeting.

11. STANDARDS INFORMATION AND GUIDANCE RECORD All Wards

Report of the Borough Solicitor. (Pages 35 - 42)

This report sets out the record of standards information and guidance issued to Members of the Council.

12. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

AGENDA ENDS

The date of the next meeting will be Monday, 7 November 2022 at 6.30 pm in Committee Room 1, Crowndale Centre, 218 Eversholt Street, London, NW1 1BD.

Guidance on Hybrid Meetings

Hybrid Meetings are those held with some remote attendance but with the decision makers being physically present with social distancing measures in place

The following procedure shall be adopted in relation to the conduct of all meetings of the Council and its various committees and sub-committees within the meaning of the Local Government Act 1972 and associated legislation. The Council's Procedure Rules, while still applying, are to be interpreted in light of this guidance note and adjusted accordingly.

Council, committee and sub-committee meetings will be held in a meeting room as advertised on the published agenda, and members of the Committee wishing to participate will be required to be physically present in that meeting room. Except for in limited circumstances in which a resolution to exclude the press and public may be made, the press and public are by law permitted to attend these meetings. However, whilst social distancing measures remain in place, space for public attendees is very limited and, whilst it is the public's right to attend, those wishing to observe proceedings are encouraged to watch the live feed at www.camden.gov.uk/webcast. Those seeking to attend a meeting to present a deputation or petition with the agreement of the Chair, whilst they have the right to attend, are also encouraged to do so remotely. This guidance note sets out how such meetings will operate.

A. Attendance of committee members remotely

1. For all Council, committee and sub-committee meetings, Members of these committees may not participate in a meeting in any way other than to be physically present in the meeting place. It is not appropriate for a Member of these committees to take part in the discussion remotely (and it is never lawful for a Member of any committee to purport to vote on an item remotely) and thus to potentially influence voting Members of the committee. Any Member of the committee not wishing to attend the meeting place, but wishing to watch the meeting, may do so at www.camden.gov.uk/webcast.

B. Method for conducting hybrid meetings

1. The law requires that Members of the committee or sub-committee who wish to be counted as part of the quorum for the meeting and who wish to vote to be physically present at the place specified on the agenda for the meeting (the 'meeting place').
2. Other participants, such as councillors who are not members of the committee, officers and deputees, may join the meeting remotely and this will be facilitated using Microsoft Teams ('Teams'), using the calls functionality. Both those present in the meeting place and those joining remotely will be captured in the Teams call and on the live broadcast of the meeting.

3. The Teams call will utilise both the audio and video functionality so all remote participants¹ should be capable of being heard and seen by those physically present at the meeting place and by other remote participants, and vice versa.
4. It will not impact the lawfulness or otherwise of the meeting should a remote participant lose their connection or not be able to see the other participants for any part of the meeting, nor if they cannot be seen by other participants and / or the public. All participants will, as far as able, try to join the meeting using the Teams app or web browser and not via dialling into the meeting.
5. Unless a meeting is dealing with confidential items, it will be streamed to the public so that they may listen and watch (should video be available) but the public will not be able to participate unless section D below on deputations applies; these are meetings held in public via a digital connection, but are not public meetings. Therefore, other than with the permission of the Chair and as a depute, members of the public cannot participate.
6. The Chair will be provided with advice on procedure and meeting management by a committee officer and, for some meetings, a lawyer and other relevant officers. The committee officer will be physically present at the meeting place. Other officers will in most cases participate remotely.
7. Meetings will be streamed live as well as recorded, stored and uploaded to the Council's website. The Council will aim to do this within 48 hours of the meeting finishing.
8. Minutes will be taken and published in the usual manner.
9. In line with existing procedure rules, the ruling of the Chair on a point of order and on the construction or application of this guidance, procedure rules and standing orders shall not be challenged during any meeting, including any decision of the Chair to ask for contributors to be muted.

C. Prior to the meeting

1. Agendas will be published on the [website](#) and via the modern.gov app, and a public deposit copy will be available at the Crowndale Centre reception. Hard copies can be made available on request. Unless a matter is urgent, five clear working days will elapse from the publication of the agenda to the holding of the meeting. Committee members will, as usual, receive an automated email when the agenda is published online containing a link to the agenda.
2. Councillors who are not members of the Committee will be asked to confirm to the committee officer by the deputation deadline their wish to address the Committee and on which items, and will then be sent a link to join the meeting

¹ Remote participants are defined as: councillors who are not members of the committee but who seek to address the committee; officers advising the committee or presenting reports; any external partners / third-parties invited to address or advise the Committee; and deputees (including any member of the public with speaking rights).

remotely. Participation of non-Committee members will, as usual, be at the discretion at the Chair.

D. At the meeting

1. The committee officer will begin the Teams call 15 minutes before the meeting start time to allow remote participants to join promptly and check their audio / video feeds are working.
2. The usual rules as to numbers of members to create a quorum will apply, and only physical presence in the meeting place of a voting member or substitute will count towards the quorum.
3. The meeting will, as the first item of business on the agenda, note and agree the variations / interpretations of procedure rules as set out in this document. The meeting will then follow the published agenda as normal and be conducted in accordance with the procedure rules set out in the Constitution as supplemented by this document.
4. Any non-committee Member participating remotely who declares an interest in any item of business which would normally require them to leave the room shall switch off their microphone and camera for the duration of the item so they cannot be heard or seen by the other participants. They should also refrain from sending any messages using the chat function during the item or do anything that may be reasonably perceived as trying to influence the debate. Any such action may be a breach of the Members' Code of Conduct. The relevant Member will still be able to see and hear the discussion and at the end of the item may switch their camera and microphone back on. The committee officer may use their ability to remotely switch microphones on and off to assist in this process.

Debate

5. Committee members present in the meeting place will indicate their desire to speak in the customary way by raising their hand. Any non-committee Member joining remotely will indicate a wish to speak by submitting their name using the "chat" function on Teams, and their participation will be at the discretion of the Chair. This "chat" will not be minuted nor be a formal part or contribution to the meeting. All participants should refrain from using the chat for any function other than indicating their wish to speak or indicating a loss of their audio feed (section C8) and will be reminded about this at the outset of the meeting.
6. When not speaking, participants will be asked to keep themselves muted. Officers may do this remotely to improve the audio quality of the meeting.

Interruptions to connections

7. If the audio feed of any non-committee Member joining the meeting remotely cuts out during the meeting they will:

- a) If still connected to Teams, use the 'chat' function to advise immediately that they can no longer hear the other participants;
 - b) If they are unable to use the Teams 'chat' function, use the emergency contact details provided to alert the relevant officer (usually the committee officer) by text message, who will advise the Chair.
8. Ordinarily the failure of the audio connection of a party joining the meeting remotely will not impact on the conduct of the meeting.

Deputations and petitions

9. Procedure rules with regard to deputations and petitions apply. Should the Chair agree to hear a deputation, the depute will be encouraged to join the meeting remotely and issued with details on how to do this. Deputies will ordinarily need to provide an email address in order to join the meeting in this way.
10. Any person who would like to make a deputation, but cannot participate remotely due to technological reasons, or does not wish to do so, may attend the meeting place to give their deputation in person, subject to any restrictions on numbers required to maintain social distancing
11. If the Chair is notified of a depute's audio feed failing during the item in which they have asked to address the Committee, then the Chair may adjourn the meeting for up to 15 minutes in order to re-establish the connection. Alternatively, the Chair may choose to move onto other items of business if considered appropriate, while the connection to the depute is re-established.
12. Each deputation attending remotely will be required to identify a single speaker and where the connection of another member of the deputation party is interrupted, the Chair will not ordinarily adjourn the meeting but will have the discretion to do so where considered appropriate.
13. At the point at which their deputation is to be heard, the depute should unmute their microphone so that they can address the meeting. Once the allotted time has expired they will be asked by the Chair to bring their remarks to a close and to mute their microphone. They may be asked to answer questions and to mute and unmute as required in order to do so.

Behaviour

14. The Chair will at their discretion be entitled to ask the committee officer to mute any remote contributors should they consider it appropriate. Should a remote participant become disruptive, the Chair will warn them and should that warning not result in a change of behaviour which is acceptable to the Chair then they shall, at their absolute discretion, be entitled to ask the committee officer to terminate the individual's participation in the meeting.

E. Licensing (Sexual Entertainment Venues) Sub-Committee and Licensing Panels

1. The above procedure rules shall apply unless superseded below. The Licensing procedures set out in the Constitution (which are published on every licensing agenda) shall also apply but may be varied at the Chair's discretion and upon advice, in so far as is necessary and reasonable in the context of a remote meeting.
2. Licensing hearings do not take depositions. The applicant / licence holder / parties making representations instead declare their intention to address the Committee beforehand. They will be sent a notice of the hearing as normal and are required to return this by 7pm, 2 working days before the meeting. Where a party has not indicated their intention to speak by this time, they will be presumed to not be addressing the Committee. Reasonable attempts will be made to accommodate those submitting late notifications, but their participation will not be guaranteed.
3. Those parties indicating their intention to attend and speak as per paragraph E2 above will be encouraged to join the meeting remotely and issued with details on how to do this. Parties will ordinarily need to provide an email address in order to join the meeting in this way.
4. Any party wishing to attend and speak, but who cannot participate remotely due to technological reasons, or does not wish to do so, may attend the meeting place to speak in person, subject to any restrictions on numbers required to maintain social distancing
5. In line with the above rules on depositions, it is stressed to applicants / licence holders/ parties making representations remotely that they must identify a single speaker in accordance with section D12 above. This may be themselves or another nominated person. They may invite others to speak as part of their submissions, but the sub-committee or panel will not adjourn the meeting for a speaker who is not the identified single speaker for the party unless the Chair is persuaded that that the non-lead speaker has material information to impart to the sub-committee or panel.

F. Confidential/Exempt Items

1. Should the meeting have confidential or exempt items on the agenda, the Chair will move the usual motion to move into private session.
2. The meeting shall then stand adjourned until the Chair is satisfied upon the advisement of the committee officer that the public live feed has paused and all remote participants not eligible to remain in this part of the meeting have been removed from the Teams call.
3. When resolving to move back into public session, the meeting shall again adjourn until the Chair is satisfied, upon the advisement of the committee officer, that the

public live feed has resumed and all eligible remote participants have had their audio / video feeds restored satisfactorily.

G. Equalities

1. It is recognised that that some persons who ordinarily would be able to participate in Council meetings in person will not be able to participate in remote meetings due to physical or other disability or because they lack the technological capability to do so, and others may not wish to participate remotely. To this end, and to comply with the requirements of the Local Government Act 1972 and the Local Government (Access to Information Act) 1985 that the press and public have the right to attend committee and sub-committee meeting, the press and public will be physically admitted up to a safe limit at which social distancing can be maintained.
2. Where there is the functionality to dial into a meeting instead of joining via the Internet, the Council will support this as far as possible in line with the procedures set out above.
3. Teams has live captions functionality for remote meetings for the deaf / hard of hearing, which users can independently turn on; guidance on how to do so will be provided. The Council cannot accept any liability for the accuracy of these live captions.
4. The Council will consider any other requests for reasonable adjustments to be made in order to allow parties to be involved in remote Council meetings as far as circumstances at the time of the meeting allows.
5. In addition the Council will review and monitor the operation of its hybrid decision making and make adjustments when it considers it can further mitigate any adverse impact.

ENDS

THE LONDON BOROUGH OF CAMDEN

At a meeting of the **STANDARDS COMMITTEE** held on **MONDAY, 31ST JANUARY, 2022** at 6.30 pm in The Council Chamber, Crowndale Centre, 218 Eversholt Street, London, NW1 1BD

MEMBERS OF THE COMMITTEE PRESENT

Councillors Richard Cotton (Chair), Siân Berry, Thomas Gardiner, Nancy Jirira and Roger Robinson

MEMBERS OF THE COMMITTEE ABSENT

Councillors Henry Newman, Maria Higson, Angela Mason and Luisa Porritt

INDEPENDENT PERSONS PRESENT

Maggie Redfern

INDEPENDENT PERSONS ABSENT

Sue Terry

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of the Standards Committee and any corrections approved at that meeting will be recorded in those minutes.

MINUTES

1. GUIDANCE ON HYBRID MEETINGS

RESOLVED –

THAT the hybrid meeting procedures set out in the agenda be agreed.

2. APOLOGIES

Apologies for absence were received from Councillors Angela Mason, Luisa Porritt, Maria Higson and Henry Newman, and from the Independent Person, Sue Terry.

3. DECLARATIONS BY MEMBERS OF PECUNIARY, NON-PECUNIARY AND ANY OTHER INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA

There were no declarations of interest.

4. ANNOUNCEMENTS

The Chair announced that the meeting was being broadcast live by the Council to the Internet and could be viewed on the website for twelve months after the meeting. After that time, webcasts were archived and could be made available upon request.

Those who had asked to address the meeting were deemed to be consenting to having their contributions recorded and broadcast and to the use of those sound recordings and images for webcasting and/or training purposes.

5. DEPUTATIONS (IF ANY)

There were no deputations.

6. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

There was no urgent business.

7. MINUTES

RESOLVED –

THAT the minutes of the meeting held on 15th November 2021 be approved and signed as a correct record.

8. REVIEW OF THE MEMBERS' CODE OF CONDUCT

Consideration was given to the report of the Borough Solicitor.

The Borough Solicitor reported that he had spoken to the individual who had provided legal advice to the Local Government Association on guidance declaring membership of secret organisations such as the Freemasons. It had been advised that naming the Freemasons specifically in guidance would not be appropriate and decisions in Italy and England had been highlighted. Membership of the Freemasons may be caught by the category of Compulsory Registerable Non-Pecuniary Interests if a Member was in the charitable arm of the organisation. Previously, the guidance had named the Freemasons and others as examples under the voluntary category of Interests. However, this was now a proposed compulsory category.

Members expressed concern that if Members were not explicitly guided to declare membership with the Freemasons then they would not do so. It was noted that Members had to declare membership with Trade Unions although not all Unions were seeking to influence public opinion or policy. It was also acknowledged that there was a major centre of Freemasonry in the borough. However, it was not suggested that any amendments be made to the proposed new Code of Conduct in relation to Freemasonry.

There was a discussion on whether further examples should be given for what might be declared under Voluntary Registerable Non-Pecuniary Interests. Having been directed to the proposed guidance within the example Register of Interests form, attached as an appendix to Item 9 *Standards: Protocols and Procedures*, Members were satisfied with the approach.

With regard to obligation 9.5 of the new Code of Conduct: "I will not bring, sponsor or support trivial or malicious complaints against other councillors using the Code of Conduct", it was suggested that it be more tightly defined. There was concern that a complaint being unsuccessful could result in a view that it was a trivial complaint. It should be clear that the obligation was aimed at councillors misusing the system rather than unsuccessful complainants. It was also suggested that support of malicious complaints be broadened to explicitly refer to assisting and encouraging them being brought. It was proposed and agreed that the obligation be reworded to:

I will not bring, sponsor, assist, support or encourage trivial and/or malicious complaints against other councillors using the Code of Conduct.

The Borough Solicitor considered that 'malicious' was a high bar but was content with rewording of the obligations.

RESOLVED –

THAT Standards Committee:

- (i) Noted and commented as summarised above on the content of the report and proposed new Camden Councillor Code of Conduct at Appendix 4;
- (ii) Agreed the proposed new Councillor Code of Conduct set out at Appendix 4, subject to rewording obligation 9.5 from

I will not bring, sponsor or support trivial or malicious complaints against other councillors using the Code of Conduct.

to

*I will not bring, sponsor, **assist, support or encourage** trivial **and/or** malicious complaints against other councillors using the Code of Conduct;*

- (iii) Referred the amended Code to Council for approval; and
- (iv) Recommended to Council that authority be delegated to the Borough Solicitor to make all necessary changes to the Constitution.

9. STANDARDS: PROTOCOLS AND PROCEDURES

Consideration was given to the report of the Borough Solicitor

In response to a question about whether a Member would declare being the Chair of a Community Centre, the Borough Solicitor suggested this would be declarable under Compulsory Registerable Non-Pecuniary Interests.

There was a further discussion about the inclusion of Freemasons as an example in the Example Register of Interests form at Appendix E to the report. The Borough Solicitor reiterated his advice that the Freemasons not be named in the guidance. He also noted that the organisation might now be caught under the Compulsory Registerable Non-Pecuniary Interest category rather than being a voluntary registration. He highlighted the ruling of the European Court of Human Rights *Grande Oriente D'Italia di Palazzo Giustiniani v Italy* which declared that making it mandatory for an official to declare membership of the Freemasons was in breach of the right to free association and therefore discriminatory. Members commented that highlighting Freemasons as one of a number of examples of organisations directed to charitable purposes that should be declared would not stop people from associating. It was suggested that a variety of examples be given, including Freemasons.

The Borough Solicitor agreed that, rather than singling out any organisations, a number of examples be given. It was proposed and agreed that it be delegated to the Borough Solicitor to add more examples of Compulsory Registerable Non-Pecuniary Interests to the Example Register of Interests, following consultation with members of Standards Committee.

RESOLVED –

THAT, subject to Council approving the proposed new Councillor Code of Conduct as set out in a separate report on the agenda, Standards Committee:

- i) Noted and commented as summarised above on the content of the report and suggested amendments to protocols and procedures addressing standards issues;
- ii) Subject to i) above:
 - a) Approved the proposed changes to the Councillor Gifts and Hospitality Protocol, as set out in Appendix A to the report, and delegated authority to the Borough Solicitor to make all necessary changes to the Constitution;
 - b) Approved the proposed changes to the Use of Information technology – Guidance on the Members' Code of Conduct, as set out in Appendix B to the report, and delegated authority to the Borough Solicitor to make all necessary changes to the Constitution;
 - c) Approved the proposed changes to the Social Media Guidelines for Councillors, as set out in Appendix C to the report, and delegated

authority to the Borough Solicitor to make all necessary changes to the Constitution;

- d) Approved the revised Register of Interests form, as set out in Appendix D to the report; and
- e) Approved the revised Example Register of Interests form, as set out in Appendix E to the report, subject to delegating to the Borough Solicitor to add more examples of Compulsory Registerable Non-Pecuniary Interests to the Example Register of Interests, following consultation with members of Standards Committee.

All to come into force on 9 May 2022.

- iii) Subject to i) above, noted the proposed administrative changes by the Borough Solicitor to the Procedure for Dealing with Complaints Against Members, detailed in Appendix F to the report.

10. STANDARDS INDUCTION TRAINING FOR COUNCILLORS AFTER THE 2022 LOCAL ELECTIONS

Consideration was given to the report of the Borough Solicitor and the Appendix in the supplementary agenda.

Members made the following comments:

- Taster sessions on the different committees would be helpful to give new Members an understanding of what they do.
- Moving signing of the Declaration of Acceptance of Office to the start of the first induction day would motivate Members to arrive early and stay for the non-compulsory sessions.
- New Members needed to receive training on managing casework and holding surgeries. They should receive the log in details for the casework system and some basic training on the first day to avoid starting in their role with a backlog of emails.
- Training on personal safety should be considered broadly, including how to handle abuse, encouraging respectful behaviour, taking the safety of women and girls into consideration in licensing, and setting up surgeries safely.
- Members should be encouraged to speak up on things that needed to change and to be fearless for their constituents.

In response to questions, the Borough Solicitor made the following comments:

- There was a need to explain what Members were being asked to sign before the session on enabling Members to sign the Declaration of Acceptance of Office. However, the signing was a big part of the first induction day.
- The Member Support team would be available during the first induction day to help Members access the casework system.
- There was training scheduled on decision making and formal meetings but the different roles available could be developed further.

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- There was compulsory training on personal safety but this could be considered in a broader context such as dealing with social media abuse.

The Chair suggested that Members talk to their Group Whips about the compulsory nature of the standards specific training.

RESOLVED -

THAT Standards Committee:

- (i) Commented, as summarised above, on the current proposed induction programme for Members after the 2022 local elections concerning standards issues and training; and
- (ii) Endorsed the compulsory nature of the standards specific training.

11. UPDATE ON STANDARDS MATTERS, JANUARY 2022

Consideration was given to the report of the Borough Solicitor.

Members made the following comments:

- The Standards Board for England was abolished in part because they received a high number of trivial complaints.
- In the second bullet point of the appendix, bogs should read blogs.
- Clarity was requested around the use of Council resources as 'props' during the pre-election period. It was queried whether this included standing in front of a school or community centre in photos and noted that an election campaign might be concerned with council resources.

In response to questions, the Borough Solicitor made the following comments:

- The de minimis rule would need to be applied to campaign photographs. A photo on the Town Hall steps or with officers might be considered unfair as other candidates might not have the same access to the council property or council staff. However, a photograph on the street and in front of a school would be something all candidates could do. Photographs should not imply council support for a candidate.
- Putting political stickers on council blocks would be considered flyposting.

RESOLVED –

THAT Standards Committee noted and commented on the contents of the report.

12. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no urgent business.

The meeting ended at 7.45 pm.

CHAIR

Contact Officer: Cheryl Hardman

Telephone No: 020 7974 1619

E-Mail: cheryl.hardman@camden.gov.uk

MINUTES END

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LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE Standards Committee: Terms of Reference and Procedures	
REPORT OF Borough Solicitor	
FOR SUBMISSION TO Standards Committee	DATE 29 June 2022
<p>SUMMARY OF REPORT</p> <p>This report provides an introduction to the Standards Committee, outlining its purpose, membership and how it operates in practice.</p> <p>Local Government Act 1972 – Access to Information</p> <p>No documents that require listing have been used in the preparation of this report.</p> <p>Contact Officer: Cheryl Hardman Principal Committee Officer Crowndale Centre 218 Eversholt Street London NW1 1BD 020 7974 1619 cheryl.hardman@camden.gov.uk</p>	
<p>RECOMMENDATIONS</p> <p>That Standards Committee:</p> <ul style="list-style-type: none"> a) Notes the Committee’s terms of reference; b) Notes the membership of the Committee; and c) Makes suggestions for the Committee’s forward work plan. 	

Signed: 

Borough Solicitor

Date: 8 June 2022

1. Purpose of Report

- 1.1. This report provides an introduction to the Standards Committee, outlining its purpose, membership and how it operates in practice.

2. Terms of Reference

- 2.1. The Localism Act 2011 imposed a duty on local authorities to promote and maintain high standards of conduct by members and co-opted members of the authority¹. This included the adoption of a Code of Conduct that was consistent with the Seven Principles of Public Life, the provision of a register of interests and arrangements for dealing with complaints about misconduct by councillors². To address these requirements, Standards Committee was given the responsibility of advising on ethical standards, monitoring the complaints process and hearing complaints referred to them by the Monitoring Officer. The Committee's terms of reference in full are:

1. Promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;
2. Assisting the councillors, co-opted members and church and parent governor representatives to observe the Code of Conduct;
3. Advising the Council on the adoption or revision of the Code of Conduct;
4. Monitoring the operation of the Code of Conduct;
5. Advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Code of Conduct;
6. Agreeing guidance for councillors on matters related to conduct to be distributed to them and when they deem it appropriate included as part of the constitutional guidance;
7. When matters are referred by the Borough Solicitor granting dispensations to Councillors, co-opted members and church; and parent governor representatives from requirements relating to interests set out in the Code of Conduct;
8. On matters being referred by the Borough Solicitor deciding whether complaints concerning members should be investigated;
9. Hearing complaints that have been referred to them by the Monitoring Officer pursuant to the Complaints Procedure;

¹ <https://www.legislation.gov.uk/ukpga/2011/20/section/27/enacted> [accessed 31 May 2022]

² <https://www.legislation.gov.uk/ukpga/2011/20/section/28/enacted> [accessed 31 May 2022]

10. Being responsible for the function of the local consideration, investigation and determination of complaints;
11. The agreement of relevant procedures for the undertaking of its functions such when appropriate to be included within the Constitution; and
12. Preparing a report on the work of the Committee during the year and work priorities for the next year should it consider this necessary.
13. To make recommendations on the following protocols and procedures to Council:
 - i) Members' Code of Conduct;
 - ii) Procedure for dealing with complaints against Members;
 - iii) Member/Officer Protocol.
14. To approve the following protocols and procedures:
 - i) Gifts and Hospitality Protocol for Members;
 - ii) Use of Information technology – Guidance on the Members' Code of Conduct;
 - iii) Social Media Guidelines for councillors;
 - iv) Ministerial and Political visits guidance;
 - v) Any other minor guidance they consider helpful subject to it not making any material difference to the reserved policies.

3. Membership

- 3.1. By decision of the Council, Standards Committee has been excluded from the usual proportionality rules, with seats allocated to all the political parties represented on the Council and no one party having an overall majority.
- 3.2. The Council is required in accordance with the Localism Act 2011³ to have at least one Independent Person to advise the Monitoring Officer on conduct matters. In the interests of best practice, Camden Council has two Independent Persons, Maggie Redfern and Sue Terry, who are appointed annually at statutory Council.
- 3.3. The role of the Independent Persons is to provide an independent view on misconduct complaints against Members, but they also attend all Standards Committee meetings as non-voting observers.

4. Committee meetings

- 4.1. Reports to Committee will tend to either review existing guidance or be one of the standing reports.

³ <https://www.legislation.gov.uk/ukpga/2011/20/section/28/enacted> [accessed 31 May 2022]

- 4.2. During the previous municipal year, the Committee reviewed and revised the new Local Government Association model Code of Conduct, strengthening it to take account of decisions taken by the Council over previous years before recommending adoption to Council. It also updated a number of associated protocols to ensure consistency. The new Code of Conduct and requirements to register Compulsory Disclosable Non-Pecuniary Interests came into force immediately following the 5 May 2022 election.
- 4.3. Each meeting is presented with an Update on Standards Matters report. This report covers general standards matters that will be of interest to the Committee, including updates on actions from the previous meeting, an annual monitoring report on complaints received, updates from the Government or the Committee for Standards in Public Life, and summaries of recent Standards cases with associated lessons for the Committee.
- 4.4. The Standards Information and Guidance Record provides a log of guidance and advice on standards and conduct issued to councillors.

5. Complaints Hearings

- 5.1. The Borough Solicitor has delegated responsibility, in consultation with an Independent Person, to decide whether a complaint requires investigation. Where a formal investigation has been conducted and results in a finding of a failure to comply with the Code of Conduct, the Standards Committee will hold a complaints hearing.
- 5.2. At the hearing, the Councillor against whom the complaint has been made can respond to the investigation report, and the Committee can determine whether the Councillor did fail to comply with the Code of Conduct and if so what action, if any, is appropriate as a result.
- 5.3. Details on the complaints and hearing procedure can be found in the protocol *Dealing with Misconduct Complaints Against Councillors*, which is part of the Code of Conduct under Part 5 – Codes and Protocols of the Council's Constitution.

6. Finance Comments of the Executive Director Corporate Services

- 6.1. There are no financial impacts resulting from this report.

7. Legal Comments of the Borough Solicitor

- 7.1. This is a report of the Borough Solicitor and there are no other legal comments.

8. Environmental Implications

- 8.1. There are no environmental implications.

9. Appendices

None

REPORT ENDS

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LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE Update on Standards Matters, June 2022	
REPORT OF Borough Solicitor	
FOR SUBMISSION TO Standards Committee	DATE 29 June 2022
<p>SUMMARY OF REPORT</p> <p>This report brings to Members' attention recent standards news items for information and updates on actions from the previous Standards Committee meeting.</p> <p>Local Government Act 1972 – Access to Information</p> <p>No documents that require listing have been used in the preparation of this report.</p> <p>Contact Officer: Cheryl Hardman Principal Committee Officer Crowndale Centre 218 Eversholt Street London NW1 1BD 020 7974 1619 cheryl.hardman@camden.gov.uk</p>	
<p>RECOMMENDATIONS</p> <p>That Standards Committee notes and comment on the contents of the report.</p>	

Signed: 

Borough Solicitor

Date: 8 June 2022

1. Purpose of Report

- 1.1. This report highlights recent matters concerning standards, which will be of interest to the Committee.

2. Feedback from Recent Complaints

- 2.1. There are very few complaints made about Members in Camden, which is a positive indication of the conduct of Camden's councillors. Since the last report to the Committee on complaints about Members on 29th June 2021, nine complaints have been received. The Borough and an Independent Person decided that none of the complaints required a formal investigation as either the behaviour described in the complaints would not have constituted a breach of the Code of Conduct or the Councillor had stood down before an investigation could take place. As significant number of complaints are not about behaviour but about policy decisions that residents do not like or, on one occasion, about the details of the implementation of policy that could not have been the responsibility of the Member.
- 2.2. It should be noted that Camden has traditionally avoided politically motivated complaints, which has continued to be the case and has contributed to the numbers remaining very low. It remains important that such complaints remain confidential so any comment on them needs to bear this in mind. No decisions by the Borough Solicitor not to investigate those complaints were successfully appealed at the Local Government Ombudsman.
- 2.3. Our Independent Persons continue to be extremely helpful both in constructively inputting into the Borough Solicitor's decisions as to whether or not to investigate a complaint, and generally by making themselves readily available and being quick to provide responses. This outside view is extremely important and helpful in coming to a sensible decision on the complaints that are received.

3. Local Government (Disqualification) Act 2022

- 3.1. The Local Government (Disqualification) Act 2022¹ has received Royal Assent, with implementation from 28 June 2022. The Act identifies the grounds relating to sexual offences for which a person is disqualified from being elected to, or holding certain positions in local government. Secondary legislation is to follow once negotiations with the Electoral Commission are finished to effect change to the nomination form.

¹ <https://www.legislation.gov.uk/ukpga/2022/17/enacted> [accessed 25 May 2022]

4. Committee on Standards in Public Life Update

Review of Local Government Ethical Standards

- 4.1. The Government has published a response² to the Committee on Standards in Public Life (CSPL) 2019 report on Local Government Ethical Standards³.
- 4.2. In summary, the Government has sought to balance public and private life, local decision making and further legislative intervention in its response. It considers that local authorities are best placed to address many of the CSPL's recommendations and highlights that the Local Government Association has updated the model code of conduct addressing many of the points raised.
- 4.3. The Government states that it will not be introducing the power to suspend councillors without allowances for up to six months as recommended but will work with representative bodies on strengthening existing sanctions, including considering in what circumstances councillors may be lawfully barred from council premises.
- 4.4. Lord Evans, Chair of the CSPL, stated:

“While we note the government’s commitment to further work to support local government, the Committee is disappointed that many of its careful recommendations have not been accepted. It was clear from our evidence that the sector backed our call to strengthen the arrangements in place to support high ethical standards, whilst respecting the benefits of a localised approach.

We are pleased that many local authorities have already reviewed their approach as a result of this work and are adopting the best practice points from the report. Across all tiers of local government, decisions are taken about a wide range of local services using public funds, so it is important that there are robust governance arrangements that command public confidence”⁴.

Borough Solicitor’s Comment

- 4.5. Following the publication of the report on Local Government Ethical Standards, Standards Committee reviewed the best ethical practice identified by CSPL that all local authorities were expected to implement. While the Council has a long-standing culture of high standards, it is not complacent and quickly took steps to address identified shortfalls, such as including a prohibition on harassment and a definition of bullying and harassment in the Code of Conduct. Following the development of a new model code of conduct by the Local Government

² <https://www.gov.uk/government/publications/local-government-ethical-standards-government-response-to-the-committee-on-standards-in-public-life-report> [accessed 25 May 2022]

³ <https://www.gov.uk/government/publications/local-government-ethical-standards-report> [accessed 24 May 2022]

⁴ <https://www.gov.uk/government/news/lord-evans-statement-on-the-governments-response-to-the-committees-report-on-local-government-ethical-standards> [accessed 24 May 2022]

Association, the Committee adopted the new Code while strengthening it by taking account of Council decisions over recent years.

- 4.6. The Government's decision not to implement the CSPL recommendations has left the standards regime with very few powers at a local level. In effect, the most severe sanction available to local authorities is a finding of a breach of the Code of Conduct. While in councils such as Camden with already high standards, group discipline and close media scrutiny, this does not have any detrimental effect, in other councils without such controls councillors who have behaved very badly will remain in office.

Review on Leadership and Public Standards

- 4.7. The CSPL has launched Leading in Practice⁵, a review examining the role of leadership in embedding the Seven Principles of Public Life in public sector organisations. It will look at examples of good practice and seek to understand how obstacles have been overcome. Updates will be provided to Standards Committee at future meetings.

5. Standards Cases

Malden District Council

- 5.1. Standards Committee has previously considered the case of Councillor Chrisy Morris who was found to have breached the Members' Code of Conduct at Malden District Council⁶. The standards report had listed complaints that Councillor Morris had been "abusive", "haranguing" and "rude", and that he had disclosed private communications. As a vote was being called on sanctions at a Council meeting to discuss the standards report, Councillor Morris interrupted by repeatedly saying "point of order". However, according to a statement issued by the Council's Leader after the meeting, he did not state which procedure rule his point of order referred to. The Chair of the Council meeting moved that Councillor Morris shall be no longer heard, which was seconded by the majority of fellow councillors. However, the councillor continued to speak, including with a megaphone, stating "At least I have got the testicular fortitude to sit here and speak my truth." The Chair moved that Councillor Morris be removed from the meeting. The police were called to the meeting but no arrests were made. Councillor Morris was subsequently banned from all committees for 18 months. The meeting ended with the Members walking out in protest at Councillor Morris' behaviour. Footage of the meeting can be viewed on the [BBC website](#)⁷.
- 5.2. In update, Mr Morris was recently given a suspended eight month prison sentence for breaching a non-molestation order⁸. He was also given a restraining

⁵ <https://www.gov.uk/government/news/committee-on-standards-in-public-life-announces-review-on-leadership-and-public-standards> [accessed 24 May 2022]

⁶ <https://www.localgovernmentlawyer.co.uk/governance/396-governance-news/48731-police-called-to-council-meeting-argument-over-standards-report> [accessed 25 May 2022]

⁷ <https://www.bbc.co.uk/news/uk-england-essex-59174940> [accessed 3 December 2021]

⁸ <https://www.localgovernmentlawyer.co.uk/governance/396-governance-news/49853-councillor-disqualified-after-receiving-suspended-eight-month->

order and required to carry out 200 hours of unpaid work. The Council confirmed that Mr Morris was no longer a councillor having been disqualified.

Borough Solicitor's Comment

- 5.3. While a Member may raise a point of order at any time during a Council meeting (Section 19.13, Council Procedure Rules), they must indicate the Procedure Rules or law that they consider to have broken. The Mayor will then hear the point of order immediately and their ruling on the matter will be final.
- 5.4. The handling of a Member's misconduct during a Council meeting is addressed under Section 24 of the Council Procedure Rules. In the event of a Member persistently disregarding the ruling of the Mayor by behaving improperly or offensively, or by deliberately obstructing business, the Mayor may move that the "Member be not heard further". If seconded, a vote will be carried out without discussion. The next step, if a Member continues to behave improperly, is for the Mayor to move that the Member leaves the meeting or that the meeting be adjourned for a specified period. Again, if seconded, a vote will be carried out without discussion. If a general disturbance by Members makes orderly business impossible, the Mayor may adjourn the meeting for as long as considered necessary to restore calm. Local authorities have a common law power to exclude those whose disorderly conduct or misbehaviour disrupts or threatens to disrupt the business of the meeting (Laporte and Christian v Metropolitan Police Queen's Bench Division (Turner J) 31 October 2014).
- 5.5. Section 80 of the Local Government Act 1972⁹ states that a person shall be disqualified from being an elected member of a local authority if either within five years prior to the day of election or following the election they receive a sentence of imprisonment for not less than three months, regardless of whether it is suspended.

Vale of Glamorgan

- 5.6. Vale of Glamorgan Council suspended a councillor, who had sat on the local authority's planning committee since 2017, for one month in January 2022 after opening a coffee shop and wine bar without securing planning permission for change of use¹⁰. Councillor Leighton Rowlands stated that he had received training for his position on the committee but had "limited or confused knowledge of planning". He had applied for planning permission but opened the café before the Council had made a decision. While the Council officer had sought advice from a planning officer, he had not spoken to the Monitoring Officer. The Council's Standards Committee found that although the councillor has subsequently sought to withdraw from the situation, the councillor had brought his office and the Council into disrepute by his initial actions.

[sentence#:~:text=A%20councillor%2C%20who%20disrupted%20a,breaching%20a%20non%2Dmolestation%20order.](#) [accessed 25 May 2022]

⁹ <https://www.legislation.gov.uk/ukpga/1972/70/section/80> [accessed 25 May 2022]

¹⁰ <https://www.localgovernmentlawyer.co.uk/governance/396-governance-news/49570-welsh-councillor-who-started-coffee-shop-and-wine-bar-without-planning-permission-found-to-be-in-serious-breach-of-code-of-conduct> [accessed 25 May 2022]

Borough Solicitor's Comment

- 5.7. The standards regime in Wales differs from England. Councillors in Wales are required to comply with the model code of conduct set out in the Schedule to the Local Authorities (Model Code of Conduct) (Wales) Order 2008, as amended by the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016. Local authority standards committees have powers to censure or suspend members in breach of the code of conduct. In more serious cases, the Adjudication Panel for Wales may suspend or disqualify a Member from holding office. In contrast with the Adjudication Panel for Wales, Standards Committees in England would not be able to suspend a councillor found to have breached the Code of Conduct for similar behaviour. As noted above, the Government has recently confirmed that it will not be introducing this power following recommendations by the CSPL.
- 5.8. All members who sit on planning committee receive mandatory training on planning law, policies and procedures and regular refresher training as required. Councillors are encouraged to raise queries with planning officers and the Monitoring Officer. Camden councillors are similarly required not to bring their role or office into disrepute. The guidance to this obligation highlights that councillors are trusted to take decisions on behalf of their community and so their actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. Acting in breach of planning control could affect public trust in the local authority's ability to discharge its functions.

Hyndburn Borough Council

- 5.9. The Information Commissioner has found the Leader of Hyndburn Borough Council guilty of breaching data protection laws after he named a Freedom of Information (FOI) requester at a Council meeting¹¹. The FOI requester, former borough MP Graham Jones, has called for the Leader, Councillor Miles Parkinson, to resign, claiming the disclosure was part of a bullying campaign. Councillor Parkinson has said that he will not resign but will apologise to Mr Jones.

Borough Solicitor's Comment

- 5.10. Misuse of data can amount to a criminal offence and may also be a breach of the Code of Conduct. Members need to be aware of their responsibilities under data protection laws and training was provided during the initial induction of Members following the election. Members are also obliged in accordance with the Code of Conduct to not disclose information:

"a. given to me in confidence by anyone
b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless

¹¹ <https://www.lancashiretelegraph.co.uk/news/20179184.hyndburn-council-leader-breached-data-law-rules-privacy-watchdog/>

- i. I have received the consent of a person authorised to give it;
- ii. I am required by law to do so;
- iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
- iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. I have consulted the Monitoring Officer prior to its release.

5.11. This case confirms that, in the processing of FOI requests, the identity of requesters is data protected. Authorities are charged with taking a requester blind approach to dealing with FOI requests and it is rarely the case that, beyond those processing the applications, anyone else has a right to see who has asked the question. This is something that the Council does enforce in its processing of FOI requests.

6. Finance Comments of the Executive Director Corporate Services

6.1. There are no financial impacts resulting from this report.

7. Legal Comments of the Borough Solicitor

7.1. This is a report of the Borough Solicitor and there are no other legal comments.

8. Environmental Implications

8.1. There are no environmental implications.

9. Appendices

None

REPORT ENDS

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LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE Standards Information and Guidance Record	
REPORT OF Borough Solicitor	
FOR SUBMISSION TO Standards Committee	DATE 29 June 2022
<p>SUMMARY OF REPORT</p> <p>This report sets out the record of standards information and guidance issued to Members of the Council.</p> <p>Local Government Act 1972 – Access to Information</p> <p>Various emails to councillors as detailed in the appendix to the report.</p> <p>Contact Officer: Cheryl Hardman Principal Committee Officer Crowndale Centre 218 Eversholt Street London NW1 1BD 020 7974 1619 cheryl.hardman@camden.gov.uk</p>	
<p>RECOMMENDATIONS</p> <p>That Standards Committee notes the record of standards guidance.</p>	

Signed: 

Borough Solicitor

Date: 8 June 2022

1. Purpose of Report

- 1.1. The Standards Committee has a remit to promote standards amongst Members of the Council. As a result it undertakes to regularly update and review guidance issued to Members in line with one of its terms of reference:

“Agreeing guidance for councillors on matters related to conduct to be distributed to them and when they deem it appropriate included as part of the constitutional guidance”.

- 1.2. The Committee has agreed to maintain a record of when guidance has been updated and/or issued to Members and for that record to be shared with the Committee as a standing item in lieu of a work plan.

2. Changes to the Record

- 2.1. Following the election on 5th May 2022, all Members received the Register of Interests pack in hard copy on 7th May, which included dispensations forms to be completed and submitted. On 11th May, all Members were given a presentation by the Borough Solicitor on standards matters including the new Councillor Code of Conduct and were signposted to the new Code and accompanying updated protocols.
- 2.2. On 9th May, all Co-opted Members were issued with the new Code of Conduct and Gifts and Hospitality Protocol and asked to submit an updated Register of Interests form.
- 2.3. On 15th June, all Members re-elected at the election on 5th May 2022 were reminded to register any further gifts and hospitality received during 2021/22 and that after 24th June, all public registers of returning Members receiving no gifts and hospitality would be updated with an entry stating ‘No gifts or hospitality declared for the 2021/22 municipal year’.
- 2.4. At the Standards Committee meeting on 15th November 2021, officers were asked to review the length of the reported record. The record has since been shortened to include only the guidance and advice on standards and conduct issued since the 2018 election. This enables the Committee to review the cycle of guidance over the previous term while reducing the amount of paperwork on the agenda.

3. Forthcoming Guidance

- 3.1. There is currently no guidance scheduled to be issued, other than as a result of other reports before the Committee.
- 3.2. The Committee is invited to suggest any areas where guidance might be reviewed by the Committee at a future meeting or reissued to Members now. Any further comments on the form and content of the record are also welcome.

4. Finance Comments of the Executive Director Corporate Services

4.1. There are no financial impacts resulting from this report.

5. Legal Comments of the Borough Solicitor

5.1. This is a report of the Borough Solicitor and there are no other legal comments.

6. Environmental Implications

6.1. There are no environmental impacts.

7. Appendices

7.1. Appendix A: Record of guidance and advice on standards and conduct issued to councillors

REPORT ENDS

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Record of guidance and advice on standards and conduct issued to councillors

1. Constitutional Guidance

Document	Last reviewed by Standards Committee	Last updated	Last date of issue to Members (if not same as date last updated)
Members' Code of Conduct	31 st January 2022	7 th March 2022 (Council) Into force 9 th May 2022	-
Dealing with Misconduct Complaints against Members	31 st January 2022	31 st January 2022 Into force 9 th May 2022	-
Members' Gifts and Hospitality Protocol	31 st January 2022	31 st January 2022 Into force 9 th May 2022	-
Member/Officer Protocol	10 th January 2019	21 st January 2019	-
Use of Information Technology – Guidance on the Members' Code of Conduct	31 st January 2022	31 st January 2022 Into force 9 th May 2022	-
Social Media Guidelines for Councillors	31 st January 2022	31 st January 2022 Into force 9 th May 2022	-

2. Other Guidance

Area of guidance	Scope of guidance	Issued via	Date issued
Gifts and Hospitality	Reminder for returning Members to register any gifts and hospitality for the 2021-22 year by 24 th June 2021.	Email	15 th June 2022
Post-election standards briefing	All Members were given a presentation by the Borough Solicitor giving an overview of standards matters including, but not limited to: the Code of Conduct, interests, bias and predetermination, gifts and hospitality, social media, data protection and the Member/Officer Protocol.	Presentation (then circulated digitally)	11 th May 2022

Register of Interests (Co-opted Members)	All Co-opted Members were issued with the new Code of Conduct and Gifts & Hospitality Protocol. They were asked to complete the updated Register of Interests form.	Email	9 th May 2022
Register of interests	All Members were issued with the register of interests pack post-election, which contained information and guidance on registration of interests, dispensations, sensitive interests, and gifts and hospitality.	Hard copy	7 th May 2022
Related Party Transactions	Information regarding the Council's obligations to declare related party transactions and the need to update registers of interest in light of this.	Email	1 st March 2022
Register of Interests	Reminder to councillors and co-opted Members to register any pecuniary interests, as well as gifts and hospitality.	Email	1 st September 2021
Gifts and Hospitality	Reminder to register any gifts and hospitality for the 2020-21 year by 11 th June 2021.	Email	7 th June 2021
Related Party Transactions	Information regarding the Council's obligations to declare related party transactions and the need to update registers of interest in light of this.	Email	2 nd March 2021
Register of Interests – co-opted and ex-officio Members	Reminder to co-opted and ex-officio Members to register any pecuniary interests, as well as gifts and hospitality.	Email	14 th January 2021
Dispensations	Advice to Members on applying for the general dispensation to permit them to participate and vote on specified matters in which they may have a pecuniary interest.	Email	11 th November 2020
Councillor's rights to information – <i>advice to officers</i>	Officers' senior leadership group reminded of councillors' rights to confidential information and need to mark-up confidential information as such when sharing with councillors.	Email	10 th November 2020
Junior Officer Contacts	Reminder on being cautious when giving out officer contact details.	Email	19 th October 2020
Register of Interests	Reminder to register any pecuniary interests, as well as gifts and hospitality.	Email	2 nd September 2020
Gifts and Hospitality	Reminder to register any gifts and hospitality for the 2019-20 year by 11 th June 2020.	Email	2 nd June 2020

Sensitive Interests	Reminder about sensitive interest provisions in Localism Act 2011 during coronavirus emergency	Email	13 th May 2020
Related Party Transactions	Information regarding the Council's obligations to declare related party transactions and the need to update registers of interest in light of this.	Email	3 rd March 2020
Register of Interests	Reminder to register any pecuniary interests, as well as gifts and hospitality.	Email	2 nd September 2019
Gifts and Hospitality	Reminder to register any gifts and hospitality for the 2018-19 year by 12 th June 2019.	Email	4 th June 2019
Sensitive interests and social media	Reminder about sensitive interest provisions in Localism Act 2011 and update of Social Media Guidelines for Councillors to include advice regarding the use of agents.	Email	30 th April 2019
Related Party Transactions	Information regarding the Council's obligations to declare related party transactions and the need to update registers of interest in light of this.	Email	21 st March 2019
Members' declarations in relation to budget-setting Council and Members' allowance	Advice to Members in relation to their being council taxpayers, members of outside bodies or other organisations in the context of budget-setting. Also includes guidance on all Members having a dispensation and a collective declaration being made in respect of Members' allowances.	Email	25 th February 2019
Members' declarations in relation to budget-setting report at Cabinet	Advice to Cabinet Members in relation to their being council taxpayers, members of outside bodies or other organisations in the context of budget-setting.	Email	19 th February 2019
Guidance on Gifts and Hospitality/ Register of Interests	Updates to Gifts and Hospitality Protocol and Guidance on completing Register of Interests by Standards Committee	Email	24 th January 2019
Guidance on Gifts and Hospitality	Key points of Gifts and Hospitality Protocol, including Protocol as attachment.	Email	11 th December 2018

Guidance on Gifts and Hospitality; past and future interests	Guidance of the duration that gifts and hospitality have to remain on the Register of Interests. Guidance on the issue of past and future interests and when they may be classed as relevant non-pecuniary interests.	Email	25 th September 2018
Post-election standards briefing	All new Members (with returning Members invited) were given a presentation by the Borough Solicitor giving an overview of standards matters including, but not limited to: the Code of Conduct, interests, bias and predetermination, gifts and hospitality, social media, data protection and the Member/Officer Protocol.	Presentation (then circulated digitally)	9 th May 2018
Register of interests	All Members were issued with the register of interests pack post-election, which contained information and guidance on registration of interests, dispensations, sensitive interests, and gifts and hospitality.	Hard copy	5 th May 2018