

STANDARDS COMMITTEE

TUESDAY, 29 JUNE 2021 AT 6.30 PM
THE COUNCIL CHAMBER, CROWDALE CENTRE, 218 EVERSOLT STREET,
LONDON, NW1 1BD

* Whilst social distancing measures remain in place, public gallery capacity is limited. If you wish to watch the live broadcast of the meeting, you can do so by following the link at the bottom of this page.

Enquiries to: Cheryl Hardman, Committee Services
E-Mail: cheryl.hardman@camden.gov.uk
Telephone: 020 7974 1619 (Text phone prefix 18001)
Fax No: 020 7974 5921

MEMBERS

Councillor Richard Cotton (Chair) (L)

Councillor Henry Newman (Vice-Chair) (C)

Councillors Siân Berry (G), Thomas Gardiner (L), Maria Higson (C), Angela Mason (L), Luisa Porritt (LD), Roger Robinson (L) and Tom Simon (LD)

INDEPENDENT PERSONS

Maggie Redfern and Sue Terry

SUBSTITUTE MEMBERS

Councillors Steve Adams (C), Oliver Cooper (C), Samata Khatoon (L), Awale Olad (L), Lazzaro Pietragnoli (L) and Georgie Robertson (L)

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

Issued on: Monday, 21 June 2021

CROWDALE CENTRE CORONAVIRUS AND FIRE EVACUATION MEASURES

Everyone is welcome to observe public meetings in Camden. However, whilst social distancing measures remain in place, meeting room capacity is very limited and so all public meetings will be webcast live at www.camden.gov.uk/webcast. The public is urged to watch the live stream rather than to attend in person.

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

- All attendees are strongly advised to take a free Lateral Flow Test before you attend the meeting. Home testing kits are available from <https://www.gov.uk/order-coronavirus-rapid-lateral-flow-tests> or you can find out where your nearest test centre is at <https://maps.test-and-trace.nhs.uk/>. If you test positive, please self-isolate with your household and book a follow-up PCR test within 48 hours to confirm the result.
- If you are feeling unwell, please do not attend. If you have symptoms of Covid-19 (a high temperature, a new continuous cough or a loss or change to your sense of smell or taste), you should self isolate and get a coronavirus test.
- Entrance to the public gallery is via Staircase A, accessed via the gate to the Medical Centre on Crowndale Road. Once through the gates, take the gated bridge to the right and follow the instructions of security staff.
- Unless you are exempt, you must wear a face covering at all times once inside the building, except when you are seated in the public gallery.
- Hand sanitiser stations will be available – please sanitise on arrival and at regular intervals during your visit.
- Please observe social distancing and maintain a distance of 2m from others whilst inside the building.

If the fire alarm sounds continuously, or if you are instructed to do so, leave the building quickly and calmly by the nearest available exit. Do not stop to collect personal belongings. Fire exit doors are clearly marked and lead via the staircases to Crowndale Road or Eversholt Street.

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 Friday, 25 June 2021**. 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 2021**

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. TERMS OF REFERENCE | |
| To note the Committee's terms of reference. | (Pages 13 - 14) |
| 3. APOLOGIES | |
| 4. DECLARATIONS BY MEMBERS OF PECUNIARY, NON-PECUNIARY AND ANY OTHER INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA | |
| 5. DEPUTATIONS (IF ANY) | |
| 6. ANNOUNCEMENTS (IF ANY) | |

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 are seated in the Chamber or participating via Teams, you are deemed to be consenting to having your contributions recorded

and broadcast and to the use of those sound recordings and images for webcasting and/or training purposes.'

Any other announcements

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 9 November 2020. (Pages 15 - 20)

9. UPDATING THE MEMBERS' CODE OF CONDUCT

All Wards

Report of the Borough Solicitor

(Pages 21 - 84)

Following consultation, the Local Government Association (LGA) has published its new Model Councillor Code of Conduct. This report provides background to the new Model Code and makes initial recommendations for amendments to strengthen the Model Code in line with decisions taken by the Council over recent years. Officers will work with the Committee on drafting the Council's new Code of Conduct, with the intention of referring to the Council to approve and adopt the updated Code into the Constitution later in the municipal year. The updated Code would then come into force following the local elections in 2022 and training provided as part of the induction programme.

10. UPDATE ON STANDARDS MATTERS, JUNE 2021

All Wards

Report of the Borough Solicitor

(Pages 85 - 94)

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 95 - 106)

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, 15 November 2021 at 6.30 pm.

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. Deputees 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 deputations. 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 deputations, 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

Standards Committee¹

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;
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 procures:
 - i) Gifts and Hospitality Protocol for Members;
 - ii) Use of Information technology – Guidance on the Members' Code of Conduct;

¹ The Standards Committee will follow the Committee Procedure Rules set out in Part 4. The Standards Committee's procedure for considering local decisions is set out in Part 5.

- 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.

THE LONDON BOROUGH OF CAMDEN

At a meeting of the **STANDARDS COMMITTEE** held on **MONDAY, 9TH NOVEMBER, 2020** at 6.30 pm in Remote Meeting via Microsoft Teams. The meeting can be watched live via <https://councilmeetings.camden.gov.uk>

MEMBERS OF THE COMMITTEE PRESENT

Councillors Richard Cotton (Chair), Henry Newman (Vice-Chair), Siân Berry, Thomas Gardiner, Maria Higson, Angela Mason, Luisa Porritt and Tom Simon

MEMBERS OF THE COMMITTEE ABSENT

Councillors Roger Robinson

INDEPENDENT PERSONS PRESENT

Maggie Redfern and 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 REMOTE MEETINGS HELD DURING THE CORONAVIRUS NATIONAL EMERGENCY

RESOLVED –

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

2. TERMS OF REFERENCE

RESOLVED –

THAT the Committee's terms of reference be noted.

3. APOLOGIES

Apologies for absence were received from Councillor Roger Robinson.

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

There were no declarations of interest.

5. ANNOUNCEMENTS (IF ANY)

The Chair announced that the meeting was being broadcast live by the Council to the Internet and could be viewed on the website for six 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.

6. DEPUTATIONS (IF ANY)

There were no deputations.

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

There were no items of urgent business.

8. MINUTES

RESOLVED –

THAT the minutes of the meeting held on 3rd February 2020 be approved and signed as a correct record.

9. GENERAL DISPENSATION FOR MEMBERS

Consideration was given to the report of the Borough Solicitor.

In response to a comment, the Borough Solicitor noted that an email from the Chair of Standards Committee would be circulated to all Members asking them to apply for the General Dispensation. Commentary could be added to clarify that the first dispensation concerning housing was limited to when decisions applied to tenants generally and not when a councillor had a particular interest. Advice could be sought from himself or other Legal staff if a Member was in any doubt.

ACTION BY: Borough Solicitor

RESOLVED –

THAT the Committee:

- (i) Delegated authority to the Borough Solicitor to, upon application by Members, grant a dispensation for four years from the date of this Committee meeting, for Members to participate and vote in the following matters, irrespective of them otherwise having a pecuniary interest:

- (a) housing, where the Member is a tenant of Camden or a housing association tenant, provided that any function/decision does not relate particularly to the Member's tenancy or lease;
 - (b) school meals or school transport and travelling expenses, where the Member is a parent or guardian of a child in full time education, or are a parent governor of a school, unless the matter relates particularly to the school which the child attends;
 - (c) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where the Member is in receipt of, or is entitled to the receipt of, such pay;
 - (d) an allowance, payment or indemnity given to Members;
 - (e) any ceremonial honours given to Members; and
 - (f) setting council tax or a precept under the Local Government Finance Act 1992.
- (ii) Noted that such dispensation does not relieve the Member of the obligation to declare the interest or have such interest registered in accordance with the Members' Code of Conduct.

10. UPDATE ON STANDARDS MATTERS, NOVEMBER 2020

Consideration was given to the report of the Borough Solicitor.

The quick response by the Council to the best practice recommendations by the Committee for Standards in Public Life was commended.

It was noted that the draft response to recommendation 9, which had proposed that a decision notice be published following any decision on an allegation of misconduct, implied that the Council would retain confidentiality where an accused councillor was exonerated. A further summary anonymised report was proposed for a future meeting.

Concern was expressed that there was no transparency around the accounts for Camden Living, which was partly owned by the Council.

The Borough Solicitor responded that the new model Code of Conduct would be published later in the year and that a meeting of Standards Committee would be arranged in February 2021 to enable Members to consider further changes. A Member requested that in addition to that, consideration be given to how Camden Living could be encouraged to greater transparency.

Councillor Henry Newman declared for transparency that he was an employee of the Cabinet Office. The Committee for Standards in Public Life was a non-departmental public body of the Cabinet Office. He had no comments on the draft response.

RESOLVED –

THAT Standards Committee:

- (i) Noted the contents of the report and made comments as summarised above; and
- (ii) Commented on and approved the draft response at Appendix 2 to the report to the Committee for Standards in Public Life's request for an update on progress against the best practice recommendations in its report on Local Government Ethical Standards.

ACTION BY: Borough Solicitor

11. STANDARDS INFORMATION AND GUIDANCE RECORD

Consideration was given to the report of the Borough Solicitor. He noted that general advice would be circulated on the pre-election period for the postponed Greater London Assembly elections, as well as the specific advice to Members standing for election. He commented that officers were reviewing information in the Constitution on how the Council managed emergencies, including how emergency powers were used. As there was a connection to standards issues, this could be brought to Standards Committee.

Members considered that virtual governance had worked successfully, ensuring that Council business was able to continue fairly and transparently. They thanked officers for their work enabling the introduction of virtual governance.

Having reviewed the record of guidance, a Member suggested that advice to officers on councillors' rights to information which had been circulated in September 2017 be circulated again. It was considered that this was important for transparency.

ACTION BY: Borough Solicitor

It was suggested that, while Standards Committee could evidence its promotion of high standards of conduct by councillors, a conversation could be had on its role with regard to co-opted members and church and parent governors. The Borough Solicitor agreed to consider how the Committee could address its wider role.

ACTION BY: Borough Solicitor

The Borough Solicitor noted that the Local Government Association had written to the Government urging it to extend the ability for councils to hold remote meetings beyond May 2021 as set out in regulations. He noted that while some meetings with public participation were more effective in person, it had been proven that other meetings could be held effectively while remote, with a saving in time and money. There were also benefits for certain demographics within the workforce for being able to work from home. There would need to be transparency about which meetings were being held remotely and why.

Standards Committee - Monday, 9th November, 2020

The Borough Solicitor agreed that an update on the volume and nature of complaints against Members be brought to the next meeting of Standards Committee, with benchmarking against other London boroughs.

ACTION BY: Borough Solicitor

RESOLVED –

THAT Standards Committee noted the record of standards guidance.

12. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There were no items of urgent business.

The meeting ended at 7.06 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 Updating the Members' Code of Conduct	
REPORT OF Borough Solicitor	
FOR SUBMISSION TO Standards Committee	DATE 29 th June 2021
<p>SUMMARY OF REPORT</p> <p>Following consultation, the Local Government Association (LGA) has published its new Model Councillor Code of Conduct. This report provides background to the new Model Code and makes initial recommendations for amendments to strengthen the Model Code in line with decisions taken by the Council over recent years. Officers will work with the Committee on drafting the Council's new Code of Conduct, with the intention of referring to the Council to approve and adopt the updated Code into the Constitution later in the municipal year. The updated Code would then come into force following the local elections in 2022 and training provided as part of the induction programme.</p> <p>Local Government Act 1972 – Access to Information</p> <p>No documents were used in the preparation of this report which are required to be listed.</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>Standards Committee is asked to:</p> <ol style="list-style-type: none"> 1. Comment on the proposed new Camden Members' Code of Conduct at Appendix 3 and suggest any changes they consider would be appropriate; 	

2. Note the intention, subject to those comments and any steer by Committee, to return to this Committee for agreement and referral of the updated Code to Council later in the municipal year for final approval and adoption into the Constitution, with the Code coming into force following the local elections in 2022;
3. Note the need for training on the new Code of Conduct, including updated obligations within the Register of Interests, upon the Code being adopted into the Constitution and that it is proposed this occurs during the induction programme following the local elections in 2022; and
4. Note that officers will review standards documents such as the Gifts and Hospitality Protocol for Members and the Social Media Guidelines, as well as the Register of Interests form following consideration by the Committee of the proposed revised Code of Conduct, and report back on whether any changes are recommended.

Signed:



Borough Solicitor

Date: 17 June 2021

1. Introduction

- 1.1. Following consultation, the Local Government Association (LGA) has published its new Model Councillor Code of Conduct. This report provides background to the new Model Code and makes initial recommendations regarding its adoption, with amendments to strengthen the Model Code in line with decisions taken by the Council over recent years.
- 1.2. Given how significant the Code of Conduct is, it is considered appropriate to give the Committee two opportunities to review the proposed changes. This would allow a chance to do some more detailed drafting, further reviewing or allow groups to discuss the matters raised, before asking full Council to approve the new Code of Conduct.

2. Requirement to Adopt a Code of Conduct

- 2.1. Local Authorities have a statutory duty to adopt a Code of Conduct for its Members, consistent with the Seven Principles of Public Life, and including provisions for registering and declaring pecuniary and non-pecuniary interests¹. Camden's Members' Code of Conduct is contained within the Constitution of the Council and is attached at Appendix 1 for information.

3. Consultation on a draft Model Code of Conduct

- 3.1. In its report on [Local Government Ethical Standards](#)², the Committee for Standards in Public Life (CSPL) recommended that the Local Government Association (LGA) should create an updated model Code of Conduct. This was to address inconsistency that had developed between local Codes of Conduct since the Localism Act 2011 was introduced, creating confusion amongst Members and the public. The report noted that there are common expectations among the public regardless of geography or tier. However, the existing model Codes of Conduct reviewed by CSPL compared unfavourably to bespoke Codes.
- 3.2. The LGA agreed to begin reviewing the model Code in September 2019, ahead of the Government's response to the CSPL's recommendations. Hoey Ainscough was appointed through a competitive exercise to work with the LGA on the review.
- 3.3. The LGA's objectives³ in reviewing the model Code of Conduct were to:
 - articulate what local government believes are good standards for all in public office

¹ <https://www.legislation.gov.uk/ukpga/2011/20/section/28/enacted>

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF

³

<https://www.local.gov.uk/sites/default/files/documents/191003%20public%20document%20on%20civility%20in%20public%20life%20%28Autosaved%29.pdf>

- show leadership in good standards of Conduct for those in public office, both elected and as employees
 - achieve consensus between the stakeholders affected by local government Conduct
 - support its member councils and partners in achieving good standards of Conduct
 - produce a Code that is fit for purpose, useful and held in high regard
 - enhance the reputation of local government and local politicians
 - support the good running of councils
 - support all democratically elected local representatives to deliver their best on behalf of their local communities
 - build on the good practice that already exists within member councils
- 3.4. During the first stage of the review, views and good practice examples were gathered. A series of workshops were held to review what worked and to develop some broad principles.
- 3.5. As a result of the Covid-19 national emergency, the publication of the draft model Code of Conduct and consultation was delayed. The consultation began on 8 June 2020 and closed on 17 August 2020. During this period, Camden Council's Standards Committee did not hold a formal meeting. Therefore, a draft response was prepared by the Monitoring Officer, who consulted on it with members of the Committee via email and an informal remote meeting on 4 August 2020. Feedback from Members and the Independent Persons was incorporated into the final response by the Council's Monitoring Officer, which was submitted on 6th August 2020 and shared formally with the Committee for information at its meeting on 9th November 2020.
- 3.6. An [analysis of the consultation response](#) has been published by the LGA on its website.
- 4. Model Councillor Code of Conduct 2020**
- 4.1. The LGA Board approved its final Model Councillor Code of Conduct, taking account of the consultation responses, on 3rd December 2020. The final [model Code of Conduct](#) was published on the LGA website on 23rd December following further minor editorial changes and is attached as Appendix 2.
- 4.2. The final model Code of Conduct adopts some distinct language choices in comparison with previous model Codes. For example, it seeks to use Plain English throughout to be more accessible to the public, uses councillor rather than Member (although co-opted Members are referenced as included in the definition of councillor), and uses a personal tense when setting out specific obligations. The format of the new model Code sets out guidance after each obligation.
- 4.3. Some other key points about the new model Code of Conduct are:

- It specifically references applying to all forms of communication and interaction, including ... “in electronic and social media communication, posts, statement and comments”.
- The obligation to treat others with ‘civility’ has been changed to ‘respect’ as encouraged by the Monitoring Officer’s response to the consultation.
- The definition provided for harassment is now taken from the Protection from Harassment Act 1997 rather than the Equality Act 2010. Following Members’ suggestions, the Monitoring Officer’s consultation response had suggested that the LGA consider defining harassment in a way that did not require the protected characteristics to be engaged.
- A specific obligation to promote equalities and to not discriminate unlawfully against any person has been added. The Monitoring Officer’s response had recommended this, highlighting the obligation in the Council’s current Code.
- The draft model Code had been unnecessarily restrictive with regard to the disclosure of information received in confidence, only allowing disclosure if a councillor had the consent of the persons authorised to give it or if required by law. The final model Code includes the further exceptions already in the Camden Code of Conduct while adding a requirement that a disclosure in the public interest and in good faith be allowed provided the councillor has consulted the Monitoring Officer.
- An additional obligation has been included to not improperly use knowledge gained solely as a result of a councillor’s role for the advancement of themselves, their friends, family members, employer or business interests.
- The draft model Code had included an obligation to not misuse council resources. This obligation has been expanded to include the need to act in accordance with the local authority’s requirements and to ensure that such resources are not used for political purposes, both of which are already part of the Council’s Code.
- Further obligations included in the final Code that were not part of the draft model Code of Conduct are the need to undertake Code of Conduct training, co-operate with investigations, and comply with any sanctions imposed. The Council had adopted the need to co-operate with investigations following the CSPL report on ethical standards.
- The need to register and disclose interests has been included as an obligation. The interests that are required to be registered are set out in Appendix B to the Code. This includes ‘Other Registerable Interests’ which are a version of the ‘Non-Pecuniary Interests’ in Camden’s existing Code. However, they have a specific definition and Members may need to declare and potentially not participate in a debate in a similar way to Disclosable Pecuniary Interests. The Monitoring Officer’s response to the consultation requested further definitions for many of the terms in this section of the Code but this has not been forthcoming.
- A series of obligations regarding gifts and hospitality have been included in the Model Code. These oblige Members not to accept ‘significant’ gifts and hospitality and to register any gifts or hospitality with an estimated

value of £50. This is a higher value than the Council has previously agreed was an appropriate sum to register.

- 4.4. It is noted that, as at the time of writing, separate Guidance commissioned by the LGA from Hoey Aniscough had not been published. This Guidance will provide clarity with regard to definitions within the section on interests. Further advice on the proposed new categories of interests will be provided to Standards Committee once the Guidance has been published.

5. Camden's Members' Code of Conduct

- 5.1. While the language and format of the final 2020 Model Councillor Code of Conduct is different to Camden's Members' Code of Conduct (Appendix 1), the obligations included are very similar to Camden's existing Code and have become even more so following the consultation on the draft model Code. However, it is also noted that over time, the Council has adapted and strengthened its own Code of Conduct through additional obligations and guidance and these should not be lost where they have not been adopted by the LGA. It is therefore proposed, to address the inconsistency between Codes of Conduct while retaining local variation, to adopt the LGA model code while amending it to take account of decisions by Council over recent years, such as:

- The Council extended the definition of co-opted Member to include those who are not entitled to vote.
- The Council voluntarily included informal meetings in the requirement to disclose interests.
- The inclusion of obligations such as:
 - When using resources of the Council, or authorising their use by others, you must have regard to any applicable Local Authority Code of Publicity made pursuant to the Local Government Act 1986.
 - You must when in committee or Council behave in an appropriate way and under the direction of the Chair/Mayor. This includes using appropriate language, fit for the occasion and subject.
 - When reaching decisions on any matter you must have regard to any relevant advice provided to you by:
 - (a) Camden's Executive Director Corporate Services; or
 - (b) Camden's Borough Solicitorwhere those officers are acting pursuant to their statutory duties.
 - You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.
 - Without prejudice to any criminal offence which may or may not have been committed it shall be a breach of this code for a Member to have been engaged in treating as defined by Section 114 of the Representation of the People Act 1983.
 - You must not yourself bring, sponsor or support trivial or malicious complaints against other councillors pursuant to this Code.

- The Council previously reducing the threshold for when a failure to declare a gift is a breach of the code is lowered from £100 to £25.
- The Council previously agreeing to use formatting to clarify what are criminal sanctions.

5.2. Appendix 3 sets out the LGA final Model Councillor Code of Conduct, with track changes proposed to carry over key definitions, obligations and guidance from Camden's existing Members' Code of Conduct. Standards Committee is asked to consider and discuss the proposals, suggesting further changes if wished. The views of the Committee will be considered, with the revised Code brought back to a future meeting for agreement and referral to Council for final approval and adoption into the Constitution.

6. Implications of a new Code of Conduct

6.1. Subject to approval by Council, the Code of Conduct would need to be updated within the Constitution of the Council. It would also be necessary to ensure that all Members and co-opted Members are aware of and trained on the updated Code of Conduct. Training with regard to Other Registerable and Non-Registerable interests, if these categories are adopted, is also advisable, with all Members needing to review and update their Register of Interests. Given the timing of these proposed changes within the election cycle, it is suggested that any decision taken by Council not come into force until 9 May 2022⁴. This would bring training on the revised Code of Conduct and the specific interests that Members would be obliged to register in line with the induction programme for the new Council.

6.2. Subject to approval of the updated Councillor Code of Conduct by Council, other protocols and documentation may require revision. It is proposed that standards documents such as the Gifts and Hospitality Protocol for Members and the Social Media Guidelines, as well as the Register of Interests form are reviewed following consideration by the Committee of the proposed revised Code of Conduct, with a report back on whether any changes are recommended.

7. Finance Comments of the Executive Director Corporate Services

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

8. Legal Comments of the Borough Solicitor

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

⁴ In accordance with the provisions of the Local Government Act 1972, Schedule 2, councillors retire on the fourth day after an election and newly elected councillors shall come into office on the day on which their predecessors retire.

9. Appendices

Appendix 1: Camden Council's current Members' Code of Conduct

Appendix 2: LGA Model Councillor Code of Conduct 2020

Appendix 3: Proposed new Camden Councillor Code of Conduct

REPORT ENDS

MEMBERS' CODE OF CONDUCT ("the Code")

INTRODUCTION (This does not form part of the Code)

The London Borough of Camden ("the Council") is under a legal duty to promote and maintain high standards of conduct by Members and co-opted Members of the Council.¹ In addition the Council is under a legal obligation to have a Code of Conduct.²

The Council, in discharge of this duty, has adopted a Code dealing with the conduct that is expected of Members and co-opted Members of the Council when they are acting in that capacity.

This Code of Conduct, when viewed as a whole, is consistent with the following seven principles³ as more particularly described in the Appendix of this Code:

- *Selflessness*
- *Integrity*
- *Objectivity*
- *Accountability*
- *Openness*
- *Honesty*
- *Leadership*

Those parts of the code in **RED and in boxes** are also matters which could attract a criminal sanction.

THE CODE

1. Introduction and Interpretation

- A.** (i) This Code applies to you as a Member of the Council.
- (ii) It is your responsibility to comply with the provisions of this Code.
- (iii) In this Code, the following definitions shall apply:

¹ s27(1) Localism Act 2011 ("LA 2011")

² S27(2) LA Act

³ Seven Nolan Principles of Public Life, with which the code must be consistent as set out in s28(1) LA 2011

“Council” means The London Borough of Camden;

“Meeting” means any meeting of the Council or the Cabinet, committees, sub-committees, joint committees, joint sub-committees, or area committees;

“Informal Meeting” means any meeting of the Council at which Members are present to discuss business to be transacted by the Council;

“Member” includes Councillors and co-opted Members. A co-opted Member is not a Councillor, however:

- (i) is a member of any committee or sub-committee of the Council; or
- (ii) is a member of, and represents the Council on, any joint committee or joint sub-committee of the Council whether or not they are entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.⁴

“Pending Notification” shall mean the interest has been notified to the Council’s Borough Solicitor, but has not been entered in the Register;

“Register” means the register of Members’ and co-opted Members’ interests, maintained by the Borough Solicitor;

“Relevant Authority” includes any county council in England, a district council, a London Borough council, a parish council and the Greater London Authority.⁵

- B.**
- (i) Subject to sub-paragraph (ii), you must comply with this Code whenever you:
 - (a) conduct the business of the Council (which includes the business of the office to which you are elected or appointed to); or
 - (b) act, claim to act or give the impression you are acting as a representative of the Council and references to your official capacity are construed accordingly.
 - (ii) This Code shall apply:
 - (a) in relation to your conduct in your official capacity;
 - (b) to your conduct where that conduct constitutes a criminal offence for which you have been convicted or for which you have received a caution and that the behavior which led to either the conviction or the caution was while you were acting in the capacity as a Member; and

⁴ S27(4) LA 2011 defines co-opted member as those who may vote but the Council has extended the definition to include those who do not have a vote.

⁵ The full list is provided in s27(6) LA 2011

- (c) where you act as a representative of the Council:
- for another Relevant Authority, and you must, when acting for that Relevant Authority, comply with their members' code of conduct; or
 - for any other body, and you must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

2. General Obligations

A. You must treat others with respect.

B. You must not:

- (i) do anything which may cause the Council to breach any of the equality enactments;
- (ii) bully or harass any person, as defined in Section 2.1;
- (iii) intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings in relation to an allegation that a Member (including but not limited to yourself) has failed to comply with his or her council's code of conduct; or
- (iv) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

C. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

D. You must when in committee or Council behave in an appropriate way and under the direction of the Chair/Mayor. This includes using appropriate language, fit for the occasion and subject

E. You must not disclose information:

- (a) given to you in confidence by anyone; or
- (b) acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature;

except where:

- 1) you have the consent of a person authorised to give it; or
 - 2) you are required by law to do so; or
 - 3) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - 4) the disclosure is reasonable and in the public interest and made in good faith and in compliance with the reasonable requirements of the Council.
- (ii) You must not prevent another person from gaining access to information to which that person is entitled by law.
- F.** (i) You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.
- (ii) When using resources of the Council, or authorising their use by others, you must:
- (a) act in accordance with the Council's reasonable requirements;
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (c) have regard to any applicable Local Authority Code of Publicity made pursuant to the Local Government Act 1986.
- G.** (i) When reaching decisions on any matter you must have regard to any relevant advice provided to you by:
- (a) Camden's Executive Director Corporate Services; or
 - (b) Camden's Borough Solicitor
- where those officers are acting pursuant to their statutory duties.
- (ii) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.
- H.** Without prejudice to any criminal offence which may or may not have been committed it shall be a breach of this code for a Member to have been engaged in treating as defined by Section 114 of the Representation of the People Act 1983.
- I.** You must comply with formal standards investigations”.

- J. You must not yourself bring, sponsor or support trivial or malicious complaints against other councillors pursuant to this Code.

2.1 **Definition of Bullying and Harassment (agreed by Council on 7th October 2019)**

Bullying may be defined as: offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Harassment may be defined as unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual. Examples of bullying and harassment could include: spreading malicious rumours, or insulting someone by word or behaviour; copying memos that are critical about someone to others who do not need to know; ridiculing or demeaning someone – picking on them or setting them up to fail; unfair treatment; overbearing supervision or other misuse of power or position; unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected; making threats or comments about job security without foundation; deliberately undermining a competent worker by overloading and constant criticism; and preventing individuals progressing by intentionally blocking promotion or training opportunities.

Information Note

As defined by the Equality Act 2010, the relevant protected characteristics are age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation.

3. **Registration of Members' Interests**

- A.** You must before the end of 28 days, beginning with the day on which you become a Member, notify the Borough Solicitor of any Disclosable Pecuniary Interest (in accordance with Paragraph 4 below) which you have at the time when the notification is given.⁶
- B.** You may at any time inform the Borough Solicitor of Non-Pecuniary Interests in accordance with Paragraph 6A.
- C.** If you become a Member as a result of re-election or re-appointment, you must inform the Borough Solicitor, in accordance with Paragraph 3A, of any Disclosable Pecuniary Interests (and may inform the Borough Solicitor of any Non-Pecuniary Interests in accordance with Paragraph 6A) not previously entered within the Register or if the Borough Solicitor issues a new form of the

⁶ S30(1) LA 2011; S34(1(a) & s34(2)– an offence is committed if a Member fails to comply with this obligation without reasonable excuse or provides information he/she knows to be false or misleading or is reckless as to whether the information is true and misleading

register to be completed by the member and returned to the Borough Solicitor within 28 days of notification of the change.

- D. Subject to Paragraph 7 (Sensitive Interests), where you give notification to the Council for the purposes of Paragraph 3A, the Borough Solicitor is to cause the interests notified to be entered in the Register (whether or not they are Disclosable Pecuniary Interests).⁷
- E. The form of Register will be decided by and maintained by the Borough Solicitor.⁸
- F. Entries in the Register will be removed where:⁹
 - (i) you no longer have the interest and you inform the Borough Solicitor of this fact and request removal; or
 - (ii) you cease to be a Member (for whatever reason).
- G. A copy of the Register will be available for inspection at the Town Hall during working hours.¹⁰
- H. The Register shall also be published on the Council's website. ¹¹

⁷ S30(4) LA 2011

⁸ S29(1) – the monitoring officer of a relevant authority must establish and maintain a register of interests of members and co-opted members of the authority. S29(2) – subject to requirements, council must determine what is to be entered in the authority's register.

⁹ S29(3) LA 2011

¹⁰ S29(5) LA 2011

¹¹ A digital copy of each councillor or co-optee's register of interest is maintained through their individual webpage on democracy.camden.gov.uk.

Borough Solicitor's Informative Note: Online versions of register of interests are deleted once they cease to be an active record, either due to a newer version having been published or as a councillor or co-optee has ceased to serve. Hard copies of register of interests will be kept by the Council for 6 years after the date for which they were last an active record; this rule applies regardless of whether the individual is still a serving councillor or co-optee. After this period they will be disposed of confidentially.

4. Disclosable Pecuniary Interests¹²

A. A Disclosable Pecuniary Interest is defined in legislation as:¹³

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

¹² S28(2) LA 2011

¹³ The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Corporate tenancies

Any tenancy where (to M's knowledge)—

- (a) the landlord is the relevant authority; and
- (b) the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities of a body where—

- (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and
- (b) either—

- (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

- (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

B. For the purposes of this Code, if an interest falling within the definition in Paragraph 4A is an interest of the:

- (i) Member; or
- (ii) Member's spouse or civil partner or a person with whom the member is living as husband or wife or a person with whom the member is living as if they were civil partners, and the Member is aware that that other person has the interest, then the interest is a Disclosable Pecuniary Interest.¹⁴

C. Paragraphs 4D – 4H shall apply when you are present at a Meeting or Informal Meeting (as defined), and have a Disclosable Pecuniary Interest in any matter, which you are aware will be considered at that Meeting or Informal Meeting.¹⁵

¹⁴ S30 (3) LA 2011

¹⁵ S31(1) LA 2011

D. When present at a Meeting or Informal Meeting, if your Disclosable Pecuniary Interest is not entered in the Register, you must disclose the existence and details of the Disclosable Pecuniary Interest to the Meeting.

or Informal Meeting, subject to Paragraph 7 (Sensitive Information).¹⁶

E. If the Disclosable Pecuniary Interest is not entered in the Register and is not the subject of a Pending Notification, you must notify the Borough Solicitor of the Disclosable Pecuniary Interest before the end of 28 days beginning with the date of disclosure at the Meeting.

or Informal Meeting.

F. Upon receipt of a notification, the Borough Solicitor shall enter the disclosed interest in the Register (whether or not it is a Disclosable Pecuniary Interest).¹⁷

G. Subject to Paragraph 8 (Dispensation) and Paragraph 9, you may not:

(i) participate, or participate further, in any discussion of the matter at the Meeting

or Informal Meeting; or

(ii) participate in any vote or further vote taken on the matter at the Meeting

or Informal Meeting

and then you must in accordance with Standing Orders and to comply with this Code leave the room for the duration of the matter's consideration.¹⁸

H. You must not take any steps, or any further steps, in relation to the matter.¹⁹

Information Note

Members when considering whether or not they have a pecuniary interest must also consider and, if necessary, take advice on:

¹⁶ S31(2) LA 2011; S34(1(a) & s34(2)– an offence is committed if a Member fails to comply with this obligation without reasonable excuse or provides information he/she knows to be false or misleading or is reckless as to whether the information is true and misleading

¹⁷ S31(9) LA 2011

¹⁸ S28(4) LA 2011 – a decision is not invalidated just because something that occurred in the process of making the decision involved a failure to comply with the Code.

¹⁹ S31(8) LA 2011; S34(1(b) & (c) – an offence is committed if a Member fails to comply with this obligation without reasonable excuse.

- i) Whether they may, because of personal interests, be seen as being biased – in effect they have, for whatever reason, a further interest, which may not amount to a pecuniary interest, in the outcome, which would cause them to be incapable of being impartial and could render the decision-making unlawful. The issue of bias should be also considered alongside whether or not they have a non-pecuniary interest, which is part of the formal Code, as there is likely to be an overlap;
- ii) For quasi-judicial matters, whether they have pre-determined the issue – in other words done or said anything which makes it clear that their mind is closed. This does not prevent Members expressing opinions on applications as long as it is clear they have not entirely made up their minds.²⁰

5. Single Member decision making²¹

A. Paragraphs 5B – 5E apply when you are a Single Member discharging a function who has a Disclosable Pecuniary Interest in any matter you are or will be dealing with, and you are aware that such matter will be dealt with by yourself.²²

B. If the Disclosable Pecuniary Interest is not entered in the Register and is not subject to a Pending Notification you must notify the Borough Solicitor of the Disclosable Pecuniary Interest before the end of 28 days beginning with the date of when you became aware that the circumstances described in Paragraph 5A apply.²³

C. Upon receipt of notification, the Borough Solicitor shall enter the interest in the Register (whether or not it is a disclosable pecuniary interest).²⁴

D. Subject to Paragraph 8 (Dispensation), you may not:

(i) participate, or participate further, in any discussion of the matter at the Meeting or

Informal Meeting; or

²⁰ S25(2) LA Act - A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because— (a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and (b) the matter was relevant to the decision.

²¹ S31 LA 2011

²² S31(6) LA 2011

²³ S31(7) LA 2011; S34(1(a) & s34(2)— an offence is committed if a Member fails to comply with this obligation without reasonable excuse or provides information he/she knows to be false or misleading or is reckless as to whether the information is true and misleading

²⁴ S31(9) LA 2011; S34(1(a) & s34(2)— an offence is committed if a Member fails to comply with this obligation without reasonable excuse or provides information he/she knows to be false or misleading or is reckless as to whether the information is true and misleading

- (ii) participate in any vote or further vote taken on the matter at the Meeting or

Informal Meeting.

- E. You must not take any steps, or any further steps, in relation to the matter except for the purpose of enabling the matter to be dealt with otherwise than by yourself.²⁵

6. Non-Pecuniary Interests²⁶

- A. You should in the spirit of openness disclose any other interest on a matter being, or to be considered, at a Meeting or Informal Meeting, which a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest, and such declarations should:

- (i) include the nature and extent of your interest;
- (ii) state whether or not you consider that they impact upon your ability to participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote on the matter at the meeting.

Should you consider that the nature of the interest does adversely impact upon your ability to participate then you should remove yourself from the room for the duration of the matter's consideration, take no part in the discussion or decision-making, or otherwise in any way seek to influence the matter.

- B. Interests pursuant to Paragraph 6A are not required to be recorded in the Register, although may be added at your discretion, in accordance with Paragraph 4F.

Information Note

When considering whether they have interests in matters before them, Members should note the concept of conflicts of interest, defined as a "*conflict between the public duty and the private interests of a public official in which the official's private-capacity interest could improperly influence the performance of their official duties and responsibilities.*"²⁷ Conflicts of interest could include matters which are not

²⁵ S31(8) LA 2011. This would include an email to another Cabinet member or conversations with them asking them to take responsibility for the particular issue; S34(1)(b) & (c) – an offence is committed if a Member fails to comply with this obligation without reasonable excuse

²⁶ S28(2)(b) LA 2011

²⁷ Organisation for Economic Co-operation and Development, *Managing Conflict of Interest in the Public Sector*; (OECD Publishing, 2005), page 13;

disclosable pecuniary or non-pecuniary interests, and so Members should be mindful of any such conflicts, seeking advice as necessary, because of the potential impact they may have on decision-making. It is also important to note that the definition is “could” improperly influence not “will”. The test is whether a fair-minded and informed observer having considered the facts would conclude that there was a real possibility of a conflict.

7. Sensitive information

- A.** Where you have an interest (pecuniary or non-pecuniary) and the nature of the interest is such that you, with the agreement of the Borough Solicitor, consider that disclosure of the details of the interest could lead to you, or a person connected to yourself, being subject to violence or intimidation then Paragraph 7B shall apply.²⁸
- B.** If the interest is entered in the Register, copies of the Register that are made available for inspection and any published version of the Register will not include details of the sensitive interest but will say that you have an interest, the details of which are withheld pursuant to section 32(2) Localism Act 2011.
- C.** Should Paragraph 7B apply to an interest, your interest must still be disclosed at Meetings and Informal Meetings in accordance with this Code, albeit that the disclosure can be limited to the fact that you have a Disclosable Pecuniary Interest in the matter.

8. Dispensations (from Paragraphs 4G and 5D)

- A.** The Borough Solicitor may, on written request made by you or another Member, grant a dispensation relieving particular Members for either or both of the restrictions in Paragraph 4G and 5D in cases described in the dispensation.²⁹
- B.** The Borough Solicitor may (or may at his/her discretion refer the matter to the Standards Committee who may subsequently) grant particular Members a dispensation under this Paragraph 8 only if, after having regard to all the circumstances, they consider that:³⁰
 - (a) without the dispensation the number of persons prohibited by Paragraph 4G and Paragraph 5D from participating in any particular business would be so great a proportion of the body transacting the business as to impeded the transaction of the business;

²⁸ S32(1) LA 2011

²⁹ S33(1) LA 2011

³⁰ S33(2) LA 2011

- (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 that business;
- (c) granting the dispensation is in the interests of persons living in the Council's areas;
- (d) without the dispensation each Cabinet Member would be prohibited from participating in any particular business to be transacted by the Cabinet; or
- (e) consider that it is otherwise appropriate to grant a dispensation.

C. A dispensation under this Paragraph 8 must specify the period for which it has effect and the period specified may not exceed four years.³¹

9. Pecuniary Interests and Rights to make Representations

Notwithstanding the fact that a Member may have a pecuniary interest they may, having taken advice from the Borough Solicitor as to the particular circumstances, nonetheless still make representations or speak at a meeting in the capacity of a private individual should a member of the public have such a right, taking care to ensure that they do not enter into debate while making their representations. The Member will however upon having made whatever representations which are accorded a member of the public immediately leave the room and take no part in any discussion or decision making and otherwise comply with any reasonable directions from the Borough Solicitor concerning their participation. The Member may also or as an alternative (should the member of the public have the right) make representations in writing.

10. Related documents

A. The Council has adopted codes and protocols which do not form part of this Code but which deal with specific activities that you may be required to carry out in the course of your duties. You are required to comply with the latest version of these from time to time and any breach may be regarded as a breach of this Code.

B. The following codes and protocols are currently in effect to which Paragraph 10A have affect:

- Member/Officer Protocol
- Planning and Licensing Protocol
- Use of IT
- Gifts and Hospitality Protocol
- Ministerial and Political Visits

³¹ S33 (3) LA 2011

APPENDIX

The Seven Principles of Public Life

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

NOTES

The following notes do not form part of the code and are for information purposes only

- *Failure to comply with those parts of the code marked in **red and in boxes**, may amount to a criminal offence unless the member has a reasonable excuse. Please note that Camden has voluntarily decided to include informal meetings as defined within the code but the criminal provisions will only apply to meetings as defined in the legislation.*³²
- *In addition a member may have committed an offence if they, pursuant to those parts, provide information that is false or misleading and they*

³² S34 LA 2011 (Offences)

know that it is false or misleading or are reckless as to whether the information is true and not misleading.

- ***A person found guilty may be fined up to level 5 of the standard scale.***
- ***A court dealing with a person for an offence under the Code may by order disqualify the person for a period not exceeding five years from being or becoming a member of Camden or other local authorities.***
- ***Proceedings for an offence may be brought within a period of 12 months beginning with the date on which the sufficient evidence came to the prosecutor's knowledge, but shall not be brought more than 3 years after the commission of the offence or after the last date on which the offence was committed.***

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Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do 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**
 - 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.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering

interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable pecuniary interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it

is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in **Table 1**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none">a) any body of which you are in general control or management and to which you are nominated or appointed by your authorityb) any body<ul style="list-style-type: none">(i) exercising functions of a public nature(ii) any body directed to charitable purposes or(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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Proposed new Camden Code of Conduct

Model Councillor Code of Conduct 2020

1. Introduction

A. Definitions

(i) For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”¹.

(ii) ~~For the purposes of this Code of Conduct, “Local authority” and ‘relevant authority’~~ includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities².

(iii) The “Council” means the London Borough of Camden.

(iv) “Meeting” means any meeting of the Council or the Cabinet, committees, sub-committee, joint committees, joint sub-committees, or area committees.

(v) “Informal meeting” means any meeting of the Council at which councillors are present to discuss business to be transacted by the Council.

(vi) “Pending Notification” means the interest has been notified to the Council’s Borough Solicitor, but has not yet been entered in the Register of Interests.

B. Purpose of the Code of Conduct

(i) The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to

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¹ The Council has extended this definition to include those who do not have a vote.

² The full list is provided in Section 27(6) Localism Act 2011

action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. ~~The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government. The general principles are for guidance only, whereas the specific obligations set out instances where action will be taken.~~

(ii) ~~Those parts of the Code in RED and in boxes are also matters which could attract a criminal sanction.~~

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C. General principles of councillor conduct

(i) ~~Everyone in public office at all levels; all who serve the public or deliver public services, including ~~ministers, civil servants,~~ councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles (see Appendix A).~~

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(ii) ~~Building on these principles, the following general principles have been developed specifically for the role of councillor.~~

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(iii) ~~In accordance with the public trust placed in me, on all occasions:~~

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- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

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(iv) ~~In undertaking my role:~~

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- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

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D. Application of the Code of Conduct

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(i) ~~This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting have~~

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been appointed as a co-opted member and continues to apply to you until you cease to be a councillor.

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(ii) This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

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- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;
- You are acting as a representative of the Council;
 - o on another Relevant Authority, and you must, when acting for that Relevant Authority, comply with their members' code of conduct; or
 - o on any other body, and you must, when acting for that other body, comply with this Code, unless it conflicts with any other lawful obligations to which that other body may be subject.
- Your conduct constitutes a criminal offence for which you have been convicted or for which you have received a caution and that the behavior which led to either the conviction or the caution was while you were acting in the capacity as a Member

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(iii) The Code applies to all forms of communication and interaction, including:

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- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

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(iv) You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

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(v) ~~You~~ The Council's Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from ~~your~~ the Monitoring Officer on any matters that may relate to the Code of Conduct. ~~Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.~~

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E. Related Documents

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(i) The Council has adopted codes and protocols which do not form part of this Code but which deal with specific activities that you may be required to carry out in the course of your duties. You are required to comply with the latest version of these and any breach may be regarded as a breach of this Code.

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(ii) The following such codes and protocols are currently in effect:

- Member/Officer Protocol
- Planning and Licensing Protocol
- Use of IT
- Gifts and Hospitality Protocol
- Ministerial and Political Visits

2. Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken. Guidance is included to help explain the reasons for the obligations and how they should be followed.

A. General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

1.3 In committee or Council meetings, I behave in an appropriate way and under the direction of the Chair/Mayor. This includes using appropriate language, fit for the occasion and subject.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow

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councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's ~~councillor~~Member-Officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Examples of bullying and harassment could include: spreading malicious rumours, or insulting someone by word or behaviour; copying memos that are critical about someone to others who do not need to know; ridiculing or demeaning someone – picking on them or setting them up to fail; unfair treatment; overbearing supervision or other misuse of power or position; unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected; making threats or comments about job security without foundation; deliberately undermining a competent worker by overloading and constant criticism; and preventing individuals progressing by intentionally blocking promotion or training opportunities.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral ~~(unless they are political assistants)~~. They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Making decisions

As a councillor:

4.1 When reaching decisions on any matter, I will have regard to any advice provided to me by:

- a) Camden's Executive Director Corporate Services; or
- b) Camden's Borough Solicitor

where those officers are acting in accordance with their statutory duties.

4.2 I will give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

An effective governance framework will build in checks and balances to safeguard against poor ethical standards and protect against financial impropriety. A requirement to consider legal advice by the Borough Solicitor and resource implications outlined by the Section 151 Officer (Executive Director Corporate Services) for all decisions is a useful precautionary measure for Council business.

Local authorities have to comply with statutory requirements to provide reasons for decisions. As a councillor, you are accountable to the public and the reasons provided for decisions will be subject to scrutiny.

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4-5. Confidentiality and access to information

As a councillor:

4-45.1 I do 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
 - 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.

4-25.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4-35.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5-6. Disrepute

As a councillor:

5-46.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower

the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6.7. Use of position

As a councillor:

7.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

6.17.2 I will not engage in 'treating' as defined by Section 114 of the Representation of the People Act 1983.

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Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly. As a specific example of this, without prejudice to any criminal offence which may or may not have been committed, it shall be considered a breach of this code to have been engaged in 'treating': a practice whereby a person before, during or after an election directly or indirectly provides or pays for food, drink or entertainment to corruptly influence a person from voting or not voting.

7.8. Use of local authority resources and facilities

As a councillor:

7.18.1 I do not misuse council resources.

7.28.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; **and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed; **and**

b.c. take into account any relevant Local Authority Code of Publicity made in accordance with the Local Government Act 1986.

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You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8-9. _____ Complying with the Code of Conduct

As a Councillor:

~~8-49.1~~ I undertake Code of Conduct training provided by my local authority.

~~8-29.2~~ I cooperate with any Code of Conduct investigation and/or determination.

~~8-39.3~~ I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

9.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

~~8-49.5~~ I will not bring, sponsor or support trivial or malicious complaints against other councillors using the Code of Conduct.

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It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance or to misuse the standards process. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9-10. _____ Interests

As a councillor:

9-10.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

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Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10-11. Gifts and hospitality

As a councillor:

10-111.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10-211.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least ~~£50~~£25 within 28 days of its receipt.

10-311.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in

which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B – Disclosable Pecuniary Interests and Other Registerable Interests

1. Registering interests

A. Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix C, Table 1 (Disclosable Pecuniary Interests) which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”³.

B. You should also register details of your other personal interests which fall within the categories set out in Appendix C Table 2 (Other Registerable Interests).

C. “Disclosable pecuniary interest” means an interest of yourself, or of your partner if you are aware of your partner’s interest, within the descriptions set out in Table 1 below.

D. “Partner” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

A-E. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.

B-F. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.

G. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register⁴.

C-H. If you have a ‘sensitive interest’, you must still disclose that you have an interest at meetings and informal meetings although you need not disclose the nature of the interest.

2. The Register of Interests

A. Subject to paragraphs 2 to 4 (sensitive interests), where you give notification to the Council of disclosable pecuniary interests or other registerable interests, the Borough Solicitor is to cause the interests notified to be entered in the Register⁵.

³ Section 30(1) Localism Act 2011; Section 34(1(a) & s34(2)– an offence is committed if a Councillor fails to comply with this obligation without reasonable excuse or provides information he/she knows to be false or misleading or is reckless as to whether the information is true and misleading

⁴ Section 32 Localism Act 2011

⁵ Section 30(4) Localism Act 2011

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B. The form of Register will be decided by and maintained by the Borough Solicitor⁶.

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C. Entries in the Register will be removed where⁷:

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- (i) you no longer have the interest and you inform the Borough Solicitor of this fact and request removal; or
- (ii) you cease to be a Member (for whatever reason).

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D. A copy of the Register will be available for inspection at the Town Hall during working hours⁸.

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E. The Register shall also be published on the Council's website⁹.

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3. Non participation in case of disclosable pecuniary interest

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D. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

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E. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

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A. Paragraphs 3B – 3F shall apply when you are present at a Meeting or Informal Meeting(as defined), and have a Disclosable Pecuniary Interest¹⁰ or

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⁶ Section 29(1) Localism Act 2011 - the monitoring officer of a relevant authority must establish and maintain a register of interests of members and co-opted members of the authority. Section 29(2) – subject to requirements, the Council must determine what is to be entered in the authority's register.

⁷ Section 29(3) Localism Act 2011

⁸ Section 29(5) Localism Act 2011

⁹ A digital copy of each councillor or co-optee's register of interest is maintained through their individual webpage on democracy.camden.gov.uk.
Borough Solicitor's Informative Note: Online versions of register of interests are deleted once they cease to be an active record, either due to a newer version having been published or as a councillor or co-optee has ceased to serve. Hard copies of register of interests will be kept by the Council for 6 years after the date for which they were last an active record; this rule applies regardless of whether the individual is still a serving councillor or co-optee. After this period they will be disposed of confidentially.

¹⁰ Section 31(1) Localism Act 2011

Other Registerable Interest in any matter, which you are aware will be considered at that Meeting or Informal Meeting.

B. When present at a Meeting or Informal Meeting, if your Disclosable Pecuniary Interest is not entered in the Register, you must disclose the existence and details of the Disclosable Pecuniary Interest to the Meeting.

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or Informal Meeting, subject to paragraphs F to H (Sensitive Information).

C. If the Disclosable Pecuniary Interest is not entered in the Register and is not the subject of a Pending Notification, you must notify the Borough Solicitor of the Disclosable Pecuniary Interest before the end of 28 days beginning with the date of disclosure at the Meeting.

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or Informal Meeting.

D. Upon receipt of a notification, the Monitoring Officer shall enter the disclosed interest in the Register (whether or not it is a Disclosable Pecuniary Interest)¹¹.

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E. Subject to paragraph 8 (dispensations), you may not:

(i) participate, or participate further, in any discussion of the matter at the Meeting or

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Informal Meeting; or

(ii) participate in any vote or further vote taken on the matter at the Meeting or

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Informal Meeting

and then you must in accordance with Standing Orders and to comply with this Code leave the room for the duration of the matter's consideration.

F. You must not take any steps, or any further steps, in relation to the matter.¹²

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Information Note

Members when considering whether or not they have a Disclosable Pecuniary Interest must also consider and, if necessary, take advice on:

i) Whether they may, because of personal interests, be seen as being biased – in effect they have, for whatever reason, a further interest, which may not amount to a pecuniary interest, in the outcome, which would

¹¹ Section 31(9) Localism Act 2011

¹² Section 28 (4) Localism Act 2011 - a decision is not invalidated just because something that occurred in the process of making the decision involved a failure to comply with the Code.

cause them to be incapable of being impartial and could render the decision-making unlawful. The issue of bias should be also considered alongside whether or not they have a non-pecuniary interest, which is part of the formal Code, as there is likely to be an overlap;

ii) For quasi-judicial matters, whether they have pre-determined the issue – in other words done or said anything which makes it clear that their mind is closed. This does not prevent Members expressing opinions on applications as long as it is clear they have not entirely made up their minds¹³.

4. Single Member decision making¹⁴

A. Paragraphs 4B to 4E apply when you are a Single Member discharging a function who has a Disclosable Pecuniary Interest in any matter you are or will be dealing with, and you are aware that such matter will be dealt with by yourself¹⁵.

B. If the Disclosable Pecuniary Interest is not entered in the Register and is not subject to a Pending Notification you must notify the Borough Solicitor of the Disclosable Pecuniary Interest before the end of 28 days beginning with the date of when you became aware that the circumstances described in Paragraph 4A apply¹⁶.

C. Upon receipt of notification, the Borough Solicitor shall enter the interest in the Register (whether or not it is a disclosable pecuniary interest)¹⁷.

D. Subject to Paragraph 8 (dispensations), you may not:

(i) participate, or participate further, in any discussion of the matter at the Meeting or

Informal Meeting; or

(ii) participate in any vote or further vote taken on the matter at the Meeting or

Informal Meeting.

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¹³ Section 25(2) Localism Act - A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because— (a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and (b) the matter was relevant to the decision.

¹⁴ Section 31 Localism Act 2011

¹⁵ Section 31(6) Localism Act 2011

¹⁶ Section 31(7) Localism Act 2011; Section 34(1)(a) & Section 34(2) - an offence is committed if a Member fails to comply with this obligation without reasonable excuse or provides information he/she knows to be false or misleading or is reckless as to whether the information is true and misleading

¹⁷ Section 31(9) Localism Act 2011

E. You must not take any steps, or any further steps, in relation to the matter except for the purpose of enabling the matter to be dealt with otherwise than by yourself.¹⁸

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5. Disclosable Pecuniary Interests and Rights to make Representations

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A. Notwithstanding the fact that a councillor may have a pecuniary interest they may, having taken advice from the Borough Solicitor as to the particular circumstances, nonetheless still make representations or speak at a meeting in the capacity of a private individual should a member of the public have such a right, taking care to ensure that they do not enter into debate while making their representations. The councillor will however upon having made whatever representations which are accorded a member of the public immediately leave the room and take no part in any discussion or decision making and otherwise comply with any reasonable directions from the Borough Solicitor concerning their participation. The councillor may also or as an alternative (should the member of the public have the right) make representations in writing.

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6. Disclosure of Other Registerable Interests¹⁹

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F.A. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in [Appendix C](#) Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

7. Disclosure of Non-Registerable Interests

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G.A. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in [Appendix C](#) Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

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H.B. Where a matter arises at a meeting which **affects**

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- a. your own financial interest or well-being;
- b. financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in [Appendix C Table 1](#)

¹⁸ Section 31(8) Localism Act 2011 - This would include an email to another Cabinet member or conversations with them asking them to take responsibility for the particular issue; Section 34(1)(b) & (c) – an offence is committed if a Member fails to comply with this obligation without reasonable excuse

¹⁹ Section 28(2)(b) Localism Act 2011

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

- C.** Where a matter **affects** your financial interest or well-being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

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You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

- D.** Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

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E. You should in the spirit of openness disclose any other interest (not set out in Appendix C Tables 1 or 2) on a matter being, or to be considered, at a Meeting or Informal Meeting, which a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest, and such declarations should:

- (i) include the nature and extent of your interest:
- (ii) state whether or not you consider that they impact upon your ability to participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote on the matter at the meeting.

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Should you consider that the nature of the interest does adversely impact upon your ability to participate then you should remove yourself from the room for the duration of the matter's consideration, take no part in the discussion or decision-making, or otherwise in any way seek to influence the matter.

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F. Interests that fall under paragraph 7E are not required to be recorded in the Register, although may be added at your discretion, in accordance with paragraph 3D.

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Information Note

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When considering whether they have interests in matters before them, councillors should note the concept of conflicts of interest, defined as a “conflict between the public duty and the private interests of a public official in which the official’s private-capacity interest could improperly influence the performance of their official duties and responsibilities.”²⁰ Conflicts of interest could include matters which are not Disclosable Pecuniary Interests or Other Registerable Interests, and so councillors should be mindful of any such conflicts, seeking advice as necessary, because of the potential impact they may have on decision-making. It is also important to note that the definition is “could” improperly influence not “will”. The test is whether a fair-minded and informed observer having considered the facts would conclude that there was a real possibility of a conflict.

8. Dispensations

- A. The Borough Solicitor may, on written request made by you or another councillor, grant a dispensation relieving particular councillors from the restrictions on participation at a Meeting or Informal Meeting due to Disclosable Pecuniary Interests or Other Registerable Interests in cases described in the dispensation²¹.

- B. The Borough Solicitor may (or may at his/her discretion refer the matter to the Standards Committee who may subsequently) grant particular councillors a dispensation under Section 8 only if, after having regard to all the circumstances, they consider that²²:
 - (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 impeded 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 that business;
 - (c) granting the dispensation is in the interests of persons living in the Council’s areas;
 - (d) without the dispensation each Cabinet Member would be prohibited from participating in any particular business to be transacted by the Cabinet; or
 - (e) consider that it is otherwise appropriate to grant a dispensation.

- C. A dispensation under Section 8 must specify the period for which it has effect and the period may not exceed four years²³.

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²⁰ Organisation for Economic Co-operation and Development, *Managing Conflict of Interest in the Public Sector*, (OECD Publishing, 2005), page 13;
²¹ Section 33(1) Localism Act 2011
²² Section 33(2) Localism Act 2011
²³ Section 33(3) Localism Act 2011

Appendix C – Defining Disclosable Pecuniary Interests and Other Registerable Interests

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone

	or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

NOTES

The following notes do not form part of the code and are for information purposes only

- **Failure to comply with those parts of the code marked in red and in boxes, may amount to a criminal offence unless the member has a reasonable excuse. Please note that Camden has voluntarily decided to include informal meetings as defined within the code but the criminal provisions will only apply to meetings as defined in the legislation.**²⁴
- **In addition a councillor may have committed an offence if they, pursuant to those parts, provide information that is false or misleading and they know that it is false or misleading or are reckless as to whether the information is true and not misleading.**
- **A person found guilty may be fined up to level 5 of the standard scale.**
- **A court dealing with a person for an offence under the Code may by order disqualify the person for a period not exceeding five years from being or becoming a member of Camden or other local authorities.**
- **Proceedings for an offence may be brought within a period of 12 months beginning with the date on which the sufficient evidence came to the prosecutor's knowledge, but shall not be brought more than 3 years after the commission of the offence or after the last date on which the offence was committed.**

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²⁴ Section 34 Localism Act 2011 (Offences)

LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE: Update on Standards Matters, June 2021	
REPORT OF: Borough Solicitor	
FOR SUBMISSION TO: Standards Committee	DATE: 29 th June 2021
<p>SUMMARY OF REPORT 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: No documents were used in the preparation of this report which are required to be listed.</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>RECOMMENDATION</p> <p>That Standards Committee notes and comment on the contents of the report.</p>	

Signed:



Borough Solicitor

Date:

11 June 2021

1. Introduction

- 1.1. This report highlights recent matters concerning standards, which will be of interest to the Committee. Following the cancellation of previous meetings of Standards Committee, a newsletter updating the Members on various issues was circulated and the updates have been included in this report for transparency and discussion.

2. Update on Actions From the Previous Standards Committee Meeting

- 2.1. At its meeting on 9th November 2020, Standards Committee agreed to delegate authority to the Borough Solicitor, upon application by Members, to grant a dispensation for four years to Members to participate and vote on a number of specified matters irrespective of whether they have a pecuniary interest. All councillors have since applied and been granted the general dispensation.
- 2.2. Standards Committee also approved a draft response to the Committee for Standards in Public Life's (CSPL) request for an update on progress against the best practice recommendations in its report on Local Government Ethical Standards. The response was forwarded to the CSPL on 10th November 2020. CSPL published [progress from local authorities](#) on 8th January 2021. It found that most of the 213 local authorities who responded to the request had already implemented or were taking steps to implement the best practice recommendations.
- 2.3. At the meeting on 9th November 2020, concern was expressed that there was no transparency around the accounts for Camden Living, which was partly owned by the Council. This feedback was passed to the Executive Director Corporate Services and the Director of Finance. The audited 2019/20 financial statements for Camden Living were considered by Audit and Corporate Governance Committee on 17th February 2021. At the same meeting the Committee considered the 2019/20 audited accounts for Camden Learning Ltd.

3. Feedback from recent complaints

- 3.1. 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 3rd February 2020, ten complaints have been received. The Borough and an Independent Person decided that none of the complaints required a formal investigation as the behaviour described in the complaints would not have constituted a breach of the Code of Conduct.
- 3.2. 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.

- 3.3. 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.

4. Co-opted Members, and Church and Parent Governors

- 4.1. At the Standards Committee meeting on 9th November 2020, it was noted that the Committee's terms of reference gives it responsibility with regard to co-opted members and church and parent governor representatives, as well as councillors. It was suggested that while the Committee could evidence its support for councillors, further discussion could be had as to how the Committee could address its wider role.
- 4.2. When co-opted Members (including Independent Persons and church and parent governor representatives) are appointed to a Committee they are informed that, for the purposes of their membership of that Committee, they are now subject to the Council's Members' Code of Conduct, sent the Code and asked to complete the Register of Interests. All co-opted Members' Register of Interests are published on the Council's website. Co-opted Members are also advised when there are changes to the Code of Conduct, including to any associated documents such as the Gifts and Hospitality Protocol.
- 4.3. A reminder was sent to all co-opted Members and church and parent governor representatives on 14th January 2021 to keep their register of interests updated. There was a good response to this reminder from co-opted Members.

5. Committee on Standards in Public Life Update

Blog Post: Strengthening Transparency Around Lobbying

- 5.1. On 6th April 2021, Jane Martin, an independent member of the Committee on Standards in Public Life (CSPL), published a blog post¹ about transparency around lobbying of policy-makers. She highlights that access to those developing policies and making decisions by those affected by those decisions is necessary for a functioning democracy. However, she questions how "you ensure that decision-makers get to hear a full range of views from those who will be affected by their decisions, while preventing vested interests from cornering the market?" Public concern over whether lobbying is carried out ethically leads to a lack of trust and confidence in political decision making.
- 5.2. The blog notes the importance of transparency obligations of those being lobbied and refers readers to the CSPL's 2013 report [Strengthening Transparency Around Lobbying](#) which recommended more timely, detailed disclosure about all significant meetings and hospitality, widening these arrangements to cover a broader range of public office holders and civil servants.

¹ <https://cspl.blog.gov.uk/2021/04/06/strengthening-transparency-around-lobbying/>

Borough Solicitor's Comment

- 5.3. While there are no specific rules regarding lobbying in local government, there is transparency with regard to financial and non-financial interests in accordance with the Localism Act 2011. In addition, Camden Council requires all Members to register any gifts or hospitality with an estimated value in excess of £25. Any failure to comply could be regarded as a breach of the Code of Conduct. The Gifts and Hospitality Protocol states that if a Member is dealing with Council business at a meeting (or otherwise) where the donor of the gift or hospitality is affected, they need to consider whether to make a declaration of the gift or hospitality to the meeting for the purpose of complete transparency. Declaration will not mean that the councillor cannot participate in the Council business; however they may consider it appropriate not to participate depending on the circumstances.
- 5.4. The Council's Planning Protocol also addresses the need for Planning Committee members to avoid putting themselves in a position where they appear to favour a person, company or groups by meeting objectors, applicants or developers alone; to be transparent over any meetings that do take place; and, if appropriate, declaring an interest and taking a restricted part in proceedings.

The Hugh Kay Lecture: Are we in a Post-Nolan Age?

- 5.5. On 11th November 2020, Lord Jonathan Evans, Chair of the Committee on Standards in Public Life (CSPL), gave the Hugh Kay Lecture at the Institute of Business Ethics². He noted that there was a perception that those in public life no longer felt obliged to follow the Seven Principles of Public Life as articulated by Lord Nolan in the first report by the CSPL in 1995. He argued that the Principles were still critical for the health of public life in the United Kingdom:

“Elections and institutions give us a constitutional framework, but the Seven Principles of Public Life define the character of our political system”.

While regulatory mechanisms had been established and evolved to enforce standards, Lord Evans suggested that there was a perception that the culture of public life has resulted in many disregarding the norms of ethics and propriety, with no sanctions levelled at those who contravene ethical standards. However, he countered that perception, highlighting the “commitment of the vast majority of public servants to the highest standards of conduct”. He commented that there had never been a scandal-free era in British politics but that the Principles of Public Life were now embedded in most public sector institutions, there were well-established regulators, and transparency with regard to expenses, appointments and contracts.

Lord Evans goes on to argue that there are pressures on the standards regime but that the Nolan Principles “provide the standards and tools we need to find a clear way through”. The full speech [can be found here](https://www.gov.uk/government/speeches/the-hugh-kay-lecture-are-we-in-a-post-nolan-age).

² <https://www.gov.uk/government/speeches/the-hugh-kay-lecture-are-we-in-a-post-nolan-age>

6. Standards cases

Liverpool City Council

- 6.1. A report of the findings of a [Best Value inspection](#) by Max Caller CBE was published on 24 March 2021³. The inspection was initiated following:
- a) “The Merseyside Police inquiry into fraud, bribery, corruption and misconduct in public office, which involves a significant connection to Liverpool City Council.
 - b) The response Liverpool City Council submitted to the Ministry of Housing, Communities and Local Government on Friday 11 December 2020 in respect of governance arrangements, oversight and control measures within the Council including details of the measures and controls implemented during the course of the last eighteen months”.
- 6.2. The report finds “serious failings ... in both governance and practice in those areas of the Council subject to this Inspection, and the corporate blindness that failed to pick this up and remedy the position”. The inspection considered a range of council functions and their alignment with the best value duty on local authorities. With regard to the terms of reference of this Committee, the report found the following relating to standards of conduct:
- a) It could be difficult for Members to challenge at meetings and often the challenging behaviour came from the Mayor and prominent councillors.
 - b) Both councillors and officers had a limited understanding of declarations of interest and hospitality registers. Member registers were not monitored, were often incorrect and rarely updated. Officer declarations were hard to examine and cross check. Officers were not required to update their registers and this was not discussed as part of routine management action.
 - c) There was a lack of appreciation of the Nolan principles and the requirements of the Members’ Code of Conduct.
 - d) There was a lack of understanding in how complaints against Members were handled.
 - e) The Standards Committee had last met in January 2012. When the recent LGA model Code of Conduct was considered, it was dealt with at a cross-party Member working group on Member training rather than a formal body that might recommend to Council that its provisions be adopted.
 - f) The officer response to evidence of poor conduct eg Members obtaining pecuniary advantage indirectly, was to implement processes to make it more difficult for Members to take decisions rather than addressing any breaches and providing training on the requirements of the Code of Conduct.
 - g) There was confusion about the roles of Members and officers, with the Mayor undertaking a more active and direct role in the running of the Authority than the arrangements as set out in the Constitution provide for, chairing management team meetings and covering much of the Chief Executive’s responsibilities.

³ <https://www.gov.uk/government/publications/liverpool-city-council-best-value-inspection-report>

Borough Solicitor's Comment

- 6.3. Standards Committee meets regularly with the Monitoring Officer with a remit of promoting and maintaining high standards of conduct, monitoring the operation of the Code of Conduct, arranging training on matters relating to the Code of Conduct and with responsibilities regarding protocols and procedures to ensure a good ethical governance framework.
- 6.4. Officers remain confident that the governance and practice in Camden bears no relation to that uncovered in Liverpool. However, the report by Max Caller CBE offers a salutary lesson that Members and officers need to remain alert and ensure that governance and conduct reflects best practice.

Castle Point Borough Council

- 6.5. The Leader of Castle Point Borough Council, [Norman Smith](#), has stood down from the Council following a standards investigation that raised concerns about his conduct in relation to planning applications lodged by his son and by a personal friend⁴. A peer challenge report on planning in 2019 had identified “a widespread perception concerning weakness in probity in relation to planning decision making”.
- 6.6. The law firm Wilkin Chapman LLP was appointed by the Council's Monitoring Officer following complaints by another councillor in 2020 that Mr Smith had lobbied members of the Development Control Committee on behalf of a relative and a friend. The standards report concluded that Mr Smith had committed two breaches of the Code of Conduct in relation to paragraph 5(a): “You must ... Not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage”. It also found that he had failed to follow the Protocol and Code of Conduct for Planning Matters.
- 6.7. A Council statement said: “Due to pressing business demands requiring his full and undivided attention which meant he was unable to carry out his responsibilities as a councillor and leader of the council, Councillor Norman Smith has today resigned as councillor representing the Boyce Ward and leader of the Castle Point Borough Council.”

Borough Solicitor's Comment

- 6.8. Camden's Code of Conduct includes the obligation: “F(i) You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage”. The Planning Protocol stipulates that Members should “only carry out any lobbying of their decision-making colleagues in an open and transparent way such as through speaking at public meetings”. It goes on to state “Members must not seek to put undue pressure on officers or members of the Planning Committee to support a

⁴ <https://www.localgovernmentlawyer.co.uk/governance/396-governance-news/46726-leader-of-borough-council-steps-down-after-report-from-external-lawyers-on-planning-issues>

particular course of action in relation to a planning application or other planning decision (although this does not mean that a councillor may not question robustly or argue forcefully for a particular course of action). Putting pressure on in an inappropriate way is likely to be a breach of the Code”.

London Borough of Redbridge

- 6.9. [Chaudhary Mohammed Iqbal](#), a former councillor at the London Borough of Redbridge was sentenced on 4 January 2021 for three counts of making false statements in candidate nomination papers, contrary to Section 65A(1A) of the Representation of the People Act 1983, and one count of perverting the course of justice. The charges related to false declarations regarding his address⁵.
- 6.10. Mr Iqbal was sentenced to nine months’ imprisonment for each of the three electoral offences, to run concurrently, and to eight months’ imprisonment for perverting the course of justice, to run consecutively. He was ordered to pay prosecution costs of £10,422.54, compensation to Redbridge Council of £10,000 for the by-election costs, and compensation to Redbridge Council of £18,368 for the allowances paid to him. Mr Iqbal was banned from holding public office for five years.

Borough Solicitor’s Comment

- 6.11. Section 65A(1A) of the Representation of the People Act 1983 states that:
- “A person is guilty of a corrupt practice if, in the case of any relevant election, he causes or permits to be included in a document delivered or otherwise furnished to a returning officer for use in connection with the election a statement of the name or home address of a candidate at the election which he knows to be false in any particular”.
- 6.12. Section 173 of the Act states that a person convicted of a corrupt practice shall be incapable of holding any elective office for a period of five years from the date of conviction.

Merthyr Tydfil County Borough Council

- 6.13. In December 2020, the Adjudication Panel of Wales suspended the Leader of Merthyr Tydfil Borough Council, [Councillor Kevin O’Neill](#), for seven months for breaching the Council’s Code of Conduct⁶. The Panel had received a referral from the Public Services Ombudsman containing six allegations that Councillor O’Neill had breached the Code. The allegations were that Councillor O’Neill:
- (i) Failed to declare orally the existence and nature of a personal interest in the business of the authority relating to a property at Luther Lane at an inter-agency meeting;

⁵ <https://localgovernmentlawyer.co.uk/litigation-and-enforcement/400-litigation-news/45897-former-councillor-at-london-borough-jailed-for-electoral-offences>

⁶ <https://www.localgovernmentlawyer.co.uk/governance/396-governance-news/45783-leader-of-welsh-council-suspended-for-seven-months-for-code-of-conduct-breaches-vows-to-appeal>

- (ii) Had a prejudicial interest in relation to the business of the authority regarding the property at Luther Lane and was in breach of the Code in not withdrawing from the room when the property was being considered at the inter-agency meeting;
- (iii) Was also in breach by seeking to influence a decision about the business and made oral representations at the inter-agency meeting;
- (iv) Sent an email to the Director of Social Services which failed to include details of his personal interest in the business of the authority in relation to the property at Luther Lane, and that sought to influence a decision about that business and made written representations about that business in which he had a prejudicial interest;
- (v) Had brought his office or authority into disrepute through the alleged conduct; and
- (vi) Had failed to show respect to the former Chief Executive of the Council at a further meeting.

6.14. The Case Tribunal found that the Councillor O'Neill had breached the Code of Conduct with regard to all the allegations. He was suspended from acting as a member of the Council for a period of seven months or, if shorter, the remainder of his term of office. It was also recommended that Councillor O'Neill receive training on the Code of Conduct.

Borough Solicitor's Comment

6.15. The standards regime in Wales differs from England. Councillors in Wales are required to comply with the model 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. The Public Services Ombudsman for Wales has the power to investigate complaints against councillors. 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 office⁷.

6.16. 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. In its report on Local Government Ethical Standards, CSPL has made recommendations to the Government that local authorities be given the power to suspend councillors, without allowances for up to six months⁸.

7. Finance comments of the Executive Director Corporate Services

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

⁷ Briefing Paper: Local Government Standards in England (7 March 2019)
<https://researchbriefings.files.parliament.uk/documents/SN05707/SN05707.pdf>

⁸ Committee for Standards in Public Life, *Local Government Ethical Standards* (January 2019)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.489_6_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF

8. Legal comments of the Borough Solicitor


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

9. Appendices

None.

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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 th June 2021
<p>SUMMARY OF REPORT 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: 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>	
RECOMMENDATION That Standards Committee notes the record of standards guidance.	
<p>Signed:  Borough Solicitor</p> <p>Date: 11 June 2021</p>	

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. At its meeting on 9th November 2020, having reviewed the record of guidance, a Member suggested that advice to officers on councillors' rights to information which had been circulated in September 2017 be circulated again. It was considered that this was important for transparency. The email was forwarded to the current senior leadership team on 10th November 2020.
- 2.2. On 9th November 2020, Standards Committee agreed to delegate authority to the Borough Solicitor, upon application by Members, to grant a dispensation for four years to Members to participate and vote on a number of specified matters irrespective of whether they have a pecuniary interest. The Chair of Standards Committee wrote to all Members on 11th November 2020 to inform them of this decision and to advise them to apply. As requested at the Committee meeting, commentary was included to clarify that the first dispensation concerning housing was limited to when decisions applied to tenants generally and not when a councillor had a particular interest.
- 2.3. On 14th January 2021, a reminder was sent to all co-opted and ex-officio Members to keep their Register of Interests updated and to register and gifts and hospitality related to their position on a Committee.
- 2.4. On 2nd March 2021, information was circulated regarding the Council's obligations to declare related party transactions and the need to update registers of interest in light of this.
- 2.5. On 7th June 2021, Members were reminded to register any gifts and hospitality for 2020/21.

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. Appendices

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

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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	22 nd July 2019	7 th October 2019	9 th October 2019
Dealing with Misconduct Complaints against Members	22 nd July 2019	7 th October 2019	9 th October 2019
Members' Gifts and Hospitality Protocol	10 th January 2019	24 th January 2019	7 th June 2021
Member/Officer Protocol	10 th January 2019	21 st January 2019	-
Use of Information Technology – Guidance on the Members' Code of Conduct	6 th February 2018	6 th February 2018	27 th March 2018
Social Media Guidelines for Councillors	24 th April 2019	24 th April 2019	30 th April 2019

2. Other Guidance

Area of guidance	Scope of guidance	Issued via	Date issued
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.	Email	25 th February 2019

	Also includes guidance on all Members having a dispensation and a collective declaration being made in respect of Members' allowances.		
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
Past and future interests	Guidance on the issue of past and future interests and when they may be classed as relevant non-pecuniary interests.	Email	27 th March 2018
Pre-election period for May 2018 Council elections	Guidance from the Borough Solicitor to all Members regarding the pre-election period, and rules governing use of Council resources during said period.	Email	27 th March 2018

Members' declarations in relation to budget-setting Council and Members' allowance	<p>Advice to Members in relation to their being council taxpayers, members of outside bodies or other organisations in the context of budget-setting.</p> <p>Also includes guidance on all Members having a dispensation and a collective declaration being made in respect of Members' allowances.</p>	Email	26 th February 2018 (to all Members)
Pre-election period, May 2018 – <i>guidance for officers</i>	Guidance from the Borough Solicitor to senior officers regarding the pre-election period, and rules governing use of Council resources during said period.	Email	27 th February 2018
Making declarations as meetings	Guidance on the best practice and things to avoid when making declarations at meetings	Email	30 th November 2017
Pre-election period for Gospel Oak by-election	Guidance from the Borough Solicitor to all Members regarding the pre-election period, and rules governing use of Council resources during said period.	Email	2 nd October 2017
Data protection and confidential information	Guidance on data protection, including things to look out for, rights to confidential information and discussing personal information with residents.	Email	6 th September 2017
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	5 th September 2017
Guidance on gifts and hospitality	General guidance on gifts and hospitality including reissuing the Protocol, including specific guidance on new policy to log at the end of the municipal year if Member has received no gifts and hospitality for the previous year.	Email	5 th September 2017
Pre-election period for General Election	Guidance from the Borough Solicitor to all Members regarding the pre-election period, and rules governing use of Council resources during said period.	Email	6 th May 2017
Pre-election period for Gospel Oak by-election	Guidance from the Borough Solicitor to all Members regarding the pre-election period, and rules governing use of Council resources during said period.	Email	31 st March 2017

Members' declarations in relation to budget-setting Council and Members' allowance	<p>Advice to Members in relation to their being council tax payers, members of outside bodies or other organisations in the context of budget-setting.</p> <p>Also includes guidance on all Members having a dispensation and a collective declaration being made in respect of Members' allowances.</p>	Email	<p>22nd February 2017 (to Cabinet)</p> <p>27th February 2017 (to all Members)</p>
Related Party Transactions	General letter from the Borough Solicitor and the Deputy Director of Finance and Procurement regarding the Council's obligations to declare related party transactions and the need to update registers of interest in light of this.	Email attachment	31 st January 2017
Conflicts of interest	General advice regarding conflicts of interests, their relationship to the Members' Code of Conduct, bias, pecuniary and non-pecuniary interests, and guidance for Members in such situations.	Email	29 th November 2016
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	24 th November 2016
EU Referendum Publicity Rules	Guidance from the Borough Solicitor on the rules governing publicity by the Council during the period leading up to the EU referendum.	Email	20 th May 2016
Pre-Election Period, Mayor of London and Greater London Authority elections	Guidance from the Borough Solicitor to all Members regarding the pre-election period, and rules governing use of Council resources during said period.	Email	18 th March 2016
Related Party Transactions	General letter from the Borough Solicitor and the Deputy Director of Finance regarding the Council's obligations to declare related party transactions and the need to update registers of interest in light of this.	Email attachment	11 th March 2016
Members' declarations in relation to budget-	Advice to Members in relation to their being council tax payers, members of outside bodies or other organisations in the context of budget-setting.	Email	26 th February 2016

setting Council and Members' allowance	Also includes guidance on all Members having a dispensation and a collective declaration being made in respect of Members' allowances.		
Pecuniary interests	Advice to Members, include examples, on approaching pecuniary interests in light of the Flower prosecution for a failure to declare pecuniary interests in breach of the Localism Act.	Email	7 th October 2015
Housing Association Dispensation	Advice to Members setting out how to apply for and guidance thereto the dispensation available for housing association tenants to participate and vote on matter regarding housing associations.	Email	11 th August 2015
Pecuniary interests	Guidance issued via the Chair of the Committee regarding the first successful prosecution of a councillor under the Localism Act and actions Members should take thereto. Includes reminder to declare gifts and hospitality.	Email	7 th April 2015
Pre-election period, UK Parliamentary elections and Hampstead Town ward by-election	Guidance from the Borough Solicitor to all Members regarding the pre-election period, and rules governing use of Council resources during said period.	Email	2 nd April 2015
Related Party Transactions	General letter from the Borough Solicitor and the Deputy Director of Finance regarding the Council's obligations to declare related party transactions and the need to update registers of interest in light of this.	Email attachment	11 th February 2015
Gifts and Hospitality	General guidance reminding Members of some of the key points of the gifts and hospitality protocol.	Email	1 st December 2014
New Member induction session	Induction session for new Members covering topics including the Code of Conduct, and declarations of interest	Presentation	3 rd June 2014
Members' induction packs	Members provided with indication packs including guidance on interests, dispensations, gifts and hospitality, direction to DCLG guidance and an example register of member's interests.	Email attachment	24 th May 2014

Pre-election period, Council and European Parliamentary elections	Guidance from the Borough Solicitor to all Members regarding the pre-election period, and rules governing use of Council resources during said period.	Email	10 th April 2014
Government guidance on Members' interests	Circulation of the Department for Communities and Local Government's revised 'Openness and transparency on personal interests: A guide for councillors', September 2013 version.	Email attachment	October 2013
Members' interests following the Localism Act	Guidance on how the Localism Act changed the Members standards framework and what Members should now do.	Presentation	10 th September 2012

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