

## **THE LONDON BOROUGH OF CAMDEN**

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

### **MEMBERS OF THE COMMITTEE PRESENT**

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

### **MEMBERS OF THE COMMITTEE ABSENT**

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

### **INDEPENDENT PERSONS PRESENT**

Maggie Redfern

### **INDEPENDENT PERSONS ABSENT**

Sue Terry

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

## **MINUTES**

### **1. GUIDANCE ON HYBRID MEETINGS**

#### **RESOLVED –**

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

### **2. APOLOGIES**

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

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

There were no declarations of interest.

**4. ANNOUNCEMENTS**

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

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

**5. DEPUTATIONS (IF ANY)**

There were no deputations.

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

There was no urgent business.

**7. MINUTES**

**RESOLVED –**

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

**8. REVIEW OF THE MEMBERS' CODE OF CONDUCT**

Consideration was given to the report of the Borough Solicitor.

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

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

**Standards Committee - Monday, 31st January, 2022**

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

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

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

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

**RESOLVED –**

THAT Standards Committee:

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

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

to

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

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

## **9. STANDARDS: PROTOCOLS AND PROCEDURES**

Consideration was given to the report of the Borough Solicitor

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

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

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

### **RESOLVED –**

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

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

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

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

All to come into force on 9 May 2022.

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

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

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

Members made the following comments:

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

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

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

***Standards Committee - Monday, 31st January, 2022***

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

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

**RESOLVED -**

THAT Standards Committee:

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

**11. UPDATE ON STANDARDS MATTERS, JANUARY 2022**

Consideration was given to the report of the Borough Solicitor.

Members made the following comments:

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

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

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

**RESOLVED –**

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

**12. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There was no urgent business.

The meeting ended at 7.45 pm.

**CHAIR**

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**MINUTES END**