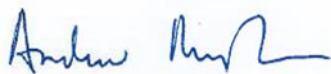


LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE Standards Committee: Terms of Reference and Procedures	
REPORT OF Borough Solicitor	
FOR SUBMISSION TO Standards Committee	DATE 29 June 2022
<p>SUMMARY OF REPORT</p> <p>This report provides an introduction to the Standards Committee, outlining its purpose,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

Signed:



Borough Solicitor

Date: 8 June 2022

1. Purpose of Report

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

2. Terms of Reference

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

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

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

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

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

3. Membership

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

4. Committee meetings

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

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

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

5. Complaints Hearings

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

6. Finance Comments of the Executive Director Corporate Services

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

7. Legal Comments of the Borough Solicitor

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

8. Environmental Implications

- 8.1. There are no environmental implications.

9. Appendices

None

REPORT ENDS