



City of Westminster

Committee Agenda

Title: **Standards Committee**

Meeting Date: **Thursday 14th November, 2019**

Time: **7.00 pm**

Venue: **Room 18.01, 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**
Judith Warner (Chairman)
David Boothroyd
Danny Chalkley
Louise Hyams
Lindsey Hall
Patricia McAllister

Also invited:
Independent Persons: Asif Iqbal, MBE, Elizabeth Walters
and Shajad Hussain



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception from 6.30pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Reuben Segal, Head of Committee and Governance Services.

**Tel: 7641 3160; Email: rsegal@westminster.gov.uk
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Director of Law in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

To note that Councillor Lindsey Hall has replaced Councillor Robert Rigby

2. DECLARATIONS OF INTEREST

To receive any declarations by Members and Officers of the existence and nature of any personal or prejudicial interests to matters on the agenda.

3. MINUTES

To sign the minutes of the meeting held on 11 July 2019.

(Pages 3 - 8)

4. UPDATE REPORT ON THE USE OF SOCIAL MEDIA BY MEMBERS

Report of the Director of Law

(Pages 9 - 20)

5. UPDATE ON MEMBER CODE OF CONDUCT TRAINING

Report of the Director of Law

(Pages 21 - 22)

6. UPDATE ON TRAINING FOR INDEPENDENT PERSONS

Report of the Director of Law

(Pages 23 - 24)

7. WORK PROGRAMME AND ACTION TRACKER

Report of the Head of Committee and Governance Services

(Pages 25 - 38)

8. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS URGENT

**Stuart Love
Chief Executive
5 November 2019**



CITY OF WESTMINSTER

MINUTES

Standards Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Standards Committee** held on **Thursday 11th July, 2019**, Room 18.07 - 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Judith Warner (Chairman), David Boothroyd, Danny Chalkley, Louise Hyams, Patricia McAllister and Robert Rigby

Also Present: Asif Iqbal, MBE (Independent Person), Tasnim Shawkat (Director of Law), Hazel Best (Principal Solicitor), Reuben Segal (Head of Committee and Governance Services).

Apologies: Rabbi Baroness Julia Neuberger (Independent Person)

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 Councillor David Boothroyd declared that he was the Head of Research and Psephology for Thorncliffe, whose clients were companies applying for planning permission from various local authorities. No current schemes are in Westminster; if there were he would be precluded from working on them under the company's code of conduct.

3 MINUTES

3.1 **RESOLVED:** That the Minutes of the meeting held on 21 March 2019 be signed by the Chairman as a correct record of the proceedings, subject to correcting paragraph 4.6 to reflect that it is the Monitoring Officer rather than the Standards Committee that investigates complaints submitted against Councillors. The Investigating Officer will send his/her final report to the Monitoring Officer who will then arrange for the Standards Committee to consider the complaint.

4 LOCAL GOVERNMENT ETHICAL STANDARDS - PROBITY IN PLANNING DECISION MAKING

- 4.1 Tasnim Shawkat, Monitoring Officer, introduced a report that provided an update to the Standards Committee on the actions taken by the Council following the independent review of Westminster's planning service by the Planning Advisory Service (PAS).
- 4.2 The Monitoring Officer explained that a report setting out the findings of the review was presented to Cabinet on 25 October 2018. Cabinet made several recommendations based on the findings of the review. One of the key themes was to improve the openness and transparency of the planning system. This included updating draft Guidance for Members on Making Planning Decisions. Tasnim Shawkat explained that whilst the Members' Code of Conduct applies to all councillors and to all committees particular care and guidance is required for those involved in planning. This reflected the findings of the CSPL Review. The draft revised guidance outlined best practice for members of planning committees across a range of issues including standards of conduct, probity in decision-making, conflicts of interest as well as support and guidance on the substance and parameters of taking planning decisions.
- 4.3 The Monitoring Officer informed Members that the draft revised guide was presented to and approved by the Planning and City Development (PCD) meeting on 20 June 2019 subject to the incorporation of views and advice of the Standards Committee. She advised the committee that reference to the Code of Conduct was now set out at the beginning of the document to reflect its fundamental importance for Members dealing with planning matters.
- 4.4 Members reviewed the contents of the guide as it related to ethical standards. Whilst the Committee considered the information to be clear and well structured a number of amendments were put forward.
- 4.5 One suggestion was to reinforce paragraph 3.4 of the covering report in the guide. The CSPL Review highlighted that a small number of Councillors can have a significant impact on the financial interests of specific individuals or firms. Councillors involved in planning decisions should generally not accept overly frequent or overly generous hospitality and should always ensure that acceptance of such hospitality does not constitute a conflict of interest.
- 4.6 Members expressed the view that concerns around the acceptance of gifts and hospitality should not prevent councillors engaging with residents and developers in their own wards at the pre-application stage provided councillors did not put themselves under an obligation. The Monitoring Officer stated that ward councillors should be encouraged to engage with all stakeholders at the pre-application stage but stressed that a proportional approach should be taken particularly in relation to accepting gifts and hospitality. She advised that the next item on the agenda included proposals to amend the Members' Code of Conduct to incorporate the Cabinet Office principles for accepting gifts and hospitality as recommended by the CSPL. She suggested that the committee endorse this being included in the updated guidance.

4.7 The committee noted that the draft guidance states that where a member is in any doubt about whether they have an interest and whether it needs declaring they are advised to always seek the advice of the Director of Law or other relevant officers disclosing all material facts. Members suggested that the guidance should highlight that, wherever possible, queries should be submitted a day or so in advance of the meeting to provide time for the Director of Law to consider the issues which can sometimes be complex.

4.8 The Committee asked how members of the Council would know how to find the finalised guidance. Members commented that there should be detailed training on the guidance and suggested that this is incorporated in the Member Development Programme. The Monitoring Officer advised that the finalised guide would be published on the Council's website. She undertook to ensure that training on it is incorporated in the Member Development Programme and stated that it would be included in the Code of Conduct refresher training in October.

4.9 **RESOLVED:**

1. That the draft revised Guidance for Members - Making Planning Decisions be approved subject to incorporating the Cabinet Office principles for accepting gifts and hospitality as recommended by the CSPL, and as set out in the proposed draft amendments to the Members' Code of Conduct.
2. That the committee's views be forwarded to the Director of Place Shaping and Town Planning who has been delegated authority by the PCD Committee to finalise and publish the guidance, following consultation with the Director of Law and Chairman of the PCD Committee.

4.10 **ACTIONS:**

1. Incorporate and advertise training on the guidance as part of the member development training on the Members' Code of Conduct scheduled for October and ensure that ongoing, periodic training on planning is incorporated into the Member Development Programme. (**Janis Best, Member Services Manager**)
2. Once finalised, circulate the guidance as well as the pre-application guide for officers and members to all Councillors. (**Janis Best, Member Services Manager**).

5 LOCAL GOVERNMENT ETHICAL STANDARDS - IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

5.1 Tasnim Shawkat, Monitoring Officer, presented the report that set out the proposed action for the Council to implement following the review of Local Government Ethical Standards by the Committee on Standards in Public Life (CSPL).

5.2 The proposed actions in the report reflected the discussion at the last Standards Committee meeting when Members considered the CSPL report.

RESOLVED: The Committee:

1. Noted the CSPL recommendations and best practice which are already adopted by the Council (Appendix 1 to the report)
2. Agreed to enhance the wording of the provision in relation to bullying and harassment in the Code of Conduct as proposed by the CSPL, and as set out in the proposed draft amendments to the Code (Appendix 2 to the report).
3. Adopted the Cabinet Office principles for accepting gifts or hospitality, as recommended by CSPL, and as set out in the proposed draft amendments to the Code (see appendix 2 to the report)
4. Agreed to refer the changes to the Code of Conduct to the General Purposes Committee to recommend for adoption by the Council

6 GUIDANCE ON THE USE OF SOCIAL MEDIA BY MEMBERS

- 6.1 The Monitoring Officer presented the update.
- 6.2 The report outlined that the Committee considered and approved a draft guidance note for members on the use of social media on 6 December 2018.
- 6.3 The Committee recommended that the guidance be referred to a meeting of the full Council for noting as it would help raise awareness amongst Members of their responsibilities.
- 6.4 The social media guidance was discussed at the Council meeting on 26 June 2019. A couple of members raised concerns with the wording of the guide and stated that it was not as clear as it could be. It was agreed that the guidance would be referred to the Committee for further discussion and in the interim all members would be invited to provide comments.
- 6.5 Whilst representations on the draft guidance were received from two Councillors (Robert Rigby and Jacqui Wilkinson) a few members had asked for additional time to submit comments.
- 6.6 **RESOLVED:**
1. That the deadline for Members to submit comments on the guidance be extended to the end of September.
 2. A revised guide taking on board the comments that have been received to be submitted for consideration to the Committee's next meeting in November.
- 6.7 The Monitoring Officer stressed that the current guidance would remain in place until a revised version is agreed by the Committee.

ACTION: That a copy of the current guidance is re-circulated to all Councillors for information (**Action for: Reuben Segal, Head of Committee and Governance Services**).

7 RECRUITMENT OF AN INDEPENDENT PERSON

- 7.1 The Committee received a verbal update on the initial stage of recruitment of additional Independent Persons. It noted that the Council had received 13 applications and that seven had been long listed for an initial interview by the Monitoring Officer. A shortlist of final candidates will be interviewed by the General Purposes Urgency Sub-Committee in September.
- 7.2 The Committee was informed that Rabbi Baroness Julia Neuberger had tendered her resignation as one of the Council's Independent Persons the previous day. In light of this the Council would seek to appoint two Independent Persons.
- 7.3 The Chairman advised that she would write to Rabbi Baroness Julia Neuberger on behalf of the Committee thanking her for her service to the Committee.

8 WORK OPTIONS AND WORK PROGRAMME

- 8.1 That, having regard to the work options set out in the report, the Chairman invited members to indicate any items it wished to be added to its work programme.
- 8.2 Members put forward a number of suggestions relating to Member Development and Training which included sessions on identifying conflicts of interest and the registration of interests associated with personal data such as home addresses following the publication of the Local Elections (Principal Areas) (England and Wales) (Amendment) (England) Rules 2018.

RESOLVED:

1. The Committee agreed that it should produce a short, annual report from this year onwards to publicise its work and highlight how it has responded to changing regulation.
2. It also agreed to include an item on reviewing the Council's protocol on member/officer relations to the agenda for its next meeting on the 14 November.

ANY OTHER BUSINESS THE CHAIRMAN CONSIDERS URGENT

- 9.1 There was no other business.

The Meeting ended at 7.55 pm

CHAIRMAN: _____

DATE _____

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City of Westminster

Standards Committee

Meeting or Decision Maker:	Standards Committee
Date:	14 November 2019
Classification:	General Release
Title:	Updating report on use of Social Media by Members
Report of:	Tasnim Shawkat, Monitoring Officer

1. Executive Summary

- 1.1. On 6 December 2018 the Committee was asked to consider a draft guidance note for Councillors on the use of social media.
- 1.2. The Committee agreed the draft note and recommended the guidance was referred to a Council meeting for consideration by all Councillors.
- 1.3. The social media guidance was discussed at the Council meeting on 26 June 2019. Some Councillors made suggested changes to the guidance. It was agreed that the guidance would be referred back to the Committee for further discussion.
- 1.4. Members of the Committee agreed at its meeting on 11 July that all Councillors be asked for their comments by the end of September.

2. Recommendations

- 2.1. To consider the revised guidance on use of social media following the comments received by some Councillors. (Appendix One)
- 2.2. To recommend the revised social media guidance is referred to a Council meeting for discussion and adoption.

3. Background information

- 3.1. On 4 July 2018 the Committee considered the use of social media by Members and issues that arise from such use. Following this a draft guide for Members on the use of Social Media was drafted by the legal team in consultation with the Communications team and

considered by Members at the meeting on 6 December 2018. It was agreed that the draft guidance should be considered by all Members at a Council meeting. This occurred on 20 June 2019 and all Members were invited to provide comments on the draft guidance.

3.2. Members were asked to provide their comments on the draft guidance by 30 September 2019. Members are referred to Appendix A for a summary of the responses.

3.3. Members have considered the recommendations of the Committee on Standards in Public Life following their review of Local Government Ethical Standards.

- Recommendation 3 stated “Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly -accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.”
- Recommendation 4 stated “Section 27(2) of the Localism Act 2011 should be amended to state that a local authority’s code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority.”
- This local authority is not proposing to further amend the Members Code of Conduct following the recommendations, but has instead prepared a guide for members to consider when using social media.

3.4. Some Members enquired about what they should do if they receive online abuse. In such circumstances Members can contact the Monitoring Officer for advice. The Local Government Association (LGA) published on 30 October 2019 a document called “Civility in public life and the review of the model code of conduct”. The document sets out a programme of work, part of which is, to address the intimidation of local government members. The timetable for this programme has not yet been published

3.5. It is proposed the guidance is amended to take into account the views. Members are referred to Appendix B which shows the proposed changes to the guidance, by way of track changes.

4. Financial Implications

4.1. There are no financial implications for this report.

5. Legal Implications

5.1. There are no legal implications arising from this report.

6. Background Papers

<https://committees.westminster.gov.uk/documents/s30107/5a%20-%20Use%20of%20Social%20Media%20covering%20report.pdf> Report on use of social media 6 December 2018

**If you have any queries about this report please contact: Hazel Best;
Principal Solicitor, Email hbest@westminster.gov.uk**

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Summary of responses from Councillors

- 1) In The list of “Don’ts” it is stated – “Don’t use social media in any way to attack, insult, abuse, defame or otherwise make negative, offensive or discriminatory comments about Council staff, service users, their family or friends, colleagues, other professionals, other organisations or the Council”.

Two members expressed concern that if they are, for example, not in support of a particular Council initiative or planning application which officers are supporting (list not exhaustive) then they will be prohibited from canvassing alternative ideas as they will be making negative comments against the Council.

- 2) Paragraph 8 (i) states “Expressly state (through a prominent disclaimer) on any profile or content that identifies you as a Councillor (or otherwise refers to or implies a relationship with the Council) that the stated views are your own personal views and not those of the Council.”

A request was made for a short disclaimer to be drafted which could be used by Councillors.

- 3) A lot of what is included in the code is already part of other elements of the code of conduct so why single out social media? A guide could be used in training but it does not need to be part of the constitution/ rules.

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Guidance on use of social media by Elected Members

Quick guide for councillors

Most helpful tip – don't post any message on social media that would be inappropriate to say in a public meeting.

Dos and Don'ts

Do

- Be responsible and respectful at all times.
- Share other people's helpful content and links and credit other people's work.
- Use social media in the spirit in which it was intended – to engage, openly and honestly. Seek feedback from your residents (but make sure you share the results with them).
- Listen – social media is designed to be a two-way channel, just like any good conversation.
- Set and check you have the appropriate privacy settings for your blog or networking site.
- Do keep an eye out for defamatory or obscene posts on your sites and remove them as soon as possible to avoid the perception that you condone such views.
- Be aware that you will be seen as acting in your official capacity if you publish information that you could only have accessed by being an elected member.
- Do talk to Member Services if you need advice – they can consult relevant colleagues if needed.

Don't

- Don't post social media content in haste, particularly in circumstances where your judgment might be impaired; for example if you are angered by a comment or tired.
- Don't post comments that you would not be prepared to make on paper or face to face, or content which will embarrass the Council or yourself.
- Don't request or accept a Council employee or contractor providing services to the council as a "friend" on a social networking site where this suggests close personal association. For the avoidance of doubt this does not apply to sites which are intended as a neutral, professional connections registry (such as LinkedIn).

- Don't use social media in any way to attack, insult abuse, defame or otherwise make [delete – negative], offensive or discriminatory comments about Council staff, service users, their family or friends, colleagues, other professionals, other organisations or the Council.
- Don't publish confidential information that you may have learned or had access to as part of your role as an elected member. This includes personal information about service users, their families or friends, contractors, council staff as well as council related information.
- Don't represent your personal views, or those of political party or interest group you belong to, as being those of the Council.
- Don't try to cover up mistakes, be honest and you'll get more respect for it in the long run.
- Don't assume that social media will look after itself – you will need to invest time, enthusiasm and energy to make it work. Social media is 24/7 – just because you leave at 5.00 pm doesn't mean the world stops or that residents won't be active. If your account is only staffed 9-5 then you should say so on your profile.
- Don't ignore legal advice, it's there to help you.

Further detailed guidance

1. Westminster City Council has its own social media accounts which act as the council's official channels across Facebook, Twitter, LinkedIn, Instagram, YouTube and Snapchat.
2. You are personally responsible for what you publish on your own social media accounts – whether you do that yourself or someone does it on your behalf. It is important that you think before you publish, as words once published on social media cannot easily be retracted.
3. Be mindful if using social media during an official Council meeting or event that the use does not negatively impact on the proceedings or contravene the Constitution or other Council protocol.

Members code of conduct

4. This applies to your online activity in the same way it does to other written or verbal communication. You should comply with the general principles of the Code in what you publish and what you allow others to publish.
5. You will need to be particularly aware of the following sections of the Code and their practical application:
 - (i) Treating others with respect – avoid personal attacks and any disrespectful, rude or offensive comments.

- (ii) Refraining from publishing anything you have received in confidence – avoid breaching the Code by disclosing confidential information
- (iii) Ensure all content that relates to the Council or Council business is accurate, fairly balanced, not misleading and complies with any relevant Council policy
- (iv) Ensure you do not bring the Council or your Councillor role into disrepute, as paragraph 2.10 of the Code requires every Member to “Promote and support high standards of conduct through leadership and by example”.

Personal use of social media

- 6. The key to whether your online activity is subject to the Code of Conduct for Members is whether you are giving the impression that you are acting as a councillor, and that is the case whether you are in fact acting in an official capacity or simply giving the impression that you are doing so.
- 7. One way to separate your personal/private business from your activities as a councillor is to have two separate accounts - one for personal/private business and the other for councillor activities. However, even then, you still need to be careful to ensure that what you say on your personal/private business account does not compromise your position as a councillor.
- 8. If in respect of any personal use of social media you can be identified as associated with the Council by title, profile or content then the following guidance should be complied with

You should:

- (i) Expressly state (through a prominent disclaimer) on any profile or content that identifies you as a Councillor (or otherwise refers to or implies a relationship with the Council) that the stated views are your own personal views and not those of the Council. **Proposed wording for disclaimer – Views expressed are solely my own.**
- (ii) Ensure that readers are not misled into believing that you any material published by you is on behalf of the Council, authorised by the Council or official Council policy if it is not.
- (iii) Ensure all content that relates to the Council or Council business is accurate, fairly balanced, not misleading and complies with any relevant Council policy.
- (iv) Comply with the terms and conditions of the social media site being used.

You must not

- (v) Make any comment or post material so as to give a reasonable person the impression that you have brought your office as Councillor or the Council into disrepute.

- (vi) Present political or personal opinion as fact or as representative of the Council.
- (vii) Imply that you are authorised to speak as a representative of the Council nor give the impression that the views you express are those of the Council.
- (viii) Publish content that promotes personal/ family interests, personal financial interests or any personal commercial ventures.

Legal considerations

9. In the main, Members have the same legal duties online as anyone else (see below), but failures to comply with the law may have more serious consequences. There are some additional duties around using a Member's website for electoral campaigning and extra care needs to be taken when writing on planning, licensing and other quasi-judicial matters.
- (i) *Libel* - If you publish an untrue statement about a person which is damaging to their reputation they may take a libel action against you. This will also apply if you allow someone else to publish something libellous on your website if you know about it and don't take prompt action to remove it. A successful libel claim against you will result in an award of damages against you.
 - (ii) *Copyright* - Placing images or text on your site from a copyrighted source (for example extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about, or seek permission in advance. Breach of copyright may result in an award of damages against you.
 - (iii) *Data Protection* - Avoid publishing the personal data of individuals unless you have their express written permission.
 - (iv) *Bias and pre-determination* - If you are involved in determining planning or licensing applications or other quasi-judicial decisions, avoid publishing anything on your blog that might suggest you don't have an open mind about a matter you may be involved in determining. If not, the decision runs the risk of being invalidated.
 - (v) *Obscene material* - It goes without saying that you should avoid publishing anything in your blog that people would consider obscene as it is a criminal offence.
 - (vi) *Bullying and discriminatory comments* - Behaving in a discriminatory, bullying or harassing way towards any individual including making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief or age via social media by posting images or links or comments could, in certain circumstances, result in criminal sanction.

10. While the above list is not exhaustive it does highlight some of the more obvious issues. If you are in any doubt, speak to the Monitoring Officer.

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City of Westminster

Standards Committee

Date:	14 November 2019
Classification:	For General Release
Title:	Member Code of Conduct: Training
Report of:	The Head of Committee and Governance Services
Wards Involved:	Not applicable
Financial Summary:	There are no financial implications
Report Author and Contact Details:	Reuben Segal, Head of Committee and Governance Services, Tel: 020 7641 3160 Email: rsegal@westminster.gov.uk

1. Executive Summary

- 1.1 This report updates the Committee on the programmed refresher Members' Code of Conduct training following the adoption of a revised Code by the full Council on the 18th September.

2. Recommendations

- 2.1 That the report be noted.

3. Background Information

- 3.1 Refresher Member Code of Conduct training is scheduled periodically, for instance, when there has been a revision to the Code or following local elections.
- 3.2 A Code of Conduct training session was held on the 30th October with another session programmed for the 18th November. The training follows the adoption of a revised Code by the full Council on matters including bullying and harassment and the acceptance of gifts and hospitality. In addition other topics were covered including cultural awareness which relates to the requirement of the Code to value and respect colleagues, staff and members of the public.
- 3.3 Thirty nine Councillors and one Independent Person attended the training session on the 30th October. Those councillors that did not attend this session are expected to attend the second session scheduled to take place on the 18th November. The Leader and the Lord Mayor will receive separate training

sessions due to long-standing engagements in their diaries on both dates. An update on final attendance will be provided to the Committee at its next meeting.

3.4 Those members who do not attend either session will be written to by the Monitoring Officer and advised that the offer of training remains and that she and her senior colleagues are available to answer questions. The presentation will also be made available.

3.5 The presentation covered the following themes:

- Code of Conduct including recent updates
- Gifts and Hospitality including the issues to consider when deciding whether to accept or decline an offer and changes to the recording system.
- Cultural Awareness and Respect.
- The use of social media by Councillors including an update on the draft guidance for Members.
- General Data Protection Rules (GDPR) – the role of Councillors as data controllers and data processors and dealing with data breaches.

3.6 Members had a discussion following each section and asked a range of questions to which they received replies and advice from the Monitoring Officer.

3.7 The session was well received by Members who welcomed the opportunity to discuss the topics.

4. Other Implications

4.1 None.

**If you have any questions about this report, please contact
Reuben Segal: 020 7641 3160
Email: rsegal@westminster.gov.uk**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1972
BACKGROUND PAPERS - None**



City of Westminster

Standards Committee

Date:	14 November 2019
Classification:	For General Release
Title:	Independent Persons Training
Report of:	The Head of Committee and Governance Services
Wards Involved:	Not applicable
Financial Summary:	There are no financial implications
Report Author and Contact Details:	Reuben Segal, Head of Committee and Governance Services, Tel: 020 7641 3160 Email: rsegal@westminster.gov.uk

1. Executive Summary

- 1.1 This report outlines the training recently provided to the Council's Independent Persons (IPs) on the 7th October regarding their role.

2. Recommendations

- 2.1 That the report be noted.

3. Background Information

- 3.1 Following the appointment of two new Independent Persons by full Council on the 18th September, a training session was held on the 7th October for all three of the Council's Independent Persons to more fully understand their role and duties. The session also provided an opportunity for all of the IPs to meet one another.
- 3.2 The training session, which was conducted by the Monitoring Officer and a Principal Solicitor, included an overview of the Members Code of Conduct, the arrangements for investigating a complaint alleging a breach of the Members Code of Conduct, the available sanctions and the role of the Council's Standards Committee. The training also included details of the outcome of the review of Local Government Ethical Standards by the Committee on Standards in Public Life which was published on the 30th January 2019. This included the recommendations and best practice points including those relating to the role of Independent Persons.

3.3 The main queries raised and responded to during the training session are set out below:

- how the IPs would be contacted. This will be by Council email from the Monitoring Officer or on her behalf which is securely encrypted. Test emails were sent to the IPs during the session. The use of one-time passcodes was explained. The IPs have been requested to feed back any issues they experience.

- IPs enquired if the council provides a system for them to log into to receive emails or would these be sent to their personal email accounts? Generally, the latter are not considered secure. One IP said he had a form of secure email (criminal justice secure email) if necessary.

- The IPs commented that they were happy with the security process and noted that they would not be accessing emails via a council provided email system.

- IPs commented on the difficulty in accessing the webpage on the Council's website that relates to complaints against Councillors. This has subsequently been rectified.

3.4 The IPs were invited to the Members Code of Conduct training sessions held following the adoption of a revised Code by the full Council on the 18th September. All confirmed that they would attend one of the two sessions.

4. Other Implications

4.1 None.

**If you have any questions about this report, please contact
Reuben Segal: 020 7641 3160
Email: rsegal@westminster.gov.uk**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1972
BACKGROUND PAPERS - None**



Date:	14 November 2019
Classification:	For General Release
Title:	Work Programme 2019-2020
Report of:	Head of Committee and Governance Services
Financial Summary:	There are no financial implications arising from this report
Report Author and Contact Details:	Reuben Segal, Head of Committee and Governance Services Tel: 020 7641 3160; Email: rsegal@westminster.gov.uk

1. Executive Summary

- 1.1 Members are asked to review the work programme set out as appendix 2 to the report and identify any other items it wishes to include to it.
- 1.2 An Action Tracker to monitor any decisions/action requests is attached at appendix 3.
- 1.3 Details of the Member Development training sessions that have been held or will be held in this Municipal Year are set out in appendix 4. Those that specifically relate to ethical standards are highlighted in bold. Member are required to list all training undertaken in preparing for or developing in their role as a councillor in their register of interests.

2. Recommendations

- 2.1 That, having regard to the Committee's Terms of Reference attached as appendix 1 of this report the Committee indicate any items it wishes to be added to its Work Programme.

3. Background Information

- 3.1 The production of a work programme is to enable the Committee to review and update its forthcoming work plan at each of its meetings.
- 3.2 In order to ensure the Committee undertakes its work programme, at the request of the Chairman, 3 meetings per annum have been programmed.
- 3.3 An Action Tracker to monitor any action requests from previous meetings is attached to this report.

4. Financial Implications

4.1 There are no financial implications.

5. Legal Implications

5.1 There are no legal implications arising from this report.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact:
Reuben Segal, Head of Committee and Governance Services
Tel: 020 7641 3160; rsegal@westminster.gov.uk**

Background Papers: None.

STANDARDS COMMITTEE TERMS OF REFERENCE

CONSTITUTION

6 Members of the Council, 4 Majority Party Members and 2 Minority Party Member.

TERMS OF REFERENCE

- (1) To promote and maintain high standards of conduct by the Members and Co-opted Members of the City Council.
- (2) To advise the City Council on the adoption or revision of a Code of Conduct for Members.
- (3) Advising, training or arranging to train Members and Co-opted Members on matters relating to the City Council's Code of Conduct for Members.
- (4) To assist Members and Co-opted Members observe the City Council's Code of Conduct for Members.
- (5) To monitor the operation of Code of Conduct for Members.
- (6) Consider reports referred to the Committee by ethical standards officers or the Monitoring Officer of investigations into alleged breaches of the City Council's Code of Conduct for Members.
- (7) Where necessary, to conduct hearings into allegations of breaches of the said code, and interview officers, Members and others as required.
- (8) Determining whether allegations of breaches of the said code are made out and determining what action, if any, to take in relation hereto including, where it is determined that a breach has occurred, deciding what sanctions, if any, should be applied in relation to the Member or Member concerned (and for the avoidance of doubt, the Committee shall only have power to impose any sanction authorised by law).
- (9) Consider any complaints in respect of Members referred to the Committee under the City Council's "Whistleblowing" procedure and determining the action to be taken, if any.
- (10) To the extent allowed by the Law, granting dispensations in relation to Member and co-opted Member interests as referred to in the Members Code of Conduct.
- (11) To consider, advise and, if appropriate, take action upon other Member conduct issues not otherwise dealt with under these terms of reference.

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Work Programme 2019/20

Standards Committee

14 November 2019

Agenda Item	Reasons & objective for item	Lead Officer
GUIDANCE ON THE USE OF SOCIAL MEDIA BY MEMBERS	The revised Guidance is submitted to the Committee for consideration following consultation with members of the council.	Tasnim Shawkat/ Hazel Best
UPDATE ON MEMBER TRAINING	To update members on the Code of Conduct training delivered since the last meeting which included cultural awareness, gifts and hospitality and social media	Janis Best
UPDATE ON IP TRAINING	To update members on the training provided to the Council's Independent Persons since two new IPs were recruited.	Tasnim Shawkat

2 April 2019

Agenda Item	Reasons & objective for item	Lead Officer
A REVIEW OF THE PROTOCOL ON OFFICER/MEMBER RELATIONS	<p>This was suggested as an item by members at the meeting on 11th July.</p> <p>The review will update the protocol to ensure that it addresses identified issues so that the document is fit for purpose.</p>	Tasnim Shawkat Hazel Best
STANDARDS COMMITTEE BI-ANNUAL REPORT	To publicise the Committee's work and highlight how it has responded to changing regulation.	Tasnim Shawkat/ Reuben Segal
Q&A WITH THE LEADER OF THE COUNCIL ON ETHICAL STANDARDS		Tasnim Shawkat
FUTURE ITEMS		
TRAINING ON THE ARRANGEMENTS FOR INVESTIGATING A COMPLAINT AGAINST A MEMBER	To refresh members and Independent Persons' knowledge of the processes	Tasnim Shawkat

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STANDARDS COMMITTEE ACTION TRACKER
ACTIONS: 11 July 2019

ACTION	OUTCOME	LEAD OFFICER
LOCAL GOVERNMENT ETHICAL STANDARDS – PROBITY IN PLANNING DECISION MAKING		
1. Circulate to all Councillors the Guidance for Members – Making Planning Decisions once finalised. At the same time re-circulate the pre-application guide for officers and members.	This was circulated by email on 13 th September.	Reuben Segal
2. Incorporate and advertise training on the guidance as part of the member development training on the Members’ Code of Conduct.	This was delivered on 30 th October and a further session is to be held on 18 th November. Ongoing, periodic training on planning will be incorporated into the Member Development Programme	Janis Best
LOCAL GOVERNMENT ETHICAL STANDARDS – IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE		
1. Refer the recommended changes to the Code of Conduct to the General Purposes Committee to recommend to the Council for adoption.	A report was submitted to the General Purposes Committee on 11 September and adopted by Council on 18 th September.	Reuben Segal
GUIDANCE ON THE USE OF SOCIAL MEDIA BY MEMBERS		
1. Extend the consultation deadline for Members until the end of September.	An email notifying Members of the extension was sent on 16 th July. A copy of the current policy was circulated for information at the same time.	Reuben Segal
2. Submit a report with suggested revisions to the guide taking on board any comments received to the Standards Committee meeting on 14 th November.	A report on this is included on the current agenda.	Hazel Best

ACTION	OUTCOME	LEAD OFFICER
WORK OPTIONS AND WORK PROGRAMME		
1. Produce an annual report to publicise the Committee's work and highlight how it has responded to changing regulation.	An annual report will be submitted for agreement to the meeting on 2 nd April.	Reuben Segal Tasnim Shawkat
2. Include an item on reviewing the Council's protocol on Member/Officer relations on a future agenda.	A report will be included on the agenda for the 2 nd April meeting.	Hazel Best

Member Development Training Sessions 2019-20

Topic	Date	Number of members attended/ <i>expected (where known)</i>
Emergency Planning	Thursday, 11 April 2019	10
Corporate Parenting	Thursday 6 June	4
Cyber Security and GDPR	Thursday 5 September	7
Planning Enforcement (Planning Committee members only)	Wednesday 11 September	6
Updated Members Code of Conduct	Wednesday 30 October	39 (and 1 IP)
Material considerations when determining planning applications	Thursday 7 November	<i>TBC</i>
Updated Members Code of Conduct	Monday 18 November	12 (and 2 IPs)
Planning Viability Assessments	Thursday 28 November	8
Homelessness	Monday 9 December	4
Personal safety for councillors	Thursday 16 January	1
Planning - representing and assisting residents in a ward member capacity	February 2020	0
Licensing - representing and assisting residents in a ward member capacity	March 2020	0

External training offered (by the LGA)

Leadership Academy programme: The LGA flagship programme is a place where councillors in leadership positions, can learn about the latest thinking in political leadership, and equip themselves with the knowledge and skills they need to rise to these challenges. **Pls Note: Limited Spaces only available on - 188**

NEW: Leadership Essentials: Audit Committees - (Fully subsidised for the two-day residential)

NEW: Leadership Essentials: Building Safety - (Fully subsidised for the two-day residential)

Leadership Essentials: Children's Services for Lead Members in Children's Services and Chairs of Children's Services Scrutiny Committee - **(Fully subsidised for the two-day residential) -**

NEW: Leadership Essentials: Climate Emergency - (Fully subsidised for the two-day residential) - FULL - Hope to put another one in the New Year

NEW: Leadership Essentials: Cohesion and Integration (Fully subsidised for the two-day residential)

NEW: Leadership Essentials: Creating Better High Streets and Town Centres - (Fully subsidised for the two-day residential)

Leadership Essentials: Fire and Rescue - **(Fully subsidised for the two-day residential) New dates added**

Leadership Essentials: Getting Your Message Across: *(£250 for the two-day residential)*

Leadership Essentials: Health and Well-being for Health and Well-Being Board Chairs and Vice-Chairs **(Fully subsidised two-day residential)**

NEW: Leadership Essentials: Homelessness *(£250 for the two-day residential)* - Limited spaces available

Leadership Essentials: Planning Decision Making: *(£250 for the two-day residential)* - **Sept Full - New dates added for March 2020**

NEW: Leadership Essentials: Prevent and Counter-Extremism (Fully subsidised for the two-day residential)

Leadership Essentials Sports **(Fully subsidised two-day residential) - Nov Full - New dates for Feb 2020**

Political Leadership Masterclasses on Working with the Media; **(1 day fully subsidised events) - New dates will be added for the New Year**

Political Leadership Masterclasses on Risk Management; **(1 day fully subsidised events) - New date: 16 Jan 2020**

Effective Opposition under Focus on Leadership. This programme, aimed at opposition leaders and deputy leaders, is designed to help participants to get a better understanding of how they can enhance the effectiveness of their role in leading an opposition group on their council (*£150 for the two-day residential*)

Young Councillors Weekender Event: Focus on Leadership - This event is a must for young councillors aged 40 and under who are interested in building their knowledge, skills and councillor network (*£150 for the two-day residential*)

BAME Councillors Weekender Event: Focus on Leadership - This popular event provides a unique learning and networking opportunity for elected members from BAME backgrounds. (*£150 for the two-day residential*)

Women Councillors' Weekender Event: Focus on Leadership – This two-day event will provide opportunities for female councillors to network and share experiences and develop their leadership skills at an event specifically for women (*£150 for the two-day residential*) – **Limited spaces**

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