



CITY OF WESTMINSTER

MINUTES

Standards Committee

MINUTES OF PROCEEDINGS

Minutes of a virtual meeting of the **Standards Committee** held on **Monday 19th October, 2020**

Members Present: Councillors Judith Warner (Chairman), David Boothroyd, Ian Adams, Louise Hyams and Patricia McAllister

Apologies for Absence: Councillor Richard Beddoe

Also Present: Asif Iqbal, Shajad Hussain and Elizabeth Walters (Independent Persons)

1 MEMBERSHIP

1.1 It was noted that there were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 There were none.

3 MINUTES

3.1 **RESOLVED:** That the minutes of the meeting held on 10 March 2020 be signed by the chairman as a correct record of the proceedings.

4 UPDATE ON THE REVIEW OF THE MODEL CODE OF CONDUCT BY THE LOCAL GOVERNMENT ASSOCIATION (LGA)

4.1 The Monitoring Officer introduced the item and updated the committee on the timescales of the LGA review of the model code of conduct. She stated in relation to the response that she had provided to the consultation that whilst she had not received any comments directly from members she took into account the views expressed by members at previous Standards Committee meetings. She reported that in her Bi-Borough capacity her response as the monitoring officer for Westminster was not dissimilar to that which she had submitted for the Royal Borough of Kensington and Chelsea. She further stated that there was some consensus from other monitoring officers that she had spoken to regarding the responses.

4.2 Members then discussed the response of the Monitoring Officer to the consultation and made the following points:

- Question 3 - In line with the Monitoring Officer's submission, the members supported the use of the personal tense, as used in the code, rather than a passive voice.
- Question 4 – With reference to the obligation not to mis-use council resources, members noted that the Monitoring Officer supported this obligation but suggested that this also included a specific requirement to comply with the council's policies on the use of council supplied IT systems. Members highlighted that as the City Council provides councillors with an IT allowance and members will often purchase one device which they will use for both work and personal requirements, this obligation presents a challenge. The Monitoring Officer acknowledged the issue raised in relation to hardware but stated that members could easily differentiate between the use of personal email addresses and the need to comply with the Council's policies when using IT systems such as Office 365.
- Question 7 - Some members suggested that the concept of not bringing the council into disrepute is imprecise as it is difficult to incorporate all possible issues that this could cover.
- Question 8 - With regards to the obligation of treating other councillors and members of the public with civility, members agreed with the Monitoring Officer's comments that the use of the word respect is a more appropriate term. This was also supported by the council's Independent Persons.
- Question 15 – Members broadly supported £25 as the proposed threshold for registering gifts and hospitality as set out in the draft code.

4.3 The Monitoring Officer was asked whether the Local Government Association was intending to propose that councils adopt a revised national model Code of Conduct. In response, she responded that whilst the LGA is likely to make such a suggestion, the council, can by law, if it wishes, adopt a local element that meets the needs of the local authority.

4.4 **RESOLVED:**

That the committee noted the response of the Monitoring Officer to the Consultation.

5. RESPONSE TO COMMITTEE ON STANDARDS IN PUBLIC LIFE ON PROGRESS MADE ON BEST PRACTICE POINTS MADE IN JANUARY 2019.

5.1 The Monitoring Officer introduced the item and updated the committee on the proposed response to the Committee on Standards in Public Life (CSPL) on the progress the Council has made in relation to implementing the best

practice points. With reference to Appendix 1 to the report, she advised that the council had implemented all of the best practice points with the exception of point 14 which was a work in progress. She advised that Legal Services was working with the council's Finance and Audit teams to identify the separate bodies that the council has set up or which they own and the extent to which they abide by the Nolan Principles.

5.2 Members then discussed the draft proposed response of the Monitoring Officer to the CSPL and made the following points:

- Best Practice recommendation 1: That the council's position response should reflect that a definition of intimidation as well as bullying and harassment has been added to the Council's members Code of Conduct.
- Best Practice recommendation 5: The committee welcomed receiving quarterly reminders from officers to review their register of interests and update them as necessary.
- Best Practice recommendation 9: Members noted that the Standards Committee had not needed to hold any investigations alleging misconduct by members. Therefore, they noted that the council's response outlined how it will respond if the need arises in terms of publishing any reports and decisions on the outcome of hearings.

RESOLVED:

The committee noted the comments on the proposed response to the CSPL on the progress the Council has made in relation to implementing the best practice points. Subject to amending the council's response to best practice recommendation 1, to include reference to intimidation, members approved the response which it noted would be submitted to the CSPL by the Chief Executive by the 30 November deadline.

6 MEMBER COMPLAINTS - ANNUAL REPORT

- 6.1 Hazel Best, Principal Solicitor, introduced the report which provided details of complaints against members of the Council, since the last report to the Committee.
- 6.2 The Principal Solicitor was asked how the number of complaints against councillors over the period compared with those at other local authorities. She was also asked whether there were any lessons that could be learned from the complaints that had been received that could be eliminated through the inclusion of additional training at future member development sessions.
- 6.3 Hazel Best stated that following conversations with officers at other local authorities she believed that the council was at the lower end of the spectrum in terms of the number of complaints received against councillors. She highlighted that many of the complaints received did not meet the test of a breach of the Members Code of Conduct but instead related to the perception from the individual about how they had been spoken to by the councillor. She

agreed that further emphasis on this issue would be covered at future member training on the Code of Conduct.

RESOLVED:

The committee noted the outcomes of the complaints raised in the report since the last update to the Committee.

7 WORK PROGRAMME AND ACTION TRACKER

7.1 RESOLVED:

That the revised work programme and action tracker be noted.

The Meeting ended at 7.20 pm

CHAIRMAN: _____

DATE _____