

STANDARDS COMMITTEE

Minutes of the meeting held at 7.00 pm on 22 January 2019

Present:

Councillor Michael Tickner (Chairman)
Councillor Vanessa Allen (Vice-Chairman)
Councillor Nicholas Bennett J.P., Councillor Melanie
Stevens and Councillor Stephen Wells

1 TO APPOINT A CHAIRMAN AND VICE-CHAIRMAN FOR 2018/19

Councillor Michael Tickner was appointed chairman for the 2018/19 Council year, and took the chair. Councillor Vanessa Allen was appointed vice-chairman for the 2018/19 Council year.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Dr Simon Davey.

Councillor Nicholas Bennett apologised for having to leave the meeting early.

3 DECLARATIONS OF INTEREST

Councillor Melanie Stevens declared in relation to agenda item 11 that she knew one of the complainants.

Councillor Nicholas Bennett declared in relation to agenda item 11 that he had been the subject of a complaint.

Councillor Michael Tickner declared an interest as the majority group whip.

4 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

5 MINUTES OF THE MEETING HELD ON 22nd FEBRUARY 2018 AND MATTERS ARISING

It was confirmed that new Councillors had been given a copy of the Council's Code of Conduct after the local elections in May.

The Committee decided to keep the three proposed dates per year proposed in the draft 2019/20 programme of meetings.

RESOLVED that the minutes of the meeting held on 22nd February 2018 (excluding exempt information) be confirmed.

6 DISCUSSION WITH HEAD OF AUDIT

The Council's Head of Audit, David Hogan, attended the meeting to brief the Committee on his Team's work, which involved reviewing systems of risk, governance and internal control. Mr Hogan was relatively new to Bromley, but had worked at a number of London boroughs, including at LB Bexley. His impression of Bromley was of a transparent and self-aware organisation.

Mr Hogan responded to some of the comments made about the 2017/18 annual Governance Statement as recorded in the minutes of the last meeting. He confirmed that a detailed check of the effectiveness of the governance framework had been carried out, and commented that the statement that Internal Audit was "generally compliant" reflected his profession's stringent standards.

As well as providing challenge and accountability, the Internal Audit Team provided a service to management, and Mr Hogan concluded by assuring the Committee that his team was given unfettered access to records and documents. He was confident of support from the Chairman of the Audit Sub-Committee and the Leader of the Council should any issues arise.

7 ANNUAL GOVERNANCE STATEMENT Report CSD19020

The Annual Governance Statement (AGS) formed a part of the Council's statutory accounts, and was coordinated by Internal Audit following CIPFA guidance. The AGS was approved by General Purposes and Licensing Committee each year alongside the annual accounts. Members received a copy of the final AGS for 2017/18 and were invited to provide comments at the start of the process for developing the AGS for 2018/19.

Members made the following comments –

Councillor Allen emphasised that it was important that senior posts were filled and not left vacant (page 3).

Councillor Allen commented that although a meeting had been held to consult with representatives of residents associations on budget priorities, there were no longer any similar meetings open to residents (Page 5). Officers responded that this consultation was now conducted primarily online, and Members commented on whether this was an effective way to consult, and on the cost of holding the public meetings.

Councillor Wells commented that he was pleased that the Constitution Improvement Working Group had recommended that the time allowed for public questions at Council meetings should be increased from fifteen minutes to thirty minutes, which improved transparency.

Councillor Wells stated that it was important that there was a culture where Internal Audit could do their work; he was concerned that there should be a process to ensure that Portfolio Holders addressed all Priority 1 audit recommendations. The Head of Audit explained that his Team always agreed an action plan with management to address all recommendations, which his Team followed up rigorously. This was now also tied in with the risk management process and managed more closely.

Councillor Tickner asked about the reference to “other key postholders” being able to fulfil their responsibilities in the final bullet point of Principle A (page 5). Officers responded that this was about senior officers being able and willing to raise concerns, and having an atmosphere and culture where this could happen. The Director of Corporate Services stated that he had never felt unable to give hard advice to Members or officers.

Councillor Bennett asked whether Internal Audit was free from political pressure. He suggested that Members should only be allowed to comment once Internal Audit reports were published and should explain their concerns. The Director of Corporate Services stated that he had not seen any evidence of undue political pressure; in fact, Members had considerable rights to free speech so any rules which attempted to restrict this could potentially be unlawful. The Head of Audit stated that his Team checked their reports very carefully for accuracy. He was not aware of recommendations being challenged by Members, and felt able to assert his independence.

Councillor Tickner raised the issue of the Council supporting the voluntary/third sector (page 9). The Contracts and Commissioning Sub-Committee would be considering how the Council contracted with third sector organisations at a forthcoming meeting.

Councillor Wells suggested that the bullet point relating to key controls over systems and processes (page 13) should refer more specifically to the financial management system, the contracts database system and risk registers.

Councillor Tickner commented on the previous practice at Audit Sub-Committee where files of paper invoices were available once a year, and each Member could chose an invoice at random for investigation. The Head of Audit confirmed that all invoicing was now online, but sample checks were still carried out as part of regular audits on the payment system.

Councillor Stevens asked whether the Council had a complete list of its own buildings, and whether this was used to ensure that all assets were properly maintained. The Head of Audit confirmed that the Council did have this information, which was used, for example, for insurance purposes, and the Council ensured that fire risk assessments were carried out for all properties.

RESOLVED that the Committee’s comments as set out above be considered in drawing up the 2018/19 Annual Governance Statement.

8 MONITORING OFFICER'S GENERAL REPORT
Report CSD19010

The Committee received a report from the Monitoring Officer setting out a number of issues for consideration.

(A) Independent Persons

Every principal local authority had to appoint at least one independent person to be consulted by the authority, or by members of the authority on standards issues. Mr Nicolas Marcar had recently resigned from this role, leaving Bromley with just one independent person, Dr Simon Davey. The Council could continue with one independent person, but it was useful to have at least two independent persons, not only to have a broad input at the Committee's meetings, but also so that different parties were not depending on the same party for independent advice. Another possibility was to try to share independent persons with a neighbouring authority. The appointment could be made by the Committee, and it was proposed that the Chairman and Vice-Chairman carry out the interviews.

RESOLVED that adverts be placed to recruit a new independent person.

(B) Whistle-blowing procedures

The Committee was provided with a copy of the Council's Whistle-blowing procedures. It was proposed that the Committee look at the procedure and how effective it was in more detail at the next meeting – Members asked for information about the number and types of reports. The procedures could be used by agency staff, consultants and contractors – it was confirmed that major contractors had been provided with copies of posters advertising the procedure.

RESOLVED that a more detailed report be considered at the next meeting.

(C) Committee for Standards in Public Life

Members noted that the Committee on Standards in Public life was expected to publish its report on local government ethical standards on 30th January 2019.

(D) Dispensations

Members noted the schedule of dispensations granted by the Monitoring Officer.

(E) Gifts and Hospitality

Under the Code of Conduct, Members were required to declare gifts and hospitality received due to their role as councillors over the value of £25. This threshold had been in place for many years, and the Committee considered whether it was appropriate to raise it.

Gifts and hospitality received by the Mayor were not usually declared on the Register of Interests as they usually related to the office of Mayor rather than to the individual concerned (although a record was still kept through the Mayor's Office.) The Committee considered whether the Mayor's Consort, in circumstances when they were also a serving councillor, should be required to register gifts and hospitality received while acting as consort. Members concluded that it would still be safer and more transparent if a consort who was also a councillor continued to declare gifts and hospitality in these circumstances.

RESOLVED that

(1) The threshold for declaring gifts and hospitality should remain at £25.

(2) The Mayor's Consort, if a serving Councillor, should continue to declare gifts and hospitality received in his role as consort.

(F) Register of Interests

A paper copy of the Register of Interests was available for inspection at the meeting.

(G) Work Programme

The Committee considered its work programme for future meetings. At the next meeting they expected to consider the whistle-blowing procedure, the report of the Committee on Standards in Public Life on local government ethical standards, the appointment of a new independent person and a potential change to disqualification rules by the Government.

9 LOCAL GOVERNMENT ACT 1972 AS SUBSEQUENTLY AMENDED

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters
involving exempt information**

**10 EXEMPT MINUTES OF THE MEETING HELD ON 22nd
FEBRUARY 2018**

RESOLVED that the exempt minutes of the meeting held on 22nd February 2018 be confirmed.

**11 MONITORING OFFICER'S GENERAL REPORT: APPENDIX -
COMPLAINTS**

The Committee considered a part 2 appendix containing details of complaints received about individual councillors since the Committee's last meeting on 22nd February 2018. The Director of Corporate Services explained that where he was considering referring a complaint to the Committee he had to consult with the independent person. However, there were few complaints that reached this threshold.

The Meeting ended at 8.25 pm

Chairman