

**Decision Maker:**       **STANDARDS COMMITTEE**

**Date:**                   **Thursday 12 March 2020**

**Decision Type:**       Non-Urgent                   Non-Executive                   Non-Key

**Title:**                   **MONITORING OFFICER'S GENERAL REPORT**

**Contact Officer:**     Philippa Gibbs, Deputy Democratic Services Manager  
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**Chief Officer:**        Director of Corporate Services

**Ward:**                   All Wards

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1.    Reason for report

1.1 To update the Committee on a number of standards issues -

- Member Officer Protocol
- Dispensations granted
- Gifts and Hospitality declarations
- Register of Interests
- Work Programme and Matters Outstanding
- Independent Persons
- Complaints
- Revised Code of Conduct

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2.    **RECOMMENDATION(S)**

**(1) That the Committee notes and comments on the Monitoring Officer's report.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
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### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Excellent Council:
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### Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £358,740
  5. Source of funding: 2019/20 revenue budget
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### Personnel

1. Number of staff (current and additional): 6.79fte
  2. If from existing staff resources, number of staff hours: Not Applicable
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### Legal

1. Legal Requirement: Statutory Requirement: Local Government Acts 1972 and 2000 and subsequent legislation.
  2. Call-in: Not Applicable: This report does not involve an executive decision.
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### Procurement

1. Summary of Procurement Implications: Not Applicable
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The standards system affects all Members of the Council, and potentially any member of the public who considers that a member may have breached the Code of Conduct.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

### **3. COMMENTARY**

#### **Member Officer Protocol**

- 3.1 An amended Member Officer Protocol is attached at Appendix 1 for consideration and review by the Standards Committee.

#### **Dispensations Granted**

- 3.2 The Council has delegated to the Monitoring Officer, in consultation with members of the Urgency Committee, the authority to grant dispensations to Councillors to attend and speak at meetings of the authority in circumstances where, under the Code of Conduct, they have a disclosable pecuniary interest (Scheme of Delegation to Officer, Part 2A, 3 (xxv)). Where these dispensations have been sought, they are typically about town planning issues, where the Code of Conduct means that councillors have less opportunity to assert their interests than other residents, or about employment, where technically there is a disclosable pecuniary interest, but in practice that interest is not significant. In order to be transparent, applications for dispensations since the last meeting are normally presented to this Committee, but in this case no dispensations have been granted since the last meeting.

#### **Gifts and Hospitality Register**

- 3.3 Under the Code of Conduct, Councillors are required to declare gifts and hospitality received due to their role as Councillors over the value of £25. These are published on the Council website, with a link from each Member's page. A schedule of the gifts and hospitality declarations made since the Committee's last meeting, is attached as Appendix 2.

#### **Register of Interests**

- 3.4 Under the Localism Act 2011, the Register of Interests is required to be published on the Council's website, and a link to each Councillor's declaration is provided on their page. Members of the Standards Committee are asked to review the Register of Interest prior to the meeting. The online Register of Interest will also be available at the meeting.

#### **Work Programme and Matters Outstanding from Previous Meetings**

- 3.5 Full Council at its meeting on 8<sup>th</sup> April 2019 decided that all Council Committees and Sub-Committees should include provision at scheduled meetings to consider matters outstanding from previous meetings. These matters will often form part of the future work programme. A table of matters outstanding is attached at Appendix 3.
- 3.6 The Council's 2019/20 programme of meetings now includes three scheduled meetings of this Committee. The Committee's next meeting is provisionally scheduled to take place on Thursday 4<sup>th</sup> June 2020. Members of the Committee are requested to consider what issues they wish to consider at future meetings.

#### **Independent Persons**

- 3.7 Every principal local authority must appoint at least one independent person to be consulted by the authority or by members of the authority on standards issues. The changes to the Standards system brought about by the Localism Act 2011 have greatly reduced the involvement of Independent Persons compared to the former arrangements where there were several co-opted members of the Standards Committee, a need for frequent Sub-Committee meetings and the Chairman was a co-opted member. However, it is still useful to have at least two Independent Persons, not only to have a broader input at Committee meetings, but so that

different parties on a particular issue are not dependent on the same person for independent advice and also to avoid conflicts of interest.

- 3.8 At its meeting on 31<sup>st</sup> October 2019, the Standards Committee considered two applications for the role of Independent Person, and decided that both applicants should be interviewed. Since then, one of the applicants has met with the Standards Sub-Committee – comprising the Chairman and Vice-Chairman and current Independent Person and supported by the Monitoring Officer. The Standards Sub-Committee unanimously recommended the applicant for appointment. The other applicant has withdrawn from the process.
- 3.9 On 24 February 2020, the Full Council confirmed the appointment of Mr Ken Palmer as Independent Person and reaffirmed the appointment of Dr Simon Davey as Independent Person until the end of the current Council in May 2022.

### **Complaints**

- 3.9 A summary of recent complaints against Councillors, since the Committee's last meeting, is included at Appendix 4. As these complaints contain personal details about Councillors and complainants, and also as the Councillors concerned have not necessarily done anything that is clearly against the Code of Conduct, this information is included on the part 2 (private) agenda. There are no formal standards investigations at present.

### **Code of Conduct**

- 3.10 Following the meeting on 31 October 2019, the changes to the Code of Conduct recommended by the Standards Committee were incorporated. The revised Code of Conduct is attached at Appendix 5 for approval by the Standards Committee prior to final approval by Full Council.