

Decision Maker: **STANDARDS COMMITTEE**

Date: **15 July 2021**

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

1. Reason for report

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

- Dispensations granted
- Gifts and Hospitality declarations
- Register of Interests
- Work Programme and Matters Outstanding
- Committee for Standards in Public Life
- Recruitment of an Additional Independent Person
- Complaints

2. **RECOMMENDATION(S)**

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: £359k
 5. Source of funding: Revenue budget
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Personnel

1. Number of staff (current and additional): 6.67fte (although Standards Complaints are filtered by either the Democratic Services Manager or Deputy Democratic Services Manager in consultation with the Monitoring Officer)
 2. If from existing staff resources, number of staff hours: The number of staff hours requires fluctuates depending on the volume of complaints received at any given time.
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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

Dispensations Granted

- 3.1 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.
- 3.2 Since the last meeting the Monitoring Officer has granted the following dispensation to Councillor Simon Fawthrop:

Gifts and Hospitality Register

- 3.2 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. Since the last meeting no Members have registered the receipt of any gifts or hospitality.

Register of Interests

- 3.3 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

- 3.4 Full Council at its meeting on 8th 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 summary of matters outstanding from previous meetings is attached at [Appendix 1](#).
- 3.5 The Council's 2021/22 programme of meetings includes three scheduled meetings of this Committee. The Committee's next meeting is scheduled to take place on Tuesday 7th December 2021. Members of the Committee are requested to consider what issues they wish to consider at future meetings.

Committee for Standards in Public Life (CSPL)

- 3.6 In a recent CSPL blog concerning the development of a model Code of Conduct for authorities (<https://cspl.blog.gov.uk/2021/05/25/a-model-code-of-conduct-for-local-authorities/>), the Chairman of the Local Government Association picked up on two key issues:
- (a) Next month the LGA will be publishing guidance to support effective implementation of the LGA's new Code (for those Authorities who choose to adopt that model code). As such the LGA will be considering what more it can do to improve standards.
- (b) The LGA has also published a "Rules of Engagement" infographic for Councillors which can be pinned to a social media profile.

- 3.7 Within the blog the Chairman of the LGA discussed the work being developed to give councillors a framework for their online engagement. The LGA tools are designed to give all users a clear 'code' by which they should operate, with a clear statement that users can be blocked, or posts deleted, if they fail to comply. And they emphasise the importance of formal channels for casework, and that some responses may take time. The LGA has also collated some of the top tips for handling online abuse into a quick reference infographic.
- 3.8 At one of its future meetings, the Standards Committee may want to spend some time considering what more can be done to support councillors in how to deal with on-line abuse.

Recruitment of an Additional Independent Person

- 3.9 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. Bromley currently has two Independent Persons however, in the interests of business continuity, the Standards Committee is asked to give consideration to putting in place arrangements for the recruitment of a third Independent Person.
- 3.10 At the last meeting the Committee agreed that arrangements should be made to recruit an additional Independent Person. An advertisement will be placed over summer in anticipation of in person interviews being held as national Covid restrictions are eased.

Complaints

- 3.11 A summary of recent complaints against Councillors, since the Committee's last meeting, is included in the Part 2 Appendix 2. 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. In addition to the usual summary of complaints presented to the Committee, details of the outcomes of two Code of Conduct Complaints relating to the same planning application have been included for further information.
- 3.12 There are no formal standards investigations at present.