



STANDARDS COMMITTEE

— Agenda —

**WEDNESDAY
1 APRIL 2009**

7.00 PM

COMMITTEE ROOM 4

**HAMMERSMITH
TOWN HALL
LONDON W6 9JU**

Membership

Mr. Steven Moussavi
Mr. Christopher Troke
Ms Grace Moody-Stuart
Mrs Joyce Epstein
Councillor Nicholas Botterill
Councillor Donald Johnson
Councillor Lisa Homan
Councillor Adronie Alford
Councillor Stephen Cowan

If you require further information relating to this agenda, please contact the Co-ordinator:

David Bays, Room 203
Hammersmith Town Hall
King Street, W6 9JU.

020 8753 2628
david.bays@lbhf.gov.uk

Reports on the agenda are available on the Council's website, using the following link:

http://www.lbhf.gov.uk/Directory/Council_and_Democracy/Decisions_meetings_and_agendas/Other_Committees/27736_Standards_Committee.asp

Issue Date: 23 MARCH 2009

1 APRIL 2009

<u>ITEM</u>		<u>PAGE</u>
1	MINUTES – 4 FEBRUARY 2009	1-7
	To confirm and sign the minutes of the meeting held on 4 February 2009 as an accurate record.	
2	APOLOGIES FOR ABSENCE	
	Councillors Botterill and Cowan.	
3	DECLARATION OF INTERESTS	
	If a Councillor has any prejudicial or personal interest in a particular report they should declare the existence and nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.	
	At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a prejudicial interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken unless a dispensation has been obtained from the Standards Committee.	
	Where members of the public are not allowed to be in attendance, then the Councillor with a prejudicial interest should withdraw from the meeting whilst the matter is under consideration unless the disability has been removed by the Standards Committee.	
4	CODES AND PROTOCOLS	8-11
	To review paragraph 5.1 of the Member/ Officer Protocol, as set out in pages 374 of the Council's Constitution, and recommend any changes to that paragraph and any other paragraphs in the LBHF Local Protocols and Guidance to Members.	

- | | | |
|----------|---|--|
| 5 | DRAFT ANNUAL REPORT 2008/09 | 12
App.13-16 |
| | To agree a draft Annual Report for submission to Annual Meeting of Council on 27 May. | |
| 6 | REVIEW OF SYSTEM OF LOCAL COMPLAINTS | 17-18
App 1 19-20
App 2 21-22 |
| | To consider any changes needed to the system agreed at the beginning of the year to deal with local complaints. | |
| 7 | WORK PROGRAMME | 23-24 |
| | To note the Committee's initial work programme for 2009/2010, to be agreed by the Committee at its first meeting on 10 June 2009. | |



STANDARDS COMMITTEE —Minutes—

4 FEBRUARY 2009

Members Present:

Mr. Christopher Troke (Chairman)
Mrs. Joyce Epstein
Ms Grace Moody-Stuart
Councillor Adronie Alford
Councillor Nicholas Botterill
Councillor Stephen Cowan
Councillor Lisa Homan
Councillor Donald Johnson

Officers in attendance:

Michael Cogher, Assistant Director (Legal & Democratic Services)
David Bays, Committee Co-ordinator

ITEM

ACTION

1 **MINUTES OF THE MEETING OF THE STANDARDS
COMMITTEE HELD ON 24 NOVEMBER 2008**

RESOLVED - That the minutes of the meeting held on 24
November 2008 be agreed and signed as an accurate record.

KA/DB to note

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Steven Moussavi.

**ACE/KA/DB to
note**

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4 **CODES AND PROTOCOLS**

The Committee reviewed the Statutory Codes of Conduct and LBHF Local Protocols and Guidance to Members, as set out on pages 360-413 of the Council's Constitution, as part of an annual review of the Constitution which was due to take place at the Annual Meeting of the Council on 27 May 2009. This would mean there would be another opportunity for the Committee to recommend any changes at its next meeting on 1 April 2009.

MC

Councillor Homan recorded her dissatisfaction with the way the "Councillors' Support and Other Facilities: Guidelines for Use" was operating, particularly paragraph 5.1 on Advance Session Publicity.

On the Member/Officer Protocol, Councillor Cowan proposed there should be a review of paragraph 5.1, particularly sentence 2 where the practice of copying to Cabinet Members responses to Opposition Members seeking information about Council services was set out.

After discussion, it was

RESOLVED

1. That Councillor Cowan propose an alternative wording for this paragraph and forward it to the Chairman.
2. That the Chairman consult the London Standard Committee Chairmen's Virtual Network about this suggestion
3. That officers investigate the practice on this aspect with other local authorities.
4. That a report be presented to the next meeting on this issue.

5 **CODE OF PRACTICE ON PUBLICITY**

Following a discussion in which Councillor Cowan suggested that it would be inappropriate for the Committee to discuss this consultation paper, the Chairman adjourned the meeting at 8.10 pm to consult his Independent colleagues.

The meeting resumed at 8.18 pm

On resumption, the Chairman stated his view that this item should be considered.

On a vote,

6 FOR
2 AGAINST

it was agreed to consider and comment on the paper.

Councillor Cowan recorded his opinion that independent advice should have been sought on the inclusion of this item and brought back to the Committee.

The Committee then considered the Questions posed in the Consultation Paper and decided as follows:-

Question 1

On a motion by Grace Moody-Stuart, it was agreed that the response on this should be as follows:

We consider there is other guidance such as the Advertising Standards Authority and the Press Complaints Commission which might play a role in relation to Council advertising and newspaper publication respectively.

The motion was put to the vote:

5 FOR
3 AGAINST

On a vote, the motion was agreed.

Question 2

The Committee agreed that a single Code should apply to all Authorities.

Grace Moody-Stuart
moved the following amendment

Add “and that the Advertising Standards Authority and Press Complaints Commission might play a role in this”
The amendment was put to the vote:

2 FOR
5 AGAINST
Chairman abstained

On a vote, the amendment was lost. The Committee agreed that a single Code should apply to all Authorities.

Question 3

The Committee agreed that the Code should specifically address the presentation of publicity on an authority’s website.

Question 4

The Committee agreed that the two determining factors for issue of publicity should be that

- The publicity should be relevant to the functions of the authority; and
- It should not duplicate unnecessarily publicity produced by central government, another local authority or another public authority.

On the question of rebuttals, outlined in paragraph 2.6 of the suggested response, the Committee agreed on a vote that there should be an express provision to allow for such rebuttals to be made.

A motion to support the suggested response in paragraph 2.6 was put to the vote:

5 FOR
2 AGAINST

On a vote, the suggested response was agreed.

Question 5

Councillor Cowan moved an amendment to the suggested response in paragraphs 2.7 to 2.9 that

“In instances where any individual spending is excessive there should be recourse to the District Auditor”

The amendment was put to the vote:

2 FOR
3 AGAINST

On a vote, the amendment was lost.
The suggested response in paragraphs 2.7 to 2.9 was put to the vote:

FOR 5
AGAINST 2

On a vote, the Committee agreed the suggested wording in paragraphs 2.7 to 2.9.

Question 6

The Committee agreed that the cost section of the Code should remain unchanged.

Question 7

On a vote, the Committee agreed that issues surrounding ethical standards in publicity should be left to local authorities to judge for themselves.

The motion was put to the vote.

7 FOR
1 AGAINST

On a vote, the motion was agreed.

Question 8

On a vote, the Committee agreed the suggested response in paragraph 2.11

7 FOR
0 AGAINST

Question 9

On a motion by Grace Moody-Stuart, the Committee agreed that there should be some consideration in the Code given to issues of privacy and the dissemination of unsolicited material.

The motion was put to the vote.

5 FOR
2 AGAINST

On a vote, the motion was agreed.

Question 10

The Committee agreed to make no comment on this question

Question 11

The Committee agreed to make no comment on this question.

Question 12

The Committee agreed with the recommended response set out in paragraph 2.15

Question 13

The Committee agreed with the recommended response in paragraph 2.16.

Question 14

On a motion by Grace Moody-Stuart, the Committee agreed that there should be some consideration given to the level of publicity especially the provision of guidance to Scrutiny Chairmen, Ward Councillors (on ward issues) and to backbench Members.

The motion was put to the vote.

6 FOR
2 AGAINST

On a vote, the motion was agreed.

Question 15

The Committee agreed to make no comments on this Question

Question 16

The Committee agreed to make no comments on this Question .

6 **ANNUAL NORTH WEST LONDON STANDARDS SEMINAR**

The Chairman reported on his attendance at this event, along with Kayode Adewumi and David Bays. James Goudie QC had presented the main address, followed by a panel discussion. It appeared from the discussion that there had not been a significant increase in complaints against Members; there was generally a balance of Independent and Elected Members considering complaints, as in Hammersmith & Fulham; there was a general feeling that consultations and changes to codes and legislation at all levels had made it very difficult for those concerned to keep up to date; and, finally, that the local resolution of complaints was seen to be more effective for being much quicker to resolve.

Resolved - That the report be noted, the delegates be thanked for their attendance and the Chairman of Brent Standards Committee be thanked for organising the event.

7 **WORK PROGRAMME.**

RESOLVED: That the Work Programme be noted and agreed. **ALL**

Meeting began : 7:00 pm
Meeting ended : 9.59 pm

CHAIRMAN.....



STANDARDS COMMITTEE

4

1 APRIL 2009

CONTRIBUTORS

WARDS

ADLDS
HCS

CODES AND PROTOCOLS

Summary

This report summarises the issues arising from the discussion of Paragraph 5.1 of the Member/Officer Protocol at the last meeting and gives Members a final opportunity to propose any changes to the rest of the Codes and Protocols which will be agreed at the Annual Meeting on 27 May.

RECOMMENDATION:

That comments on the attached Codes, Protocols and Guidance be made to the Council at its Annual Meeting on 27 May 2009.

.

1. Background

The current model code of conduct was adopted in May 2007 on the basis that the provisions of the code would be reviewed in the light of early experience of its practical operation. Similarly, the LBHF Local Protocols & Guidance for Members were adopted at the same time and are due for review.

Copies of pages 360-413 of the Council's Constitution setting out the Codes and Protocols were circulated with the agenda for the February meeting of the Committee. Members are asked to bring these with them to this meeting. Listed here is a link to the relevant pages:

http://www.lbhf.gov.uk/Directory/Council_and_Democracy/Decisions_meetings_and_agendas/The_Constitution/23440_Part_5_Codes_and_Protocols.asp

2 Member/Officer Protocol – Correspondence

2.1 At the last meeting of the Committee some discussion took place in relation to the Member/Officer Protocol and in particular paragraph 5 (Correspondence) which provides:-

“5.1 It is an accepted convention at LBHF that chief officers should be able to correspond with cabinet members in strict confidence, and vice versa. Where opposition members and MP’s seek information about council services from a chief officer, it is also the convention that chief officers have a responsibility to keep cabinet members informed, normally by sending a copy of the response to the cabinet member along with the original query.

5.2 Personal matters – in cases where the opposition member seeks information on a genuinely personal basis, then the initial letter and response should be confidential, and the appropriate cabinet member should not receive a copy”.

2.2 The protocol has formed part of the Council's constitution since at least 2001. Whilst it does not over-ride the legal position in relation to access to information it is a general statement in relation to the Council's view on both individual and cabinet member's rights.

2.3 Members have a range of rights to access information, generally cabinet, committee and background papers and the same rights as the public under the Freedom of Information Act 2000. In addition all members have a common law right to have access to information held by the Council

when they can demonstrate a “need to know” in order to carry out their duties as a councillor. The leading case on this subject is Birmingham D.C. v. O [1983]1 All ER.

2.4 In the Birmingham case the House of Lords set out the following principles:-

- A councillor does not have a roving commission to all information held by the Council
- A committee member will generally have a good reason for access to all information relating to a committee that he is a member of
- In other cases the member will need to demonstrate a need to know in order to carry out their duties as a councillor e.g. a ward matter

2.5 In the leading judgment Lord Brightman said;

“The decision as to whether the outside councillor has need for access to the information is ultimately one to be taken by the councillors sitting in council. But the council may expressly or by implication, delegate to others the right to decide whether an application for access to material is to be acceded to...In the event of a continued difference of opinion, the decision would ultimately lie with the councillors meeting in council. There the matter would rest. The Court has no jurisdiction to substitute its own opinion. The decision of the council is the final word, subject only to an application for judicial review... on Wednesbury principles [i.e. irrationality]”.

2.6 Since this decision predates executive arrangements decisions in relation to disclosure to the cabinet can also be dealt with by the Cabinet itself. One of the stated aims of executive arrangements is that the electors will know “who to praise and who to blame”. On the basis of O, it follows from this and the fact that cabinet members have taken the place of committees as far as executive functions are concerned that cabinet members will have an extensive “need to know” in relation to matters falling within their individual portfolios. This will include issues raised by opposition councillors with officers and the officer’s reply. The Council recognises this in the protocol. It also recognises that cabinet members will not have a “need to know” in relation to advice of a personal nature.

2.7 The position can be illustrated by example:-

A councillor wishes to obtain advice as to whether to declare an interest in a matter, as to what they can and cannot say about a particular matter and how they can get a matter discussed at a scrutiny or council meeting. These

matters would all be personal matters to which relevant cabinet members would not be privy.

On the other hand where a councillor, on behalf of a ward member, makes enquires in relation to an alleged failure of a department to provide a proper service the enquiry, together with the reply, would be sent to the cabinet member concerned as they are publicly accountable for the service and have a legitimate “need to know” and therefore a legal right to the information.

2.8 As far as the Monitoring Officer is aware this has not caused any particular problems or disputes since 2001 and it has thus far, always been clear as to which category a request falls into. Members are free to take advice as to how their request will be treated before submitting it.

2.9 Enquiries of neighbouring WLA boroughs suggest that most Councils deal with the issue on a case by case basis.

2.10 In light of the above information, the Committee are asked to decide whether they would like to make any recommendations for changing this part of the Member/Officer Protocol.

**LOCAL GOVERNMENT ACT 2000
BACKGROUND PAPERS**

No.	Brief Description of Background Papers	Name/Ext. of holder of file/copy	Department/Location
1.	Council's Constitution, edition 2008-9	Michael Cogher, Ext 2700	FCS, Legal Division, Room 133a HTH

STANDARDS COMMITTEE

5

1 APRIL 2009

CONTRIBUTORS

WARDS

ADLDS
HCS

ANNUAL REPORT 2008-09

Summary

This report summarises the work of the Committee over the Municipal Year 2008-09. Subject to any changes by the Committee and inclusion of any items from this meeting, the report will be submitted to the Council's Annual Meeting on 27 May.

RECOMMENDATION:

That the draft Annual Report (attached) be approved subject to any changes agreed at this meeting, and be submitted to the Council at its Annual Meeting on 27 May 2009.

LOCAL GOVERNMENT ACT 2000 BACKGROUND PAPERS

No.	Brief Description of Background Papers	Name/Ext. of holder of file/copy	Department/Location
1.	Agendas and Minutes for Meetings mentioned in Report	David Bays	FCS, Legal Division, Room 203 HTH

STANDARDS COMMITTEE

ANNUAL REPORT 2008- 09

1. INTRODUCTION

1.1 The Standards Committee met four times this year: on 2 June and 24 November 2008; and 4 February and 1 April 2009. Mr. Chris Troke, replaced Mr Steven Moussavi as Chairman for the year, as agreed by Annual Council. Apart from various routine items such as matters discussed in bulletins from the Standards Board, the following were the main issues considered.

2. LOCAL ASSESSMENT OF COMPLAINTS

2.1. At its June meeting the Committee agreed to set up 3 Sub-Committees to deal with each stage of the local complaints process: an Assessment Sub-Committee, a Review Sub-Committee and a Hearing Sub-Committee. The Committee agreed to a flexible arrangement whereby there would be appropriate appointments for these Sub-Committees, drawn from the overall pool of 9 Members, providing the Chairman in each case was an Independent Member.

2.2 Terms of Reference were agreed for each Sub-Committee as well as Assessment Criteria; it was also agreed that the Monitoring Officer prepare a pre-assessment report for all complaints referred to the Assessment Sub-Committee. These arrangements are being kept under review but in light of numbers of complaints received so far appear to be adequate to meet current demands.

2.3 The Committee publicised the arrangements for how to complain in the June and July 2008 issues of H&F News, on the Council's website and on notices in Libraries and Hammersmith & Fulham Town Hall receptions.

2.4 The Committee undertook training in the new system as part of its June meeting by considering 4 case histories and what the suggested outcomes might be.

3 LOCAL COMPLAINTS CASES

3.1 Only one case was considered during the year 2008-09. This was considered by the Assesment Sub-Committee comprising Chris Troke (Chair), Councillors Botterill and Cowan on 18 June. The Sub-Committee decided that no action should be taken on the allegation.

3.2 The complainant was given the opportunity to request a review of this decision which he chose to do. A Review Sub-Committee comprising Steven Moussavi (Chair), Councillors Donald Johnson and Homan met on 28 July to review the case. The Review Sub-Committee decided to uphold the original

decision. A written summary of the decision of both Sub-Committees excluding the names of the Councillor and complainant was made available to the public via the Council's website.

4 GOVERNMENT CONSULTATION PAPERS

4.1 During the year the Committee considered two consultation papers: on the Code of Conduct for Local Authority Members and Employees; and on the Code of Practice on Publicity.

4.2 On the Code of Conduct consultation, the committee commented

- on the definition of "criminal offence", taking the view that this should be confined to serious offences such as violence, dishonesty and sexual offences;
- on the time limit for Members undertaking to observe the Code, that this should be two months from the date of the Member being notified;
- on the issue raised about imposing the Code on all employees, the Committee favoured a response which would include a suggestion that other professional bodies should bring their codes into line with those for local authorities;
- on the two-tier model being proposed for selecting "qualifying employees", the Committee favoured the "political Restriction model" of the 1989 Act;
- and, finally, on the issue about whether qualifying employees should publicly register their interests, the Committee agreed that they should and that those matters needing to be registered on the employees' code should be consistent with the Members' code.

4.3 These comments were submitted in December 2008. *The outcome is currently awaited.*

4.4 On the Code of Practice on Publicity, the Committee decided to

- Make reference to the Advertising Standards Authority and the Press Complaints Commission as bodies which might have a role to play in the regulation of council advertising and newspaper production;
- Agree there should be express provision in the guidance to allow for the Council to rebut criticisms.
- Request consideration in the Code about issues of privacy and about the dissemination of unsolicited material
- Ask for extra guidance in the Code on the level of publicity support that might be given to Scrutiny Chairmen, Ward Councillors (in relation to Ward issues) and to back bench members more generally.

4.5 The Council's response was submitted in March 2009. *The outcome is awaited.*

5 COUNCIL CONSTITUTION

5.1 At its February 2009 meeting, the Committee considered whether any changes were needed to the Statutory Codes of Conduct and LBHF Local Protocols and Guidance to Members in the Council's Constitution.

5.2 One Member of the Committee recorded her dissatisfaction with the way the "Councillors' Support and Other Facilities: Guidelines for Use" was operating, particularly paragraph 5.1 on Advance Session Publicity.

5.3 The Committee agreed that Councillor Cowan should propose an alternative wording for this paragraph on which the Chairman could consult the London Standards Committee Chairmen's Virtual Network (see paragraph 6 below) and officers could look at practice in other authorities with a view to reporting to the April 2009 meeting.

5.4 At its April meeting.....

6 CONFERENCES

6.1 Ms Joyce Epstein, one of the Independent Members, and the Assistant Director, Legal and Democratic Services, attended **the 7th Annual Conference of Standards Committees in Birmingham on 13 and 14 October 2008**

A recurring theme of conference speakers was to urge those involved in standards committees to adopt a more proactive approach, to broaden their remit beyond just responding to complaints - as one speaker put it, to be not just watch dogs but also guide dogs. The role of an effective standards committees was said to include member training, whistle blowing, employment/disciplinary/grievance policy, audit, anti-fraud, ombudsman role, member/office protocols, constitution production, oversight of expenses policy, ethics. Standards committees were urged to get "embedded" with officers and members, be seen as a consultative body not just a tribunal.

6.2 The Chairman, Head of Councillors' Services and Committee Co-ordinator attended the **Annual North West London Standards Networking Event at Brent Town Hall on 27 January**, addressed by James Goudie QC and attended by North West London Boroughs as well as from Kensington and Chelsea and Islington. The Event confirmed the level of activity on complaints was comparable to that in other Boroughs.

7 RESIGNATION

In October 2008, Miss Oluchi Onwere, one of the 2 newly appointed Independent Members, resigned due to her appointment as a legal adviser to another

authority. The Committee noted her resignation but decided not to recruit a replacement for her, bearing in mind the current caseload and that at the time of her appointment the Council were only seeking to recruit one extra Independent Member.

8 OTHER ISSUES

Amongst other issues discussed by the Committee were:

- The establishment of a Virtual Network of Standards Committee Chairmen across London, following an initiative by Sophis Lambert, the Kensington & Chelsea Chairman.

6 CONCLUSION BY CHAIRMAN (CHRIS TROKE)

[.....]

LOCAL GOVERNMENT ACT 2000 BACKGROUND PAPERS

No.	Brief Description of Background Papers	Name/Ext. of holder of file/copy	Department/Location
1.	Brent Networking Event Papers, 27 January 2009	David Bays x 2628	Committee Services Room 203, Hammersmith Town Hall
2	Reports to above meetings of Standards Committee	Ditto	Ditto

1 APRIL 2009

CONTRIBUTORS

WARDS

ADLDS
HCS

REVIEW OF LOCAL COMPLAINTS SYSTEM

Summary

This report summarises the system adopted in June 2008 and asks the Committee to consider whether any changes are needed in light of experience during the year.

RECOMMENDATION:

That any changes agreed at this meeting be recommended to the Council at its Annual Meeting on 27 May 2009.

1. Background

The current system of Sub-Committees for considering local complaints was adopted in June 2008. The Committee agreed the Sub-Committees should be organised on a flexible basis, depending on the availability of Members and with aim of sharing the work involved as far as possible.

The Committee decided to establish the following sub-committees:-

- An Assessment Sub-Committee
- A Review Sub-Committee
- A Hearing Sub-Committee

The Committee also decided

- To make appropriate appointments and substitute arrangements in respect of the above Sub-Committees, based on a flexible membership drawn from the total pool of 9 Members, providing that the Chairman in each was an Independent Member.

- That the terms of reference set out in Appendix 1 be adopted in respect of each Sub-Committee.
- That the Assessment Criteria set out in Appendix 2 be adopted.
- That the Monitoring Officer prepare a pre-assessment report in relation to all complaints considered by the Assessment Sub-Committee.
- That these arrangements be kept under review by the Monitoring Officer and further reports presented to the Committee as required.

2 Operation of the System

2.1 Only one case was considered during the year 2008-09. This was considered by the Assessment Sub-Committee comprising Chris Troke (Chair), Councillors Botterill and Cowan on 18 June. The Sub-Committee decided that no action should be taken on the allegation.

2.2 The complainant was given the opportunity to request a review of this decision which he chose to do. A Review Sub-Committee comprising Steven Moussavi (Chair), Councillors Donald Johnson and Homan met on 28 July to review the case. The Review Sub-Committee decided to uphold the original decision. A written summary of the decision of both Sub-Committees excluding the names of the Councillor and complainant was made available to the public via the Council's website.

3 Review of System

3.1 In light of the above information, the Committee are asked to decide whether they would like to make any changes to the current system. The system has worked well and there would appear to be no need to change the current arrangements.

LOCAL GOVERNMENT ACT 2000 BACKGROUND PAPERS

No.	Brief Description of Background Papers	Name/Ext. of holder of file/copy	Department/Location
1.	Standards Committee Agenda and Minutes, June 2008	David Bays x2628	FCS, Legal Division, Room 203 HTH

Assessment Sub-Committee Terms of Reference

1. Constitution

- 1.1 The Assessment Sub-Committee is established by the Standards Committee pursuant to S54A of the Local Government Act 2000 and the Standards Committee (England) Regulations 2008.

2. Membership

The sub-committee shall comprise 3 members drawn from the membership of the Standards Committee one of whom shall be an independent member, one an administration councillor and one an opposition councillor.

Where it is not reasonably practicable to convene a meeting of the sub-committee in accordance with paragraph 2.1 then the sub-committee may be convened with 3 members of the Standards Committee of which at least one must be an independent member and one a councillor provided that the Monitoring Officer is of the opinion that a failure to do so is likely to result in a failure to comply with any time limit for the consideration of complaints imposed by guidance or law.

Meetings will be convened at the request of the Monitoring Officer as required during the Municipal Year to enable the Council to discharge its obligations under the Standards Committee (England) Regulations 2008.

3. Quorum

- 3.1 The quorum of the sub-committee shall be 3 members, 1 of whom must be an independent member and one a councillor.

4. Voting

- 4.1 All members of the sub-committee have voting rights. In the event of an equality of votes the chairman shall have the casting vote.

5. Chairman

- 5.1 The chairman shall be an independent member.

6. Procedures

- 6.1 Council Standing Orders (as applicable to committees) shall apply at meetings of the sub-committee. In the event of a conflict between these procedures and any guidance or law then the latter will prevail.

- 6.2 Where the sub-committee is discharging its functions of assessment under S.57A of the Local Government Act 2000 (assessment of initial complaints) the meeting will not be open to the public.

7. Terms of Reference

- 7.1 To discharge all the Council's functions under S.57A of the Local Government Act 2000 and the Standards Committee (England) Regulations 2000 in relation to the assessment of complaints against members and co-opted members of the Council.
- 7.2 To exercises all the powers of the Standards Committee in relation to the granting of dispensations in accordance with the Relevant Authorities (Standards Committees) (Dispensation) Regulations 2002.
- 7.3 To exercise all the powers of the Standards Committee in relation to the granting of dispensations from political restrictions under Part 1 of the Local Government and Housing Act 1989 (subject to the necessary regulations being in place).

Review Sub-Committee Terms of Reference

1. Constitution

- 1.1 The Review Sub-Committee is established by the Standards Committee pursuant to S54B of the Local Government Act 2000 and the Standards Committee (England) Regulations 2008.

2. Membership

The sub-committee shall comprise 3 members drawn from the membership of the Standards Committee one of whom shall be an independent member, one an administration councillor and one an opposition councillor.

Where it is not reasonably practicable to convene a meeting of the sub-committee in accordance with paragraph 2.1 then the sub-committee may be convened with 3 members of the Standards Committee of which at least one must be an independent member and one a councillor provided that the Monitoring Officer is of the opinion that a failure to do so is likely to result in a failure to comply with any time limit for the consideration and review of complaints imposed by guidance or law.

Meetings will be convened at the request of the Monitoring Officer as required during the Municipal Year to enable the Council to discharge its obligations under the Standards Committee (England) Regulations 2008.

3. Quorum

- 3.1 The quorum of the sub-committee shall be 3 members, 1 of whom must be an independent member and one a councillor.

4. Voting

- 4.1 All members of the sub-committee have voting rights. In the event of an equality of votes the chairman shall have the casting vote.

5. Chairman

- 5.1 The chairman shall be an independent member.

6. Procedures

- 6.1 Council Standing Orders (as applicable to committees) shall apply at meetings of the sub-committee. In the event of a conflict between these procedures and any guidance or law then the latter will prevail.

- 6.2 Where the sub-committee is discharging its functions of assessment under S.57B of the Local Government Act 2000 (review of initial complaints) the meeting will not be open to the public.

7. Terms of Reference

- 7.1 To discharge all the Council's functions under S.57B of the Local Government Act 2000 and the Standards Committee (England) Regulations 2000 in relation to the reviewing of complaints against members and co-opted members of the Council which have been subject to a decision by the Assessment Sub-Committee that no further action should be taken.
- 7.2 To exercises all the powers of the Standards Committee in relation to the granting of dispensations in accordance with the Relevant Authorities (Standards Committees) (Dispensation) Regulations 2002.
- 7.3 To exercise all the powers of the Standards Committee in relation to the granting of dispensations from political restrictions under Part 1 of the Local Government and Housing Act 1989 (subject to the necessary regulations being in place).



STANDARDS COMMITTEE

7

1 APRIL 2009

CONTRIBUTORS

STANDARDS COMMITTEE WORK PROGRAMME

WARDS

**ADLDS
HCS**

ALL

Synopsis

The attached appendix sets out the Committee's future work programme and scheduled reporting dates. Members are asked to note and update the work programme as necessary.

RECOMMENDATION:

That the Standards Committee note and agree its proposed future work programme, subject to any changes by the incoming Committee on 10 June. .

APPENDIX A

STANDARDS COMMITTEE PROPOSED FORWARD WORK PROGRAMME

TITLE	PROPOSED DATE
Review & update as necessary of the way the new arrangements for assessing local complaints	1 April 2009 Committee meeting
Finalise Annual Report fro 2008-09	1 April 2009 Committee Meeting
Whistleblowing Policy review	10 June 2009
Anti-Fraud Service – Review of Service’s Current Activities	10 June 2009

LOCAL GOVERNMENT ACT 2000 BACKGROUND PAPERS

No.	Brief Description of Background Papers	Name/Ext. of holder of file/copy	Department/Location
1.	Council Calendar	David Bays x 2628	Room 203, Hammersmith Town Hall