

COUNCIL AGM		
Report Title	Annual Report of the Standards Committee 2013-14	
Key Decision	No	Item No.
Ward		
Contributors	Head of Law/Chair of the Standards Committee	
Class	Part 1	Date: 11 June 2014

ANNUAL REPORT OF THE STANDARDS COMMITTEE 2013/14 presented by the Chair of the Committee, Councillor Mallory.

- 1 INTRODUCTION – PERSONAL STATEMENT OF THE CHAIR
 - 1.1 This report sets out the membership of the Standards Committee, some key developments in the past year and our aspirations for the future.
- 2 MEMBERSHIP OF THE STANDARDS COMMITTEE
 - 2.1 The Council's Constitution provides for the Standards Committee to consist of 16 members – 6 of whom are independent and 10 of whom are councillors. This reflects the abolition of the legislative provisions allowing independent members of the Standards Committee to vote. Consequently the Committee could not be independently chaired and since July 2012, only those members who are elected members of the Council are allowed to vote on matters before it.
 - 2.2 Throughout this year, the following people have served as independent members of the Committee:-
 - Gill Butler
 - David Roper Newman
 - Cathy Sullivan
 - Leslie Thomas
 - Matthew Hill
 - Hannah Le Vey
 - 2.3 Appendix 1 gives a short summary of the background of those independent members.
 - 2.4 Throughout the year, the following councillors have been members of the Standards Committee:-

- Jimi Adefiranye
- Duwayne Brooks
- Julia Fletcher
- Alan Hall
- Ami Ibitson
- Stella Jeffrey
- Helen Klier
- James Mallory
- Pauline Morrison
- Sam Owalabi-Oluyole

Owing to the sad death of Councillor Owalabi-Oluyole during the year, there has been a vacancy on the Committee which remained unfilled.

- 2.5 As Chair of the Committee I would like to express my thanks to all my fellow members of the Committee for their hard work throughout the year.
- 2.6 As required by the Localism Act 2011 all local authorities must appoint at least one Independent Person whose views are to be sought and then taken into account by the local authority before it makes a decision on an allegation of breach of the Member Code of Conduct that has been investigated. Sally Hawkins served for part of the year as Independent Person and only stepped down because of a legal requirement to do so. Her work in that role was greatly appreciated and I would like to thank her on behalf of myself and the Council for her invaluable contribution during her lengthy tenure in that position.
- 2.7 Following public advert and interview by myself and the Monitoring Officer, Erica Pienaar and Wendy Innes were appointed by full Council to replace Sally Hawkins to act as Independent Persons to assist in the investigation of complaints under the Council's Member Code of Conduct. Appendix 2 gives a short summary of the background of current Independent Persons.

3 THE ROLE OF THE STANDARDS COMMITTEE

- 3.1 The role of the Standards Committee is reflected in our terms of reference, which appear in the Council's Constitution.
- 3.2 The key roles of the Standards Committee are:-
- To promote and maintain the highest standards of conduct within the Council and to assist members to follow the member Code of Conduct
 - To consider allegations of breach of the Member Code of Conduct and any sanction where appropriate.

3.3 To fulfil these dual aims, the Committee embarks on other work such as training, reviewing compliance with and the effectiveness of the Code, monitoring whistleblowing allegations and corporate complaints to name but a few, but at no time does it lose sight of the fact that all of this work is geared towards achieving the highest standards of ethical conduct in Lewisham.

4 THE MEMBER CODE OF CONDUCT

4.1 The Council adopted a revised Member Code of Conduct to replace the previous national Member Code of Conduct which was abolished by the Localism Act 2011. The Code and accompanying protocols appear in the Constitution at part V Ethics. It is also available on the Council's web site
<http://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/how-council-is-run/Pages/constitution.aspx>

4.2 There is a dedicated email address, again easily accessed from the Council's website monitoring.officer@lewisham.gov.uk on which complaints can be made. The email address is checked daily for complaints.

5 THE WORK OF THE STANDARDS COMMITTEE IN 2013/14

5.1 This year the Committee has met on 3 occasions:-

- 7 May 2013
- 21 November 2013
- 26 March 2014

5.2 At those meetings the Committee has considered the following items, the reports in relation to which and the minutes are available on the Council's website at :
<http://www.lewisham.gov.uk/CouncilAndDemocracy/CouncilMeetings/>

5.3 At the May meeting, the Committee considered:-

- Training Presentation
- Appointments to Sub- Committees
- Review of Compliance of Local Code of Corporate Governance 2012-13
- Review of Whistle blowing Policy

5.4 At the November meeting, the Committee considered:-

- Annual complaints report
- Compliance with Member Code of Conduct

- Work programme

5.5 At the March meeting, the Committee considered:-

- Annual review of complaints under the Council's Whistle blowing Policy
- Review of Procedure for Handling Complaints of Breach of the Member Code of Conduct
- Member Induction 2014
- Independent Persons Appointment

6 FORMAL COMPLAINTS RECEIVED

- 6.1 This year there were three formal complaints received. All of the complaints were made by a member against another member. Two were made by one member and pertained to closely related incidents and the other was also made by a different member against another.
- 6.2 In one case whilst the Standards Sub Committee did not make any finding of breach it did recommend training for the member concerned and that the member should not participate in licensing decisions until the training had been completed.
- 6.3 In the other case the Monitoring Officer conducted very preliminary enquiries in order to be able to apply the criteria for initial assessment. In the course of those preliminary enquiries, it transpired that the basis for the complaint fell away and the complaining member was notified accordingly.
- 6.4 During the course of the year the Committee conducted a review of the procedure for handling complaints of a breach of the Member Code of Conduct. The Committee also compared the Council's procedures with a sample of procedures adopted by other local authorities. Save for some minor amendments, the Committee endorsed the current procedures which are designed to be flexible, fair and as uncomplicated as possible.

7 TRAINING AND OTHER EVENTS

7.1 In this period, the following training (and other) activities on ethical and related matters have taken place:-

Event	Date
Statement of Chair and annual report to Council AGM	20 th March 2013
Ethical framework in Lewisham for	7 th May 2013

Standards Committee members	

8 THE FUTURE

- 8.1 The Committee was keen that the diligent approach towards ethical governance which the Council has fostered over the last decade and more should be promoted and maintained.
- 8.2 The reports we have received as a Committee have demonstrated a high degree of compliance with the Code of Conduct and a willingness to keep the ethical agenda high. It seems that Lewisham aspires for this to be a matter not of begrudging compliance but a genuine desire to do the right thing. In future we would want to see this continue and grow.
- 8.3 The Committee hopes that the new administration after the local elections in May ensures that the ethical regime continues to have the same high profile as to date. It will be for the new Standards Committee, appointed in May 2014 to establish its priorities for the coming year.

9 CONCLUSION

- 9.1 There is much good practice in Lewisham in so far as the ethical governance agenda is concerned. We believe however that there is no room for complacency and urge the Council to ensure that robust arrangements remain in place and continue to give to the ethical agenda its continuing commitment to inspire public confidence in its elected representatives.

10 LEGAL IMPLICATIONS

- 10.1 The constitution and operation of the Standards Committee, as well as recruitment to it and appointment to be its Chair are all defined by regulation. The current legal requirements are reflected in the Council's constitution and our practice accords with those legal requirements. Save where reflected in this report, there is nothing that requires further legal advice.

11 FINANCIAL IMPLICATIONS

- 11.1 There are none associated with this report.

12 ENVIRONMENTAL, EQUALITIES, HUMAN RIGHTS AND CRIME AND DISORDER IMPLICATIONS

- 12.1 No specific implications are associated with this report.

Cathy Sullivan

Holds a BA (Hons) Social Science and completed Graduate Research in Social Studies of Science. Currently Senior Lecturer, Department of Social Sciences at London Metropolitan University. Has an interdisciplinary background including extensive professional experience in education policy, research and planning at LEA level, Social researcher and evaluator in the field of Information Studies on British Library supported projects and senior manager within Inner and Outer London local authorities. Very experienced in research and analysis.

Gill Butler

Gill is a consultant in a firm of solicitors, Burton Woods, and advises on all aspects of family law. Gill has a degree in Economics from the London School of Economics and has been working in the justice system for 29 years. She has both public and private sector experience, as well as being involved with a number of community organisations. From 1991-2002 Gill was the Chair of Stonewall.

David Roper Newman

David is employed in a Unit within the Department for Works and Pensions dealing with the detection, prevention and investigation of internal fraud and related abuse by employees where he is a Policy and Professional Standards Manager. David has broad experience of investigating grievances and employee related matters. His experience spans over 30 years.

Leslie Thomas Q.C.

Leslie is a practicing barrister who resides within the Borough. Leslie was called to the bar in 1998 and has developed a strong “human rights” dimension to his work. He is regarded as a leading junior barrister who handles many difficult and complex police jury trials. He is a well-known jury advocate and is instructed nationally by solicitors.

Leslie Thomas is also recognised as a leading barrister in the field of inquest law and has represented families in many high profile inquests especially in cases involving deaths whilst in police custody. Leslie regularly speaks and provides training in the area of inquests and is one of the co-authors of “Inquests – A Practitioners Guide”. Leslie was also co –counsel to the New Cross Fire Parents Committee in the fairly recent second inquest.

Leslie is a former director of the Civil Liberties Trust and is a member of the INQUEST management committee. Leslie is also currently Chair of the Central London Law Centre. He was appointed Queen's Counsel in 2014.

Hannah Le Vay

Hannah Le Vay is a local resident who originated from Wales and studied Classics at UCL. She is a qualified AQCCA and CIPFA accountant. She has over 20 years experience in local authority corporate finance. She has worked in partnership with a number of public sector organisations, and has been a school governor as well as attendee at Lewisham Adult Education Centres.

Matthew Hill

Matthew Hill is a Deptford resident who has lived in the borough for over 5 years. He obtained a first class degree in English literature from Exeter University in 2003. He is a qualified financial advisor and is a volunteer mentor for ex-offenders in Lewisham.

APPENDIX 2

Erica Pienaar

Erica lives in Bromley and has a B.A. Certificate in Education from Goldsmiths as well as an MBA in Education from London South Bank University. She held various teaching posts in Bromley for 25 years before being appointed to the position of head teacher at Prendergast School in 1998, a position she held until 2008 when she was appointed as Executive Headteacher. Though working in Lewisham for the last 15 years, she never been a Lewisham Council employee. Throughout her professional life she has conducted a number of sensitive investigative and disciplinary procedures and hearings. She also served on the Council of Queen Mary College of London University. Having retired recently, she serves as a Chair of Governors at a Lewisham primary School. Erica has been granted the Freedom of Lewisham.

Wendy Innes

Wendy is based in Newcastle upon Tyne. She has an M.A. in Swedish Studies and is a solicitor with extensive experience of advising North Tyneside Council where she was employed for 17 years until 2013, most recently as head of the legal service and deputy monitoring officer there. Before that she worked for 5 years in a commercial legal firm. North Tyneside operates a directly elected mayoral system like Lewisham and Wendy is very familiar with the new ethical framework under the Localism Act, has conducted two independent investigations into allegations of breach of the Member Code of conduct in North Tyneside and presented reports about the investigations to their Standards Committee.