



CITY OF WESTMINSTER

MINUTES

Standards Committee

MINUTES OF PROCEEDINGS

Minutes of a virtual meeting of the **Standards Committee** held on **Thursday 8th April, 2021**.

Members Present: Councillors Judith Warner (Chairman), David Boothroyd, Ian Adams, Louise Hyams and Patricia McAllister

Also Present: Asif Iqbal and Elizabeth Walters (Independent Persons)

Apologies for Absence: Councillor Richard Beddoe, Tasnim Shawkat (Monitoring Officer) and Shajad Hussain (Independent Person)

1 MEMBERSHIP

1.1 It was noted that there were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 There were none.

3 MINUTES

3.1 **RESOLVED:** That the minutes of the meeting held on 19 October 2020 be signed by the chairman as a correct record of the proceedings.

4 UPDATE ON THE REVIEW OF THE MODEL CODE OF BY THE LOCAL GOVERNMENT ASSOCIATION

4.1 Hazel Best, Principal Solicitor, introduced the item and updated the committee on the outcome of the LGA consultation on the Model Code of Conduct. She advised that the LGA published the Model Code of Conduct with a recommendation for adoption for all local authorities on the 3 December 2020.

4.2 A comparison between the LGA Model Code of Conduct and the council's existing Code of Conduct for Members was set out at Appendix 2 to the report.

- 4.3 The committee was asked to review the LGA Model Code of Conduct and consider if any changes should be made to the council's existing Code of Conduct for Members.
- 4.4 Hazel Best advised members that Monitoring Officers had through Lawyers in Local Government (LLG) asked the LGA for clarification on some issues which were set out in the report. She further advised that of a survey of 82 Monitoring Officers, 20% were intending to adopt the model code, 20% were not intending to do so, 55% would adopt it in part and the remainder were looking at making their own code. She commented that the Model Code of Conduct is a template and it would be difficult to provide a code that is suitable for all local authorities.
- 4.5 The committee noted that as the LGA had received representations from lawyers working in local authorities on aspects of the model code and that some of the recommendations made by the Committee on Standards in Public Life (CSPL) were still being considered by the government and would require primary legislation the Model Code of Conduct could be subject to further revision.
- 4.6 Members then discussed the differences between the Model Code of Conduct and the council's existing Code of Conduct for Members and expressed the following views:

- Style, format and language - the committee noted that the Model Code is written in the first person to encourage much more ownership by individual councillors. The chairman suggested that the emphasis on individual responsibility could be covered in training for members on the code. Elizabeth Walters, Independent Person, commented that the use of the first person could help reinforce the obligations for councillors.

The model code includes a definition under each obligation to help explain the reasons for the obligation and how it should be followed. Members thought the level of detail was helpful in providing substance to the conduct expected of councillors. The committee favoured following a similar approach in the Members Code of Conduct where definitions are currently contained at the end of the document. However, the committee noted that the Model Code is quite lengthy and it is keen to find a balance in the Members Code of Conduct so that it remains easy to digest;

- Reference to Co-opted Members - that the council's code does not include reference to co-opted members which is included in the Model Code and that this should be incorporated;
- Electronic and Social Media Communication – members noted that the new Model Code specifically applies to electronic and social media communication. The council approved a social media guidance for members in June 2019. Councillors concluded that it is preferable not to incorporate the guidance within the Code of Conduct for Members to avoid the document becoming overly long and to having to revise the

code each time the guidance needs updating to reflect changes in modern communications. However, the committee agreed that reference to the policy should be incorporated in the Members Code of Conduct and that a failure to follow the policy would be deemed a breach of the code;

- Confidentiality and access to information - the committee noted that the obligation in the Model Code of Conduct is that a councillor should not disclose information other than in specific circumstances. One of these is unless acting in the public interest. Elizabeth Walters commented that the perception of what is in the public interest is very much subjective and that the requirement to consult the Monitoring Officer prior to release is a limited obligation. She suggested that if this is to be included in the Members Code of Conduct the obligations should be more clearly defined;
- Complying with the code - the Model Code of Conduct includes an obligation on a councillor to undertake training on it provided by the local authority. Although the council provides annual training on the code of conduct this is not included as an obligation in the Members Code of Conduct. The committee supported including this as an obligation.
- Gifts and hospitality – Members broadly supported retaining the threshold of £25 for registering gifts and hospitality in the Members Code of Conduct compared to the minimum estimated value of £50 as per the Model Code of Conduct. The committee considered that it would set a poor example particularly in the current climate to increase the financial threshold of what is disclosable.

4.9 The committee’s comments and those of the council’s Independent Persons will be considered by officers who will include a report on revising the Members Code of Conduct on the agenda for the next committee meeting.

5 WORK PROGRAMME AND ACTION TRACKER

5.1 RESOLVED:

1. That the work programme set out in Appendix 2 of the report be agreed subject to an additional item being added on the proposed induction programme for councillors following the 2022 local elections.
2. That the responses to actions included in the action tracker set out in Appendix 3 to be report be noted.

The Meeting ended at 7.19 pm

CHAIRMAN: _____

DATE _____