



City of Westminster

# Committee Agenda

Title: **Standards Committee**

Meeting Date: **Thursday 20th April, 2023**

Time: **6.30 pm**

Venue: **Room 18.12, 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**  
Patricia McAllister (Chair)  
Louise Hyams  
Md Shamsed Chowdhury  
Sara Hassan  
Tim Mitchell



**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda**

**Admission to the public gallery is by ticket, issued from the ground floor reception from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**

**If you require any further information, please contact the Committee Officer, Tristan Fieldsend, Senior Committee and Councillor Co-ordinator.**

**Email: [tfieldsend@westminster.gov.uk](mailto:tfieldsend@westminster.gov.uk); Tel: 07812 760 335  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the the Director of Law in advance of the meeting please.

## **AGENDA**

### **PART 1 (IN PUBLIC)**

**1. MEMBERSHIP**

To note any changes to the membership.

**2. DECLARATIONS OF INTEREST**

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

**3. MINUTES**

To approve the minutes of the meeting held on 5 December 2022 as a correct record of proceedings.

**(Pages 3 - 6)**

**4. FOLLOW-UP ACTIONS FROM THE LEADERS Q&A SESSION**

Report of the Director of Law and Governance

**(Pages 7 - 10)**

**5. WORK PROGRAMME 2023/24**

**(Pages 11 - 16)**

**Stuart Love  
Chief Executive  
12 April 2023**



CITY OF WESTMINSTER

## MINUTES

### Standards Committee

#### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Standards Committee** held on **Monday 5th December, 2022**, Room 18.06, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Patricia McAllister (Chair), Melvyn Caplan, Md Shamsed Chowdhury, Sara Hassan and Rachael Robathan

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

#### 1 MEMBERSHIP

- 1.1 It was noted that Councillors Rachael Robathan and Melvyn Caplan were substituting for Councillors Tim Mitchell and Louise Hyams.

#### 2 DECLARATIONS OF INTEREST

- 2.1 There were no declarations of interest.

#### 3 MINUTES

##### 3.1 RESOLVED:

That the minutes of the meeting held on 15 September 2022 be signed by the Chair as a correct record of the proceedings.

#### 4 ANNUAL Q&A WITH THE LEADER OF THE COUNCIL ON ETHICAL STANDARDS

- 4.1 As part of its efforts to raise the profile of standards the Committee had agreed to invite the Leader of the Council to attend one of its meetings each year to answer questions on ethical standards.
- 4.2 The Chair welcomed Councillor Adam Hug, Leader of the Council, to the meeting. Committee members were invited to submit questions to Councillor

Hug on a range of ethical standards matters and the following areas were covered:

- Conflict Resolution – With regards to conflict resolution between Councillors it was explained that there was no explicit reference to it in the member complaints procedure. However, the Monitoring Officer, or other officer, did have discretion to suggest mediation or recommend another informal type of resolution as long as all parties consented. The Committee noted it would often depend on the type of complaint, some of which may be considered Group matters and be dealt with by the Whips accordingly. The Council was always open to new ideas though and going forward best practice elsewhere could be considered.
- Social Media - An online refresher session was held in June 2021 on the Members Code of Conduct with a focus on social media. In addition, in May 2022 reference was made to standards and social media in the post-election code of conduct sessions held for all Members. These sessions were well received, and it was suggested these be rerun, especially that there was now a significant number of new Councillors. The sessions focused on how Councillors could use social media to communicate to their residents, how to engage in healthy debate and what to consider when publishing or sharing online.
- Councillor Training - All Members attended the member code of conduct training in May 2022, held in various formats including in-person groups, smaller hybrid group sessions and on a 1:1 basis (hybrid and in person). For regulatory committees such as Planning and Licensing, training was mandatory in order to sit on these committees, and this had been completed by all those Councillors as necessary. In order to encourage attendance training was, where possible, held in a hybrid fashion where Members could attend in person or remotely. Training was also held on an evening in order to capture those Members who worked. Members were encouraged to forward on any ideas for future training sessions, especially on topics they think Councillors would be interested in.
- Personal Safety Training - The Committee was particularly interested in personal safety training which although it was noted it couldn't be made mandatory and didn't form part of the code of conduct, it was felt this should be offered on an ongoing basis in different formats and be as broad and accessible as possible. The Committee was pleased to note that two personal safety sessions had already been held this year and would continue to be offered on an ongoing basis as it was an area that was very important. As part of the personal safety of Councillors the Committee discussed having a structured process in place for Members who were, or felt, threatened or intimidated whilst undertaking their Council duties.
- Code of Conduct Update – The Committee discussed with the Leader the use of language at Council meetings. Whilst it was recognised that

it was important for robust debate to take part at meetings it was essential these debates remained respectful, constructive and accessible to residents. In order to ensure best practice comparisons with the code of conducts at comparable local authorities and Parliament could be considered and if appropriate any relevant changes made.

- Member/Officer Protocol Review - The Committee was pleased to note the substantial nature of the review and that it was carried out effectively, involving consultation with officers and Members through their Whips. It also involved looking at best practice from other authorities. The protocol then went through both the Standards Committee and the General Purposes Committee where their views were taken into account before going to Full Council where it was unanimously approved. Its success would be measured through watching for any trends or patterns in member or officer complaints, judicial challenges, queries from auditors or ombudsman queries. If anything in particular was identified these would be reported back to the statutory officers' group and appropriate steps taken to try and resolve any issues arising. The Committee was interested to learn that The Chief Executive and the Monitoring Officer, would be leading sessions for both members and officers to emphasise and repeat the key messages from the updated protocol.

4.3 The Chair thanked the Leader of the Council for attending the meeting. Councillor Hug thanked the Committee for all their work which he considered to be very important.

## **5 ANNUAL UPDATE ON MEMBER COMPLAINTS**

5.1 The Monitoring Officer introduced the annual report which provided details of complaints against members of the Council between November 2021 to October 2022. It was confirmed that during this period three complaints had been received. The Committee was provided with an overview of the nature of the complaints and it was confirmed that none of these had been referred to the Standards Committee for a hearing.

### **5.2 RESOLVED:**

That the outcomes of the Members complaints referred to in the report be noted.

## **6 WORK PROGRAMME**

6.1 The Committee noted the 2022-23 Work Programme.

The Meeting ended at 7.10pm.

**CHAIRMAN:** \_\_\_\_\_

**DATE** \_\_\_\_\_



## City of Westminster Standards Committee

<b>Meeting:</b>	Standards Committee
<b>Date:</b>	20 April 2022
<b>Classification:</b>	General Release
<b>Title:</b>	Follow-Up Actions from the Leaders Q&A Session
<b>Report of:</b>	Parveen Akhtar – Director of Law and Governance (Monitoring Officer)

### 1. Executive Summary

This report provides a follow-up on the key actions which emerged from the Q&A session on ethical standards held with the Leader of the Council at the previous meeting of the Committee. The main topics of discussion centred on improving debate at Council meetings, reporting methods and a duty of care around potential harassment/intimidatory behaviour from members of the public towards Councillors.

### 2. Recommendations

- 2.1 That the report be noted.
- 2.2 That the Members Code of Conduct be amended to state that Councillors should expect respectful behaviour from the public and that if they have any concerns these should be reported to the Monitoring Officer.

### 3. Debate at Full Council

- 3.1 At the Standards Committee held on 5<sup>th</sup> December 2022 Members expressed the view that whilst debate at Council meetings needed to be robust and vigorous it was important to ensure it always remained respectful and constructive. During the discussion at the Committee, it was suggested practice at similar local authorities be assessed to ensure Westminster City Council's rules of debate remained up-to-date and appropriate.
- 3.2 Best practice at other authorities was assessed, including Tower Hamlets, RBKC and Surrey County Council, to draw comparisons with Westminster's

current rules of debate. During this process it was noted that some authorities explicitly referenced the manner of debate expected at Council meetings in their constitutions. Whilst Westminster does not, it is noted that the Council's constitution does state the Council's ethical framework is underpinned by the Seven Principles of Public Life also called the Nolan Principles which underpin the ethical standards expected of public office holders. In addition, the Code of Conduct also makes the following explicit references to the following standards of conduct/behaviour expected by Members:

- To value and respect colleagues, staff, partners and the public, engaging with them in an appropriate manner that underpins the mutual respect between them that is essential to good local government, and not to act in a manner that could be deemed to be bullying, harassment or intimidation.
- To promote and support high standards of conduct through leadership and by example, including not acting in a manner which could be seen to bring the Council or the role of the Councillor into disrepute.

3.3 Following discussions with the Whips of both parties, it is felt that the present Council Procedure Rules and the code of conduct set out in the constitution adequately sets out that debate at Council meetings remains respectful at all times and offers an appropriate balance to ensure the effective conduct of meetings. It should be stressed though, that the Council's constitution can only ever set out a framework for general behaviour. Much relies upon the conduct of individual members and the chair of the meeting for setting an appropriate tone and an atmosphere conducive to debate. However, it remains good practice to undertake periodic reviews on areas such as debate at Full Council in order to ensure that any improvements identified can be recommended for the Council's consideration.

#### **4. Harassment and Intimidation of Councillors**

4.1 Councillors are at the centre of local democracy, elected from amongst their local community and forming a vital link between councils and residents. However, at the previous Standards Committee, concern was expressed that Councillors were facing an increasing level of abuse and intimidation. It was recognised that rights to object and constructive challenge are both key components of democracy, but abuse and intimidation of Councillors was unacceptable and only served to silence democratic voices and deter people from engaging with politics.

4.2 The Committee discussed how reporting processes were in place for Council Officers if they experienced any intimidatory behaviour from a member of the public but there was no such formal process in place for Councillors. It was suggested that increasingly, councillors were being subjected to abuse and intimidation, particularly via social media, which occasionally, crossed into unacceptable territory. Members felt it was an area which needed further discussion as preventing elected members from representing the communities



they serve, deterring individuals from standing for election and undermining local democracy negatively impacted on Councillors and democracy at local and national levels. The Council's Constitution states:

### **Citizens' responsibilities**

Citizens must not be violent, abusing or threatening to councillors or officers and must not wilfully harm things owned by the council, councillors or officers.

- 4.3 A review has been undertaken of best practice at other local authorities. Whilst Westminster's constitution makes no explicit reference on how to handle such behaviour other authorities such as Surrey County Council and Tower Hamlets highlight that Members have the right to expect respectful behaviour from the public, and that if the public are being abusive/intimidatory, the Member can stop the interaction. One slight difference between the two is that whilst Surrey suggests reporting the abusive behaviour to the social media provider or police, Tower Hamlets instead states that advice can be sought from the Monitoring Officer in the first instance.
- 4.4 Currently, Westminster City Council Members are encouraged to report any incidents of concern even if fairly minor to the authority's Monitoring Officer. This enables the Council to undertake proper monitoring and decide if any action needs to be taken to prevent a similar incident reoccurring. Members should also consider it advisable to warn ward colleagues, of an unsafe situation they have encountered so they are aware of the risk. If the Committee feels it is necessary however, a recommendation can be made to change the Members Code of Conduct to explicitly state that Councillors should expect respectful behaviour from the public and that any concerns should be reported to the Monitoring Officer.
- 4.5 In addition, personal safety training has been organised for Members and repeat sessions will be factored into any future training programmes.

### **Support for Councillors**

The Local Government Association (LGA) has published guidance for Councillors who experience harassment, abuse and intimidation.

- 4.6 This guidance sets out the legal support that is available, such as pursuing civil remedies or reporting behaviour to the police.
- 4.7 The LGA also recommends that Councils develop their own internal policies and procedures to assist Councillors who are experiencing harassment or intimidation. This can include having the Monitoring Officer support Councillors and providing a liaison point with the police.

## **5. Financial Implications**

5.1 There are no financial implications for this report.

## **6. Legal Implications**

6.1 The Council and individual Members are required to promote and maintain high standards of ethical behaviour as is required under section 27 of the Localism Act 2011 (“the Act”) Under section of the 28 of the Act, the Council must have in placed “arrangements “ under which allegations that a member or co-opted member of the Council, or of a Committee of Sub-Committee of the Council, has failed to comply with Code of Conduct can be investigated and decisions made on such allegations.

## **7. Carbon Impact**

7.1 The decision will have no carbon impact.

## **8. Consultation**

8.1 The report is for information only.

**If you have any queries about this Report or wish to inspect any of the Background Papers, please contact:**

Tristan Fieldsend, Senior Committee and Councillor Co-Ordinator



<b>Date:</b>	<b>20 April 2023</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Work Programme 2023-2024</b>
<b>Report of:</b>	<b>The Director of Law and Governance</b>
<b>Financial Summary:</b>	<b>There are no financial implications arising from this report.</b>
<b>Report Author and Contact Details:</b>	<b>Tristan Fieldsend, Senior Committee and Councillor Co-ordinator</b> <b>Email: <a href="mailto:tfieldsend@westminster.gov.uk">tfieldsend@westminster.gov.uk</a></b>

### **1. Executive Summary**

- 1.1 Members are asked to review the proposed work programme for 2023-2024 set out as Appendix 2 to the report and identify any other items it wishes to include on it.

### **2. Recommendations**

- 2.1 That, having regard to the Committee's Terms of Reference attached as Appendix 1 of this report the Committee indicate any further items it wishes to be added to its future Work Programme.

### **3. Background Information**

- 3.1 The production of a work programme is to enable the Committee to review and update its forthcoming work plan at each of its meetings.
- 3.2 In order to ensure the Committee undertakes its work programme three meetings per annum have been programmed.
- 3.3 As part of its work programme an annual review of the code of conduct has been undertaken on an ongoing basis throughout the year as part of the wider review of the constitution. The review established that the code of conduct was fit for purpose, effective and followed best practice in local government. In addition, the Committee also undertook a thorough review of the Member/Officer Protocol which set out the behaviours and treatment that members and officers could expect from the other and this review expanded upon and strengthened the Councillors Code of Conduct ([Member/Officer Protocol](#)). As best practice the code of conduct will continue to be kept under review on an ongoing basis. All councillors also attended training

sessions on the code of conduct during the course of the year and refresher sessions will continue to be held annually.

- 3.4 The Council has also received a report from Transparency International UK who reviewed the Council's ethical framework for any gaps, with a particular focus on preventing any perception or reality of impropriety in planning. Relevant officers are currently assessing the report and will report any findings back to a future meeting of the Committee.

#### **4. Financial Implications**

- 4.1 There are no financial implications.

#### **5. Legal Implications**

- 5.1 There are no legal implications arising from this report.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact:  
Tristan Fieldsend, Senior Committee and Councillor Co-ordinator  
[tfieldsend@westminster.gov.uk](mailto:tfieldsend@westminster.gov.uk)**

Background Papers: None.



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