

# Agenda Item 3

## STANDARDS AND GENERAL PURPOSES COMMITTEE 9 SEPTEMBER 2019

(7.15 pm - 7.56 pm)

PRESENT Councillors Councillor Peter McCabe (in the Chair),  
Councillor Adam Bush, Councillor Agatha Mary Akyigyina,  
Councillor John Dehaney, Councillor Dickie Wilkinson,  
Councillor Hina Bokhari, Councillor Mary Curtin, Councillor Stan  
Anderson, Councillor Omar Bush, Councillor Nick McLean and  
Councillor Pauline Cowper

ALSO  
PRESENT Clive Douglas – Independent Person

Caroline Holland (Director of Corporate Services), Paul Evans  
(Assistant Director Corporate Governance), Margaret Culleton  
(Head of Internal Audit) and Amy Dumitrescu (Democratic  
Services Officer)

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillors David Williams, Thomas Barlow, Ben Butler and Brenda Fraser. Councillors Nick McLean, Omar Bush and Stan Anderson attended as substitutes.

Apologies were received from Independent Person Pam Donovan.

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 25 July 2019 were agreed as a correct record.

### 4 ANTI-FRAUD AND ANTI-CORRUPTION STRATEGY REVIEW (Agenda Item 4)

The Head of Internal Audit presented the report which refreshed the strategy following the last update in July 2018 and aimed to review the strategy and update it to bring further consistency across the five Boroughs covered by the SWLFP (South West London Fraud Partnership).

Following questions from members, officers confirmed that as part of the whistleblowing policy and under the Public Disclosure Act, whistle-blowers are entitled to protection of their identity. Officers also clarified that all prosecutions undertaken by the Council are private prosecutions, however these investigations can also be passed on to the Police where appropriate. In relation to the level at

which these acts are classed as “minor”, indicators were listed in the report and the CPS code is followed when decisions to investigate are made.

RESOLVED: That the Committee approved the revised Anti-Fraud and Anti-Corruption Strategy.

#### 5 LOCAL GOVERNMENT ETHICAL STANDARDS - A REVIEW BY THE COMMITTEE ON STANDARDS IN PUBLIC LIFE (Agenda Item 5)

The Monitoring Officer presented the report and gave an overview of the recommended actions. The Monitoring Officer advised that the Code of Conduct is currently based on the LGA model and it is likely that an updated model code will be issued. It was therefore recommended that the Merton Code of Conduct should be reviewed annually until the new LGA model code was published. Prior to the code being reviewed, there would be an opportunity for members of the public to comment on the proposed code.

In relation to separate bodies, this was now included as part of the Annual Governance Statement which was approved by the Committee in July 2019 and therefore this recommendation now complied.

In response to members questions, officers undertook to investigate the most appropriate ways to reach members of the public wishing to contribute to the consultation who did not have internet access. Any proposal for the approach to the consultation would be brought to the Committee in July 2020 for members to agree.

RESOLVED: That the Committee agreed the best practice actions described in paragraphs 3.5 and 3.6, 4.3, 5.2 and 6.3(b) to be recommended for adoption by Council.

#### 6 REGULATION OF INVESTIGATORY POWERS ACT AUTHORISATIONS (Agenda Item 6)

The Monitoring Officer presented the report and informed the Committee that in addition the Council had also completed 139 littering prosecutions and currently had 38 fresh cases, however there had been no further waste cases at present. It was noted in response to member questions that there had been an article in the Summer 2019 edition of MyMerton regarding enforcement for litter and fly-tipping offences.

Members requested that a regular item be brought to the Committee giving an update on completed prosecutions relating to fly-tipping. Members felt strongly that further work should be undertaken as a deterrent to publicise when prosecutions took place and to name offenders.

RESOLVED: That members noted the purposes for which investigations have been authorised under the Regulation of Investigatory Powers Act (RIPA) 2000.

#### 7 COMPLAINTS AGAINST MEMBERS (Agenda Item 7)

The Committee noted a verbal update from the Monitoring officer, advising that there had been no new complaints since the previous meeting and noting that the level of complaints received at Merton is low.

The Monitoring Officer referred to the minutes of the last meeting which advised a previous complaint escalated to the Ombudsman was awaiting independent reconsideration. The Monitoring Officer advised the Committee that the view of the Independent Investigator was that the complaint should not be formally investigated. This view had been forwarded to the Ombudsman to consider if any further action was required.

The Monitoring Officer introduced Clive Douglas who had been recruited as Independent Person earlier in the year.

#### 8 WORK PROGRAMME (Agenda Item 8)

The Work Programme was noted and agreed.

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