

## THE GREATER LONDON AUTHORITY'S MONITORING OFFICER

# DECISION NOTICE: NO ACTION

**GLA Case Reference: Mar-03/12**

### **Decision**

To take No Action on the complaint.

### **Complaint**

*Below is a general and brief summary of the Complainant's complaint*

The Complainant's complaint referred to an article in the Sunday Times published on 4 March 2012 which reported Mr Kit Malthouse, London Assembly Member, as saying that he used the GLA's offices at City Hall to hold a number (no more than four) meetings concerning his outside interests.

The Complainant alleged that, if the comments attributed to Mr Malthouse AM in the Sunday Times were correct, he, Mr Malthouse, had improperly used GLA resources for non-GLA business, and had therefore breached of the GLA's Code of Conduct.

*History of the complaint proceedings*

The complaint was originally considered by the Assessment Sub-Committee of the GLA's Standards Committee on 19 March 2012.

The sub-committee decided to adjourn its consideration of the complaint until after the GLA elections.

The sub-committee reconvened on 4 May 2012 and considered the complaint in detail, but was of the view that it could not determine the complaint without further information.

Accordingly, the sub-committee decided to adjourn its consideration of the complaint again, to enable the GLA's Monitoring Officer to obtain further information; including asking Mr Malthouse about the meetings he is alleged to have held at City Hall.

On 29<sup>th</sup> June 2012, Mr Malthouse AM responded by email to the Monitoring Officer's enquiries. His response may be summarised as follows:

- He held a small number of private meetings in his office or in the canteen for reasons of diary pressure - it saved spending time underground or travelling, which allowed him more time to spend on GLA business.

- He does not generally ask his PA to deal with private matters and so will have put them in the diary himself and done the meetings alone;
- He is aware that other members and indeed staff occasionally hold private meetings in City Hall for convenience reasons and it seems perfectly reasonable to do so. There is no marginal cost to the GLA at all.

### **Reasons for decision**

The Monitoring Officer carefully considered the following:

- the Complainant's complaint correspondence dated 5 March 2012;
- Mr Malthouse's response to the Monitoring Officer's enquiries, dated 29 June 2012;
- Relevant extracts from the GLA's Use of Resources Guidance;
- previous relevant GLA Standards Committee case decisions;
- guidance from Standards for England, including material contained in its Case Reviews relevant to the complaint; and
- the following paragraphs of the GLA's Code of Conduct for Members:

Paragraph 3(2)(d): *You must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority.*

Paragraph 5: *You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.*

Paragraph 6(a): *You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.*

Paragraph 6(b): *You must, when using or authorising the use by others of the resources of your authority – (i) act in accordance with your authority's reasonable requirements; (ii) ensure that such resources are not used improperly for political purposes (including party political purposes).*

Having considered the above, the Monitoring Officer considers that there is no evidence of any substantive or material misuse of GLA resources.

The Monitoring Officer is of the view that it is generally acceptable (and accepted) for elected Members to have private/personal guests at City Hall from time to time, particularly in circumstances where doing so affords the member more time to dedicate to their duties as a GLA Member.

The Monitoring Officer considers that the situation could be different if GLA resources were improperly devoted to supporting such engagements. In this case, however, the Complainant has not provided any detailed information to raise or support any such concerns; Mr Malthouse has formally stated that there was no such use of GLA resources; and there is, at this point, no evidence available to the Monitoring Officer that contradicts the information and explanation provided by Mr Malthouse.

Accordingly, the Monitoring Officer has decided that there is no potential breach of the GLA's Code of Conduct that warrants formal investigation, and has therefore decided to take No Action on the complaint; but will remind Mr Malthouse as to the requirements as to the use of the GLA's resources.

**Confidentiality and publication**

The Complainant, Karen Buck MP, did not request that her identity and a summary of her complaint be withheld from Mr Malthouse, Mayor of London, and taking into account the public interest, the GLA's Monitoring Officer has decided that these details should be provided to Mr Malthouse and should also be published.

This Decision Notice has been sent to the Complainant, Karen Buck MP, and Mr Malthouse and will be published by the GLA for a period of 6 years starting from 4<sup>th</sup> July 2012.

**Right to appeal**

There is no right to appeal against this decision.

Signed Ed Williams

**Date** 4<sup>th</sup> July 2012

**GLA Monitoring Officer**