

Ethics Committee Agenda



To: Councillor Louis Carserides (Chair)
Councillor Clive Fraser (Vice-Chair)
Councillors Jade Appleton, Mario Creatura, Helen Redfern and Sutton

Independent Members: Don Axcell, Jennifer Gordon, Ashok Kumar, Alan Malarkey and Anne Smith

Reserve Members: Councillors Jeet Bains, Richard Chatterjee,
Karen Jewitt, Humayun Kabir and Holly Ramsey

A meeting of the **Ethics Committee** which you are hereby summoned to attend, will be held on **Wednesday, 21 September 2022 at 6.30 pm in Room 1.01 and 1.02 - Bernard Weatherill House, Mint Walk, Croydon CR0 1EA**

JOHN JONES
Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Marianna Ritchie
Democratic Services
marianna.ritchie@croydon.gov.uk
www.croydon.gov.uk/meetings
Monday, 12 September 2022

Members of the public are welcome to attend this meeting. If you would like to record the meeting, we ask that you read the guidance on the recording of public meetings [here](#) before attending.

The agenda papers for all Council meetings are available on the Council website www.croydon.gov.uk/meetings

If you require any assistance, please contact the person detailed above, on the righthand side.

AGENDA – PART A

1. Apologies for Absence

To receive any apologies for absence from any Members of the Committee.

2. Minutes of the Previous Meeting (Pages 7 - 34)

To approve the minutes of the meetings held on:

- 19 February 2021;
- 26 May 2021;
- 30 September 2021;
- 9 December 2021;
- 9 February 2022 as accurate records.

3. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Work Programme 2022-23 (Pages 35 - 36)

To consider the Committee work programme for the remainder of the Municipal Year.

5. Annual Report on Ethics Complaints for 2021 (Pages 37 - 42)

The Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics and to consider matters relating to the Code of Conduct.

6. Update on Ethics Complaints received up to and including 31 July 2022 (Pages 43 - 54)

This is the quarterly report to the Ethics Committee to update members on any complaints or investigations undertaken by the Monitoring Officer during the first two quarters of the year up to 31 July 2022.

7. Member Learning and Development (Pages 55 - 64)

This report provides the Committee with an overview of Member Learning and Development activity to date in the 2022-23 Municipal Year. This activity is led and monitored by the Member Learning and Development Panel.

8. Member Gifts and Hospitality (Pages 65 - 68)

Members must comply with the Members' Code of Conduct including the protocol around declaring gifts and hospitality. This report gives the committee the details of gifts and hospitality declared by Members (Executive Mayor and Councilors) since the 9th May 2022 - following the Croydon local and Mayoral election.

9. Dispensation Applications for Members

Report to follow if any applications for a dispensation need to be considered.

10. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

PART B

11. Minutes of the Previous Meeting

To approve the Part B minutes of the meeting held on **XXX** as an accurate record.

12. Dispensation Applications for Members

To receive the report of the Executive Director of Resources & Monitoring Officer on Members' dispensations for consideration, if any are received.

This page is intentionally left blank

Public Document Pack Agenda Item 2

Ethics Committee

Meeting of held on Friday, 19 February 2021 at 10.00 am. This meeting is being held remotely; to view the meeting, please click [here](#).

MINUTES

Present: Councillor Clive Fraser (Chair);
Councillor Pat Clouder (Vice-Chair);
Councillors Jerry Fitzpatrick, Joy Prince, Mario Creatura and Simon Hoar
Independent Members Ashok Kumar and Anne Smith

PART A

1/21 Disclosure of Interests

There were none.

2/21 Urgent Business (if any)

There were no items of urgent business.

3/21 Statutory Chief Officer Disciplinary Procedure

The Ethics Committee considered a report, introduced by the Director of HR, in which it was asked to consider and agree a Statutory Chief Officer Disciplinary Procedure in line with the Joint National Council (JNC) Model Disciplinary Procedure, for use by the Appointments Committee in relation to disciplinary matters relating to Statutory Chief Officers, i.e. staff reporting to the Chief Executive. The Committee was recommended to approve this procedure for use in relation to such matters and for disciplinary matters regarding Non-Statutory Chief Officers referred to the Appointments (Investigating and Disciplinary) Sub-Committee. The Council's Constitution currently made provision for the Appointments Committee to consider disciplinary matters above a defined threshold relating to the Head of Paid Service, Monitoring Officer and the Section 151 Officer, collectively known as the Statutory Chief Officers.

The Council had recently undertaken a review of its policies and procedures in order to ensure that they were up to date, and to address significant issues arising from both the current senior management restructure and the independent investigation that was commissioned by the Council in response to the Report in the Public Interest.

At its Annual Meeting on 21 May 2015, Council delegated responsibility to the Ethics Committee to agree those processes and procedures. This review had

identified that the Ethics Committee has not previously exercised its delegated responsibility and this would be rectified through agreeing this report.

The JNC Model Procedure recommended establishing an 'Investigating and Disciplinary Committee' to undertake and manage a number of elements of the disciplinary process. As the Council's Constitution places overall responsibility for disciplinary matters for the Statutory Chief Officers with the Appointments Committee, in Croydon this body would be constituted as the Appointments Investigating and Disciplinary Sub-Committee. It was recommended that the Sub-Committees would be politically balanced and comprise three Members, at least one of whom must be a Member of the Cabinet.

The Constitution of the Council had previously not reflected national considerations and decisions, and agreeing this report would bring the Council Constitution up to date and in line with other local authorities.

The Chair thanked officers for the report and said that the flowchart in the Appendix was helpful in clarifying the process.

In response to queries raised by the Committee the following was clarified:

- that proportional representation on the Appointments Committee currently had a ratio of 4:2, and this would be reflected in the Sub-Committee in the same proportion. However, in meetings of three people, the ratio would be 2:1.
- that the Council's Constitution had a rolling programme where different aspects of it were regularly reviewed. In addition, there was an annual review of the Constitution that was undertaken and there was a range of officers in the Council who were responsible for reviewing different parts of the Constitution.
- approval of the new process and procedure was delegated to the Ethics committee, and consequently would come into force immediately.

The Committee RESOLVED to:

1) Agree the process and procedure detailed in Appendix One of this report to apply to any future disciplinary/staffing issues that fall within the functions of the Appointments Committee under paragraphs 2.1(6) and (8) of Part 3 of the Constitution and as set out in this report.

4/21 Complaint under the Councillor Code of Conduct

The Head of Litigation & Corporate Law and Deputy Monitoring Officer introduced the report and advised the Committee that the current complaints process under the Councillor Code of Conduct was two-stage : the first stage, was delegated to the Council's Monitoring Officer, to undertake initial assessment of the complaint and decide whether an investigation would be appropriate. If an investigation was undertaken and found a potential breach

of the Code, a Hearings Panel (a Sub-Committee) would be convened to determine the matter. Any determination of the Hearings Panel would be made in consultation with the Independent Person.

The Localism Act stipulated that councils adopt a Member Code of Conduct which complied with the Nolan Principles, and have in place Arrangements under which a breach of the code can be investigated. There was a likelihood of complaints being made regarding councillor conduct in the context of the circumstances which gave rise to the Grant Thornton Report in the Public Interest. As a result, the report recommended that an Assessment Sub-Committee be established in order to enable the Monitoring Officer to consult with Members when dealing with any such complaints. Any Member sitting on an Assessment Sub-Committee would be prohibited from sitting on a Hearing Sub-Committee to separate out responsibilities. Three Members would be appointed to the Sub-Committee on a politically balanced basis, and training would be provided by the Local Government Association (LGA).

In response to queries raised by the Committee the following was clarified:

- It was common for Arrangements to provide for Monitoring Officers to have discretion to seek advice from an Assessment Sub-Committee in certain circumstances. It was not anticipated that this arrangement would have a wider remit than the complaints relating to the Grant Thornton Report in the Public Interest.
- Best practice stipulated that the Independent Person be consulted in writing, in order to produce a clear audit trail.
- LGA training would be provided to all Members of the Sub-Committees, including the Independent Persons.
- That the Sub-Committee would likely only meet in the event of a complaint about a serious breach of the code of conduct, rather than for minor complaints.
- Training would also be provided to those on the Hearing Panel, and the LGA would meet with officers after this meeting to discuss the content and timing of that training.

The Chair said that although the Recommendation 1.3 referred to nominating and agreeing the Assessment Sub-Committee membership at the meeting, more time was needed to discuss this, and so it was proposed that this be delegated to the Monitoring Officer in consultation with the Chair of the Committee to nominate members. The Committee agreed this proposal.

The Chair proposed that Recommendation 1.4 be amended to say that training would be provided to Members of the Hearing Panel, as well as the Assessment Panel. The Committee agreed this proposal.

The Committee RESOLVED to:

1.1 Note the contents of the report;

1.2 Agree to the establishment of an Assessment Sub-Committee for the purpose of supporting the Monitoring Officer's consideration of complaints regarding the conduct of elected members which may be received against the Council's Assessment Criteria for Member complaints

1.3 Agree that the Assessment Sub-Committee shall comprise three members of this Committee to be nominated by the Committee on a proportional basis; This would be delegated to the Monitoring Officer in consultation with the Chair, and carried out after the meeting.

1.4 Agree that the Local Government Association be requested to provide training for the members sitting on the Assessment Sub-Committee and the Hearing Committee in this additional role;

1.5 Agree that the Independent Person be consulted on the complaint and their views referred to the Assessment Sub-Committee for consideration; and

1.6 TO RECOMMEND TO FULL COUNCIL that the Arrangements agreed by the Council under section 28(6) of the Localism Act and the terms of reference for the Ethics Committee, if necessary, be updated, for the avoidance of doubt, to reference the discretion of the Monitoring Officer to refer a complaint to an Assessment Sub-Committee of the Ethics Committee for Member' views to assist the Monitoring Officer in discharging his/her duties in regard to the assessment of complaints received concerning elected and co-opted members.

5/21 Exclusion of the Press and Public

This item was not required.

The meeting ended at 7.34 pm

Signed:

Date:

.....

Public Document Pack

Ethics Committee

Meeting of held on Wednesday, 26 May 2021 at 6.30 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Jerry Fitzpatrick (Chair);
Councillor Pat Clouder (Vice-Chair);
Councillors Joy Prince, Clive Fraser, Mario Creatura and Simon Hoar

Don Axel (Independent Person), *virtual*
Ashok Kumar (Independent Person), *virtual*
Ann Smith (Independent Person), *virtual*
Alan Malarkey (Independent Person), *virtual*

PART A

1/20 Minutes of the Previous Meeting

The minutes of the meeting held on 11 February 2021 were agreed as an accurate record.

2/20 Disclosure of Interests

There were none.

3/20 Urgent Business (if any)

There were no items of urgent business.

4/20 Review of the Terms of Reference

Sandra Herbert, Head of Litigation and Corporate Law, presented the report and in response to members' questions answered that:

- Whistleblowing against an elected member tended to take the form of a complaint and the individual making that complaint would be directed through the Code of Conduct complaints process;
- The report on Whistleblowing which was taken to the Audit Committee would be shared with Ethics Committee members so that they could have oversight of the process;
- The current Chair of the General Purposes and Audit Committee (GPAC) had been consulted on the process of appointing an Independent Chair to the committee and had welcomed the decision;

- Having an understanding of the Council's policies and procedures, which included Whistleblowing, would be a part of the job description for the Independent Chair of GPAC;
- Officers intended to include Whistleblowing as part of the Member Learning and Development (MLD) Programme;
- The Terms of Reference could be updated to include some details about the role of the Monitoring Officer to assist the committee to exercise its duty to support them in their role;
- The terms would also be updated to include the responsibility of maintaining high standards of conduct of members.

The Chair requested that a meeting be scheduled in September as a substitute for one later in the year, as the committee found the gap in meetings to be too large.

RESOLVED, to:

- 1.1 Consider and review its Membership (including the role of the Independent Persons), Terms of Reference, together with dates and frequency of future meetings as set out in Appendix 1, 2 and 3 respectively;
- 1.2 Agree any next steps required;
- 1.3 Note that any changes to the Constitution and associated requirements will need to be referred to Full Council for final consideration

5/20 Dispensation Applications for Members

There were none.

6/20 LGA Code of Conduct Gap Analysis with Current Code

Sandra Herbert, Head of Litigation and Corporate Law, and Asmat Hussain, Interim Executive Director of Resources and Interim Deputy Monitoring Officer, introduced the report drawing the Committee's attention to the amendment of recommendation 1.4. This recommendation clarified that the Committee was being asked to agree the Code in principle but that any amendments as a result of the committee review would be made and brought back to the Ethics Committee for formal approval.

In response to questions officers clarified that:

- Any changes in the law would apply to the Code as and when they occurred, and that the council would not wait for the periodic reviews of the Code before applying any necessary legislative changes;
- The Committee's desire for a plain English document that was easy to use, with references to the expansion and explanation of points included in it, would be taken into account when drafting it.

RESOLVED, to:

- 1.1 Consider the contents of the report
- 1.2 Agree, in principle, to recommend to Full Council that it replace or part replaces the current Code of conduct with the LGA Model Code as revised.
- 1.3 Agree that the proposed new Code or parts to be recommended to Full Council will include the additional matters detailed in paragraph 3.25 below.
- 1.4 Delegate authority to the Interim Executive Director of Resources, and Deputy Monitoring Officer authority to prepare for the Committee's further consideration and onward recommendation to Full Council:
 - 1.4.1 a revised version of the Members' Code to adhere to recommendations 1.2 and 1.3
 - 1.4.2 a revised version of the Code of Conduct for non-voting Co-opted members
 - 1.4.3 an updated Register of interests to take the Code changes into account
 - 1.4.4 an updated Gifts and Hospitality register
 - 1.4.5 details regarding any associated constitutional changes which are contingent upon the recommendations in this report.
- 1.5 Note that any changes to the Members' Code of Conduct and associated requirements and documents, including any constitutional amendments will need to be referred to Full Council for consideration and that any revisions to the Code and associated arrangements will need to be published in accordance with section 28 of the Localism Act 2011.
- 1.6 Note that training necessary to update members on the changes to the Code, will be arranged by the Interim Executive Director of Resources and Deputy Monitoring Officer.

7/20 Social Media Guidance for Councillors

Sandra Herbert, Head of Litigation and Corporate Law, presented the item. Members again requested that the document be translated into plain English, and also that issues around photographing and posting images containing children and vulnerable adults be clarified within the guidance.

Officers also agreed to include Member Safety Protocol in the work programme for the Ethics Committee.

RESOLVED, to:

- 1.1 Consider and comment on the contents of the report and appendices
- 1.2 Adopt the Social Media Guidance for Councillors, Appendix A, for use and circulation to Members as part of the Members' Handbook.
- 1.3 Note that any changes to the Code of Conduct and associated requirements and documents, including any constitutional amendments will need to be referred to Full Council for consideration.

8/20 Access to Information Protocol

Stephen Rowan, Head of Democratic Services, introduced the item and suggested amending the recommendation to state that the Committee comments on the draft protocol, and that wider consultation would be done with members before bringing the protocol back to the Ethics Committee for formal approval.

In response to questions from members Stephen Rowan stated that:

- A previous version of the protocol had been reviewed by the Centre for Governance and Scrutiny (CfGS) and that significant changes had been made to the protocol in response to that consultation;
- The version that would come out of this meeting would also be reviewed by the CfGS before it came back to the Committee for approval;
- There had been inconsistent practice about how legislation was applied with regard to how Part B (publicly exempt) information was shared, and this would be included in the next draft of the protocol.

RESOLVED, to:

- 1.1 Review and comment on the Access to Information Protocol.
- 1.2 Agree that the Protocol will be placed in the Members Handbook as a reference point for Members.
- 1.3 Note that the Interim Executive Director of Resources will arrange a briefing for all Members on the implications and operation of the protocol.

9/20 Update on Ethics Complaints Received up to and including 31 March 2021

Sandra Herbert, Head of Litigation and Corporate Law, introduced the report.

The committee queried whether members were always made aware when a complaint was made against them, to which officers responded that it was at the Monitoring Officer's discretion whether it was warranted to share a complaint with a member. However, there was a proposal to conduct a review of the arrangements for dealing with complaints going forwards, and this was to include consultation with councillors.

RESOLVED, to:

1.1 Note the contents of the report.

10/20 Equalities Review

Grace Addy, Head of Learning and Organisational Development, delivered a presentation on the findings of an independent review of the council's workforce equalities which was carried out in May 2019.

Members asked for details about when staff surveys had been carried out and when the data which would be used to inform the process, which was to involve the Local Government Association (LGA), of improving Equality, Diversity and Inclusion (EDI) amongst staff would be available. Officers responded that 'temperature checks' had last taken place in November 2020, and that work with the LGA was due to begin in August or September of 2021, the data from which would be available the following six weeks.

Members expressed concern that the work that had been commissioned and paid for did not produce a formal report, and that the only information they had to look into were four slideshow presentations. Members asked to know what the terms of reference for the piece of work that external officer, Mr Montgomery, had been asked to produce were, to which Grace Addy responded that no one currently in the council had access to that information.

In response to a question about unions and consultation, officers responded that the Race Equalities Network, unions, the Equalities Manager, HR Manager, and Equalities and Policy Manager had been involved in the process, looking heavily at bullying and harassment in the workplace, and that benchmarking across other London Local Authorities had been carried out.

RESOLVED, to:

1.1 Note the initial work presented to the Council from Joe Montgomery, who conducted an independent review of the councils workforce equalities in May 2019

1.2 Note the presentation of the subsequent actions undertaken as a response to the recommendations in the review and progress made.

11/20 Work Programme

Officers proposed to include the following in the Work Programme:

- Review of arrangements and assessment criteria for dealing with councillor complaints, and the role of the Independent Person in supporting the Monitoring Officer;
- Review of the Member / Officer Protocol;
- Creation of a Member Safety Protocol;
- Review of the Members' Handbook;
- Member Learning and Development (MLD).

RESOLVED:

1.1. For the Members of the Ethics Committee to consider and comment on the following Work Programme.

12/20 Exclusion of the Press and Public

The following motion was **MOVED** and **SECONDED** to exclude the press and public:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

The motion was put and it was agreed by the Committee to exclude the press and public for the remainder of the meeting.

13/20 Dispensation Applications for Members

RESOLVED:

That members of the Press and Public be excluded from the remainder of the meeting under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involved the likely disclosure of exempt information as defined in Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part 1 of Schedule 12A of the Act: and
- (ii) that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

The meeting ended at 8.48 pm

Signed:

.....

Date:

.....

This page is intentionally left blank

Public Document Pack

Ethics Committee

Meeting of held on Thursday, 30 September 2021 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Jerry Fitzpatrick (Chair);
Councillor Pat Clouder (Vice-Chair);
Councillors Joy Prince, Clive Fraser and Mario Creatura

Also Present: Independent Members Don Axcell, Ashok Kumar, Alan Malarkey and Anne Smith

Apologies: None

PART A

1/20 Minutes of the Previous Meeting

The minutes of the meeting held on 26 May 2021 were not yet available for approval. They should be available for the next meeting of the Ethics Committee in November 2021.

2/20 Disclosure of Interests

There were none.

3/20 Urgent Business (if any)

There were no items of urgent business.

4/20 Dispensation Applications for Members

There have been no dispensations for members since the last meeting.

5/20 Complaint Monitoring and Associated Matters

Interim Director of Law and Governance Doutimi Aseh introduced the quarterly report, which provided an update on complaints and investigations undertaken by the Monitoring Officer during the last quarter to 31 July 2021.

The Monitoring Officer had received six complaints from March 2021 to July 2021. Two of those complaints needed further information in order to undergo the initial assessment process. A further three complaints have been

assessed against the Council's assessment criteria, and it was decided that no further action be taken. The final complaint was not within the remit of the Monitoring Officer and was therefore not progressed.

Five additional complaints were in progress at the time of the previous report and were now included in Appendix A as they had reached completion. Out of those five complaints, four were withdrawn by the complainants as their concerns were resolved. The final complaint was assessed, and it was decided that no further action be taken.

The Committee RESOLVED to:

- Note the contents of the report.

6/20 Register of Gifts & Hospitalities

This item was postponed to the next meeting of the Ethics Committee.

7/20 Members' Code of Conduct

Interim Executive Director of Resources and Monitoring Officer Asmat Hussain introduced this report, which presented the revised Code of Conduct.

The Council had been asked to review its Member and Officer Codes of Conduct in order to ensure that the Nolan principles were embedded in all the work undertaken by members within the Council. In May 2021, the Ethics Committee had agreed in principle to adopt the Local Government Association (LGA)'s Model Code of Conduct, subject to some revisions. The Committee was now being asked to consider the revised version of the Code of Conduct and associated guidance.

Officers had engaged in extensive consultation before finalising the report. The revised Code of Conduct had been agreed by the Whips, the Senior Leadership Team and the Executive Membership Team. Revisions to the Code of Conduct included emphasising the value of diversity and equality, the requirement by Members to attend essential training and a stipulation that Members needed to comply with the protocol and any guidance that may be issued from time to time by the Chief Executive or the Monitoring Officer. There would be further clarification on arrangements for dealing with the breach of the Code which would be brought back to the Committee in a further report. Training sessions on the Code had already begun within the Council, and the intention was that two further sessions would be provided to all councillors on 4 October 2021.

The revised Code of Conduct provided further detail on disclosure of interests, including details of what constitutes a 'Disclosable Pecuniary Interest'.

Members would also be required to register 'Other Registrable Interests' such as school governorships or positions on boards of charities. These must be disclosed by Members and they may not speak on the matter unless members of the public were also allowed to speak at the meeting. However, if members of the public were not present, the Code stipulated that the Member may not take part in the discussion or vote on the matter and must leave the room unless they have sought and been granted a dispensation. The same rules would apply for interests which directly related to the Member's financial interest or wellbeing or that of a relative or close associate.

The report recommended that the Ethics Committee agreed the revised Code of Conduct, which would be reviewed annually, and to acknowledge that the Code was a part of a suite of documents which would be used to support a high standard of conduct of the Council.

Councillor Prince asked if this was the right time to consider the changes to the Code of Conduct, given that the Government was preparing to respond to recommendations of the Committee on Standards in Public Life relating to sanctions for breaches of Member Codes of Conduct and there may be legislative changes arising from this. Officers explained that the Council's existing Code of Conduct was very light; for example it did not require members with pecuniary interests to leave the room, which could have an impact on the way a Committee voted. The current Code also did not reference issues such as bullying and harassment and was light on Equalities. Therefore, it was important that the new Code be agreed promptly. In addition, the new legislation was likely to centre on issues such as sanctions, and it was not thought that it would have an impact on the content of the revised Code.

In reply to concerns from Councillor Prince on the requirement for Members to comply with the guidance issued by the Chief Executive or Monitoring Officer, it was clarified that this would only be used in scenarios where members needed to receive stronger or more specific guidance on interests, and was unlikely to be used frequently.

Councillor Fraser proposed an amendment to the Code relating to Other Registrable Interests, saying that although those interests should be declared, the part about Members not having the right to speak or leaving the room should be omitted from the Code. This amendment was agreed, with the stipulation that it be reviewed in 12 months' time.

In response to Councillor Prince's question about including the Guidance in the Constitution, officers explained that this was necessary for reasons of transparency, as members of the public did not have access to the Member's Handbook. However, if Members wished, a proposal could be put forward to the Constitutional Working Group that the Constitution be split into Part 1 and

Part 2, with Part 2 containing the protocols and guidance aspects of the Constitution.

In response to the Chair's question as to whether there would be a consultation with Members regarding the final version of the Officers' Code of Conduct which was also being reviewed, officers confirmed that Members would be consulted.

The Committee RESOLVED to:

- Agree to recommend to Full Council that the revised Code of Conduct and guidance be adopted in replacement for the current Members' Code of Conduct in the Council's Constitution (subject to the amendment proposed by Councillor Fraser).
- Agree to recommend to Full Council that any changes to the Members' Code of Conduct guidance should be delegated to the Ethics Committee.

8/20 Access to Information Protocol

Interim Executive Director of Resources and Monitoring Officer Asmat Hussain introduced this report, which contained a revised version of the Access to Information Protocol. The first draft of the Protocol had been considered by the Ethics Committee in May 2021, and feedback was considered by officers in consultation with various Members including the Chairs of Scrutiny Committees. The Protocol was informed by the need for improved Member access to information, and the Council's commitment transparency and openness. Since then, a substantial amount of work was carried out to improve and update the Protocol. The report recommended that the Protocol form a part of the Constitution and be part of a training package of the new cohort of Members after the next election. A flowchart illustrating the way the protocol would work in practice was included in Appendix 2, and this would be included in the Members' Handbook. Workshops with officers and Members were planned in October. It was proposed that the Protocol take effect from January 2022.

The Information Protocol would form part of the work of the Constitutional Working Group. The Access to Information Protocol would need to be reconsidered once the Cabinet Member Advisory Committees (CMACs) were established. If answering a Members' request was not practicable, it would be clearly communicated why the request was denied (for example if a requested document cannot be located or does not exist).

In response to a request from Councillor Clouder for further detail on the flowchart, officers said they would revise the flowchart accordingly and bring it to the next Ethics Committee meeting.

In response to questions from Councillor Fraser about why the current Constitution did not make a reference to changes made to the Governance Review, officers said that this was due to the Council's capacity and resources, and the decision to prioritise urgent work. As a result, some recommendations have not yet been implemented. However, this would form part of the work programme that the Constitutional Working Group were currently reviewing.

In response to Councillor Fraser's question about officers' responsibilities regarding withholding information, officers explained that the Protocol stipulated that information would be given on a 'need to know' basis. If answering a Members' request was not practicable, it would be clearly communicated why the request was denied (for example if a requested document cannot be located or does not exist).

Members said that officers should provide the legal basis on which the information was denied and that sometimes they should be entitled to information which was not relating to a matter under scrutiny, as stipulated in the Protocol. Furthermore, it should be made clear in the Protocol which documents members were entitled to. Officers agreed to make those amends.

The Chair said that this report should be brought back to a future meeting of the Ethics Committee. He asked Members to endorse the sections which relate to Scrutiny, as they have not been objected to by the Committee. The report would be delayed in going to Full Council until further information and clarifications on specific points on the report were provided. Members agreed to endorse the sections that relate to Scrutiny and asked officers to follow the principles set out in the Protocol in relation to Scrutiny.

The Committee RESOLVED to:

- Endorse the sections of the Access to Information Protocol which related to Scrutiny.
- Delay the recommendation to Full Council to approve the Protocol until it had been further revised.
- Agree that the Committee would undertake an annual review of the Protocol and consider performance against standards for response as part of its annual review.
- Note that the Interim Executive Director of Resources and Monitoring Officer would arrange briefings for Members and Officers on the implications and operation of the Protocol.

9/20 Members Development Plan Update

Interim Director of Law and Governance Doutimi Aseh introduced the report and said that the Member Training Programme had been developed in response to proposals by the Member Development Panel at its meeting on 13 July 2021. The Member Development Panel would be meeting again on 12 October 2021 to consider the Plan.

Councillor Fraser said that there were problems with the Members' enquiry system and asked for Members to be engaged in the process ahead of the launch of the app, to ensure that the system worked for them. Officers agreed that Members would have an input into what the app would provide.

The Committee RESOLVED to:

- Note the report.

10/20 Work Programme

Members of the Ethics Committee were asked to consider and comment on the Work Programme. It was anticipated that this Work Programme would be considered at every meeting of the Ethics Committee to enable it to respond to issues of concern and incorporate any additional items.

Democratic Services & Governance Officer Cliona May said that at a previous Ethics Committee meeting it was decided that one of the meetings previously scheduled would be moved forward and asked if members would be happy to swap the meeting previously scheduled for 6 April 2021 for this meeting. This was agreed.

Two further meetings of the Ethics Committee were scheduled on the work programme, on 17 November 2021 and 9 February 2022.

The Committee RESOLVED to:

- Agree the Work Programme as outlined in the report.

11/20 Exclusion of the Press and Public

This was not required.

The meeting ended at 8.03 pm

Signed:

.....

Date:

.....

This page is intentionally left blank

Public Document Pack

Ethics Committee

Meeting of held on Thursday, 9 December 2021 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Jerry Fitzpatrick (Chair);

Councillors Mario Creatura, Clive Fraser, Helen Redfern and Karen Jewitt
Independent Members Don Axcell, Jennifer Gordon, Ashok Kumar and Alan Malarkey

Apologies: Councillor Joy Prince, Anne Smith

PART A

1/21 Disclosure of Interests

There were none.

2/21 Urgent Business (if any)

There were no items of urgent business.

3/21 Member Code of Conduct

The Ethics Committee considered a [report](#) in which it was asked to agree guidance to accompany the newly adopted Members' Code of Conduct which reflects national guidance produced by the Local Government Association. The Committee received an introduction from the Governance Improvement Adviser, Heather Wills.

In response to queries raised by the Committee, the following was clarified:

- The Council Monitoring Officer advised if the Member Code of Conduct was included in the Council Constitution then it would carry more weight.

During the consideration of the recommendations, the Committee discussed the following:

- Whether having the Code on the council's website would be adequate.

An amendment was moved and seconded to amend point iii) to read " we agree to recommend that the Guidance is available on the council's website." The amendment was put to the vote and carried.

RESOLVED – That the Committee agreed to note points i) and ii) and that point iii) is amended as above.

The Committee noted the request for small group of Members from the Committee to work with officers to review the Protocol on Staff-Councillor Relations.

RESOLVED – That the Committee agreed that Councillor Fraser will represent the administration and that a representative from the minority group will be nominated.

4/21 Access to Information Protocol

The Ethics Committee considered a [report](#) which detailed a revised draft Access to Information Protocol has been prepared, informed by comments from Ethics Committee, Scrutiny Chairs, recent reviews conducted at Croydon Council and advice from the Centre for Governance and Scrutiny. The Committee received an introduction from the Governance Improvement Adviser, Heather Wills.

In response to queries raised by the Committee, the following was clarified:

The officers were recommending that the 10 day deadline for a response to councillor requested would be the maximum and that in most cases the information would be supplied more quickly.

If a request for information was refused due to sensitivity or confidentiality, then members would be told of the reasons for that decision being made.

A vote to accept the recommendations was suggested. The vote was carried.

RESOLVED – That the Committee agreed to the recommendations set out in the report.

5/21 Dispensation Applications for Members

The Ethics Committee considered a [report](#) which detailed that following statutory amendments to the ethics regime, full Council adopted a new Code of Conduct in 2011 and delegated to the Monitoring Officer and the Ethics Committee the power to consider dispensations under the new ethics regime. The Committee received an introduction from the Monitoring Officer, John Jones confirming that there were no items to be brought to the Committee.

RESOLVED – That the Committee agreed to note the report.

6/21 Complaint Monitoring and Associated Matters

The Ethics Committee considered a [report](#) which detailed that the Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics. This is the quarterly report to the Ethics Committee to update members on any complaints or investigations undertaken by the Monitoring Officer during the last quarter to 31 October 2021 subject to what is set out at paragraph 3.9 below. The previous report, an annual report up to and including complaints received and considered by 31 July 2021 is accessible here:

https://democracy.croydon.gov.uk/documents/s32625/Rpt_Quarterly%20Complaints_%20Ethics%20Cttee_Sept_%202021final.pdf

.....
The Committee received an introduction from the Monitoring Officer, John Jones confirming that there were no items to be brought to the Committee.

In response to queries raised by the Committee, the following was clarified:

That the Council is not able to control the type of complaints that are received from members of the public.

RESOLVED – That the Committee agreed to note the report.

7/21 Work Programme

The Ethics Committee considered a [report](#) which detailed the Ethics Committee Work Programme for 2021/22. This Work Programme will be considered at every meeting of the Committee to enable it to respond to issues of concern and incorporate any additional items. The Committee received an introduction from the Monitoring Officer, John Jones

In response to queries raised by the Committee, the following was clarified:

That the Register of Gifts and Hospitality should include anything that could be seen as being given as for a particular reason to protect from any possible issues in the future.

The amount is £50 but that this is a cumulative figure.

RESOLVED – That the Committee agreed to note the report.

8/21 Exclusion of the Press and Public

This was not required.

The meeting ended at 7.32pm.

Signed:

Date:

This page is intentionally left blank

Public Document Pack

Ethics Committee

Meeting of held on Wednesday, 9 February 2022 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Jerry Fitzpatrick (Chair);
Councillor Pat Clouder (Vice-Chair);

Councillors Mario Creatura, Clive Fraser, Joy Prince and Helen Redfern

Independent Members Jennifer Gordon, Ashok Kumar, Alan Malarkey and Anne Smith

PART A

1/22 Disclosure of Interests

There were none.

2/22 Urgent Business (if any)

There were no items of urgent business.

3/22 Officers Code of Conduct

The Committee received a report on the review of and revisions to the Officer Code of Conduct. The Officer Code of Conduct was reviewed alongside the Members' Code of conduct to ensure consistency. The Code was originally due to be brought to the Committee in November with the Members' Code of Conduct. The revised Officer Code of Conduct fully embeds the Nolan Principles in all work as one of the strands of the Croydon Renewal Improvement Plan.

Gillian Bevan, Head of Human Resources (Resources and Assistant Chief Executives), introduced the report.

The following matters were raised by the Committee:

a) Views expressed by Trade Unions: Following a question from a Member of the Committee, the Officer noted that in taking the Code to the Trade Unions to review, the Trade Unions were interested in the widening of the remit of the Code, which now captured temporary staff, agency staff and external seconders. Another area of interest from the Trade Unions view was the further guidance around what constituted bullying/Harassment and acceptable behaviour

- b) Pending Criminal Convictions: Members of the Committee raised a question around what would happen if someone pending criminal investigation resigned from the Council. The Officer explained that each case would be reviewed individually, and the disciplinary process may still proceed. At the point that the individual was no longer an employee matters would then need to be dealt with as appropriate through external agencies.
- c) Working from Home: Following a question from a Member of the Committee, the Officer noted that the Flexible Working Policy is being reviewed to incorporate hybrid working and noted that it would be of benefit to have a link to the Code of Conduct within it
- d) Contractors: Members of the Committee raised concerns regarding the pertinence of the Code of Conduct to contract workers, and whether the Council, in its negotiation with contract workers needed to apply this Code or the contractors' own code, should they have one. This had to be discussed with Corporate Directors involved in the Commissioning process, and would be picked up by the Monitoring Officer.

The Committee thanked Officers for their work on the report.

Following consideration, it was resolved that the Committee:

- 1.1 Agreed to note the revised Officer Code of Conduct (Appendix 1 to the report)
- 1.2 Agreed to the Monitoring Officer raising the issue regarding contract workers at the Corporate level of authority to ensure there is consistency between the Council's Officer Code of Conduct and any contract workers.

4/22 Dispensation Applications for Members

There were no applications received for Member dispensations and therefore this item was not required.

5/22 Protocol on Staff/Councillor Relations

The Committee received a report on the Staff/Councillor Relations Protocol which had been reviewed with the aim of assisting both Members and Officers to have an appropriate understanding of their respective roles.

Heather Wills, Governance Improvement Advisor introduced the report.

The following matter was raised by the Committee:

- Information: Members of the Committee highlighted the importance of Officers at every level understanding what information Members needed access to. The Officer noted that the Access to Information Protocol which the Committee had previously considered went into more detail around Members' rights to access information.

Following consideration, it was resolved that the Committee:

1. Reviewed the draft revisions to the Staff-Councillor Relations Protocol;
2. Recommend to General Purposes and Audit Committee the inclusion of these revisions with a package of wider changes to the Constitution, to be recommended to Council on 23 March 2022.

6/22 Member Learning and Development Induction Programme

The Committee received a report detailing the draft Member Induction Programme for 2022, which had been considered at the Member Learning and Development Panel in January.

John Jones, Monitoring Officer introduced the report.

The following matters were raised by the Committee:

- a) Reserves: Members of the Committee highlighted the importance of Licensing and Planning training being extended to reserve Members;
- b) Accessibility of Sessions: Members of the Committee raised concerns regarding the Induction session being offered as a daytime session soon after the date of appointment. The Officer explained that due to the scale of content provided, it was common practice in London Boroughs to hold the first part of the Induction over one daytime session. The Officer explained that once Candidates were formally declared, they would all be contacted to put the date of the Induction session in their diary whether it was expected that they be elected or not. This gave them more notice of the requirement to attend the training;
- c) Council Functions: Members of the Committee highlighted a lack of structure charts and noted that it was difficult to know which services delivered which functions, particularly for newly elected Members. The Officer noted that there would be a 'Marketplace' on the Induction Day in which Members could speak to Directors and get a comprehensive understanding of the Council's structure. The Officer also noted that they would ensure the Member Handbook included updated Structure Charts and descriptions of each function and the buddy system and further briefings would also support understanding. Members asked that further attention be given to providing training on Council functions;
- d) Mayoral Model: Members of the Committee highlighted the upcoming change to the Mayoral Model. The Officer confirmed that this had been considered in the process of planning the training programme;
- e) Planning: Members of the Committee highlighted that it would be helpful to have some training around the wider ramifications of the Planning process. The Officer noted that this would be picked up as part of the wider training for Members.

Following consideration, it was resolved that the Committee:

1. Noted progress in developing a detailed Induction programme for May 2022 and provided comments set out in the Minutes to inform its further development;

2. Noted that implementation of the programme was dependent on the identification of appropriate resources for the Democratic Services team;
3. Would promote engagement within their Groups with the activities listed in the programme.

7/22 Work Programme

The Committee received a report detailing the Work Programme for the next meeting of the Committee.

Sarah Keeble, Democratic Services Officer introduced the report, highlighting that the report recommended Items for the first meeting following Annual Council. However, there was one meeting scheduled for 6 April in the current administration. Due to Items being carried over from a previous meeting, it was likely that the 6 April meeting would go ahead.

Following consideration, it was resolved that the Committee:

1. Considered the Work Programme that would be agreed and approved at the next meeting of the Committee.

8/22 Exclusion of the Press and Public

No applications for dispensations had been received and there were no Part B Minutes to consider. Therefore, there was no requirement to go into a private session.

The meeting ended at 7.43 pm

Signed:

Date:

.....

.....

Agenda Item 4

REPORT TO:	ETHICS COMMITTEE 21 September 2022
SUBJECT:	ETHICS COMMITTEE: WORK PROGRAMME
LEAD OFFICER:	Stephen Lawrence-Orumwense Director of Legal Services and Monitoring Officer
WARDS:	ALL
PUBLIC/EXEMPT:	Public
FINANCIAL IMPACT: The implementation of the recommendations contained in this report shall be contained within existing budgets.	
1. RECOMMENDATIONS: 1.1. To note, consider and comment on the draft work programme as detailed in this report.	

2. EXECUTIVE SUMMARY

- 2.1. The table sets out the draft Ethics Committee Work Programme for 2022/23. This Work Programme will be considered at every meeting of the Committee to enable it to respond to issues of concern and incorporate any additional items.

3. DETAIL

Meeting date	Standing item(s)	Other item(s)
23 rd November 2022	Members' dispensations Complaint Monitoring Work Programme Gifts & Hospitality Legal & Ethics Update	Access to Information Protocol (Members Rights of Access). Member Conducts and Complaints Process Review. Outside Bodies protocol.
8 th February 2023	Members' dispensations Complaint Monitoring Work Programme Gifts & Hospitality Legal & Ethics Update	Constitution Review related to Ethics Committee responsibilities. Annual Complaints report.

Meeting date	Standing item(s)	Other item(s)
19 th April 2023	Members' dispensations Complaint Monitoring Work Programme Gifts & Hospitality Legal & Ethics Update	Member Attendance Statistics (annual)

4. CONSULTATION

4.1. This Work Programme is subject to consultation with Members of the Ethics Committee.

5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1. The implementation of the recommendations contained in this report shall be contained within existing budgets.

6. LEGAL CONSIDERATIONS

6.1. There are no direct legal consequences arising from the contents of this report.

7. EQUALITIES IMPACT

7.1. There are no direct equalities impact consequences arising from the contents of this report.

CONTACT OFFICER:

Adrian May
Interim Head of Democratic Services

REPORT APPENDICES:

None

BACKGROUND DOCUMENTS:

There are no unpublished documents upon which this report has been based

For General Release

REPORT TO:	ETHICS COMMITTEE
AGENDA ITEM NO:	21 September 2022
SUBJECT:	ANNUAL REPORT ON ETHICS COMPLAINTS for 2021
LEAD OFFICER:	STEPHEN LAWRENCE-ORUMWENSE DIRECTOR OF LEGAL SERVICES AND MONITORING OFFICER
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT: The Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics and to consider matters relating to the Code of Conduct.	
FINANCIAL IMPACT Implementation of the recommendations contained in this report shall be contained within existing budgets	
FORWARD PLAN KEY DECISION REFERENCE NO.: N/A	

1. RECOMMENDATIONS

The Committee is asked to:

- 1.1 Note the contents of the report

2. EXECUTIVE SUMMARY

- 2.1 The Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics. The Committee receives quarterly reports on ethics complaints received. This report is an annual report on ethics complaints trends from the 2021 annual year without seeking to duplicate matters already reported to members in previous quarterly reports which can all be accessed here:
https://democracy.croydon.gov.uk/ieListMeetings.aspx?Committeeld=171&utm_source=mod-gov&utm_medium=taxonomy&utm_campaign=%20committee-calendar-ethics
- 2.2 The report was prepared and ought to have been presented to members at the February 2022 meeting, however due to an administrative error, the report was

not placed on the agenda for members consideration and is accordingly presented to members now at the first Ethics Committee meeting following the election.

3. DETAIL

- 3.1 The 2011 Act requires local authorities to have mechanisms in place to investigate allegations that a member has not complied with the code of conduct, and arrangements under which decisions on allegation may be made.
- 3.2 Pursuant to the current arrangements which the Committee has approved on behalf of the Council, any complaints which pertain to Members Conduct are made in the first instance to the Monitoring Officer.
- 3.3 The Monitoring Officer has authority to undertake an initial assessment of the complaint in accordance with the Assessment Criteria which the Committee have specifically adopted for these purposes. The Assessment Criteria are summarised below.

- Does the allegation relate to a Disclosable Pecuniary Interest? If so, this is a police matter.
- Is the complaint about someone who is still a Member? If not no further action can be taken.
- Has the matter already been the subject of an investigation – if so, the Monitoring Officer is unlikely to consider further action in the public interest.
- Has a period of 3 months elapsed since the alleged conduct occurred – if so the Monitoring Officer may consider no further action is appropriate.
- Is the complaint sufficiently serious to warrant further action?
- Is the complaint malicious, politically motivated or tit-for-tat – if so the Monitoring Officer is unlikely to take action.
- Is the complaint part of the ‘rough and tumble of political debate’ and conduct between Members – if so, the Monitoring Officer is unlikely to take action.
- Has insufficient information been provided? If so, unless further information is provided no further action can be taken.
- Is referring complaint the complaint for an investigation the best use of public resources and in the public interest? If not, no further action is likely to be taken particularly as no sanctions are available to the Council.
- Does the complaint demonstrate a lack of understanding of the code or policies/procedures? If so, the complaint will likely be dealt with by recommending/arranging training.
- Does the complaint relate to the manner in which meetings are conducted? If so, this will not be a matter in respect of which an investigation will be instituted.
- Is the complaint one person’s word against another? If so, with no independent evidence it is unlikely further action will be taken.
- Can the complaint be resolved informally without the need for an investigation e.g. by the offer of an apology. If so, the Monitoring Officer

will take this into account in deciding what further action should be taken on the complaint.

The list is not exhaustive and a full copy of the criteria for assessment of complaints can be access here:

<https://www.croydon.gov.uk/sites/default/files/articles/downloads/assessment-criteria-january2019.pdf>

- 3.4 The initial assessment by the Monitoring officer will indicate whether or not the complaint is one which ought to be referred for investigation and if that occurs, the matter is then referred to Members in accordance with the arrangements for dealing with allegations of breach of the code of conduct under the Localism Act 2011.
<https://democracy.croydon.gov.uk/documents/s17243/Part%205I%20-%20Members%20Code%20of%20Conduct.pdf>
- 3.5 There were a total of 23 ethics complaints received last year. Of those, all bar two were received from members of the public.
- 3.6 Of those 23, 4 were withdrawn by the complainants and did not proceed to assessment and 2 related to members who were no longer councillors and one related to internal party politics and therefore not within the remit of ethics complaints.
- 3.7 In terms of the remaining matters, the issue most often complained about by members of the public were perceived failures by members to respond to emails/correspondence/calls in the time frame that the complainant considered appropriate or dissatisfaction with the nature of those responses. This accounted for 6 of the remaining 16 complaints (38%).
- 3.8 Members will be aware that many councillors receive significant amounts of correspondence and contact from members of the public including via social media. This can cover not only ward matters but a range of matters relating to Council services, proposals and general dissatisfaction. Members do not receive administrative support in dealing with that correspondence/contact. By way of example, one member of the public contacted 19 different councillors (and some MP's) one after the other because of dissatisfaction about a parking ticket and although that member of the public did not make an ethics complaint it is illustrative of the nature of some of the contact which members receive. It is acknowledged that it would be helpful for councillors to be able, for example, to be able to direct members of the public to ways in which complaints services by the Council can be accessed, however it is not considered reasonable to expect Councillors to be able to respond to or address each and every item of correspondence or contact made, nor is it considered that a failure to do this would, as a matter of course, amount to a failure to comply with the Code of Conduct. Similarly correspondence or contact may pertain to matters which express a view or approach with which the Councillor does not agree and there is no obligation on a Member to advocate a view or position with which they do not agree or support.

- 3.9 In relation to accessing complaints services, it is noted that there are numerous separate regimes for complaints and numerous different means of instigating a complaint on the council's website depending on the nature of the matter a member of the public is concerned with – these range from contact the council and the corporate complaints team to parking specific complaints, adult social services specific complaints, children's care complaints, whistleblowing complaints, school complaints, NHS complaints, housing complaints, food and food safety complaints, trading standards, missed bin collection complaints etc. This may undoubtedly be confusing for a member of the public and searching "making a complaint" on the Council's website brings up several pages of options. The Monitoring Officer is investigating if it is possible to have a single landing page to which all searches for "making a complaint" on the Council's website are directed and that this landing page has links to all the relevant regimes and complaints processes. This could allow for direction to a single page on the Council's website rather than a series of searches which may or may not result in the member of the public selecting the correct regime to follow.
- 3.10 The remaining matters were a collection of matters ranging from assertions that members had failed to attend meetings which they ought to have done in order to advocate the complainant's point of view, were in attendance at more than one meeting at a time, made representations to committees which complainants did not agree with or which complainants considered supported a view other than their own and one in relation to alleged pre-determination.
- 3.11 There were no specific trends in terms of the subject matter of the complaints for the past year – for example they didn't pertain specifically to one area or service where members were involved although there were instances where complainants had complained about more than one member in relation to the same or similar facts – particularly where a complainant had contacted several councillors simultaneously or in short succession and then was not happy with lack of response/response times or nature of the response received.
- 3.12 Members will be aware from previous reports that this is similar to previous years where historic examples of when matters have not been considered appropriate for investigation have included where a Councillor has failed to respond to correspondence sent by a constituent or not responded as constituent wished them to or as quickly; where a councillor has not advocated on behalf of a constituent or has supported a different constituent or cause; or non-decision making councillors having a particular views on a matter which is being considered by the Council and expressing those views.
- 3.13 Members will note the equalities impact considerations make a recommendation that in future equalities data pertaining to complainants be collated and monitored to adhere to Council processes due to be implemented in this regard in future. Members are therefore recommended to agree that future annual reports regarding complaints against members will include this data for monitoring purposes.

4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 4.1 There are no direct financial implications arising from this report.

Approved by: Matt Davis Interim Director of Finance.

5. LEGAL CONSIDERATIONS

- 5.1 There are no additional legal considerations arising from the contents of this report.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring Officer.

6. CONSULTATION

- 6.1 There has been no consultation with Officers or Members regarding the contents of this report.

7. HUMAN RESOURCES IMPACT

- 7.1 There are no immediate human resources impacts arising from the recommendations in this report for Croydon Council employees or staff.

Approved by: Gillian Bevan Head of HR, Resource and ACE

8. EQUALITIES IMPACT

- 8.1 The Council has a statutory duty, when exercising its functions, to comply with the provisions set out in the Sec 149 Equality Act 2010. The Council must, in the performance of its functions, therefore have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 8.2 The Council provides access to complaints to ensure its commitment to aspects of Sec 149 and forms the basis of the borough's commitment to ensuring that Croydon is a fairer, safer, more inclusive borough, where everyone has a voice and feels as if they belong.

- 8.3 In order to ensure fairness to residents and to monitor satisfaction it is recommended that in future complaints should be collated by equality characteristic and subject to monitoring in this regard. This is in line with the Council standard for data collection which will be implemented going forward.

Approved by: D.McCausland Equality Programme Manager

9. ENVIRONMENTAL IMPACT

9.1 There are no environmental impacts arising from the recommendations within this report.

10. CRIME AND DISORDER REDUCTION IMPACT

10.1 There are no crime and disorder reduction impacts arising from the recommendations within this report.

11. DATA PROTECTION IMPLICATIONS

11.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

NO

HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

NO

CONTACT OFFICER: Stephen Lawrence-Orumwense Director of Legal Services and Monitoring Officer

APPENDICES TO THIS REPORT: None

BACKGROUND DOCUMENTS: None

Croydon Council

For General Release

REPORT TO:	ETHICS COMMITTEE
AGENDA ITEM NO:	21 SEPTEMBER 2022
SUBJECT:	UPDATE ON ETHICS COMPLAINTS RECEIVED UP TO AND INCLUDING 31 JULY 2022
LEAD OFFICER:	STEPHEN LAWRENCE-ORUMWENSE DIRECTOR OF LEGAL SERVICES AND MONITORING OFFICER
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT: The Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics and to consider matters relating to the Code of Conduct.	
FINANCIAL IMPACT Implementation of the recommendations contained in this report shall be contained within existing budgets	
FORWARD PLAN KEY DECISION REFERENCE NO.: N/A	

1. RECOMMENDATIONS

The Committee is asked to:

- 1.1 Note the contents of the report

2. EXECUTIVE SUMMARY

- 2.1 The Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics. This is the quarterly report to the Ethics Committee to update members on any complaints or investigations undertaken by the Monitoring Officer during the first two quarters of the year up to 31 July 2022, subject to what is set out at paragraph 3.8 below.

3. DETAIL

- 3.1 The 2011 Act requires local authorities to have mechanisms in place to investigate allegations that a member has not complied with the code of conduct, and arrangements under which decisions on allegation may be made. Members will be aware that a new Code of Conduct was adopted by the Council in October 2021 and the complaints detailed in this report were subject to that new Code of Conduct.
- 3.2 Pursuant to the current arrangements which the Committee has approved on behalf of the Council, any complaints which pertain to Members Conduct are made in the first instance to the Monitoring Officer.
- 3.3 The Monitoring Officer has authority to undertake an initial assessment of the complaint in accordance with the Assessment Criteria which the Committee have specifically adopted for these purposes. The Assessment Criteria are summarised below.
- Does the allegation relate to a Disclosable Pecuniary Interest? If so, this is a police matter.
 - Is the complaint about someone who is still a Member? If not no further action can be taken.
 - Has the matter already been the subject of an investigation – if so, the Monitoring Officer is unlikely to consider further action in the public interest.
 - Has a period of 3 months elapsed since the alleged conduct occurred – if so the Monitoring Officer may consider no further action is appropriate.
 - Is the complaint sufficiently serious to warrant further action?
 - Is the complaint malicious, politically motivated or tit-for-tat – if so the Monitoring Officer is unlikely to take action.
 - Is the complaint part of the ‘rough and tumble of political debate’ and conduct between Members – if so, the Monitoring Officer is unlikely to take action.
 - Has insufficient information been provided? If so, unless further information is provided no further action can be taken.
 - Is referring complaint the complaint for an investigation the best use of public resources and in the public interest? If not, no further action is likely to be taken particularly as no sanctions are available to the Council.
 - Does the complaint demonstrate a lack of understanding of the code or policies/procedures? If so, the complaint will likely be dealt with by recommending/arranging training.
 - Does the complaint relate to the manner in which meetings are conducted? If so, this will not be a matter in respect of which an investigation will be instituted.
 - Is the complaint one person’s word against another? If so, with no independent evidence it is unlikely further action will be taken.
 - Can the complaint be resolved informally without the need for an investigation e.g. by the offer of an apology. If so, the Monitoring Officer will take this into account in deciding what further action should be taken on the complaint.

The list is not exhaustive and a full copy of the criteria for assessment of complaints can be access here:

<https://www.croydon.gov.uk/sites/default/files/articles/downloads/assessment-criteria-january2019.pdf>

- 3.4 The initial assessment by the Monitoring officer will indicate whether or not the complaint is one which ought to be referred for investigation. In reaching this decision, the Monitoring Officer may, although is not obliged to do so, consult with an Independent Person (IP) before reaching this decision. The Monitoring Officer did not consult with an IP in respect of any of the matters set out in Appendix A.
- 3.5 If the matter is referred for investigation, the matter is then referred to Members in accordance with the arrangements for dealing with allegations of breach of the code of conduct under the Localism Act 2011.
<https://democracy.croydon.gov.uk/documents/s17243/Part%205I%20-%20Members%20Code%20of%20Conduct.pdf>
- 3.6 Whilst each matter has different facts which would impact on the assessment, historic examples of when matters have not been considered appropriate for investigation have included where a Councillor has failed to respond to correspondence sent by a constituent or not responded as constituent wished them to or as quickly; where a councillor has not advocated on behalf of a constituent or has supported a different constituent or cause; or non-decision making councillors having a particular views on a matter which is being considered by the Council and expressing those views.
- 3.7 As this is the first meeting of the Ethics Committee since the election, this report provides an update on the first two quarters of the year, up to 31 July 2022. During this period, the Monitoring Officer has received 30 complaints. In respect of 13 of those matters, further information was needed from complainants in order to progress the complaints, but this was either not provided or the complainants subsequently withdrew the complaints, and no further action was taken by the MO pursuant to Assessment Criteria 8. One matter was not within the remit of the Monitoring Officer and was therefore not progressed. In respect of 10 of the remaining 16 matters, these were linked complaints with the same subject matter and in respect of the same members and the Monitoring Officer concluded that training of those members was warranted as the failure appeared to stem from a lack of understanding of what was then the newly adopted Code of Conduct (under assessment criteria 10). 3 matters had no further action taken due to the person complained about no longer being a councillor (under assessment criteria 2). In respect of the remaining 3 matters, no further action was taken as the allegations were not substantiated.
- 3.8 Appendix A summarises the information detailed in paragraph 3.7 above pertaining to the complaints which have been completed. It should be noted that any such disclosure of information needs to have the necessary regard to the Councils' obligations under Data Protection and the processes adopted by the Council in relation to Code of Conduct complaints. The Committee also need to be mindful that the contents of Appendix A only represent complaints made and

assessment decisions against the criteria as detailed in paragraphs 3.3 and 3.4 above rather than the outcome of an investigation and any necessary hearings in line with the Council's processes in this regard. None of the matters on Appendix A progressed beyond the assessment stage.

4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 4.1 There are no direct financial implications arising from this report. All costs are included within existing budgets and no pressures will be caused from this review.

Approved by: Nish Popat – Interim Head of Corporate Finance.

5. LEGAL CONSIDERATIONS

- 5.1 There are no additional legal considerations arising from the contents of this report which are not set out in the body of the report although Members attention is specifically drawn to the information contained in paragraph 3.8 pertaining to disclosure of information in relation to Data Protection and the Council's ethics processes as well as the fact that the complaints detailed within this report only reflect the outcomes of assessment decisions and not findings following an investigation or hearing under the Localism Act 2011 requirements.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Legal Services and Monitoring Officer.

6. CONSULTATION

- 6.1 There has been no consultation with Officers or Members regarding the contents of this report.

7. HUMAN RESOURCES IMPACT

- 7.1 There are no human resources impacts arising from the recommendations in this report for Croydon Council employees or staff.

(Approved by: Gillian Bevan Head of HR – Resources and Assistant Chief Executives)

8. EQUALITIES IMPACT

- 8.1 The Council should pay due regard to section 149 of the Equality Act 2010 when exercising their functions. This includes having due regard to the Public Sector Equality Duty as detailed:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. (Section 149(1)(a))

- Advance equality of opportunity between people who share a protected characteristic and those who do not. (Section 149(1)(b))
- Foster good relations between people who share a protected characteristic and those who do not. (Section 149(1)(c))

There are no breaches of this duty or further equalities impacts arising from the recommendations in this report.

Denise McCausland – Equality Programme Manager

9. ENVIRONMENTAL IMPACT

9.1 There are no environmental impacts arising from the recommendations within this report.

10. CRIME AND DISORDER REDUCTION IMPACT

10.1 There are no crime and disorder reduction impacts arising from the recommendations within this report.

11. DATA PROTECTION IMPLICATIONS

11.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

NO

HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

NO

CONTACT OFFICER: Stephen Lawrence-Orumwense, Director of Legal Services and Monitoring Officer

APPENDICES TO THIS REPORT

Appendix A- Summary of code of conduct complaints for first and second quarter 2022

BACKGROUND DOCUMENTS: None

This page is intentionally left blank

Ref.	Nature of complainant	Member/Co-opted member?	Nature of the complaint	Initial Assessment Outcome	Initial assessment completed in Time	Referred for investigation
01/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest. (Assessment criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N
02/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest (Assessment criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N
03/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Informal resolution by MO. Member to be trained on new Code and declarations of Interest. (Assessment criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N
04/22	Member of the public	Member	Failure to declare interest	Further information requested and complainant withdrew complaint. (Assessment Criteria 8)	N/A	N
05/22	Member of the public	Member	Failure to declare interest	Further information requested and complainant withdrew complaint. (Assessment Criteria 8)	N/A	N

Ref.	Nature of complainant	Member/Co-opted member?	Nature of the complaint	Initial Assessment Outcome	Initial assessment completed in Time	Referred for investigation
06/22	Member of the public	Member	Failure to declare interest	Further information requested and not provided. (Assessment Criteria 8)	N/A	N
07/22	Member of the public	Member	Failure to declare interest	Further information requested from complainant and not provided. (Assessment Criteria 8).	N/A	N
08/22	Member of the public	Member	Failure to declare interest	Further information requested from complainant and not provided. (Assessment Criteria 8)	N/A	N
09/22	Member of the public	Member	Failure to declare interest	Further information requested from complainant and not provided. (Assessment Criteria 8)	N/A	N
10/22	Member of the public	Member	Failure to declare interest	Further information requested and complainant withdrew complaint. (Assessment Criteria 8)	N/A	N
11/22	Member of the public	Member	Failure to declare interest	Further information requested and complainant withdrew complaint. (Assessment Criteria 8)	N/A	N
12/22	Member of the public	Member	Failure to respond to questions	Further information requested from complainant to progress complaint, and none received. (Assessment Criteria 8)	N/A	N

Ref.	Nature of complainant	Member/Co-opted member?	Nature of the complaint	Initial Assessment Outcome	Initial assessment completed in Time	Referred for investigation
13/22	Member of the public	Member	Failure to respond to questions	Further information requested from complainant to progress complaint, and none received. (Assessment Criteria 8)	N/A	N
14/22	Member of the public	Member	Failure to respond to questions	Further information requested from complainant to progress complaint, and none received. (Assessment Criteria 8).	N/A	N
15/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest. (Assessment criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N
16/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest. (Assessment criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N
17/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest. (Assessment criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N

Ref.	Nature of complainant	Member/Co-opted member?	Nature of the complaint	Initial Assessment Outcome	Initial assessment completed in Time	Referred for investigation
18/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest. (Assessment Criteria 10)	Y. Time frame extended to allow consultation with IP by Member.	N
19/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest. (Assessment Criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N
20/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest. (Assessment Criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N
21/22	Member of the public	Member	Failure to declare interest	Interest ought to have been declared. Member to be trained on new Code and declarations of Interest. (Assessment Criteria 10).	Y. Time frame extended to allow consultation with IP by Member.	N
22/22	Member of the public	Member	Use of Data	Complainant requested to provide information to allow complaint to be progressed. None provided. (Assessment Criteria 8)	N/A	N

Ref.	Nature of complainant	Member/Co-opted member?	Nature of the complaint	Initial Assessment Outcome	Initial assessment completed in Time	Referred for investigation
23/22	Member of the public	Member	Disrespect	NFA. Not established.	Y	N
24/22	Member of the public	Officer	Disrespect; Inappropriate comments in press; failure to adhere to staff officer protocol	NFA as no longer a member of the Council. (Assessment criteria 2)	Y. Time frame extended due to election.	N
25/22	Member self-referral	Member	Linked to complaint already received	Complainant in linked matter failed to provide information to allow consideration of matter. (Assessment Criteria 8)	N/A	N
26/22	Member of the public	Member	Failure to respond to correspondence	NFA as member no longer a councillor. (Assessment criteria 2)	Y	N
27/22	Member of the public	Member	Failure to respond to correspondence or report to scrutiny/cabinet.	NFA as no longer a councillor. (Assessment criteria 2)	Y	N
28/22	Member of the public	Member	Inaccurate information in advertisement for ward surgery	NFA. Allegation not substantiated	Y	N
29/22	Member of the public	Member	Inaccurate information in advertisement for ward surgery	NFA. Allegation not substantiated	Y	N

Ref.	Nature of complainant	Member/Co-opted member?	Nature of the complaint	Initial Assessment Outcome	Initial assessment completed in Time	Referred for investigation
30/22	Member of the public	Member	Matters not covered by the Code	NFA as not within MO remit.	Y	N

Key:

IP: Independent Person

MO: Monitoring Officer

N: No

N/A: Not applicable

NFA: No further Action

Y: Yes

Agenda Item 7

REPORT TO:	ETHICS COMMITTEE 21 SEPTEMBER 2022
SUBJECT:	MEMBER LEARNING AND DEVELOPMENT 2022-23
LEAD OFFICER:	STEPHEN LAWRENCE-ORUMWENSE, DIRECTOR OF LEGAL SERVICES & MONITORING OFFICER
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON: The Council has determined that the Ethics Committee shall be responsible for receiving reports from the Monitoring Officer on matters of probity and ethics for consideration and to agree programmes of advice and training for Members.	
FINANCIAL IMPACT: There are no additional financial implications arising from the contents of this report.	

RECOMMENDATION: The Committee is asked to <ol style="list-style-type: none">1. Note the content of the report.2. Consider whether there is any further training for Members, not already identified, that should be commissioned.

1. EXECUTIVE SUMMARY

- 1.1 This report provides the Committee with an overview of Member Learning and Development activity to date in the 2022-23 Municipal Year. This activity is led and monitored by the Member Learning and Development Panel.
- 1.2 The role of the Members' Learning and Development Panel is to co-ordinate a training and development programme for Members. At the meeting of the Panel on 27 January 2022, Members agreed the induction and training programme to be delivered for the 2022-23 municipal year; progress on the delivery of programme was reviewed by the Members' Learning and Development Panel at its meeting on 26 July 2022.
- 1.3 The Members Training Plan 2022-23 is attached at Appendix 1 and shows the list of training that has already been completed, and the remaining sessions that are scheduled/to be scheduled for the remainder of the municipal year.
- 1.4 Attendance at all training sessions is recorded and published on Councillors' pages on the Council website. A summary of attendance up to the date of publication is attached at Appendix 2.

2. MEMBER LEARNING AND DEVELOPMENT ACTIVITY 2022-23

- 2.1 The Council has a £21,000 annual budget for Member training and conferences, circa £5,000.00 has been spent in 2022-23 with £2,000.00 already allocated for further training. This is overseen by the cross-party Member Learning and Development Panel who meet three times a year. The Panel Members are Councillors Patsy Cummings (Chair) ,Jade Appleton, Louis Carserides, Mario Creatura, Mark Johnson, Enid Mollyneaux and Nikhil Thampi.
- 2.2 The training sessions covered in Appendix 1 have been delivered by a mix of in house and external resource and at both in person and virtual sessions.
- 2.3 Where training has been mandated, sessions have been repeated at different times to ensure that all Members have been able to attend. The Members' Learning & Development Panel will continue to review attendance of sessions to ensure they are accessible to all Councillors and that sessions are repeated where necessary.
- 2.4 The Local Government Association (LGA) have facilitated two away days, one for Cabinet, and one for Cabinet and the Corporate Management Team jointly. The Cabinet are signed up to the relevant LGA Leadership Essentials programmes for their portfolios and the Executive Mayor is enrolled in the LGA Leadership Academy programme for later in 2022.
- 2.5 The Executive Mayor and Cabinet were provided a training session on Companies and Shareholder Responsibilities in August 2022 and have been provided peer mentors from other local authorities as part of their development programme.
- 2.6 At the last meeting of the Panel, it was agreed that all Members would be surveyed on if there was any additional training, or any training on topics that had already been covered, but that Councillors would like to see repeated with a specific focus. The feedback from this will be reported to the next meeting of the Panel.
- 2.7 At the September 2022 meeting of the Panel, Members will be recommended to approve an all Member survey asking for general feedback on the programme delivered so far.

3. MEMBER LEARNING & DEVELOPMENT 2022-23

- 3.1 Members' learning and development will continue to be focused towards responding to the challenges facing the Council. The action plans arising from the [Report in the Public Interest](#) and the [Strategic Review of Companies](#) have identified a number of areas of training need for Members which will need to be scheduled. These include the need to improve Members' awareness of the Council's finances, investments and risk.
- 3.2 The Members' Learning and Development Panel will continue to monitor the training requirements of Members to ensure that training is focused towards those areas of greatest need.

4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

4.1 There are no direct financial or other implications arising from this report.

5. LEGAL CONSIDERATIONS

5.1. Investment in Member learning and development demonstrates the Council's commitment to good governance and promoting and maintaining high standards of Member conduct in accordance with its duty under section 27(1) of the Localism Act 2011.

5.2. Approved by Looqman Desai, Deputy Monitoring Officer on behalf of the Director of Legal Services & Monitoring Officer.

CONTACT OFFICER:

Simon Trevaskis

Senior Democratic Services & Governance Officer – Scrutiny

APPENDICES:

Appendix 1: Members Training Plan 2022-23

Appendix 2: Training Attendance Log 2022-23

BACKGROUND DOCUMENTS:

None

This page is intentionally left blank

MEMBER TRAINING PLAN 2022/23

This programme is supplemented by:

- a) the ongoing offer of coaching/ mentoring for:
 - All Cabinet members
 - All Chairs of Committees
- b) attendance at conferences and externally-provided member development sessions (eg those delivered free by the LGA for Cabinet Members/ Committee chairs)
- c) Member access to workbooks and e-learning via Croydon Learning Pool.

Delivered	Scheduled
-----------	-----------

Date	Topic/ content	Audience	Delivery method	Delivered by
May	Members Code of Conduct	All Members	Briefing	Monitoring Officer & Principal Adviser, Improvement, LGA
May	Member & Officers: Roles & Responsibilities	All Members	Briefing	Principal Adviser, Improvement, LGA
May	Chairs Training	Committee Chairs	Briefing	Leadership and Localism Adviser, LGA
May	Planning Committee Training	Planning Committee	Briefing	Head of Development Management
May & June	Holding the Executive to Account	All Members	Briefing	Centre for Governance and Scrutiny
May & June	Scrutiny Committee Training	Scrutiny Committee	Briefing	Centre for Governance and Scrutiny
June	Licensing Training	Licensing Committee	Briefing	Francis Taylor Building
June	Audit Committee Training	Audit & Governance Committee	Briefing	Principal Adviser (Finance), LGA
June	Personal safety, health and wellbeing support, personal resilience	All Members	Briefing	Head of Security, Head of HR, Public Health Consultant
June	Pension Committee Training	Pension Committee	Briefing	Corporate Director of Resources

June	Meet the Improvement and Assurance Panel	All Members	Briefing	Improvement and Assurance Panel
June	Ethics Committee Training	Ethics Committee	Briefing	Monitoring Officer
June	Putting learning on defensible decision making into practice	Planning Committee	Briefing	Planning Advisory Service
June	Induction event for newly elected Councillors	All Members	Briefing	LGA
June	Introduction to Local Government Finance & Risk	All Members	Briefing	LGA, Corporate Director of Resources, Corporate Director of ASC&H, Corporate Director of CYP&E
June & July	Understanding Council Procedure Rules	All Members	Briefing	Monitoring Officer
18 & 20 July	Understanding your Communities	All Members	Briefing	LGA
18 & 20 July	Anti-Fraud & Whistleblowing	All Members	Briefing	Head of Anti-Fraud and Risk
5 th September & TBC	Adult Safeguarding	All Members	Briefing	Director of Adult Social Care Operations, Health, Police
19 th & 26 th September – 6.30pm	Children's Safeguarding	All Members	Briefing	Children's Safeguarding Board QA & Development Manager, Health, Police
1 st & 8 th September	Corporate Parenting	All Members	Briefing	Director of Children's Social Care
September TBC	Scrutiny of the Croydon Renewal Programme	All Members	Briefing	Centre for Governance and Scrutiny
September TBC	Effective Questioning for Members	All Members	Briefing	Centre for Governance & Scrutiny
October TBC	Being an effective Ward Councillor/ Handling Casework	All Members	Briefing	LGA
October TBC	Audit & Scrutiny: Understanding their respective role	All Members	Briefing	Centre for Governance & Scrutiny
October TBC	Effective Use of Social Media	All Members	Briefing	LGA

October TBC	An overview of education: understanding school admissions, raising attainment for looked after children and services for children with special educational needs (SEND)	All Members	Briefing	Director of Education
October TBC	Planning Training – Five Year Housing Land Supply	Planning Committee	Briefing	Planning Advisory Service
October TBC	Understanding Public Health & Health Inequalities	All Members	Briefing	Director of Public Health
October TBC	Working with our Partners: Crime & Disorder	All Members	Briefing	Director of Culture & Community Safety, Police
October TBC	Working with our Partners: Health	All Members	Briefing	Corporate Director Adult Social Care and Health, NHS
October TBC	Conducting Effective Budget Scrutiny	All Members	Briefing	Centre for Governance & Scrutiny
October and/or November	Dementia Friendly Training	All Members	Briefing	Dementia Friendly Communities Coordinator – Southwark and Croydon
November TBC	Budget Setting	All Members	Briefing	Corporate Director of Resources
November TBC	Commissioning & Procurement	All Members	Briefing	Corporate Director of Resources
Autumn TBC	Civic Emergencies - Member Training	All Members	Briefing	Resilience Manager
Autumn TBC	Croydon Observatory Training	All Members	Briefing	Senior Corporate Intelligence Officer

This page is intentionally left blank

Name	Member Induction Day 10 May 2022	Code of Conduct 12 May 2022 & 18 May 2022	Member Roles and Responsibilities 16 May 2022 & 24 May 2022	Chairing Skills Masterclass 30 May 2022	Training for Scrutiny Councillors 31 May 2022	Holding the Executive to Account 23 May 2022 & 1 June 2022	Audit Committee Training 1 June 2022	Personal Safety, Health and Wellbeing Support, Personal Resilience 6 June 2022	Pension Committee Training 7 June 2022	Planning Committee Training 7 June 2022 & 12 July 2022	Licensing Committee Training 9 June 2022	Meet the Improvement and Assurance Panel 13 June 2022	Ethics Committee Training 16 June 2022	Putting Learning on Defendable Decision- making into Practice 20 June 2022	Understanding the Council Procedure Rules 27 June 2022 & 4 July 2022	Introduction to Local Governance Finance and Risk 27 June 2022 & 4 July 2022	Understanding your Communities 18 July 2022 & 20 July 2022	Anti-Fraud & Whistleblowing 18 July 2022 & 20 July 2022	Adult Safeguarding 5th September 2022
Councillor Kola Agboola	X	X				X									X	X		X	
Councillor Jade Appleton		X				X				X								X	X
Councillor Jeet Bains			X			X						X						X	X
Councillor Leila Ben-Hassel		X				X				X				X	X	X		X	X
Councillor Sue Bennett	X	X	X														X		X
Councillor Adele Benson	X	X										X						X	X
Councillor Margaret Bird	X	X	X	X		X					X					X		X	X
Councillor Mike Bonello	X	X																X	X
Councillor Claire Bonham	X	X	X			X									X	X	X	X	X
Councillor Simon Brew			X		X		X		X						X	X	X	X	X
Councillor Janet Campbell	X		X			X						X			X	X	X	X	X
Councillor Louis Carserides	X	X	X			X			X			X	X		X	X		X	X
Councillor Richard Chatterjee	X	X	X	X	X	X			X			X			X	X	X	X	X
Councillor Sherwan Chowdhury	X	X	X				X					X		X	X	X	X	X	X
Councillor Chris Clark			X							X					X				X
Councillor Stuart Collins	X														X	X			
Councillor Mario Creatura		X				X												X	X
Councillor Jason Cummings	X	X	X								X				X	X	X	X	X
Councillor Patsy Cummings	X	X	X								X				X	X	X	X	X
Councillor Rowenna Davis	X	X	X	X	X										X	X	X	X	X
Councillor Nina Degradis	X	X						X	X					X	X	X	X	X	X
Councillor Danielle Denton		14/07/2022	14/07/2022																X
Councillor Samir Dweser	X	X	X			X						X			X			X	X
Councillor Lara Fish	X	X	X			X									X			X	X
Councillor Sean Fitzsimons	X	X	X		X	X				X				X	X	X	X		X
Councillor Alisa Flemming	X	X	X												X			X	X
Councillor Amy Foster	X	X	X	X	X	X									X		X	X	X
Councillor Simon Fox	X				X										X			X	X
Councillor Clive Fraser	X	X						X		X					X			X	X
Councillor Gayle Gander		X	X			X				X					X	X	X	X	X
Councillor Maria Gattand	X	X	X							X					X			X	X
Councillor Brigitte Graham	X	X	X			X						X			X	X	X	X	X
Councillor Matt Griffiths	X	X	X	X		X	X								X	X	X	X	X
Councillor Lynne Hale	X	X													X	X	X	X	X
Councillor Patricia Hay-Justice	X	X	X			X	X	X				X			X	X	X	X	X
Councillor Maddie Henson	X	X	X	X											X	X	X	X	X
Councillor Christopher Herman	X	X	X	X		X					X				X	X	X	X	X
Councillor Yvette Hopley	X	X	X			X			X						X	X	X	X	X
Councillor Mohammed Islam	X	X	X		X										X	X	X	X	X
Councillor Karen Jewitt	X	X	X							X	X			X	X	X	X	X	X
Councillor Mark Johnson	X	X	X			X				X				X	X	X	X	X	X
Councillor Humayun Kabir	X	X	X					X						X	X	X	X	X	X
Councillor Stuart King	X	X	X			X								X	X	X	X	X	X
Councillor Ola Kolade			X		X										X		X	X	X
Councillor Joseph Lee	X	X	X		X					X				X			X	X	X
Councillor Endri Llabuti	X	X	X			X	X			X				X	X	X	X	X	X
Councillor Enid Molyneux	X	X	X					X							X	X	X	X	X
Councillor Stella Nabukeera	X	X	X			X	X			X	X			X	X	X	X	X	X
Councillor Michael Neal	X	X	X	X		X				X				X	X	X	X	X	X
Councillor Tamar Nwafor	X	X	X			X									X	X	X	X	X
Councillor Eunice O'Dame	X	X	X	X	X										X	X	X	X	X
Councillor Ian Parker	X	X	X	X	X					X	X				X	X	X	X	X
Councillor Ria Patel	X	X	X	X		X					X				X	X	X	X	X
Councillor Tony Pearson	X	X	X		X										X	X	X	X	X
Mayor Jason Perry	X	X													X	X	X	X	X
Councillor Eilily Ponnuthurai	X				X					X				X	X	X	X	X	X
Councillor Badsha Quadir										X	X						X		X
Councillor Holly Ramsey	X					X				X									X
Councillor Helen Redfern	X	X	X		X	X							X					X	X
Councillor Chris Reshekaron	X	X	X												X				X
Councillor Scott Roche	X	X	X												X	X			X
Councillor Manju Shahul-Hameed	X	X													X	X	X	X	X
Councillor Luke Shortland	X	X	X		X	X				X					X	X	X	X	X
Councillor Appu Srinivasan	X	X	X	X		X				X					X	X	X	X	X
Councillor Alasdair Stewart	X	X	X		X	X			X					X	X	X	X	X	X
Councillor Andy Stranack	X	X	X			X								X	X	X	X	X	X
Councillor Esther Sutton	X	X	X			X									X	X	X	X	X
Councillor Nikhil Sherine Thampi	X	X	X							X				X	X	X	X	X	X
Councillor Robert Ward	X	X	X		X	X								X	X	X	X	X	X
Councillor Catherine Wilson	X	X	X		X									X	X	X	X	X	X
Councillor Caillon Young OBE	X	X				X								X	X	X	X	X	X
	60	61	50	12	18	38	6	29	12	17	10	37	3	15	47	44	34	42	57

Key	
Attendance Recorded	X
No Attendance Recorded	
Committee Specific Training	
Not Required	

This page is intentionally left blank

Agenda Item 8

REPORT TO:	ETHICS COMMITTEE 21 September 2022
SUBJECT:	MEMBER GIFTS AND HOSPITALITY
LEAD OFFICER:	Stephen Lawrence-Orumwense Director of Legal Services and Monitoring Officer
WARDS:	ALL
FINANCIAL IMPACT: No financial implications are related to this report or recommendations. The administration of the gifts and hospitality process is managed within Democratic Services and operates within existing budgets.	
1. RECOMMENDATIONS for the committee: 1.1. To note the requirements on Members with regards to declaring Gifts and Hospitality. 1.2. To note any Gifts and Hospitality declarations since the 9 th May 2022.	

2. EXECUTIVE SUMMARY

- 2.1. Members must comply with the Members' Code of Conduct including the protocol around declaring gifts and hospitality. This report gives the committee the details of gifts and hospitality declared by Members (Executive Mayor and Councilors) since the 9th May 2022 - following the Croydon local and Mayoral election.

3. DETAIL

- 3.1. As outlined in the Member Code of Conduct, Members agree to adhere to the following with regards to declaring gifts and hospitality:
- Members do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on their part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
 - Members register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve-month period within 28 days of its receipt.

- Register with the Monitoring Officer any significant gift or hospitality that they may have been offered but have refused to accept.
- 3.2. In terms of submitting gift and hospitality declarations, Members notify the Monitoring Officer (or the Head of Democratic Services acting on behalf of the Monitoring Officer) via email - with the Member's online Register of Interests (on the London Borough of Croydon website) subsequently updated.
 - 3.3. Members in September be reminded via a new Quarterly Members Newsletter of the gift and hospitality declaration requirements and submission process.
 - 3.4. Members are asked to review and note the gifts & hospitality declarations by Members since 9 May 2022. The gifts & hospitality for each Member is published on the Croydon website and detailed in Appendix 1.

4. **CONSULTATION**

- 4.1. The declarations are sent directly from the relevant member, with any clarification sought by Democratic Services on behalf of the Monitoring Officer and subject to review by the Ethics Committee.

5. **FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 5.1. The implementation of the recommendations contained in this report shall be contained within existing budgets.

6. **LEGAL CONSIDERATIONS**

- 6.1. The Head of Litigation and Corporate Law comments on behalf of the Director of Legal Services and Monitoring Officer that the Localism Act 2011 requires the Council to adopt a Members Code of Conduct and to maintain a register of members' interests. Croydon's Members' Code of Conduct details the Member compliance requirements around declaring gifts and hospitality. (Approved by Head of Litigation and Corporate Law on behalf of the Director of Legal Services and Monitoring Officer).

7. **EQUALITIES IMPACT**

- 7.1. There are no direct equalities impact consequences arising from the contents of this report.

CONTACT OFFICER: Adrian May
Interim Head of Democratic Services

APPENDICES TO THIS REPORT: Appendix 1 Gift & Hospitality Declarations.

BACKGROUND DOCUMENTS: None

Appendix 1 - Member Gifts and Hospitality Declarations Since 9th May 2022

Member	Person / Body from whom gift / hospitality received	Nature and value of gift or hospitality and date(s) received
Cllr Jade Appleton	Lloyd Park Café [Allowed the hosting of]	Hosting of ward surgeries with local policing team. June 2022, circa £25
Cllr Manju Shahul-Hameed	Malaysian Delegation visited Wing Yip [Chinese Wholesale & Oriental Supermarket]	11/05/2022 - The gift was received and immediately handed to the Civic Mayor's Office. TBC: Nature of gift and estimated £value.
Mayor Jason Perry	Plant (Croydon Citizens)	Monday, 9 th May 2022. TBC: Estimated £value.
	Box of Chocolates (South Croydon Mosque)	Monday, 12 th May 2022 TBC: Estimated £value.
	CPFC Tickets (CEO CPFC)	Sunday, 22 nd May 2022 TBC: Estimated £value.
	Tie (Mary Croos)	Wednesday, 25 th May 2022 TBC: Estimated £value.
	Book (Unibell)	May 2022 TBC: Estimated £value.
	London Government Dinner (City of London)	Monday, 30 th May 2022 TBC: Estimated £value.
	Coconut (Jose Joseph)	Tuesday, 31 st May 2022 TBC: Estimated £value.

This page is intentionally left blank