

Terms of reference for an initial and independent investigation into corporate management actions, organisational systems and environment in response to the Report in the Public Interest

1. The Extraordinary Council Meeting of 19th November 2020 noted that the Local Government Association (LGA) had been asked to support the Council by facilitating an initial and independent investigation of corporate management actions, organisational systems and environment in response to the Report in the Public Interest. This initial investigation was commissioned by the interim chief executive and will report to her in the first instance.
2. The investigation will be conducted by Richard Penn, a Senior Associate with the LGA and a very experienced ex-local authority chief executive and investigator. Richard's details are attached at the end of these terms of reference.
3. The costs of the investigation will be met from funding provided to the Council by the LGA.
4. A number of independent critical reports into the London Borough of Croydon, have recently been published: a Report in the Public Interest, the Strategic review of council companies and other entities and a section 114 notice. These describe what has occurred over the past three years and provide context and detail about the situation the Council is facing and the serious financial position it faces.
5. The Council is producing the Croydon Renewal Improvement Plan to tackle this. It is incorporating the recommendations from these reports and others into that Plan. The Council will be held to account for the delivery of the Improvement Plan by both elected Croydon councillors and an independently chaired Improvement Board reporting to MHCLG. The Improvement Plan will also guide the efficient and effective use of the capitalisation loan sought from MHCLG. In order for this Improvement Plan to be successfully implemented, much more needs to be understood as to how and why the council has arrived in this situation and not simply what has happened.
6. This investigation and its report will result in two important outcomes. The first will be to form the understanding of how and why the Council has arrived in this situation, and the second is to demonstrate the seriousness of the Council's intent to establish a new organisational culture that has learning and accountability at its heart.
7. This initial investigation will comprise a desk top review of relevant council documents and a series of interviews.

8. The investigator will interview elected members, chief officers, trade union representatives and other staff across the Council as well as relevant external partners. Previous chief officers will also be invited to be interviewed. All council staff and councillors will be offered an opportunity through a secure email address direct to Richard Penn to offer any relevant information. Further additional interviews will be offered at the investigator's discretion. The investigation meetings will be held via teams.
9. The notes of the meeting will be produced by Richard Penn who will provide a draft copy to the interviewee who can amend and clarify comments as recorded. These will then be assimilated by Richard Penn who will present a new copy for signature as the formal and final record of that meeting.
10. The report will not identify individuals either by name or job title in its commentary or recommendations.
11. The initial independent investigation commenced on the 23rd November 2020 and aims to conclude by the end of December 2020.
12. The report will be presented to the council.
13. If relevant, the interim chief executive will consider if any other formal proceedings are required to be commenced following receipt of the report.