

For general release

REPORT TO:	ETHICS COMMITTEE 22 NOVEMBER 2012
AGENDA ITEM:	3
SUBJECT:	ETHICS COMMITTEE MEMBERSHIP, CHAIRING AND RESPONSIBILITY OF FUNCTIONS
LEAD OFFICER:	Julie Belvir, Council Solicitor and Monitoring Officer, Director of Democratic & Legal Services
CABINET MEMBER:	Not applicable

RECOMMENDATIONS

The Committee is asked to:

1. Note the membership and chairing arrangements and to
2. Adopt the responsibility of functions as agreed by Council.

1. EXECUTIVE SUMMARY

This report conveys the decisions taken by Council at their meeting on 2nd July 2012, on the membership, chairing and responsibility and functions of the Ethics Committee for the 2012/13 municipal year.

2. COMMITTEE MEMBERSHIP, CHAIRING, RESPONSIBILITY OF FUNCTIONS

The Council approved the following arrangements:

2.1 Membership and Chairing

Councillor Terry Lenton Councillor David Osland (Chairman) Councillor Donald Speakman	Councillor Alisa Flemming Councillor Simon Hall
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2.2 Responsibility of Functions

The responsibility of functions were agreed as detailed in appendix 1 of this report.

CONTACT OFFICER:

Julie Belvir, Council Solicitor and
Monitoring Officer, Director of
Democratic & Legal Services

CONSTITUTION OF THE LONDON BOROUGH OF CROYDON

Amended

ARTICLE 9 The Ethics Committee

9.1 Ethics Committee

The Council has established an Ethics Committee.

9.2 Composition

- (a) The Ethics Committee shall be composed of five Councillors (none of whom shall be the Mayor or Leader).
- (b) No Cabinet member appointed to the Committee shall be eligible to Chair meetings of the Ethics Committee.
- (c) Appointed "Independent Persons" shall be entitled to attend but not to vote at meetings of the Ethics Committee, where the committee is not dealing with a specific allegation.

9.3 Role and Functions

The roles and functions of the Ethics Committee are set out in Responsibility for Functions contained in Part 3 of this Constitution.

Responsibilities for Functions

2.05 **The Ethics Committee** (Membership 5)

- 1 Supporting the statutory role of the Monitoring Officer.
- 2 Receiving reports from the Monitoring Officer on matters of probity and ethics, and to consider and recommend any necessary revisions of the local Code of Members' Conduct (the Code) to the Council.
- 3 Reviewing the operation of the Code and recommending revisions for the consideration of full Council as necessary.
- 4 Monitoring compliance with the Code and granting any dispensations church and parent governor representatives from requirements relating to interests set out in the Code.
- 5 To comment on the content of guidance and advice to be issued to elected and non-elected Members.
- 7 Agreeing programmes of advice and training for elected, co-opted and non-elected Members on ethics and probity, and on the Code.
- 8 To consider applications for a grant of dispensation in the following circumstances:
 - a. That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter.
 - b. That the authority considers that the dispensation is in the interests of persons living in the authority's area.
 - c. That the authority considers that it is otherwise appropriate to grant a dispensation.
 - d. If referred to them for consideration by the Monitoring Officer, to advise on or express a view on whether a dispensation would be appropriate in either of the following circumstances:

- i. That so many members of the decision-making body have disclosable pecuniary interests (DPIs) in a matter that it would impede the transaction of the business; or
 - ii. That, without a dispensation, no member of the Cabinet would be able to participate on this matter.
- 9. To undertake the role of Hearings Panel in respect of a complaint that a Member or co-opted Member has failed to comply with the Code of Conduct upon the matter being referred to the Committee by the Monitoring Officer in accordance with the arrangements adopted by the Council under the Localism Act 2011.

Adopted July 2012