

ETHICS COMMITTEE

**Meeting held on Wednesday 1 February 2017, at 6.30pm in Room F9, Town Hall,
Katharine Street, Croydon, CR0 1NX**

Present: Councillor Oliver Lewis (Chair)
Councillor Joy Prince (Vice Chair)
Councillors: Pat Clouder, Mario Creatura, Mike Selva and Donald Speakman.

Mr Ashok Kumar, Independent Person (non-voting) and
Mrs Anne Smith, Independent Person (non-voting)

Also in Attendance Jacqueline Harris-Baker, Acting Council Solicitor and Acting Monitoring Officer and Howard Passman, Information Officer

The Chair announced that the Council had made a decision to hold future meetings paperless, this would be delivered by a three stage process.

- Meeting 1 (6 September 2017) – the agenda will be provided electronically and hard copies will be circulated;
- Meeting 2 (15 November 2017) – the agenda will be sent electronically and a few hard copies will be available at the meeting; and
- Meeting 3 (28 February 2018) – the agenda will be provided electronically only.

The Committee **NOTED** the decision.

A01/17 Apologies for Absence

None

A02/17 Minutes of the last meeting

The Committee **RESOLVED** to approve and sign the minutes of the last meeting held on 23 November 2016.

A03/17 Disclosure of Interest

None

A04/17 Urgent Business

None

A05/17 Exempt items

The Committee **RESOLVED** that the allocation of business in the agenda

be confirmed, as printed.

A06/17 Update on Members Learning and Development (agenda item 6)

Officers introduced the report and Councillor Mario Creatura, in his capacity as a Member of the Members L&D Committee reported that the year had seen lots of learning across all parties and that this had taken place internally and externally. Statutory learning events had also taken place.

Councillor Pat Clouder suggested that once an event had been scheduled that those Members that were unable to attend would benefit from a “mop up” sessions which would act as a catch all. Councillor Creatura agreed to report this suggestion back to the Members L&D Panel.

The Committee **RESOLVED** to note the contents of the report

A07/17 Update on Whistleblowing (agenda item 7)

Officers presented the updated policy which had been implemented as an additional piece of governance to give staff a safe and anonymous outlet to raise concerns. This service had been contracted to Public Concern at Work who provide a telephone hotline and advise service, staff are able to discuss options which can internal resolved or another referred to an external organisation like the Ombudsman.

Of the 3 whistleblowing referrals received, initial investigations had resulted in referrals having no further action. The remaining concern had been investigated and resulted in a pending prosecution for fraud. The detail and outcome would be presented at the next meeting once known.

The committee suggested a addition to the policy to consider that along with the option to be accompanied by a trade union representative the wording could include “or work colleague or friend as unions representatives are dwindling in numbers. Officers agreed to take away the suggestion and to review the policy.

The Committee suggested increasing publicity to encourage an increase in the number of whistleblowing referrals.

The Chair suggested including whistleblowing in the committee work programme for next year when the Committee could review the instances and outcomes.

The Committee **RESOLVED** to note the contents of the report and to include whistleblowing in the work programme for next year

A08/17 Regulation of Investigatory Powers Act 2000 (agenda item 8)

The Committee received a presentation regarding the Regulation of Investigatory Powers Act 2000 (RIPA). This mechanism is employed to undertake covert activity when investigating crimes. The RIPA had been used 4 times this year; of these one had been referred to trading standards and investigation continues, one had resulted in a small fine and one is awaiting sentencing.

Under new legislation local authority officers are now personally accountable.

The Committee **RESOLVED** to note the use of the Regulation of Investigatory Powers Act 2000 by the Council over the past calendar year.

A09/17 Recent Case Law on the Regulation of Councillor Conduct (agenda item 9)

The Chair introduced this item and confirmed to the Committee that it was good practice to continue to receive updates and to reflect on outcomes regarding regulations of Councillor conduct.

The Committee agreed that examples given in the report, the punishments were lenient and there appeared to be no further sanctions or checks to ensure compliance.

The Acting Monitoring Officer was in a position to report that locally Members took complaints seriously once approached.

The Committee **RESOLVED** to note the outcome of recent case law in relation to the regulation of Councillor conduct.

A10/17 Dates of Future Meetings for 2017/18

The Committee **RESOLVED** to agree the dates of future meeting to be held in the municipal year 2017/18.

Wednesday 6 September 2017
Wednesday 15 November 2017
Wednesday 28 February 2018
Wednesday 9 May 2018 (if necessary)

A11/17 Dispensation Applications for Members (agenda item 11)

The Committee **RESOLVED** to consider applications for dispensation from Councillor Paul Scott and Councillor Jamie Audsley and determined

whether to grant the dispensation, and if so, the length of time for which such dispensation is to be granted.

Councillor Paul Scott and Councillor Jamie Audsley's dispensation applications were approved and would expire in June 2018.

A12/17

Camera resolution (agenda item 12)

The motion to move the camera resolution was proposed by Councillor Oliver Lewis, seconded by Councillor Pat Clouder.

The Committee **RESOLVED** that under Section 100A(4) of the Local Government Act, 1972, that the press and public be excluded from the meeting for the following item 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 MINUTES – for agenda item B1 - are provided separately and are exempt from public disclosure under paragraphs 1 and 2 of Schedule 12a to the Local Government Act 1972 (as amended).

Meeting ended 7.10pm