

Croydon Council

REPORT TO:	ETHICS COMMITTEE 7 MARCH 2019
SUBJECT:	ANNUAL UPDATE ON ETHICS COMPLAINTS RECEIVED UP TO AND INCLUDING 31 DECEMBER 2018
LEAD OFFICER:	JACQUELINE HARRIS-BAKER EXECUTIVE DIRECTOR OF RESOURCES & MONITORING OFFICER
CABINET MEMBER:	COUNCILLOR SIMON HALL CABINET MEMBER FOR FINANCE AND RESOURCES
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 annual report to the Ethics Committee to update members on any complaints or investigations undertaken by the Monitoring Officer during the past year to 31 December 2018.

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. Members have recently agreed to an update to the Assessment Criteria, however the criteria in place at the time of the Complaints can be viewed here:

<https://www.croydon.gov.uk/sites/default/files/articles/downloads/criteria-complaints.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://www.croydon.gov.uk/sites/default/files/articles/downloads/Arrangements%20under%20the%20Localism%20Act%202011%20July%202012.pdf>

- 3.5 Since the last updating annual report to Members which covered complaints up to and including 31 December 2018, the Monitoring officer has received 8 complaints. In respect of 1 of those complaints, the Monitoring Officer requested further information and no further information was provided and accordingly it was not possible to consider or progress the matter.
- 3.6 In relation to the remaining 7 matters where sufficient information had been provided, the Monitoring Officer undertook an assessment and determined that none of the matters were appropriate to be referred for investigation. 6 of those matters related to complaints arising out of planning committee hearings.

4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

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

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.

CONTACT OFFICERS: Jacqueline Harris-Baker, Executive Director of Resources and Monitoring Officer (ext. 62328)

BACKGROUND DOCUMENTS: None