

# Public Document Pack

## Ethics Committee

Meeting of 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

### MINUTES

**Present:** Councillor Louis Carserides (Chair);  
Councillor Clive Fraser (Vice-Chair);  
Councillors Jade Appleton, Holly Ramsey (in substitution for Councillor Mario Creatura), Helen Redfern, and Esther Sutton  
Independent Members Don Axcell, Ashok Kumar and Alan Malarkey

**Also Present:** Councillor Humayun Kabir

**Apologies:** Councillor Mario Creatura

### PART A

#### 9/22 Minutes of the Previous Meeting

The minutes of the meetings held on:

- 19 February 2021;
- 30 September 2021;
- 9 December 2021, and;
- 9 February 2022 were agreed as accurate records.

The minutes of the meeting held on 26 May 2021 were agreed with the following amendment:

That comments attributed to Sandra Herbert, Head of Litigation and Corporate Law and Deputy Monitoring Officer, at item 4/20 (Review of the Terms of Reference) be attributed to Asmat Hussain, Interim Executive Director of Resources and Interim Deputy Monitoring Officer.

#### 10/22 Disclosure of Interests

Councillor Appleton disclosed that she was an employee of London Councils, and so would need to be excluded from any discussion involving the recruitment of London Councils for any paid training for members.

#### 11/22 Work Programme 2022-23

Adrian May, Interim Head of Democratic Services and Scrutiny, outlined the work programme to members.

In response to a question from an Independent Person officers agreed to incorporate into the Member Conduct Complaints Process review a review of the Council's adopted Assessment Criteria for complaints and process for consultation with Independent Persons.

**RESOLVED:**

To note, consider and comment on the draft work programme as detailed in the report.

**12/22 Annual Report on Ethics Complaints for 2021**

The Head of Litigation and Corporate Law and Deputy Monitoring Officer, outlined the two-stage complaints process for members, highlighting that 23 complaints had been received in the year January to December 2021, 16 of which had been assessed by the Monitoring Officer. Six of those related to alleged failures by councillors to respond to correspondence from the public, and ten related to a collection of other matters including members' participation in meetings. There were no specific trends.

In response to members' questions officers confirmed that the number of complaints received had increased on the previous two calendar years. Officers also confirmed that it was unknown how many individuals had made complaints and that complaints about members not responding to social media posts would not generally be seen as a potential breach of the Code of Conduct.

In addition to noting the contents of the report, members were asked to note the Monitoring Officer's proposal to create a single landing page on the council website for members of the public to log complaints across numerous separate regimes including complaints regarding councillors. In response to a question from a member of the committee officers agreed to report back on progress and ensure that in the creation of the generic complaints landing page the digital team follow best practice from other Local Authorities and ensure that accessibility and London Office of Technology and Innovation (LOTI) guidance was followed. Confirmation was also requested by a member of the committee that a risk assessment of the sustainability of the webpage be carried out before going live.

**RESOLVED, to:**

Note the contents of the report.

**13/22 Update on Ethics Complaints received up to and including 31 July 2022**

Councillor Fraser declared that one of the complaints outlined in Appendix A likely related to a matter he had self-reported.

The Head of Litigation and Corporate Law and Deputy Monitoring Officer summarised that there had been 30 complaints during the first two quarters of 2022, of which 13 had resulted in no-further-action being taken by the Monitoring Officer as further information requested from the complainant had not been provided; one complaint had not been within the remit of the Monitoring Officer to assess; and of the remaining sixteen 10 related to a single incident; three were about ex-councillors, and three were not substantiated.

Officers explained that the ten complaints relating to a single incident had been made shortly after the Council had adopted a new councillor Code of Conduct and as a result the Monitoring Officer had decided the appropriate action would be for the relevant Members to undertake Code of Conduct training. In response to a question from a member of the committee officers agreed to ascertain whether this training had been completed.

In response to a question from an Independent Person officers agreed to ascertain whether the Monitoring Officer had consulted an Independent Person on any of the complaints outlined in the quarterly report.

Officers also explained under current arrangements approved by the Council, consultation by the Monitoring Officer with an Independent Person on any complaint received was at their discretion but that this could be reviewed as part of the proposed review of the arrangements and assessment criteria for complaints being undertaken by the committee to enable more frequent consultation by the Monitoring Officer with Independent Persons.

**RESOLVED**, to:

Note the contents of the report.

**14/22 Member Learning and Development**

Simon Trevaskis, Senior Democratic Services and Governance Officer (Scrutiny) gave an update to the committee on the progress of the Member Learning and Development (MLD) Programme.

At the beginning of the meeting members had reminded officers that there had been a request by councillors for a structure chart and session on understanding the council. Officers agreed to pick this up as part of the MLD Programme going forwards.

Officers also noted members' requests to cater to councillors' busy work lives by encouraging training providers to deliver training online or hybrid as much as possible.

Officers also informed members that a councillor survey was going to be conducted to improve the programme, and that training for members who were elected following by-elections needed to be carefully crafted so that they did not get left behind.

**RESOLVED**, to:

1. Note the content of the report, and;
2. Consider whether there was any further training for Members, not already identified, that should be commissioned.

#### **15/22 Member Gifts and Hospitality**

The Interim Head of Democratic Services and Scrutiny outlined the record of gifts and hospitality received by councillors since the last report.

**RESOLVED**, to:

- 1.1 Note the requirements on Members with regards to declaring Gifts and Hospitality, and;
- 1.2 Note any Gifts and Hospitality declarations since 9 May 2022.

#### **16/22 Dispensation Applications for Members**

None had been received.

The meeting ended at 7.26 pm

**Signed:**

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**Date:**

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