

# Public Document Pack

## Ethics Committee

Meeting of held on Wednesday, 19 April 2023 at 6.30 pm in Council Chamber, Croydon  
Town Hall, Croydon CR0 1NX

### MINUTES

**Present:** Councillor Louis Carserides (Chair);  
Councillor Clive Fraser (Vice-Chair);  
Councillors Jade Appleton, Helen Redfern and Esther Sutton

**Also Present:** Independent Member Don Axcell

**Apologies:** Councillor Mario Creatura  
Stephen Lawrence-Orumwense

### PART A

#### **26/22 Minutes of the Previous Meeting**

Independent Person, Don Axcell, asked for his apologies to be recorded in the minutes.

The minutes of the meeting held on 8 February 2023 were agreed as an accurate record with the above change.

#### **27/22 Disclosure of Interests**

There were none.

#### **28/22 Urgent Business (if any)**

There were no items of urgent business.

#### **29/22 Work Programme**

**RESOLVED**, to:

1. Note, consider and comment on changes to the work programme as detailed in the report.

#### **30/22 Member Gifts and Hospitality April 2023**

Interim Head of Democratic Services, Adrian May, presented the report to members and explained that co-opted members of committees would be added to the Democratic Services Quarterly Newsletter and informed that

they also needed to declare Gifts and Hospitality received related to their roles.

**RESOLVED**, to:

1. Note the requirements on Members with regards to declaring Gifts and Hospitality as detailed in the report; and,
2. Note the Gifts and Hospitality declarations made by Members since 31 January 2023.

### **31/22 Independent Person Selection**

Interim Head of Democratic Services, Adrian May, presented the report to the committee and in response to members' questions clarified that there was no limit to the term of office of an Independent Person but that good practice recommended that their appointment should be limited to two years with a possible extension period of a further two years to maintain their independence.

Nominations were received from Councillor Mario Creatura, and Councillor Clive Fraser to support the Chair on the proposed selection panel. Independent Person, Don Axcell, was also nominated, subject to the lack of dissent from the other Independent Persons.

**RESOLVED**, to:

1. Delegate to the Monitoring Officer authority to commence a recruitment process in line with Section 28 of the Localism Act 2011 for the appointment of Independent Person/s to maintain a pool of five Independent Persons;
2. Agree the establishment of a selection panel of the Ethics Committee for the purposes of interviewing and shortlisting applicants for the role of Independent Person and making subsequent recommendations to this committee for consideration and onward recommendation to full Council for appointment;
3. Agree the Selection Panel comprises three members of this Committee: the Chair and two further Members to be nominated and agreed by the Committee with advisory support to be provided by the Monitoring Officer, Democratic Services and a current Independent Person;
4. Agree membership of the Selection Panel as follows: Councillor Louis Carserides, Councillor Mario Creatura and Councillor Clive Fraser with advisory support from the Monitoring Officer, democratic services and Independent Person Don Axcell;

5. Note the proposed time frame of the recruitment and subsequent reporting back to this Committee prior to onward recommendations to Full Council;
6. Subject to his agreement, to recommend the re-appointment of Ashok Kumar as Independent Person for a further term of 2 years from May 2023, which term shall be subject to appointment by Full Council annually;
7. Thank Anne Smith for her exemplary and invaluable service as Independent Person and to note her resignation as Independent Person;
8. Note that Independent Persons Don Axcell, Jennifer Gordan and Alan Malarkey remain Independent Persons who have been appointed for a term up to May 2025 but that this appointment is subject to re-appointment by Full Council annually; and,
9. Subject to appointment at Full Council, to authorise the Monitoring Officer to confirm those appointments to the Independent Persons and re-confirm to the Independent Persons the terms of appointment and standards of conduct expected.

### **32/22 Quarterly Complaints Report**

Head of Litigation and Corporate Law, Sandra Herbert, presented the report to the committee summarising the complaints which had been received by the Monitoring Officer during the last quarter. Officers advised that Appendix A had been updated to identify relevant parts of the Code of Conduct alleged by complainants to have been breached by Members together with details as to whether or not the Independent Person had been consulted by the Monitoring Officer as part of his assessment.

Members reiterated their request for a Part B schedule of the complaints as requested at the February meeting. In response Officers advised that the Monitoring Officer considered it would be premature to do so whilst this quarter's complaints were still subject to assessment but that once assessment had been concluded further information would be provided at the next meeting.

Members also wished to understand whether each complaint logged was unique and to discuss trends. Officers explained it was difficult to identify trends in complaints in a quarterly report and that the annual report that would be presented to the committee later in the year would be more useful in that regard.

Members wished to discuss matters more fully in a Part B report from the Monitoring Officer next time.

Members noted that the Monitoring Officer proposed to write to all Members with a reminder as to the expected standards of behaviour as set out in Appendix C.

**RESOLVED**, to note the report's contents.

**33/22 Social Media Guidance to Members**

Members requested that the covering note to the guidance included the point of contact for advice.

**RESOLVED**, to agree that the attached guidance be re-circulated to Members alongside a covering letter from the Monitoring Officer and Chair of Ethics as an aide memoire to members on social media use and expectations.

**34/22 Exclusion of the Press and Public**

There was no motion to exclude the Press and Public from any portion of this meeting.

The meeting ended at 7.00 pm

**Signed:** .....

**Date:** .....