

# Public Document Pack



## **Councillor Conduct Committee**

Thursday, 4 October 2018 at 6.30 pm  
Room 3, Civic Centre, Silver Street, Enfield,  
EN1 3XA

Contact: Penelope Williams  
Secretary  
Direct : 020-8379- 4098  
Tel: 020-8379-1000  
Ext: 4098

E-mail: [Penelope.Williams@enfield.gov.uk](mailto:Penelope.Williams@enfield.gov.uk)  
Council website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

Councillors: Ergin Erbil (Chair), Glynis Vince (Vice-Chair), Christine Hamilton and Elaine Hayward

Independent Persons: Christine Chamberlain and Sarah Jewell

## **AGENDA – PART 1**

### **1. WELCOME AND APOLOGIES**

### **2. SUBSTITUTIONS**

Any member who wishes to appoint a substitute for this meeting must notify the Monitoring Officer in writing, before the beginning of the meeting, of the intended substitution.

Any notifications received will be reported at the meeting.

### **3. DECLARATION OF INTERESTS**

Members are asked to declare any disclosable pecuniary, other pecuniary or non-pecuniary interests relating to items on the agenda.

### **4. INDEPENDENT PERSON - EXTENSION OF TERM OF OFFICE (Pages 1 - 4)**

To receive a report from Jeremy Chambers, Director of Law and Governance on the extension of term of office for Sarah Jewell, Independent Person.

Members are asked to recommend to Council the extension of Sarah Jewell's term of office for a further two years to 8 October 2020. (Report No: 85)

### **5. UPDATE ON COMPLAINTS (Pages 5 - 6)**

To receive an update from the Monitoring Officer on complaints currently being considered.

Complaints update attached.

**6. MEMBERS EXPENSES (To Follow)**

To receive a report from the Director of Law and Governance on members' expenses. (Report No: 86)

**7. GIFTS AND HOSPITALITY (Pages 7 - 18)**

To receive a report from the Director of Law and Governance on the gifts and hospitality received by and offered to members. (Report No: 84)

**8. MINUTES OF MEETING HELD ON 11 JULY 2018 (Pages 19 - 22)**

To receive and agree the minutes of the meeting held on 11 July 2018 as a correct record.

**9. WORK PROGRAMME 2018/19 (Pages 23 - 24)**

To consider and note the committee's work programme for 2018/19 and agree any changes.

Work programme 2018/19 attached.

**10. DATES OF FUTURE MEETINGS**

Members are asked to note the dates agreed for future meetings:

- Tuesday 11 December 2018
- Tuesday 5 March 2019

**11. EXCLUSION OF PRESS AND PUBLIC**

To pass a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

There is no part 2 agenda.

## MUNICIPAL YEAR 2018/2019 - REPORT NO. **85**

### Councillor Conduct Committee (CCC) – 4 October 2018

#### REPORT OF:

Director of Law and Governance

#### Contact officer and telephone number:

Penelope Williams 020 8379 4098

E mail:

penelope.williams@enfield.gov.uk

|                         |                |
|-------------------------|----------------|
| <b>Agenda - Part: 1</b> | <b>Item: 4</b> |
|-------------------------|----------------|

**Subject:** Extension of appointment of an Independent Person

**Wards:** All

### 1. EXECUTIVE SUMMARY

- 1.1 The Localism Act 2011 (the Act) requires a relevant authority to appoint at least one Independent Person(s) (IP). At Enfield it was agreed that two IP should be appointed.
- 1.2 The role of the independent person is set out in Section 28 of the Act and their views must be sought, and taken into account, by the Monitoring Officer when considering an allegation in respect of a breach of the Code of Conduct.
- 1.3 On 8 August 2012 the Councillor Conduct Committee (CCC) agreed the term of office for the IP(s) being 2 years.
- 1.4 This report outlines a proposal to extend the term of office for Sarah Jewell; IP, for a further two years until 8 October 2020.

### 2. RECOMMENDATIONS

The Councillor Conduct Committee recommends that Full Council:

- 2.1 Extends the term of appointment of Sarah Jewell (IP), whose current term of office comes to an end on 8 October 2018, by 2 years to October 2020.

### 3. BACKGROUND

- 3.1 The Act changed the way in which local authorities promote and maintain high standards of conduct among its councillors and co-opted members. These changes included the introduction of IP(s) to advise and support the Council in relation to the conduct of its members.
- 3.2 Section 28(7) & (8) (c) of the Act provides that a relevant authority must appoint at least one IP. The recruitment of Sarah Jewell as IP complies

with the legislation and was originally approved by Full Council on 8 October 2014 for a period of 2 years. It was further extended for another two years to 8 October 2018.

3.3 There is no statutory limit on the length of appointment, this time period can be extended by a majority agreement of members.

3.4 The role of the IP includes:

- Assisting in the promoting of high standards of conduct by elected and co-opted members of the Council.
- Being consulted before decisions are taken on councillor complaints and investigations.
- Being involved in the resolutions of disputes where appropriate.
- Attending meetings of the CCC to provide an independent view.
- Being available for consultation by any member who is subject to a complaint.
- Participation in training events.
- Acting as an advocate and ambassador in promoting ethical behaviour.

3.5 The IP role is important to the Council and it is helpful to maintain stability where expertise has been built up. Sarah Jewell and Christine Chamberlain, the Council's other Independent Person, have provided invaluable support to the Monitoring Officers over the past years. Christine Chamberlain's, term of office has also been extended and will come to an end in June 2019. The retention of Sarah Jewell will maintain her expertise and provide continuity and support to the Monitoring Officer.

3.6 Sarah Jewell has confirmed that she would be happy to continue and would welcome the extension of the post.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

4.1 Undertake a recruitment exercise to find someone else to take on the role, but this would result in additional expenditure and use of officer time.

#### **5. REASONS FOR RECOMMENDATIONS**

5.1 It is recommended that Sarah Jewell's appointment be extended to ensure continuity, expertise and the experience is retained by the Council.

#### **6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

##### **6.1 Financial Implications**

The annual cost of post is £500. This will be found from existing departmental budgets.

## **6.2 Legal Implications**

Section 28(7) of the Act requires a relevant authority to appoint at least one IP whose views must be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate.

## **6.3 Property Implications**

None.

## **7. KEY RISKS**

7.1 Our Code goes beyond the requirement of the Act to appoint a minimum of one independent person. Appendix A, Procedure for Handling Complaints against Councillors and Co-opted Members, paragraph 1.2 states that:

*“The Council has agreed to appoint two Independent Persons who will be recruited through public advertisement and a competitive interview process.”*

7.2 If the recommended extension of post, or the alternative recruitment exercise does not take place this will result in a breach of the Code. The requirements of the Code, being that 2 IPs should be recruited goes beyond that of the Act.

7.3 The Act does not limit what may be included in the Code, but nothing in the Code prejudices the operation of the Act. The Code must at a minimum reflect the requirements of the Act.

7.4 The recruitment exercise may not provide a successful candidate with the level of experience and expertise as Sarah Jewell.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All/Growth and Sustainability/Strong Communities**

A strong ethical approach by the Council and the promotion of good conduct on the part of members will have a positive effect on their representational role and a consequential impact on communities.

The arrangements, which require a local authority to seek the views of an IP before taking a decision on, assists in providing reassurance that complaints are being properly processed and dealt with.

## **9. EQUALITIES IMPACT IMPLICATIONS**

The proposals within this report will help to ensure fair, equal and consistent treatment of complaints against councillors for all parties concerned.

An equality impact assessment is not required for this report.

**10. PERFORMANCE MANAGEMENT IMPLICATIONS**

Not applicable.

**11. HEALTH AND SAFETY IMPLICATIONS**

Not applicable.

**12. HUMAN RESOURCES IMPLICATIONS**

Not applicable.

**13. PUBLIC HEALTH IMPLICATIONS**

Not applicable.

**Background Papers**

None.

## Councillor Complaints – Monitoring Officer Rolling Record (2018/19)

| Ref | Receipt of Complaint | Councillor/s                               | Complainant | Nature of Complaint   | Investigation                                | Outcome                    | Status (Open/ Closed)   |
|-----|----------------------|--|-------------|---|--|----------------------------|---|
| 005 | Feb 2017             | 2 Members<br>Cllrs Elif Erbil<br>and Dogan | Citizen     | Possible breach of the code – false and malicious allegations against an individual | Internal Investigation<br>Monitoring Officer | Resolved through mediation | Closed –  |
| 007 | May 2017             | 1 Member<br>Cllr Savva                     | Citizen     | Possible breach of code   | Internal Investigation<br>Head of Legal      | Resolved through mediation | Closed –  |
| 009 | November 2017        | 3 Jubilee Ward Councillors                 | 2 Residents | Possible breach of code   | Internal Investigation<br>Head of Legal      |                            | Closed – No findings  |
| 010 | April 2018           | 1 Member<br>Cllr Barry                     | 1 Resident  | Possible breach of code   | Internal Investigation<br>Legal PH           |                            | Open – Under investigation                                    |
| 011 |                      | 1 Member<br>Cllr Ioannou                   | Citizens    | Possible breach of the code   | Internal Investigation<br>Head of Legal      |                            | Open – Under investigation                                    |
| 012 | July 2018            | 1 Member<br>Cllr Dogan                     | Citizens    | Possible breach of the code   | Internal Investigation<br>Legal JB           |                            | Open – Investigation begun                                    |
| 013 | May 2018             | 1 Member<br>Cllr Barry                     | Citizens    | Possible breach of the Code   | Internal Investigation<br>Legal DB           |                            | Open – Investigation complete – report for MO to be prepared. |
| 014 |                      | Cllr Dogan and others                      | Cllr Laban  | Possible breach of the code   | External Investigation                       |                            | Open – Under investigation                                    |

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MUNICIPAL YEAR 2018/2019 - REPORT NO. **84**

**MEETING TITLE AND DATE**  
Councillor Conduct Committee

**Date:** 4<sup>th</sup> October 2018

**REPORT OF:** Jeremy Chambers  
Director of Law & Governance

**Contact Officer:**

Kathy Constantinou,  
Superintendent Registrar & Head of  
Mayoral & Member Support  
Services

0208 379 8528  
Kathy.constantinou@enfield.gov.uk

| Agenda - Part:1  | Item: 7 |
|--|---------|
| <p><b>Subject:</b></p> <p><b>Gifts and Hospitality</b></p> <p><b>Wards: All</b><br/><b>Key Decision No:</b> <i>(if applicable)</i></p> |         |
| <p><b>Cabinet Member consulted:</b></p> <p><b>N/A</b></p>  |         |

**1. EXECUTIVE SUMMARY**

- 1.1 This report is an annual update providing information to the Councillor Conduct Committee on the gifts and hospitality register.

**2. RECOMMENDATIONS**

- 2.1 To note the data for the period to April 2018 to date.

**3. BACKGROUND**

The Councillors Code of Conduct requires Members to register with the Monitoring Officer any gifts and hospitality and the offer of any gift or hospitality with an estimated value of £25.00 or more. Offers made but refused must also be disclosed.

The Guidance note at Appendix 1 offers clear information for members on what is a gift or hospitality and when to complete the register.

The register records a total of 4 completed forms in the period 1 April 2018 to date, as shown in the table below.

| <b>Gifts and Hospitality Forms April 2018 – September 2018</b> |          |       |
|--|----------|-------|
| Accepted   | Declined | Total |
| 4  | 0        | 4     |

For the same period in 2017 – 2018, 14 forms were completed by Members.

The types of gifts & hospitality being recorded is: dinners, lunches, shows, flights and accommodation. As you can see, far fewer gifts & hospitality have been received this year as compared with the same period last year.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

None

#### **5. REASONS FOR RECOMMENDATIONS**

To update the committee on the gifts and hospitality received or declined April 2018 to date.

#### **6. COMMENTS OF THE EXECUTIVE DIRECTOR OF RESOURCES**

##### **6.1 Financial Implications**

There are no financial implications.

##### **6.2 Legal Implications**

The Council has a duty to promote and maintain high standards of conduct of Members. The Code of Conduct is drafted in accordance with the Localism Act 2011.

##### **6.3 Property Implications**

None

**7. KEY RISKS**

*None*

**8. IMPACT ON COUNCIL PRIORITIES**

The report contents meet the Council priorities of Fairness for All, Growth and Sustainability and Strong Communities.

**9. EQUALITIES IMPACT IMPLICATIONS**

No equality impact assessment/analysis has been undertaken as it is not required.

**10. PERFORMANCE MANAGEMENT IMPLICATIONS**

*None*

**11. HEALTH AND SAFETY IMPLICATIONS**

*None*

**12. HUMAN RESOURCES IMPLICATIONS**

*None*

**13. PUBLIC HEALTH IMPLICATIONS**

*None*

**Background Papers:** None

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**Members' Gifts and Hospitality Guidance Note****1. Meaning of gifts and hospitality**

1.1 The expression of 'gifts' and 'hospitality' have wide and evolving meanings and no conclusive definition is either possible or desirable.

1.2 Enfield Council shall interpret gifts and hospitality to include:

- Gift of any goods or services;
- The opportunity to acquire any goods or services freely or at a discount or other terms not available to the general public;
- The offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event on terms not available to the general public.

1.3 Common gifts include pens, diaries, calendars and other business stationery, key rings, articles of clothing, books, flowers and promotional items.

1.4 Common hospitality include lunches, dinners or refreshments

1.5 Where the gift and/or hospitality has an estimated value of £25.00 or more (in accordance with our Code of Conduct), it must be registered. Where the gift or hospitality has an estimated value below £25.00, you should consider whether declaration would be appropriate in the circumstances.

1.6 When considering whether to declare you should:

- (a) Define gifts and hospitality widely
- (b) Ask yourself "would I have been given this if I was not a member of the Council?" and "what was in the mind of the giver?"; and
- (c) Always register a gift or hospitality (subject to financial limits) if it could be seen as something given because of your position.

1.7 If you are in doubt as to the motive behind a gift or hospitality, it is recommended that you register it or speak to the Monitoring Officer

1.8 You do not need to register gifts and hospitality which are not related to your role as member, such as Christmas or birthday gifts from friends or family.

**2. Legal position & general caution**

2.1 The Bribery Act 2010 provides that if you accept any gift, loan, fee, reward or advantage whatsoever as an inducement or reward for doing or forbearing to do anything in respect of any matter or transaction in which the Council is concerned, you commit a criminal offence carrying a maximum term of imprisonment of 10 years or a fine or both.

- 2.2 The fundamental principle must always be that any offer of a gift or hospitality should be treated with great care.
- 2.3 Your prime duty as a Member is to ensure that there is no conflict of interest in the performance of your duties.
- 2.4 Treat with caution any gift or hospitality that is made to you personally. Your personal reputation and that of the Council can be seriously jeopardised by the inappropriate acceptance by you of a gift or hospitality.
- 2.5 You should consider carefully all the circumstances surrounding the offer of a gift or hospitality. The scale, amount of the offer and the potential frequency and source are relevant factors.
- 2.6 Also be sensitive to the timing of the offer in relation to decisions which the Council may be taking, affecting those making the offer.
- 2.7 You should avoid hospitality in situations where you would be the sole guest or at least treat such situations with particular care.

### **3. Member's decision**

- 3.1 The decision for you in every case is whether or not it is appropriate to accept any gift or hospitality that might be offered to you, having regard to how it might be perceived by an ordinary member of the public.
- 3.2 To refuse may cause misunderstanding or offence. However, to accept may give rise to questions of impropriety or conflict of interest, which are likely to be of more significance to you when making your decision.
- 3.4 When you need to decide whether to accept hospitality, you must ask yourself some basic questions, for example:
  - Is a benefit to the council in accepting the invitation?
  - Is the entertainment lavish?
  - Are you accepting too much hospitality from the same source?
  - Whether just your attendance at an event might be open to interpretation as a signal of support?
- 3.5 No hard and fast rules can be laid down to cover every circumstance as to what is appropriate or inappropriate. In any case of doubt, advice should be sought from the Monitoring Officer.

### **4. Code of Conduct requirements**

- 4.1 The Member Code of Conduct requires that you register on the Council Register of Gifts and Hospitality (maintained by the Monitoring Officer)
- 4.2 You must register the receipt of any gifts or hospitality including those you have refused with an estimated value of £25.00 or more, in the conduct of the business of the Council, the business of the office to which you have been elected or appointed or when you are acting as representative of the Council.

- 4.3 You must also register the source of the gift or hospitality.
- 4.4 You must register the gift or hospitality within 28 days of its receipt/acceptance.
- 4.5 If you are dealing with Council business at a meeting (or otherwise) where the donor of the gift or hospitality is affected, you need to consider whether to make a declaration of the gift or hospitality to the meeting for the purpose of complete transparency. Declaration will not mean that you cannot participate in the Council business; however you may consider it appropriate not to participate depending on the circumstances.
- 4.6 Where any gift or hospitality (no matter the value) is accepted, it may be advisable (depending on the circumstance) to inform the donor that acceptance will not confer any advantage for that donor in his/her dealings with the Council.

**5. Series of gifts or hospitality adding up to £25 or more in value**

- 5.1 The registration requirement in the Code is limited to gifts or hospitality worth £25.00 or more. If you receive a series of gifts or hospitality from the same source that add up to £25.00 or more, then this must be registered as an accumulation. You may have to estimate the value of the gifts or hospitality.

**6. Gifts and hospitality below the £25 threshold**

- 6.1 You are encouraged to register with the Monitoring Officer, any gift or hospitality you receive which you estimate to be below the £25.00 threshold but there is no obligation to make a disclosure at a Council meeting of the source of the gift or hospitality.

**7. What to avoid**

- 7.1 In deciding whether it is appropriate to accept any gift or hospitality, you must apply the following principles:
- Do not accept a gift or hospitality as an inducement or reward for anything you do as a Member. If you have any suspicion that the motive behind the gift or hospitality is an inducement or reward, you must decline it. 'Reward' includes remuneration, reimbursement and fee.
  - Do not accept a gift or hospitality of significant value or whose value is excessive in the circumstances.
  - Do not accept a gift or hospitality if you believe it will put you under any obligation to the provider as a consequence.
  - Do not solicit any gift or hospitality and avoid giving any perception of doing so; do not accept a gift or hospitality, if acceptance might be open to misinterpretation. Such circumstances will include gifts and hospitality from:
    - (i) Parties involved with the Council in a competitive tendering or other procurement process.
    - (ii) Applicants for planning permission and other applications for licences, consents and approvals.

(iii) Applicants for grants, including voluntary bodies and other organisations applying for public funding.

(iv) Parties in legal proceedings with the Council.

(vi) Council owned companies (wholly-owned companies are separate bodies from the Council).

7.2 It is a criminal offence corruptly to solicit or receive any gift, reward or advantage as an inducement to doing or forbearing to do anything in respect of any transaction involving the Council. The onus would be on you to disprove corruption in relation to the receipt of a gift or hospitality from a person holding or seeking to obtain a contract from the Council.

7.3 Cash or monetary gifts should always be refused without exception and the refusal notified to the Monitoring Officer.

7.4 It is a well-established and recognised rule that no Councillor or other public servant should accept gifts, hospitality, or services from anyone, which would or might appear to place him/her under an obligation.

7.5 If you are in doubt about what is proper, there are three particular things you should bear in mind;

- DO err on the side of caution. If the thought of the acceptance of the gift or hospitality becoming public makes you uncomfortable, do not accept;
- DO consult the Monitoring Officer if you are still unsure;
- DO consider if you decide to go ahead to record with the Monitoring Officer that you have addressed the issue of propriety and setting out your reasons for believing that your actions comply with the guidance.

## **8. Mayor**

8.1 There are no special rules for those who serve as Mayor.

8.2 Any gift or hospitality made to the authority, for example a commemorative goblet which is kept on display in the authority's offices, will be registered by the authority for audit purposes. The Mayor will attend social functions and these are recorded in the Mayoral Diary and documented.

8.3 Where the Mayor is invited to social functions or gifted with a present in the capacity of the "Mayor" he/she will not be required to register the gift(s) or hospitality received/declined or accepted in this role. Where the member acting as Mayor, receives any gifts or hospitality in his or her capacity as member, there is a requirement to register any such gifts and hospitality. The question the Mayor may ask themselves is "Would I have received this gift or hospitality even if I were not the mayor?" If the answer is yes then it must be registered.

## **9. Gifts and hospitality declined.**

9.1 There is a requirement under the Code of Conduct any gifts or hospitality declined to be disclosed for the value of £25.00 or more.

9.2 The guidance also applied to declined gifts and hospitality and the register to be completed.



**10. Reporting of inappropriate gifts and hospitality offered**

- 10.1 It is a criminal offence for a person corruptly to give or offer any gift, reward or advantage as an inducement or reward to you for doing or forbearing to do anything as a member of the Council. You must immediately report to the Monitoring Officer any circumstances where an inappropriate gift or hospitality has been offered to you.
- 10.2 You may thereafter be required to assist the Police in providing evidence.

**11. Overseeing this Protocol**

- 11.1 The Councillor Conduct Committee has responsibility for overseeing compliance with this guidance and allegations of any failure to meet the guidance must be made in writing to the Monitoring Officer.

**12. Registering Gifts and Hospitality**

Notification of an offer or receipt of money, favours, gifts or hospitality should be made by completing the relevant form, as attached to the guidance. This should be done within 28 days of declining or receiving any gift or hospitality over the value of £25.

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**LONDON BOROUGH OF ENFIELD**

**NOTIFICATION OF AN OFFER OR RECEIPT OF MONEY, FAVOURS,  
GIFTS OR HOSPITALITY BY A MEMBER OF  
THE LONDON BOROUGH OF ENFIELD**

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*The Code of Conduct now requires that members declare offers of money, favours, gifts or hospitality **accepted** over the value of £25.00 and also those which have been offered but **declined***

To: The Monitoring Officer

I, (full name)

Name of person/organisation concerned

Nature of money, favours or gifts offered

Nature, location, date and time of hospitality

I accepted/declined the money/favours/gifts/hospitality\*

Date .....Signed .....

\*delete as applicable

**NOTE: This notification must be given by a member to the Monitoring Officer, within 28 days of declining any gift or hospitality or receiving any gift or hospitality, over the value of £25.00**

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## COUNCILLOR CONDUCT COMMITTEE - 11.7.2018

**MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE  
HELD ON WEDNESDAY, 11 JULY 2018****COUNCILLORS**

**PRESENT** Ergin Erbil, Glynis Vince, Christine Hamilton and Elaine Hayward and Sarah Jewell (Independent Person)

**OFFICERS:** Jeremy Chambers (Director of Law and Governance)  
Penelope Williams (Secretary)

**Also Attending:** No members of the public.

**1****WELCOME AND APOLOGIES**

The Chair welcomed everyone to the meeting. Apologies for absence were received from Christine Chamberlain, Independent Person.

**2****SUBSTITUTIONS**

There were no substitutions.

**3****DECLARATION OF INTERESTS**

Councillor Erbil declared a non-pecuniary interest in Item 7, Update on Complaints, because he was distantly related to one of the councillors subject to complaint.

**4****COUNCILLOR CONDUCT COMMITTEE ANNUAL REPORT 17/18**

The Committee received the Councillor Conduct Committee Annual Report for 2017/18.

**NOTED**

1. The report had been prepared, as required by the Constitution, in the name of the previous Committee Chair, Councillor Claire Stewart.
2. It included a list of the work carried out by the Committee, over the past year. It contained no surprises.
3. At the Council meeting it will be introduced by the current chair, and seconded by the vice chair.

**AGREED** to approve the report and recommend to Council.

**COUNCILLOR CONDUCT COMMITTEE - 11.7.2018**

**5**

**WORK PROGRAMME 2018/19**

The Committee received a copy of the draft work programme for 2018/19 for comment.

NOTED the suggestion that training for committee members should be included.

**AGREED** the work programme for 2018/19, as drafted, with the addition of an item on training for the committee and substitute committee members.

**6**

**DISPENSATIONS - ANNUAL REVIEW 2017/18**

The Committee received the report of the Monitoring Officer setting out information on dispensations granted in 2017/18.

NOTED

1. Dispensations were rarely used in this authority. In the past year only one had been granted by the monitoring officer's predecessor, Asmat Hussain. This was apart from the blanket dispensations allowed for votes on the council tax and council house rents.

**AGREED** to note the report.

**7**

**UPDATE ON COMPLAINTS**

The Committee received a copy of the rolling record of complaints currently being considered by the Monitoring Officer.

Jeremy Chambers introduced the report saying it provided an indication of the current case load. Cases would not be discussed in detail as this could prejudice the outcome of any later hearing.

NOTED

1. The suggestion that councillors full names should be included in the rolling record to avoid confusion.
2. Concern that some cases were taking a long time to resolve. Some of these had taken a long time because they were exceptionally complex. Straightforward cases should be dealt with more quickly. Jeremy Chambers acknowledged that some of the cases had taken too long, had cost too much and that this was in part due to the transition between the old, new and temporary monitoring officers.

**COUNCILLOR CONDUCT COMMITTEE - 11.7.2018**

3. Jeremy Chambers gave the following information to members about how the complaints process worked. He said that he assessed all complaints as they came in. If the complaint fell outside the remit of the code, it was dismissed. If he felt that there was a case to answer he would consult one of the independent persons and would then decide how to proceed.
4. A flowchart, which had been devised explaining the process, would be sent to members of the committee.
5. Members would receive training before any hearings were held.
6. The complaint No: 009 from November 2017 had now been completed. The findings had been sent to the complainants and the time allowed for an appeal to be made lapsed.

**AGREED** to note the information provided on current complaints.

**8  
COUNCIL CONDUCT COMMITTEE TRAINING**

The Committee members discussed their training needs.

NOTED

1. The majority group substitute members could be the deputy whips but this would need to be a membership change which would need to be agreed at a full council meeting.
2. The Monitoring Officer was happy to brief any members on the processes, if requested.
3. The training session would be added to the workprogramme.

**AGREED** that a training session would be organised as part of the next meeting of the committee on 4 October 2018. The training would include the complaints process, the role of the monitoring officer and the committee, the code of conduct and what constitutes a breach of the code, the sanctions available and the role of the independent persons. Substitute members would also be invited.

**9  
MINUTES OF MEETING HELD ON 11 DECEMBER 2017**

The minutes of the meeting held on 11 December 2017 were agreed as a correct record.

**10  
DATES OF FUTURE MEETINGS**

The date of the next meeting, which would include training, was noted as follows:

**COUNCILLOR CONDUCT COMMITTEE - 11.7.2018**

- Thursday 4 October 2018

The Chair thanked everyone for coming.



## Councillor Conduct Committee: Work Programme 2018/19

| ITEM   | Lead/ Support Officer | 11 July 2018                                    | 4 October 2018            | 11 December 2018                          | 5 March 2019              |
|--|-----------------------|---|---------------------------|---|---------------------------|
| Annual Report  | Penelope Williams     | To note the Annual Report 2017/18               |                           |   |                           |
| Work Programme 2017/18   | Penelope Williams     | To Agree the Outline Work Programme for 2017/18 | Work Programme Monitoring | Work Programme Monitoring                 | Work Programme Monitoring |
| Review of Code of Conduct and Complaints Processes   |                       |   |                           |   |                           |
| Update on Complaints Received  | Jeremy Chambers       | Update  | Update                    | Update                                    | Update                    |
| Independent Persons Training   | Independent Persons   |   |                           |   |                           |
| Complaints – Review of complaints received in 2017/18  |                       |   |                           |   |                           |
| Regular update on Standards Matters – bringing members attention to recent standards news items for information. | Jeremy Chambers       | If required                                     | If required               | If required                               | If required               |
| Review of Protocol for Member Officer Relations  |                       |   |                           |   |                           |
| Review of Member's Expenses  | Kathy Constantinou    |   | Report                    |   |                           |
| Dispensations  | Penelope Williams     | Annual Update                                   |                           |   |                           |
| Gifts and Hospitality  | Kathy Constantinou    |   | Report                    |   |                           |
| Training for members of the Committee  |                       |   |                           | Training on Code of Conduct and Processes |                           |
|  |                       |   |                           |   |                           |

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