

London Borough of Enfield

Councillor Conduct Committee

Annual Report 2022/2023

1. Introduction

The Councillor Conduct Committees is responsible for the promotion and monitoring of high standards of conduct amongst councillors and co-opted members.

The role of the committee as set out in the Constitution is:

- To assist councillors and co-opted members to observe their Code of Conduct and all other Codes within the Constitution.
- To consider requests for dispensations by councillors, and co-opted members relating to interests set out in the Code of Conduct.

The committee also ensures there is an effective process for dealing with complaints relating to the Code of Conduct, supports the principles of good governance and upholds an ethical culture within the Council.

2. Membership

The Councillor Conduct Committee is made up of four councillors (two from each party, including each of the party whips), plus 2 substitute members for each party. The councillors appointed to the committee for 2022/23 were:

Sabri Ozaydin (Chair)
Chris Dey (Vice-Chair)
Reece Fox
Rick Jewell

3. Independent Persons

As required by the Localism Act 2011, all local authorities must appoint at least one Independent Person whose views are sought and taken into account by the local authority before it makes a decision on an allegation that has been investigated.

Joan Mansfield is the Independent Person for the committee which role is to assist in promoting and maintaining high standards of conduct amongst our Elected Members.

The independent view and expertise Ms Mansfield has brought on conduct issues is vital to the proceedings. The Monitoring Officer consults the Independent Person on all complaints received and she provides considered advice and guidance on complaints and other issues that arise.

The appointment was for an initial period of two years which has been extended.

The Council is currently recruiting a second Independent Person. The position has been advertised.

In addition to the support provided by Ms Mansfield, the Committee has been supported by Terry Osborne (Monitoring Officer) and Claire Johnson (Deputy Monitoring Officer).

5. Terms of reference

The full terms of reference of the Councillor Conduct Committee are set out at appendix 1 but the key points are:

- To deal with policy, complaints against councillors and issues concerning the members' Code of Conduct.
- To promote and maintain high standards of conduct by councillors and all co-opted members.
- To assist councillors and co-opted members to observe their Code of Conduct and all other Codes within the Constitution.
- To monitor the operation of the Councillors' Code of Conduct and report when appropriate to the full Council on the adoption or revision of the Code and all other codes within the Constitution.
- To consider requests for dispensations by councillors, and co-opted members relating to interests set out in the Code of Conduct.
- To discharge such other functions either general or specific as the Council may from time to time allocate to the Committee.

6. The committees work programme

There was one meeting held during the last financial year (22 June 2022). At the meeting, the Monitoring Officer provided the annual report for 2021/2022 and an update. She advised the committee on the Council's intention to appoint a second Independent Person at some point in the future.

No other meetings were held as there was no other business to transact.

7. Monitoring Officer Advice

The Monitoring Officer provides advice at all Council, Cabinet, General Purposes Committee and Member Code of Conduct meetings. The Monitoring Officer is regularly contacted by members to give advice on specific issues that are relevant to them. A series of Monitoring Officer

Advice Notes has been developed by the Monitoring Officer which are sent to all members on a regular basis reminding them of their obligations under the code. The following advice notes had been distributed by the Monitoring Officer during the period covered by this report:

The following advice notes were sent to Members:

- The Register of Member Interests 22/05/05
- Reminder of the Rules on Registering and Declaring Member Interests 19/12/22
- Advice on Declaring Interests on Items Relevant to the Setting of the Council Tax and Budget and Council Plan 20/02/2023
- Reminder of the Rules on Raising Points of Order or Points of Personal Explanation at Council Meetings 22/02/2023
- Personal safety for councillors – presentation 28/02/2023
- More FAQs on declaring pecuniary interests at a Council meeting 13/06/2023
- More FAQs on Declaring Interests at a Council meeting 26/09/2023

8. Register of Interests

The Monitoring Officer undertakes reviews of the Member Register of Interests from time to time. During the period covered by this report, a review was undertaken on 31st October 2023. Any inconsistencies or anomalies are raised with the relevant member(s) so that corrections can be made.

9. Member Training and Guidance

All councillors were provided with the following training:

- A Hard copy Member Induction Packs
- Member Induction training took place on 7 May 2022. The slides were focused specifically on declaring and registering interests.
- Member Induction training took place on 11 May 2022 which gave members an overview of committees/decision making, along with a detailed briefing on the Council's Code of Conduct.

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- A presentation about the Code of Conduct was delivered to the Labour Group on 27 June 2022 and to the Conservative Group on 20 June 2022.
 - The Code of Conduct is also available on the members' portal which is an online facility set-up for members to view essential information relating to members' support.

10. Dispensations

A dispensation can be granted in the following circumstances:

- (a) Where members of the decision-making body have disclosable pecuniary interests in a matter that would "impede the transaction of the business"
- (b) That without the dispensation, the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of any vote on the matter
- (c) That the authority considers that the dispensation is in the interest of persons living in the authority's area
- (d) That the authority considers that it is otherwise appropriate to grant a dispensation.

No dispensations were granted during the period covered by this report.

11. Complaints

Between 1 April 2022 to 31 March 2023, the Monitoring Officer received 9 complaints with the following outcomes:

- 1 complaint is being head by the Committee at the meeting
- 1 complaint related to a former member of the Council and could not therefore be investigated under the Code of Conduct
- 1 case was closed as the complainant did not progress the complaint to the formal stage.
- 1 complaint was resolved informally as the relevant Councillor took remedial actions.
- 2 complaints were investigated by the Monitoring Officer who found that there was no evidence of a breach of the Code of Conduct.
- 3 complaints related to a member acting in his or her private life and was not therefore covered by the Code.

12. Conclusions

The Monitoring Officer enjoys a good working relationship with all members who regularly seek her advice and act upon it. The Monitoring officer reviews the Register of Interests from time to time and encourages members to keep the register up to date. The Monitoring Officer provides regular advice to members. There is a high standard of compliance with the Code of Conduct at Enfield Council and there are no issues in respect of which further or ongoing action is required.

Appendix A

COUNCILLOR CONDUCT COMMITTEE
Appointed by: Council
Proportionality: Disapplied
Membership: 4 members of the Council: 2 majority and 2 opposition to include both group whips. 2 substitute members by each group to be appointed at the Annual Council meeting. Substitute members to be permitted in the following circumstances: 8. To take the place of an ordinary member from the respective group on the Committee where that member will be absent for the whole of the meeting. Such an appointment would apply for the entire meeting, including where the meeting is reconvened after any adjournment; or (b) Where an ordinary member of the Committee is prevented from attending and participating in a meeting due to any disclosable interest they may have in an issue or complaint to be considered. In these cases the substitute appointment would only apply to the consideration of the relevant item on the agenda. The committee member who wishes to appoint a substitute member must notify the Monitoring Officer in writing, prior to the beginning of the relevant committee meeting of the intended substitution. Once notification of a substitute member has been received the ordinary member of the committee will not (unless the notice of substitution is withdrawn prior to the start of the meeting) be entitled to attend the relevant meeting or part of the meeting to which the substitution applies as a member of the committee. The Independent Person(s) and the Monitoring Officer will be asked to attend the meetings to offer advice and support.
The membership must be drawn from: As set out in membership
Chair and Vice-Chair appointed by: Council, with the chair being the majority group whip and the vice-chair being an opposition whip.
Public / Private meeting: Public

Substitutes: 2 substitute members by each group to be appointed at the Annual Council meeting. Procedures set out in Membership above.

Quorum:

No business shall be considered at committee meetings unless at least one quarter of the total number of members, rounded up to a whole number, is present. In no case however shall the quorum be less than 2 members.

Frequency:

Meetings to be scheduled on a quarterly basis but only to meet if there was business to be transacted. Extra meetings can be arranged if necessary.

Terms of Reference:

- (i) To deal with policy, complaints against councillors and issues concerning the members' Code of Conduct.
- (ii) To promote and maintain high standards of conduct by councillors and all co-opted members.
- (iii) To assist councillors and co-opted members to observe their Code of Conduct and all other Codes within the Constitution.
- (iv) To monitor the operation of the Councillors' Code of Conduct and report when appropriate to the full Council on the adoption or revision of the Code and all other codes within the Constitution.
- (v) To consider requests for dispensations by councillors, and co-opted members relating to interests set out in the Code of Conduct.
- (vi) To discharge such other functions either general or specific as the Council may from time to time allocate to the Committee.