

LONDON BOROUGH OF CROYDON

REPORT:	ETHICS COMMITTEE	
DATE OF DECISION	17 December 2024	
REPORT TITLE:	COMPARATIVE DATA ON ETHICS COMPLAINTS	
DIRECTOR:	Stephen Lawrence-Orumwense Director of Legal Services and Monitoring Officer	
LEAD OFFICER:	Gina Clarke Principal Lawyer Corporate Law & Litigation Gina.Clarke@croydon.gov.uk	
CONTAINS EXEMPT INFORMATION?	NO	Public
WARDS AFFECTED:	ALL	

1 SUMMARY OF REPORT

- 1.1** The Ethics Committee on the 29 July 2024, considered the Monitoring Officer's Annual Report on ethics complaints trends from the 2023 annual year. In the previous year 43 complaints were received which was considered to be relatively high. As at the time there was no comparative data available from other local authorities, the Committee requested that such data be requested from peer authorities.
- 1.2** This report sets out comparative data on ethics complaints received by six London Boroughs during the 2023 – 2024.

2 RECOMMENDATIONS

For the reasons as set out in the report the Committee is recommended to agree:

- 2.1** to consider and note the comparative data as to ethic complaints received by six London Boroughs (Appendix 1).

3 REASONS FOR RECOMMENDATIONS

- 3.1 The recommendation seeks to ensure that the Council has data to as to number of ethics complaints received by a number of other local authorities to benchmark against the number of such complaints received by the Council.

4 BACKGROUND AND DETAILS

- 4.1 Under the Localism Act 2011 local authorities must promote and maintain high standards of conduct by members and co-opted members of the authority. In discharging this duty local authorities must adopt a code dealing with the conduct expected of members and co-opted members of the authority when they are acting in their capacity as members.
- 4.2 The Localism 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 allegations may be made. In Croydon, a Code of conduct was adopted by the Council in October 2021.
- 4.3 In many local authorities the Monitoring Officer filters complaints about councillor conduct and judges if the complaints are trivial or vexatious, or whether they should proceed to a full investigation. This filtering is based on the judgment of the officer, based on assessment criteria adopted by their authority. In Croydon, the Monitoring Officer conducts an initial assessment of the complaint in accordance with the Assessment Criteria which the Committee have specifically adopted for these purposes.
- 4.4 The initial assessment by the Monitoring officer will indicate whether or not the complaint is one which ought to be referred for investigation. In reaching this decision, the Monitoring Officer may, although is not obliged to do so, consult with an Independent Person (IP) before reaching this decision.
- 4.5 If the matter is referred for investigation, 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.
- 4.6 The comparative data affirm that the number of ethic complaints received by Croydon is consistent with those of other London Boroughs. The outcomes of ethic complaints are consistent in evidencing that ethic complaints are rarely referred to informal investigation, and no further action is taken in respect of many complaints, or complaints are dealt with by way of informal resolution.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 N/A – the comparative data on Member Code of Conduct Complaints was requested by the Committee.

6 CONSULTATION

6.1 N/A.

7. CONTRIBUTION TO EXECUTIVE MAYOR'S BUSINESS PLAN

7.1 Mayor's Business Plan - Priority 4: Ensure good governance is embedded and adopt best practice.

8. IMPLICATIONS

8.1 Financial Implications

8.1.1 This report is for noting only, there are no financial Implications regarding the proposal.

8.2 Legal Implications

8.2.1 This report is for noting only, there are no legal Implications arising from the recommendation set out in this report.

8.2.2 Approved by: Gina Clarke Principal Lawyer Corporate Law & Litigation [05/12/24

8.3 Equalities Implications

8.3.1 This report is for noting only, there are no equalities implications regarding the proposal.

9. APPENDICES

9.1 None

10. BACKGROUND DOCUMENTS

10.1 Appendix 1 – Comparative Data on Ethics Complaints