

**MEETING**

**CONSTITUTION AND GENERAL PURPOSES COMMITTEE**

**DATE AND TIME**

**MONDAY 7<sup>TH</sup> FEBRUARY, 2022**

**AT 7.00 PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ**

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
9	ANNUAL REVIEW OF THE MEMBERS CODE OF CONDUCT	3 - 8

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## Constitution and General Purposes Committee

7 February 2022

<b>Title</b>	<b>Code of Conduct Allegations 2020/21</b>
<b>Report of</b>	Monitoring Officer
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix A – Code of Conduct Allegations – 2020/21
<b>Officer Contact Details</b>	Jessica Farmer, Monitoring Officer, <a href="mailto:jessica.farmer@barnet.gov.uk">jessica.farmer@barnet.gov.uk</a>
<b>Summary</b>	
This report updates the Constitution and General Purposes Committee on complaints the Monitoring Officer has received about member conduct during 2020/21	

### Officer Recommendation

That the Committee note the update as set out in Appendix A

#### 1. WHY THIS REPORT IS NEEDED

- 1.1 The Members' Code of Conduct requires that the Monitoring Officer submits a report to the Committee at annual intervals to inform the Committee about complaints which have been received and not investigated and complaints which have been investigated.

#### 2. REASONS FOR RECOMMENDATIONS

- 2.1 To comply with the constitutional requirement to report to the Committee.

2.2 To ensure that the Committee discharges its duty to: promote and maintain high standards of conduct for Members; review the application of the Code of Conduct for Members' to Member complaints; and maintain an overview on ethical standards in general across the authority.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

3.1 Not applicable.

### **4. POST DECISION IMPLEMENTATION**

4.1 Not applicable

### **5. IMPLICATIONS OF DECISION**

#### **5.1 Corporate Priorities and Performance**

5.1.1 Barnet Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards.

#### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 There are no resources implications in the context of this report.

#### **5.3 Social Value**

5.3.1 Not applicable

#### **5.4 Legal and Constitutional References**

5.4.1 Members' Code of Conduct – Procedure for dealing with Complaints, Section 7, Reports – states "The Monitoring Officer will submit a report to the Constitution and General Purposes Committee at annual intervals to inform the Committee about complaints which have been received during the year."

5.4.2 Article 7, Terms of Reference of Committees, Forums, Working Groups and Partnerships – the terms of reference of the Constitution and General Purposes Committee includes "To consider and make recommendations to the Council on: (i) how it can satisfy the continuing duty to promote and maintain high standards of conduct for Members; (ii) on the Code of Conduct for Members; and (iii) on ethical standards in general across the authority."

5.4.3 The Council's arrangements under which complaints about Member conduct are investigated and decided comply with the relevant provisions of the Localism Act 2011. All complaints are dealt with in consultation with one of the council's Independent Persons that the council has to appoint under the Localism Act.

#### **5.5 Risk Management**

5.5.1 Failure to deal with Member complaints in accordance with the provisions of the Members Code of Conduct could have reputational implications for the Council.

## **5.6 Equalities and Diversity**

5.6.1 It is a breach of the Member Code of Conduct to discriminate against people on the grounds of race, gender, disability, religion or belief, sexual orientation and age. Members have been provided with training in this area.

## **5.7 Consultation and Engagement**

5.7.1 Not applicable

## **5.8 Insight**

5.8.1 Not applicable.

## **5.9 Corporate Parenting**

5.9.1 No implications identified in the context of this report.

## **6. BACKGROUND PAPERS**

6.1 None.

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Date	Provisions of Code	Decision and Summary
12/21	Respect	No breach of the code found as the committee and chair took on board the recommendations of officers and the information from TFL.
12/21	Using position for personal gain or to advantage your friends or close associates	No breach found as the highway works complained about were authorised by officers. No undue influence found.
4/21	Respect	Failing to demonstrate objectivity in meetings and in telephone calls, treating residents with disrespect. No breach found Councillors are entitled to express a preliminary view prior to decisions being made. No evidence of disrespect found.
4/21	Respect, objectivity	Evaded duty in relation to regulations, failed to uphold principles of public life, deliberately withholding, publishing inaccurate and confusing information, failing to demonstrate objectivity - treating residents with disrespect. No breach found. No evidence found that the Councillor deliberately presented confusing information, withheld information. Councillors are advised by officers.
3/21	Respect	No breach, but lessons to be learnt about virtual meetings.
3/21	Respect	No breach, but lessons learnt, and the Members Code of Conduct updated to highlight that councillors can refer vexatious correspondence to officers to deal with.
10/20	Using position for personal gain or to advantage your friends or close associates	Councillor used their position to impose parking restrictions. No breach found. Decisions regarding restriction were made by officers.

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