

Report – Standards Committee

Updates to the Members' Code of Conduct

To be presented on Thursday, 16th July 2020

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

SUMMARY

In accordance with our terms of reference, the Standards Committee is required to prepare, keep under review and monitor the City of London Corporation's Members' Code of Conduct and make recommendations to the Court of Common Council in respect of the adoption or revision, as appropriate, of such Code of Conduct.

At its meeting on 5th December 2019, this Court approved that the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism, including the agreed working examples should be adopted the City Corporation and that this definition and working examples should also be included within both the Members' and Officers' Code of Conduct. Your Standards Committee have actioned this with regard to the Members' Code of Conduct where the IHRA definition is now referenced within the body of the document with full details included as a separate appendix.

Further to this, and in considering Best Practice Recommendations from the Committee for Standards in Public Life at their meeting on 24th January 2020, your Standards Committee are also proposing to further amend the Members' Code of Conduct to include definitions of the terms bullying and harassment together with a list of examples of the sorts of behaviour covered by these definitions. Again, it is proposed that this is referenced both within the body of the main document and in greater detail in a separate appendix.

RECOMMENDATION

That the Court of Common Council adopts the updated Members' Code of Conduct as set out in Appendix 1 with immediate effect.

MAIN REPORT

Background

1. In accordance with our terms of reference, the Standards Committee is required to prepare, keep under review and monitor the City of London Corporation's Members' Code of Conduct and make recommendations to the Court of Common Council in respect of the adoption or revision, as appropriate, of such Code of Conduct.
2. Both the Secretary of State for Communities and Local Government and the Leaders' Committee of London Councils recommended that UK and London

local authorities consider adopting the International Holocaust Remembrance Alliance (IHRA) Definition on Anti-Semitism. The Court of Common Council first considered these recommendations in light of a reported increase in anti-Semitic incidents across the UK during the first half of 2019, and the adoption of the definition by at least 19 London boroughs. At a meeting of this Court in December 2019, Honourable Members considered and approved the adoption of the IHRA definition on anti-Semitism and asked that this be included, alongside working examples, within the Members' and Officers' Code of Conduct. Your Standards Committee received a resolution to this effect at its 24th January 2020 meeting where it was agreed that the best approach would be to reference the IHRA definition within the body of the Members' Code of Conduct with full details included by way of a separate appendix to the existing document. We hope that Members will be satisfied with this approach.

3. Whilst reviewing the Members' Code of Conduct and, separately, Best Practice Recommendations from the Committee for Standards in Public Life (CSPL), the Standards Committee also felt that this was an opportune time to seek to further define the terms 'bullying and harassment' within the body of the Members' Code of Conduct and also to separately append some examples of the types of behaviours included within these definitions. The definition of bullying and the examples of bullying behaviour used are drawn from the Advisory, Conciliation and Arbitration Service ("ACAS"). The definition of harassment is drawn from the Equality Act 2010. We hope that Honourable Members will agree that this is a necessary, sensible and useful addition to the Code.
4. The evidence received by the CSPL suggests that most allegations of Code breaches relate to bullying and harassment. At the same time, their sampling found that most Codes of Conduct do not cover this behaviour effectively. Whilst most Codes had a specific prohibition on bullying and intimidation, only two out of twenty Codes sampled included specific behaviours that would amount to bullying, and five only had a broad provision such as 'showing respect for others'.
5. Members will know that when the current version of the City Corporation's Members' Code of Conduct was adopted in March 2018, the pre-existing reference to "Always treating people with respect, including the organisations and constituents that you engage with and those that you work alongside" was supplemented by the additional explicit wording "...and not bullying, harassing (including sexually harassing), intimidating or attempting to intimidate any person." However, the Code does not currently include a definition of bullying and harassment nor give examples of the sort of behaviour that would be caught, something which we would like to now rectify.

Conclusion

- 6, It is recommended that the Court of Common Council approve the changes to the Members' Code of Conduct as set out in Appendix 1.

Appendices

- Appendix 1 –Revised Members' Code of Conduct incorporating revisions approved by the Standards Committee on 24th January 2020.

All of which we submit to the judgement of this Honourable Court.

DATED this 24th day of January 2020.

SIGNED on behalf of the Committee.

Ann Holmes
Chairman, Standards Committee