



Member Development and Standards Sub Committee

Date: FRIDAY, 21 JULY 2023
Time: 9.00 am
Venue: COMMITTEE ROOMS – 2ND FLOOR WEST WING, GUILDHALL

Members: Deputy Ann Holmes (Chief Commissioner)(Chairman) John Griffiths
Helen Fentimen (Deputy Chairman) Deputy Charles Edward Lord
Deputy Simon Duckworth Vacancy*
Deputy Christopher Hayward Vacancy*
Munsur Ali Vacancy (Corporate Services Committee)
Alderman Alison Gowman
Naresh Hari Sonpar

***MEMBERSHIP SUBJECT TO ELECTION AT THE COURT OF COMMON COUNCIL ON THURSDAY 20 JULY 2023**

Enquiries: June Haynes, Member Services Officer
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<https://www.youtube.com/@CityofLondonCorporation/streams>

A recording of the public meeting will be available via the above link following the end of the public meeting for up to one civic year. Please note: Online meeting recordings do not constitute the formal minutes of the meeting; minutes are written and are available on the City of London Corporation's website. Recordings may be edited, at the discretion of the proper officer, to remove any inappropriate material.

Whilst we endeavour to livestream all of our public meetings, this is not always possible due to technical difficulties. In these instances, if possible, a recording will be uploaded following the end of the meeting.

Ian Thomas CBE
Town Clerk and Chief Executive

AGENDA

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **TERMS OF REFERENCE**

To receive the Terms of Reference, as set out by the Policy & Resources Committee on 11 May 2023.

For Information
(Pages 5 - 6)

Standards Items:-

4. **STANDARDS UPDATE**

Joint report of the Town Clerk & Chief Executive and Comptroller & City Solicitor.

For Decision
(Pages 7 - 36)

Member Development :-

5. **MEMBERS' LEARNING & DEVELOPMENT - FUTURE PROGRAMME**

Report of the Town Clerk.

For Decision
(Pages 37 - 54)

6. **MEMBERS' DIGITAL PLATFORM**

Town Clerk to be heard.

For Discussion
(Verbal Report)

7. **DATES FOR FUTURE MEETINGS**

The Member Development and Standards Sub-Committee are invited to note the following dates and times of future meetings:

Friday 15th September 2023, 11.00am, West Wing Guildhall

Friday 15th December 2023, 11.00am, West Wing, Guildhall

Friday 8th March 2024, 11.00am West Wing, Guildhall

For Information

8. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE**

9. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

10. **EXCLUSION OF THE PUBLIC**

MOTION - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

For Decision

11. **INDEPENDENT REVIEW**

Report of the Town Clerk and Chief Executive.

For Decision
(Pages 55 - 62)

12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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Member Development and Standards Sub-Committee

Composition

- The Chief Commoner (to act as Chairman)
- Immediate past Chief Commoner*
- Chairman and Deputy Chairman (or a Vice Chairman) of the Policy & Resources Committee
- One Alderman nominated by the Court of Aldermen
- Two Members nominated by the Policy & Resources Committee
- Two Members nominated by the Education Board
- Two Members nominated by the Corporate Services Committee
- Together with two Members of the Court of Common Council, to be elected by the Court.

**For part of the year and then the Chief Commoner Designate for the remainder of the year (elected in October each year)*

Terms of Reference

To be responsible for:-

Member Learning and Development

- (a) To agree, a programme of Member training and development, to ensure that all Members have access to opportunities

Standards

- (b) promoting and maintaining high standards of conduct by Members and Co-opted Members of the City of London Corporation and to assist Members and Co-opted Members to observe the City of London Corporation's Code of Conduct;
- (c) preparing, keeping under review and monitoring the City of London Corporation's Member Code of Conduct and making recommendations to the Court of Common Council in respect of the adoption or revision, as appropriate, of such Code of Conduct;
- (d) keeping under review, monitoring and revising as appropriate the City of London Corporation's Guidance to Members on the Code of Conduct;
- (e) keeping under review by way of an annual update by the Director of HR, the City of London Corporation's Employee Code of Conduct and, in relation to any revisions, making recommendations to the Corporate Services Committee;
- (f) keeping under review and monitoring the Protocol on Member/Officer Relations and, in relation to any revisions, making recommendations to the Corporate Services Committee;

(g) advising and training Members and Co-opted Members on matters relating to the City of London Corporation's Code of Conduct.

Agenda Item 4

Committee(s) Member Development and Standards Sub-Committee	Date: 21 July 2023
Subject: Standards Update	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	6
Does this proposal require extra revenue and/or capital spending?	No
Report of: Comptroller and City Solicitor and Town Clerk and Chief Executive	For Decision
Report author: Edward Wood, Assistant City Solicitor	

Summary

This report is intended to update the new Member Development and Standards Sub-Committee on various standards matters that are already in train. Members are asked to note the progress that has been made on recruiting three additional Independent Persons and the work that has already been done on developing a new Members' Code of Conduct, which will be presented to a future meeting for further consideration and review. Members are asked to approve a revised Complaints Procedure, which would emphasise the role of the Chief Commoner and the Aldermanic Chairs in resolving disputes between Members, and also to consider the implementation of mandatory Code of Conduct training and the mechanisms surrounding this.

Recommendation(s)

Members are asked:

- To note the latest position on the recruitment of three additional Independent Persons;
- To approve the revised Complaints Procedure at Appendix 1 for onward consideration by the Policy and Resources Committee and the Court of Common Council;
- To note the current position on producing a new Members' Code of Conduct;
- To consider the implementation of mandatory Code of Conduct training.

Main Report

Recruitment of additional Independent Persons

1. Members will recall that nine Independent Persons were appointed by the Court of Common Council in the Summer of 2021 to determine complaints under the Members' Code of Conduct, in accordance with the recommendations of Lord Lisvane. In October 2022 the Court of Common Council instructed the Town Clerk to re-constitute the Independent Persons Appointment Panel (consisting of the Chair of Policy & Resources, the Chief Commoner, and the Chair of the General Purposes Committee of Aldermen or their representatives) to progress a further round of recruitment to appoint three additional Panel members, bringing the number to twelve in total. It was also proposed that a member of the Panel of Independent Persons join the Appointment Panel on this occasion so that they might feed into the advertisement and recruitment process, helping to identify any current gaps in terms of skill sets.
2. The rationale for increasing the size of the Panel was that there is a three-tier process for dealing with complaints (Assessment, Hearing, Appeal) as advised by Lord Lisvane and supported by the Court of Common Council. The Complaints Procedure stipulates that no Independent Person may sit on more than one sub-panel in relation to the same complaint, and a larger pool was therefore felt to be necessary in order to allow for illness or other non-availability of a Panel member or for instances where a Panel member may need to recuse themselves for any other reason. In addition to this, one Independent Person may be required to consult with any Member who is the subject of a complaint, which then takes them out of the available pool for dealing with this same complaint in any other capacity.
3. The membership of the Independent Persons Appointment Panel has now been confirmed and a timetable has been drawn up with a view to advertising the vacancies later this month, shortlisting and interviewing candidates for the positions in September, taking a recommendation on their appointment to the Court of Common Council in October and, ultimately, securing a further three Independent Persons by the end of this calendar year.

Revised Complaints Procedure

4. Your Sub-Committee will be aware that the role of the Chief Commoner has traditionally included a concern for the welfare and conduct of Common Councillors, and the Chair of the General Purposes Committee of Aldermen and the Chair of the Nominations Committee of Aldermen perform a similar function in relation to Aldermen.
5. An amendment to the current Complaints Procedure has been proposed by the Chief Commoner, to incorporate a Pre-Complaint Protocol. This would emphasise the existing alternative avenue for Members to resolve grievances against other Members, through the Chief Commoner and the Aldermanic Chairs, and the need to exhaust that process before a formal complaint is made.

6. As per historic practice, a Member with a grievance against an Alderman would be directed to seek assistance from one of the Aldermanic Chairs in the first instance, and a Member with a grievance against a Common Councillor would be directed to the Chief Commoner. The proposed text envisages that the Chief Commoner may, where appropriate, nominate a former Chief Commoner who is still on the Court to deal with the matter. This is designed to address any potential conflicts of interest, or personality clashes, with a view to achieving the best possible outcome in any given case.
7. This proposal has been prompted by a feeling that there have been too many Member v Member complaints, that tend to escalate and become divisive on the Court of Common Council, and lead to tit for tat complaints. The proposed change would further highlight that the Court is very keen to focus on conflict resolution where possible.
8. It is important to note that any Member will still be able to make a complaint to the Panel of Independent Persons, once they have tried this other route. Members will also still be able to go straight to the Panel with a complaint, if there are exceptional circumstances. This will have no impact on complaints from any other sources i.e. Co-opted Members, Officers, members of the public.
9. A revised Complaints Procedure with the amendments highlighted as tracked changes is attached at Appendix 1. The main additions are at paragraphs 3, 14(iii), 21 and 22. The changes to the complaint form at Appendix 2 are not tracked but are contained in a new section 3 relating to the Pre-Complaint Protocol.
10. The Panel of Independent Persons and other stakeholders, including the Aldermanic Chairs and former Chief Commoners still on the Court, have been consulted on the proposals and are content. If your Sub-Committee is also content then the proposal will progress to the Policy and Resources Committee and the Court of Common Council.
11. It is proposed that, before any changes to the Complaints Procedure are implemented, a separate Pre-Complaint Protocol document will be drawn up by the Chief Commoner and the Aldermanic Chairs, which will provide more detail for Members on how they will manage their part of the process.

New Code of Conduct

12. The Civic Affairs Sub-Committee reviewed the Corporation's current Members' Code of Conduct and the LGA Model Councillor Code of Conduct in October 2022. Members expressed a preference to adopt a new hybrid Code combining the more modern and illustrative drafting of the LGA Code with some of the City specific elements from the Corporation's current Code. A draft of a potential Code was then considered at further meetings of the Civic Affairs Sub-Committee in December 2022 and March 2023, together with some particular areas for discussion.

13. Now that the Member Development and Standards Sub-Committee has assumed responsibility for this area of work, the draft Code will be presented to a future meeting for your further consideration and review. Once your Sub-Committee is happy with the draft Code, it will be necessary to consult more widely on the proposals, to include as a minimum all Members and Co-opted Members to whom the Code applies and the Panel of Independent Persons. Once the consultation is complete the proposals can be reported to the Policy and Resources Committee and the Court of Common Council for formal adoption.

Mandatory Code of Conduct Training

14. One of the conclusions of the Civic Affairs Sub-Committee was that the Corporation should adopt the wording from the LGA code which states that, "I undertake Code of Conduct training provided by the Corporation". Once this provision came into force it would mean that any Member failing to undertake Code of Conduct training would be in breach of the Code.
15. Although the Corporation has previously resisted mandatory Code of Conduct training, the Civic Affairs Sub-Committee noted that all Members of the Planning and Transportation Committee were required to complete mandatory training on planning issues. The Town Clerk was also asked to provide some data on the percentage of Members who had previously undertaken voluntary Code of Conduct training. The information received was that the most recent round of training on the Code of Conduct offered to both new and returning Members from April – June 2022 was attended by a total of only 17 Members across the three sessions.
16. If your Sub-Committee is in agreement with the introduction of mandatory training you may wish to supplement or pre-empt any change to the Code of Conduct through other additional measures. This could simply involve publishing data on those Members either attending or not attending Code of Conduct training. At the other end of the spectrum this could involve seeking the introduction of a Standing Order requiring Members to have undertaken Code of Conduct training before they can be appointed to any Committee.
17. Your Sub-Committee may have a view on the mandatory elements of the training, or you may wish to leave this aspect to the Monitoring Officer. Further thought would need to be given to the frequency of the training – whether it would have to be completed every year or only at the beginning of a Member's term of office – and the best time to implement any new requirements. Depending on the additional measures adopted, Members might need to be given a window in which they must complete any mandatory training. Sufficient sessions would also need to be provided to ensure that every Member had the opportunity to attend.

Conclusion

18. The Court of Common Council previously determined that the Panel of Independent Persons ought to be increased in size, through the recruitment of three additional members, and this task is being progressed. The Civic Affairs Sub-Committee formerly developed a new Members' Code of Conduct, combining

elements of the current Code with the LGA Model Code, which will be presented to a future meeting for your consideration and review. Members are asked to consider one aspect of this – the implementation of mandatory standards training – in more detail. Members are also asked to consider a proposal to revise the Complaints Procedure, in order to emphasise the role of the Chief Commoner and the Aldermanic Chairs in resolving disputes between Members.

Contact:

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Appendices

Appendix 1 – Draft Complaints Procedure showing tracked changes

Appendix 2 – Draft Complaint Form

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In force for new complaints from ~~5 August 2022~~xxx.



**HOW COMPLAINTS SUBMITTED TO
THE CITY OF LONDON
CORPORATION RELATING TO THE
MEMBER CODE OF CONDUCT WILL
BE DEALT WITH**

INTRODUCTION

1. The Localism Act 2011 requires the City of London Corporation (“the Corporation”) to have in place arrangements under which written allegations of a breach of the member code of conduct can be investigated and decisions on those allegations taken. These arrangements apply to both elected members and co-opted members.
2. The Localism Act 2011 only applies to the Corporation in its capacity as a local authority or police authority. The Corporation has, however, chosen to apply the member code of conduct and these arrangements to all of its functions.

MEMBER AGAINST MEMBER COMPLAINTS – PRE-COMPLAINT PROTOCOL

3. Where an elected member wishes to make a complaint against another elected member, there is a strong expectation that they should first seek a resolution to their grievance in accordance with the separate pre-complaint protocol. If the grievance concerns an Alderman, assistance should be sought from the chair of the General Purposes Committee of Aldermen or the chair of the Nominations Committee of Aldermen (“the Aldermanic chairs”). If the grievance concerns a Common Councillor, assistance should be sought from the Chief Commoner who may, where appropriate, nominate a member who formerly held that office to deal with the matter.

THE PANEL OF INDEPENDENT PERSONS

3.4. The Corporation must appoint at least one Independent Person under the Localism Act 2011 whose views:

- (i) must be sought, and taken into account, by the Corporation before it makes its decision on an allegation that it has decided to investigate;
- (ii) may be sought by the Corporation in relation to an allegation in other circumstances;
- (iii) may be sought by a member against whom an allegation has been made (“the subject member”).

4.5. The Corporation has decided to appoint a panel of Independent Persons (“the Independent Panel”) and to give them an enhanced and expanded role in overseeing the complaints process. Whilst the Independent Persons cannot be formal decision-makers under the relevant legislation, the Town Clerk and the Monitoring Officer have delegated authority to implement certain recommendations of the Independent Panel, where indicated in this procedure. If they disagree with a recommendation of the Independent Panel then they must refer the matter to the Court of Common Council. Any recommendation following a hearing and any appeal, that concerns a breach of the code of conduct and an appropriate sanction, will automatically be referred to the Court of Common Council for decision, as set out in this procedure. All of the Independent Persons will be of equal stature but they will select a chair from time to time to liaise on

their behalf with the Corporation. The Independent Panel will provide an annual report to the Court of Common Council on all of the complaints that it has considered during the year.

SUB-PANELS

5-6. In the interests of fairness and efficiency, the Independent Panel will operate through a different sub-panel for each stage of the process as follows:

- (i) Assessment Panel;
- (ii) Hearing Panel;
- (iii) Appeal Panel.

6-7. Each sub-panel will consist of three Independent Persons, appointed by the Town Clerk in consultation with the Independent Panel. They may meet physically or virtually, or in a hybrid fashion. Each sub-panel will elect a chair and make recommendations based on a simple majority vote. No Independent Person may sit on more than one sub-panel in relation to the same complaint. Each sub-panel will receive administrative support from the Town Clerk and legal advice from the Monitoring Officer.

7-8. In addition, the Appeal Panel will be assisted by an elected member, appointed by the Town Clerk, to advise on contextual matters. The appointment will be made in consultation with the chair of the Independent Panel, the Chief Commoner and the chair of the Civic Affairs Sub-Committee.

PUBLIC ACCESS TO MEETINGS AND PAPERS

8-9. Meetings of the sub-panels will apply the same provisions regarding public access to meetings as the Corporation's local authority committees. Under section 100A of the Local Government Act 1972, meetings shall be open to the public except to the extent that they are excluded. The public may be excluded from a meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information. For more information on exempt information see Appendix 1. In such cases, any member may also be excluded from the meeting in accordance with Standing Orders.

9-10. Meetings of the sub-panels will also be treated as subject to the same provisions regarding public inspection of agendas, reports, background papers and minutes as the Corporation's committees, under sections 100B-100D of the Local Government Act 1972. However, the Corporation is not required to disclose to the public any document or part of a document that contains exempt information.

SUBJECT MEMBER CONSULTING WITH INDEPENDENT PERSON

~~40-11.~~ A subject member is entitled to consult confidentially with an Independent Person at any stage in the complaints process. The Town Clerk will appoint one of the Independent Persons for this purpose on request, in consultation with the chair of the Independent Panel. This will be an Independent Person who has not been and will not be involved in the determination of the complaint, at any stage, and they will be available to support the subject member throughout the complaints process.

CONFLICTS OF INTEREST

~~41-12.~~ It is envisaged that the enhanced use of the Independent Panel will limit the possibility for conflicts of interest to arise. No individual (whether an Independent Person, elected member or officer) shall participate in the consideration of a complaint where there is a real or perceived risk of bias, or if they have, or might be reasonably perceived to have, a conflict of interest. This will include declared interests, personal involvement or the involvement of a family member or close associate. A conflict would not normally arise from mere acquaintance, or the sort of relationship that usually exists between members and/or officers of the Corporation.

COMPLAINTS

~~42-13.~~ This complaints procedure is publicised on the complaints and corporate governance pages of the Corporation website and explains where code of conduct complaints should be sent. A copy of the complaint form can be accessed via the Corporation's website or can be requested from the Principal Committee & Member Services Manager, Town Clerk's Office (telephone 020 7332 1409). Formal complaints must be submitted in writing although this includes fax and electronic submissions. Help is available from the Town Clerk for people who might be disadvantaged by this requirement.

~~43-14.~~ The form covers the following matters:-

- (i) Complainant's name, address and contact details;
- ~~(ii)~~ Complainant's status i.e. fellow member, member of the public or officer;
- ~~(ii)(iii)~~ Where the complainant is an elected member seeking to complain about another elected member, confirmation that they have complied with the pre-complaint protocol, or the reasons why not;
- ~~(iii)(iv)~~ Who the complaint is about;
- ~~(iv)(v)~~ Whether the complainant would be prepared to consider informal resolution;

~~(v)~~(vi) Details of the alleged misconduct including, where possible, the paragraphs of the code of conduct that have been breached, dates, witness details and other supporting information;

~~(vi)~~(vii) A warning that the complainant's identity and a copy of the complaint will normally be disclosed to the subject member, unless there are exceptional circumstances.

~~14.~~15. A complainant may, at any stage, withdraw their complaint with the consent of the Monitoring Officer, acting in consultation with the relevant sub-panel. Consent will only be withheld where there is a genuine public interest in continuing to consider the complaint in accordance with this procedure.

CONFIDENTIALITY

~~15.~~16. Members who are complained about generally have a right to know who the complainant is and to be provided with a copy of the complaint. A complainant's identity or any details of their complaint are unlikely to be withheld unless there are exceptional circumstances, for example if the complainant has reasonable grounds for believing that they will be at risk of physical or other harm or detriment if their identity is disclosed. If the nature of the allegations warrant it, then anonymous complaints may also be considered in exceptional circumstances.

~~16.~~17. Requests for confidentiality or for suppression of complaint details should be included in the complaint form. The Assessment Panel will consider the request as a preliminary matter. Where it is not appropriate to give the subject member a full copy of the complaint, the Assessment Panel will consider whether it is possible to give them a summary or a redacted version of the complaint.

~~17.~~18. The Town Clerk will confirm any decision regarding confidentiality to the complainant. If the request for confidentiality is not granted, the complainant will usually be allowed the option of withdrawing their complaint. However, it is important that in certain exceptional circumstances, where the matter complained about is very serious, the Corporation can proceed with an investigation or other action and disclose a complainant's name even if they have expressly asked us not to. It may also be necessary in those circumstances to make a referral to another agency.

~~18.~~19. Where there is a reasonable suspicion that informing the subject member of a complaint may lead to an attempt to interfere with evidence or intimidate witnesses, the Town Clerk may defer notification to enable a proper investigation to take place.

~~19.~~20. Where issues around confidentiality do arise, the procedures as set out in this document shall be modified accordingly.

ACTION FOLLOWING RECEIPT OF A COMPLAINT – ELECTED MEMBERS ONLY

21. Where an elected member wishes to complain about another elected member and has indicated on their complaint form that they have complied with the pre-

complaint protocol, the Monitoring Officer will seek confirmation in writing from the Chief Commoner, or the Aldermanic chairs as appropriate, that they have been contacted by the complainant and that efforts to resolve the grievance have been unsuccessful. No further action will be taken in relation to the complaint and the time limits set out in the following provisions of this complaints procedure will not begin to run until confirmation has been received.

22. Where an elected member wishes to complain about another elected member and has indicated on their complaint form that they have not complied with the pre-complaint protocol, the Assessment Panel will consider any explanation for this that has been included on the complaint form as a preliminary matter. The Assessment Panel will only proceed to assess the complaint in accordance with the following provisions of this complaints procedure where there are exceptional circumstances to justify this course of action.

ACTION FOLLOWING RECEIPT OF A COMPLAINT – ALL COMPLAINTS

20-23. The Monitoring Officer will acknowledge receipt of a complaint within 10 working days. They may ask the complainant for clarification of their complaint if they are unable to understand the document submitted. They may also obtain further information to assist the Assessment Panel. This might include: copies of a declaration of acceptance of office form; minutes of meetings; a copy of a member's entry in the register of interests; information from Companies House or the Land Registry; and any other relevant and readily obtainable documents.

21-24. Subject to any issues of confidentiality, the Monitoring Officer will also provide the subject member with a copy of the complaint within the same timescale. The letter to the subject member will make it clear that they may seek the views of an Independent Person, should they so wish.

INFORMAL RESOLUTION

22-25. Where practical and reasonable the Corporation would like to focus on conflict resolution with the aim of achieving outcomes that are fair, just, inclusive and sustainable. Informal resolution is an opportunity for all parties to secure an outcome to a concern or complaint relating to the code of conduct through open and constructive dialogue, supported by an independent third party (not a member or employee of the Corporation, or one of the Independent Persons). This could include: facilitated conversation; coaching, mentoring or training; mediation; team facilitation or team building.

23-26. All parties concerned must consent, in order for an informal resolution process to be initiated – if any party objects, this process cannot proceed, in the interests of natural justice and fairness. If the complainant has indicated on their form that they would be prepared to consider informal resolution, the Monitoring Officer will, when writing to the subject member about the complaint, ask them to confirm within 10 working days whether they are also willing to enter into such a process.

24-27. Whilst the views of the parties will normally be decisive, the Town Clerk, acting in consultation with the chair of the Independent Panel, must also agree that a complaint is suitable for informal resolution, in order for this process to proceed. The factors to be taken into consideration are:

- (i) The severity of the alleged conduct and the complexity of the complaint;
- (ii) Any previous attempts to resolve the situation;
- (iii) Any stated needs of the parties e.g. in terms of reasonable adjustments;
- (iv) Any risk to the Corporation's reputation if the matter is dealt with informally;
- (v) Any risk to the welfare of the individuals involved.

25-28. The Town Clerk and the Monitoring Officer may liaise with the parties to establish the most appropriate type of informal resolution process in any particular case. The Town Clerk will then make the necessary arrangements in consultation with the chair of the Independent Panel.

26-29. If at any time during the process, or within 10 working days of its conclusion, any party feels that the informal resolution route has been unsuccessful, they may ask for the formal complaints procedure to be resumed by making a request in writing to the Monitoring Officer.

27-30. Where the formal complaints procedure is to be resumed, or where one or more of the parties have indicated from the outset that they are not willing to consider informal resolution, the Monitoring Officer will invite the subject member to provide any written response to the complaint within 10 working days. The complaint and any response will then be referred to the Assessment Panel for initial assessment.

INITIAL ASSESSMENT OF COMPLAINTS

28-31. The Town Clerk will aim to convene the Assessment Panel for the initial assessment of a complaint within 30 working days of the referral from the Monitoring Officer.

ADMISSIBILITY OF COMPLAINTS – CAN ACTION BE TAKEN?

29-32. The Assessment Panel will firstly satisfy itself that the complaint meets the following tests:-

- (i) It is a complaint against one or more named members of the Corporation;
- (ii) The named member was in office at the time of the alleged conduct and the code of conduct was in force at the time;
- (iii) The complaint, if proven, would be a breach of the code of conduct under which the member was operating at the time of the alleged misconduct;

- (iv) The complaint is about something that happened or came to light within the last three months, or is connected to alleged misconduct within the last three months, unless there are reasonable grounds for the complaint not having been made within that time period.

~~30-33~~. If the complaint fails one or more of these tests, it cannot be investigated as a breach of the code and the complainant will be informed by the Town Clerk that no further action will be taken in respect of the complaint.

ASSESSMENT CRITERIA – SHOULD ACTION BE TAKEN?

~~31-34~~. The Assessment Panel will then consider the following criteria when assessing admissible complaints and deciding what action, if any, should be taken:-

- (i) Has the complainant submitted enough information to satisfy the Assessment Panel that the complaint should be referred for investigation?
- (ii) Is the complaint insufficiently serious to warrant further action – i.e. is it too minor a matter to warrant further investigation?
- (iii) Does the complaint appear to be either malicious, politically motivated or vexatious? The Assessment Panel will consider whether the allegation is genuine and serious despite the motivation, or whether in fact it is reasonable to assume that it is not the expression in good faith of a genuine concern.
- (iv) Has the complaint already been the subject of an investigation or other action relating to the code of conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities? If so, what was the outcome of these processes and is the consideration of a new complaint appropriate?
- (v) Might the complaint still be suitable for informal resolution or mediation?

~~32-35~~. These assessment criteria are intended to ensure that complaints are taken seriously and dealt with appropriately, whilst acknowledging that a decision to investigate a complaint or to take other action will expend public resources – an important consideration where the matter is relatively minor.

INITIAL ASSESSMENT DECISION

~~33-36~~. Once the Assessment Panel has applied the assessment criteria it will then do one of the following:-

- (i) recommend that no action should be taken in respect of the complaint; or

- (ii) recommend training, conciliation, mediation or other appropriate alternative action (which, if unsuccessful, does not preclude a subsequent hearing); or
- (iii) request a formal investigation of the complaint in preparation for a hearing;
or
- (iv) refer the matter directly to the Hearing Panel, if all of the facts are known and an investigation would not assist in determining the complaint.

NOTIFICATION OF INITIAL ASSESSMENT DECISIONS

[34-37](#). After the Assessment Panel has made its recommendation, the Town Clerk will write to the complainant and the subject member to confirm the decision and to advise them of the outcome within 10 working days. The decision notice will include the main points of the matter considered, the decision reached and the reasons for that decision.

ALTERNATIVE ACTION

[35-38](#). If alternative action is proposed, the Town Clerk will additionally seek written confirmation from all involved parties that they consent and will co-operate with the process. In this case, the letter to the parties should outline what is being proposed, why it is being proposed, why they should consent and what it is hoped to achieve. The Town Clerk will then make the necessary arrangements in consultation with the Assessment Panel.

INVESTIGATIONS

[36-39](#). Where the Assessment Panel has requested that an allegation should be formally investigated, the Monitoring Officer will appoint an investigator in consultation with the Assessment Panel. This may be an officer of the Corporation but will normally be an external investigator. The Monitoring Officer will write to the complainant and the subject member to advise them of the person who will be responsible for conducting the investigation.

INVESTIGATION PROCEDURE

[37-40](#). Investigations will be conducted in accordance with the relevant protocol, which is included at Appendix 2. They will be conducted in a timely fashion and should normally be concluded within 30 working days. The investigator will produce a report for the Hearing Panel, stating whether there is evidence of a breach of the code of conduct. The report will include all of the relevant evidence that the investigator has relied upon in coming to this conclusion.

HEARINGS

[38-41](#). The Town Clerk will aim to convene the Hearing Panel within 30 working days from receipt of the investigator's report, or within 30 working days of the referral from the Assessment Panel, if there is no investigation.

HEARING PROCEDURE

[39.42](#). It is important to remember that the hearing is not being held in a courtroom setting. Whilst the complainant and the subject member may be legally represented and they, or their representatives, will normally be allowed to put questions to any witnesses, this is at all times subject to the chair's discretion to manage the hearing in an inquisitorial rather than an adversarial manner. A copy of the hearing procedure is included at Appendix 3.

FINDINGS

[40.43](#). Following the hearing, the Hearing Panel will make a finding, on the balance of probabilities, whether the subject member has failed to comply with the code of conduct. If so, the Hearing Panel will also consider what sanctions, if any, ought to be imposed. This may be any one of or any combination of sanctions that are available. The Hearing Panel may additionally consider whether any formal announcement of its findings is called for, such as a statement on the Corporation's website.

SANCTIONS

[41.44](#). Any sanctions imposed must be reasonable and proportionate in all of the circumstances. The available sanctions for a breach of the code of conduct are:-

- (i) censure;
- (ii) withdrawal of Corporation hospitality for an appropriate period;
- (iii) removal from one or more committees;
- (iv) other action.

CENSURE

[42.45](#). Censure means a formal expression of severe disapproval, and is distinct from a simple finding that there has been a breach of the code of conduct.

WITHDRAWAL OF CORPORATION HOSPITALITY

[43.46](#). Corporation hospitality includes committee lunches and dinners, drinks receptions, state banquets, etc. This sanction will normally only be considered where relevant to the nature of the complaint.

REMOVAL FROM COMMITTEE

44-47. The option of removal from a particular committee or committees includes sub-committees. This sanction will normally only be considered where relevant to the nature of the complaint.

OTHER ACTION

45-48. There is no power to impose any alternative sanctions, although the willingness of a member to co-operate in the matters listed below may have a bearing on any sanction that is imposed:-

- (i) that the member submits a written apology in a form specified;
- (ii) that the member undertakes specified training;
- (iii) that the member participates in such conciliation as is specified.

NOTIFICATION OF HEARING DECISIONS

46-49. After the Hearing Panel has made its recommendation, the Town Clerk will write to the complainant and the subject member to confirm the decision and to advise them of the outcome within 10 working days. The decision notice will include the main points of the matter considered, the decision reached and the reasons for that decision.

47-50. If the finding of the Hearing Panel is that there has been a breach of the code of conduct, this must be ratified by the Court of Common Council before it takes effect. Following the expiry of the appeal period, if no appeal is received, the Town Clerk will draft a report to the next meeting of the Court of Common Council for decision. The Town Clerk will provide a copy of the report to the parties and advise them of the outcome once the Court of Common Council has met.

APPEALS

48-51. It is possible for either the complainant or the subject member to appeal against the decision at the hearing stage. This may relate either to the finding regarding a breach of the code of conduct and/or in relation to any sanction imposed, but is limited only to: matters concerning new, or undisclosed, evidence; the failure to consider evidence that was available at the hearing stage; or failure to follow due process.

49-52. Written notice of intention to appeal must be received by the Monitoring Officer within 10 working days from the date that the parties received the decision notice. Full written details of the reasons for the appeal must then be received by the Monitoring Officer within a further 10 working days.

RESPONDING TO AN APPEAL

50-53. The Monitoring Officer will forward the full written details of any appeal to the respondent and invite them to submit their own written comments in response to

the Appeal Panel. Any written response must be received by the Monitoring Officer within 10 working days from the date that the respondent received the full written details of the appeal.

APPEAL PROCEDURE

51-54. The Town Clerk will aim to convene the Appeal Panel within 30 working days from receipt of the full written details of the appeal. The Appeal Panel will consider the admissibility of the appeal as a preliminary matter. If it is not considered to satisfy the relevant criteria, then the appeal process comes to an end.

52-55. For admissible appeals, the Appeal Panel may adopt such procedure as it considers appropriate having regard to the nature of the case. The Appeal Panel will normally make its finding on any appeal on the papers and will not hold a completely new hearing of the whole matter. However, the Appeal Panel may decide to hear further oral evidence in a particular case if it deems this necessary. If the Appeal Panel does decide to hear further oral evidence then the procedure will as far as possible follow the hearing procedure included at Appendix 3, with any necessary modifications.

FINDINGS

53-56. Having due regard to the finding of the Hearing Panel, the Appeal Panel may substitute any alternative recommendation that it considers appropriate, providing it is a recommendation that the Hearing Panel had the power to make. There is no further right of appeal against a decision made following a recommendation of the Appeal Panel.

NOTIFICATION OF APPEAL DECISIONS

54-57. After the Appeal Panel has made its recommendation, the Town Clerk will write to the parties to confirm the decision and to advise them of the outcome within 10 working days. The decision notice will include the main points of the matter considered, the decision reached and the reasons for that decision.

55-58. If the finding of the Appeal Panel is that there has been a breach of the code of conduct, this must be ratified by the Court of Common Council before it takes effect. The Town Clerk will draft a report to the next meeting of the Court of Common Council for decision. The Town Clerk will provide a copy of the report to the parties and advise them of the outcome once the Court of Common Council has met.

EXEMPT (NON-PUBLIC) INFORMATION

THE DESCRIPTIONS OF EXEMPT INFORMATION

The descriptions of exempt information under Part VA and Schedule 12A to the Local Government Act 1972 are as follows:-

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes-
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Where, in the opinion of the proper officer, the consideration of a complaint at a meeting is likely not to be open to the public, in order to prevent the disclosure of exempt information, any related papers will be treated as non-public pending a formal decision on the matter. This is in accordance with section 100B(2) of the Local Government Act 1972 and so as to avoid pre-judging the matter.

THE PUBLIC INTEREST TEST

The types of information set out above are only exempt information if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. If the public interest is equal on both sides, then the information must be disclosed – in this sense there is an assumption in favour of disclosure.

The Corporation must consider the balance of the public interest in each individual case, and therefore it is not possible to have a blanket ruling as to whether information relating to a complaint will be exempt or not.

There is no statutory definition of what constitutes the 'public interest'. The public interest can cover a wide range of values and principles relating to the public good, or what is in the best interests of society, and there are often arguments to be made on both sides. A non-exhaustive list of relevant factors to be considered are set out below:-

GENERAL PUBLIC INTEREST IN TRANSPARENCY

There is a general public interest in promoting transparency, accountability, public understanding and involvement in the democratic process.

SPECIFIC PUBLIC INTEREST IN THE COMPLAINT

As well as the general public interest in transparency, which is always an argument for disclosure, there may also be a legitimate public interest in knowing the details of a particular complaint. For example, if the complaint relates to the misappropriation of public funds, or it is alleged that the subject member's conduct has impacted on public services.

DETERRENT EFFECT

If members know – because the Corporation's policy is to publish in an appropriate case – that improper conduct, if it comes to light, will be exposed to public scrutiny then this, in and of itself, can act as a deterrent to misconduct in the first place.

OF INTEREST TO THE PUBLIC

The public interest is not necessarily the same as what interests the public. The fact that a subject member's actions are being discussed, for example in the media, does not automatically mean that there is a public interest in disclosing the information.

THE VIEWS OF THE PARTIES

The public interest test is concerned only with public interests, not private interests. However, the complainant and the subject member may be invited to make representations regarding the public interest in a particular case. For example, if neither has any concerns about information relating to the complaint being disclosed then it is unlikely that the exemption would be maintained.

INFORMATION ALREADY IN THE PUBLIC DOMAIN

If a complaint relates to the conduct of the subject member at a public meeting, then it is unlikely to be treated as exempt because knowledge of the incident is already in the public domain. However if, for example, the conduct may have been caused by an underlying medical condition, then it is likely that this would be exempt information.

PRESENTING A 'FULL PICTURE'

Similarly, there may be cases where allegations have been thoroughly aired, for example in the press and on social media; the coverage may have been partisan and not always accurate. It may be in the public interest to make the full facts known to the public, rather than having snippets referred to and innuendos drawn from those snippets.

EVIDENCE OF WRONGDOING

It is not in the public interest for baseless accusations against members of the Corporation to be publicised. Therefore in order for information regarding a complaint to be disclosed, the suspicion of wrongdoing must normally amount to more than a mere allegation; there should be a plausible basis for the suspicion, even if it is not actually proven at that stage. It is not wrong or unfair in principle to publish allegations, as opposed to ultimate findings, but we will take into account the nature and depth of any investigations undertaken, and the strength of the case against the subject member.

Consequently, it is less likely that information regarding a complaint will be disclosed at the initial assessment stage, particularly where it has been decided that no action should be taken. It is more likely that information will be disclosed if a subsequent investigation reveals a serious case to answer. It is more likely still that information will be disclosed if, after full consideration of all of the evidence at a hearing, or after any appeal, a subject member is found to have breached the code of conduct and a sanction is imposed.

INVESTIGATIONS PROTOCOL

Meeting with complainant

The investigator will interview the complainant to explore the complaint and identify supporting evidence and/or witnesses.

Meeting with subject member

The investigator will interview the subject member to explore the complaint and identify supporting evidence and/or witnesses. The subject member shall have the right to be accompanied by a person of their choice. This may be a lawyer although the process will be an interview with the subject member rather than a hearing involving advocacy.

Interviewing witnesses

All requests for interviews will be made in writing and will include a summary of the matters that investigator wishes to ask the witness about.

Recording of interviews

All interviews will either be recorded, or a full written transcript taken, and the interviewee will be provided with a copy.

Preparation of statements

The investigator may assist the parties and witnesses in the preparation of statements if they so wish, or they may choose to prepare their own statements.

Confidentiality

All interview records, witness statements and other materials produced in the course of the investigation will only be used and disclosed in accordance with the procedures set out in this document.

Retention of records

All interview records, witness statements and other materials produced in the course of the investigation will be retained by the Monitoring Officer for six years following the determination of the complaint and then destroyed.

Provision of draft report

At least 10 working days prior to submitting a final report to the Hearing Panel on whether there is or is not evidence of a breach of the code of conduct the investigator will provide a copy of their draft report to the parties for comment. The draft report will include all of the material gathered during the investigation that the investigator is intending to present to the Hearing Panel.

HEARING PANEL – HEARING PROCEDURE

1. The Hearing Panel will open in public session. It is a matter for the Hearing Panel to determine whether it moves into confidential session with the press and public excluded, in accordance with the provisions of Part VA and Schedule 12A of the Local Government Act 1972. The views of the complainant and the subject member will be sought, if these have not already been received at any pre-hearing review.
2. The Chair introduces the members of the Hearing Panel and others present, and explains the purpose of the hearing, the procedure to be followed and the nature of the meeting.
3. The complainant and the subject member may be legally represented if they wish, or accompanied by some other person, but will be expected to give evidence and answer any questions put to them personally.
4. The complainant and the subject member (and anyone representing or accompanying them) are invited to be present throughout the hearing; other witnesses will enter to give evidence and then withdraw.
5. If there has been an investigation, the investigator presents their report and then answers any questions from the Hearing Panel, the complainant and the subject member (in that order).
6. The complainant and then the subject member will be invited to make an opening statement. The Chair has a discretion to limit the time for opening statements, in appropriate circumstances.
7. The Chair calls witnesses in the order agreed at any pre-hearing review, or otherwise in the order that their statements appear in the papers. The statements will be taken as read rather than read out. Witnesses will be asked to confirm that their statements are true.
8. Immediately after confirming the contents of their statement each witness will be invited to answer any questions from the Hearing Panel.
9. Each witness may then be invited to answer questions (if any) from the complainant and the subject member (in that order). Alternatively, questions may only be allowed to be put through the Chair, with their permission.
10. The Chair has a discretion to manage the hearing in a non-adversarial, fair and efficient manner and may therefore refuse to allow certain questions, or limit the time for questioning, in appropriate circumstances.
11. There will then be an opportunity for the complainant and the subject member (in that order) to make any closing comments if they so wish. Again, the Chair has a discretion to limit the time for closing comments, in appropriate circumstances.

12. All other persons present then withdraw to allow the Hearing Panel to consider the evidence and representations with their clerk and legal adviser and to take legal advice where necessary.
13. Those persons are then invited to return and the Hearing Panel announces its finding as to whether there has been a breach of the code of conduct.
14. If the Hearing Panel considers that there has been a breach of the code it may invite any representations from the complainant and the subject member (in that order) on the appropriate sanction (censure of the member; withdrawal of Corporation hospitality for an appropriate period; or removal of the member from a particular committee or committees). The Hearing Panel may ask all other persons present to withdraw again to allow it to consider the appropriate sanction, then invite them to return to hear the Hearing Panel's recommendation as to any appropriate sanction.
15. The Hearing Panel will endeavour to conclude the hearing in one day but, in exceptional circumstances, may at any stage adjourn the hearing to a different day. This may be necessary, for example, where one of the parties makes a request to introduce additional evidence at the hearing, and more time is needed to consider this. An adjournment may also be necessary where the Hearing Panel, having heard all of the evidence, requires more time to make a recommendation.
16. The final decision of the Town Clerk or the Court of Common Council, together with the reasons for that decision, will be confirmed to the parties in writing following the hearing.
17. This procedure may be varied by the Hearing Panel as it considers appropriate in order to dispose of the matter in a fair and efficient manner.



COMPLAINT FORM

YOUR DETAILS

1. Please provide us with your name and contact details:

Title:	
First name:	
Last name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:-

- The Member that you are complaining about;
- The Monitoring Officer of the City of London Corporation.

We will normally tell them your name and give them full details of your complaint. If you have serious concerns about your name and details of your complaint being released, please complete section 6 of this form.

2. Please tell us which complainant type best describes you:

- Member of the public
- An elected or co-opted Member of the City of London Corporation
- An employee of the City of London Corporation
- Other (please specify)

PRE-COMPLAINT PROTOCOL (ELECTED MEMBERS ONLY)

3. If you are an elected Member of the City of London Corporation seeking to complain about another elected Member, have you complied with the pre-complaint protocol?

- Yes
- No

If you have not complied with the pre-complaint protocol, please explain why. Continue on a separate sheet if there is not enough space on this form. Please note that your complaint will only be considered in exceptional circumstances.

MAKING YOUR COMPLAINT

4. Please provide us with the name of the member(s) you believe have breached the Code of Conduct:

Title	First name	Last name

5. The City of London Corporation seeks to resolve disputes where practical and reasonable through informal resolution. Please indicate if you would be prepared to consider an informal resolution route for this complaint. This would involve an independent third party and may include such actions as a facilitated conversation or mediation. Considering this option does not preclude the formal resolution of your complaint, if the informal resolution route is found to be unsuccessful by any party involved.

Yes – I am willing to consider informal resolution

No – I am not willing to consider informal resolution

6. Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member, you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account. For example:-

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates, it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.
- If possible, please be specific about which paragraphs of the Code of Conduct you believe have been breached.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

Details of your complaint (continued).

ONLY COMPLETE THIS NEXT SECTION IF YOU ARE REQUESTING THAT YOUR IDENTITY IS KEPT CONFIDENTIAL

7. In the interests of fairness and natural justice, we believe Members who are complained about have a right to know who has made the complaint. We also believe that they have the right to be provided with a copy of the complaint. We are unlikely to withhold your identity or any details of your complaint unless you have reasonable grounds for believing that you will be at risk of physical or other harm or detriment if your identity is disclosed.

Please note that requests for confidentiality or requests for suppression of complaint details will not be automatically granted. The request will be considered alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Please provide us with the details of why you believe we should withhold your name and/or details of your complaint. Continue on a separate sheet if there is not enough space on this form:

STATEMENT OF TRUTH

8. I believe that the facts stated in this complaint are true.

Signed:	
Date:	

ADDITIONAL HELP

9. Complaints must be submitted in writing (this includes fax and electronic submissions). However, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.

If you need any support in completing this form, please let us know as soon as possible.

CONTACT DETAILS

10. If you have any queries regarding the completion of this form, or to submit your completed form by fax or email, please use the following contact details:

Michael Cogher (Comptroller & City Solicitor)
Tel: 020 7332 3699
Fax: 020 7332 1992
Email: michael.cogher@cityoflondon.gov.uk

Gemma Stokley (Principal Committee & Member Services Manager)
Tel: 020 7332 1409
Fax: 020 7796 2621
Email: gemma.stokley@cityoflondon.gov.uk

Paper forms should be sent to either of the above recipients at the following address:

PO Box 270
Guildhall
London
EC2P 2EJ

Privacy Statement

We will only use the information you give us for the purpose of dealing with your complaint. This may involve sharing your personal information with the member you are complaining about and with members, officers and other individuals involved in the complaints process. We will look after personal information securely and we will follow the data protection legislation. We will not give personal information about you or any personal information you may provide on other people to anyone else or another organisation unless we are entitled to by law. The lawful basis to collect the information in this form is that it is necessary for compliance with a legal obligation under the Localism Act 2011 and also necessary for the performance of a task carried out in the public interest. Some of the information that may be collected in this form may be classified as special category personal data. This is processed for reasons of substantial public interest as set out in the legislation. To process this type of information we have an appropriate policy document that sets out how this information will be handled. The City of London Corporation's Data Protection Officer is the Comptroller and City Solicitor who can be contacted at information.officer@cityoflondon.gov.uk. You should refer to the Privacy Notice at www.cityoflondon.gov.uk/privacy for further information relating to the processing of personal data.

Committee(s): Member Development and Standards Sub-Committee	Date: 21 st July 2023
Subject: Member Learning and Development Strategy Update	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	All
Does this proposal require extra revenue and/or capital spending?	N
If so how much?	N/A
What is the source of funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department	N/A
Report of: Town Clerk and Chief Executive	For Discussion
Report author(s) June Haynes, Member Services Officer	

Summary

The Member Learning and Development Strategy sets out delivery plan for an ongoing, structured, rolling programme which aims to support all Members of the Court of Common Council in ensuring that they have access to opportunities to broaden their specialist knowledge and skills in relation to their duties.

The Strategy was reviewed and approved by the then-Member Development Steering Group at its last meeting and included proposals and initial thoughts for a communication and engagement approach, a budgeting/costings process, and ongoing reporting/monitoring of the programme. Given that the Steering Group has since been subsumed within the new Member Development and Standards Sub-Committee, with a reinvigorated membership, this report seeks to provide a precis of the Strategy's development and focus, together with an update on delivery against it since your last meeting.

Recommendations

Members are asked to note the report and to provide any feedback or direction in respect of the forward learning and development programme and such additional / alternative offerings as they see fit.

Main Report

Background

1. At its meeting on 18 July 2022, the Civic Affairs Sub-Committee agreed to endorse a refresh of the expired Member Learning and Development (L&D) Strategy, incorporating the views of a remodelled Member Learning and Development Steering Group (MLDSG), whose main objective was to deliver a rolling Member L&D programme. The responsibilities of this Steering Group have now been incorporated within the remit of the new Member Development and Standards Sub-Committee.

2. The MLDSG, at what transpired to be its final meeting, approved a Member Learning and Development Strategy which included a rolling programme of training and development activities that it considered appropriate, timely, and which provided value for money.
3. It was agreed that any ongoing Member Learning and Development Programme should make use of the opportunities and expertise already available in-house. Not only would this allow for greater tailoring of L&D activities to reflect the Corporation's sometimes unique arrangements, but it would also provide for a more comprehensive yet cost-effective approach. Therefore, in the period prior to the formal approval of the, the additional capacity had allowed the Governance and Member Services Team to begin to actively seek out relevant offers of training from internal and external sources. These have all been responded to and, where taken up, advertised to all relevant Members. Attendance has been captured and individual training records have been adopted. The recording of training sessions is also now routine, where possible, to promote accessibility and value for money, and to allow Members to revisit previous learning sessions for refresher purposes.
4. In producing the Strategy, due consideration was given to the experiences of newly appointed Members of Court and their comments on the induction programme. However, there are references throughout to discrete induction training, as this must continue to be arranged for any Members appointed following by-elections necessitated by casual vacancies arising throughout the four-year election term. It was also considered important to establish what was to be delivered as part of the induction programme, so that Members were cited on when to expect these elements of training and understand why these were not included in the rolling programme for the broader Membership.
5. The rolling programme does not explicitly list all training/induction requirements and offerings that Members should have access to upon appointment to specific Committees. This will continue to be provided by the relevant Chief Officer(s) in conjunction with the Committee Clerk on an ongoing basis.
6. The programme operates on a thematic basis, informed by Member feedback and as approved; however, broader training continues to be delivered notwithstanding the general thematic strand, as and when opportunities arise. By way of reminder, those themes are currently as below, based on a quarterly schedule aligning with the civic year. In addition to the below themes, a suggestion has been made that it might be beneficial to add a specific statutory training theme, with all Members afforded the opportunity to undertake requisite licensing and planning training, so as to allow them to discharge their duties in this respect should the need arise and committee memberships change unexpectedly or at short notice.

2023/24	Theme/Focus
Q1	Leadership Skills
Q2	Health, Safety & Wellbeing

Q3	Equality, Diversity and Inclusion
Q4	Data and Information
2024/25	
Q1	Leadership Skills
Q2	Health, Safety & Wellbeing
Q3	Equality, Diversity and Inclusion

7. In the interests of completeness, the Strategy is available to view at Appendix 1.

Q1 Activity Update

8. Early Quarter 1 activity was somewhat limited in view of the Easter break and subsequent appointments to committees in late April / early May, with focus instead diverted to the creation of a digital Member Portal (reported on separately), following the ambition set by the MDSG at its last meeting.

9. Nevertheless, discrete training sessions were delivered in respect of:

- *Charitable Responsibilities and Obligations*: this training, delivered by specialist charity law firm Bates Wells, was intended to support the City Corporation and its Members in meeting charity trustee duties and delivering on Members' leadership obligations as Trustees. It sought to provide Members with an overview of charity law essentials, as well as information on the role of the Charity Commission and key legislation and regulation. Alderman Alison Gowman, past Chair of the City Bridge Trust and with extensive experience as a charity trustee on multiple bodies, kindly led the Q&A at the end. The session was well-attended with positive feedback; it was also recorded and has been added to the digital library to allow for those unable to attend to access it (or for those in attendance to use for refresher purposes).
- *Committee Participation Skills*: this training, delivered by the Local Government Association, is intended to provide all Members to participate effectively, collegiately, and constructively, in decision-making, whether as a Member of the Committee or as Chair.
- *Barbican Podium Planning*: In response to requests for training in respect of this complicated area which affects different facets of the City Corporation's committee structure and decision-making, a session was delivered to help Members understand the particular issues at play and assist them in discharging their duties as elected Members.
- *Community Infrastructure Levy funding*: in view of the particular nuances associated with this particular funding stream, training was offered to Members to help them understand the parameters within which this fund can be applied and their responsibilities in managing such monies and determining expenditure.

10. In addition, a series of briefing sessions took place over the period, either for specific committees or for the broader membership as appropriate, covering issues such as:-

- Material Planning Considerations
- Electronic voting familiarisation sessions
- The Barbican Estate Office Review
- The LocalMotion programme (a BHE funding initiative)
- The Economic and Cyber Crime landscape/ecosystem
- A visit and briefing on Billingsgate Market
- Reward Refresh programme Design Principles

Member Portal

11. As well as highlighting training on a quarterly basis via email, the MDSG were supportive of proposals to deliver a new 'Member Portal' – i.e., a dedicated Member Resource page on the City Corporation intranet. It is intended that this portal will not only allow Members to find out about training opportunities and book onto courses, but also operate as a 'one-stop shop' for the dissemination of a large volume of Member-related material, including committee lunch booking forms, quarterly financial support scheme submissions, links to key contacts, news releases, IT updates, meeting information, outside body vacancy listings, etc. The intention, once the portal is fully established, is to set it as the default 'homepage' on Members' City devices, so it does not require any additional effort on the Members' part to gain access and information can be tailored and presented intelligently to Members to provide a smoother and more efficient Member support service. This approach has the support of the Director of Digital Information and Technology.
12. Colleagues in the IT section kindly agreed to develop the architecture for this proposition following the MDSG's approval and, since the last meeting, have worked to develop this offering. A presentation demonstrating this resource will be provided to Members elsewhere on today's agenda.

Measurement and Analysis

13. It will be crucial to monitor and measure delivery to ensure not only the appropriate use of resources, but to allow us to take forward learnings for the future. There is a commitment to this within the Strategy, and we plan to deliver against this by reporting quarterly on the following metrics:
- Course offerings for the previous quarter;
 - Course attendance figures;
 - Qualitative feedback for individual courses;
 - Budget and cost updates.
15. The first qualitative update report will be presented to the next meeting of your Sub-Committee, once data for Q1 has been assessed.

Corporate and Strategic Implications

Strategic Implications:

16. The profile of the L&D function, both internally and externally, demonstrates Members' commitment to ensuring that they have the relevant skills to deliver on all areas of the City's Corporate Plan, including the ambitions to embrace best practice and to deliver on value for money requirements, and to support individuals to promote and cultivate communities within the organisation and amongst the City's resident population.

Financial Implications:

17. There is an annual budget allocation of £9k made by the City Corporation for Member Learning and Development. The Civic-Affairs Sub-Committee, noting that this was significantly lower sum than that allocated by other local authorities, agreed to committed a further £11k (via the Policy Contingency fund) which has been transferred to this Sub-Committee for the coming financial year. This provides a total of £20k for Member Learning and Development opportunities in the coming period.

Resource Implications

18. Additional resources have been put in place with the appointment of a dedicated Member Services Officer as of August 2022 who is responsible for ensuring that the objectives are met. This has helped to draw together a team of officers across departments who are collectively responsible for the Member Learning and Development offer.

Risk Implications

19. The success of the Member Learning and Development Programme is reliant on the level of Member engagement. If the offer is not sufficiently appropriate or engaging, the objectives will not be met. If successful, the delivery of the Strategy ought to help mitigate against corporate risks across the organisation, with Members being better equipped to discharge their various responsibilities.

Equalities Implications

20. Under the Equality Act 2010, all public bodies have a duty to ensure that when exercising their functions they have due regard to the need to advance equality of opportunity between people who share a protected characteristic and to take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people and encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low. The proposals contained in this report do not have any potential negative impact on a particular group of people based on their protected characteristics. Instead, the strategy will ensure that the programme is accessible to all Members and would accommodate those requiring support to ensure that all delegates have the same opportunities. Where possible, reasonable adjustments will be made to allow equality of access.

Climate Implications:

21. There are no climate implications arising from this report.

Security Implications:

22. There are no security implications arising from this report.

Conclusion

23. This report presents an update on the delivery to-date of the new Member Learning and Development Strategy and invites Members' thoughts and reflections on alterations or additions that might be made to the rolling programme moving forwards.

Appendices

Appendix 1 – Member Learning and Development Strategy 2023-2025

Contact:

June Haynes, Members Services Officer

June.haynes@cityoflondon.gov.uk



**MEMBER LEARNING AND
DEVELOPMENT STRATEGY
2023-2025**

VERSION 2 (UPDATED JULY 2023)



CONTENTS

1. Introduction to the Member Development and Standards Sub-Committee
2. Aim of the Strategy
3. How Member Learning and Development Needs will be Identified
4. How Member Learning and Development Needs will be Met
5. Rolling Programme of Events
6. Equality of Access and Opportunities
7. Monitoring and Evaluation



1. INTRODUCTION TO THE MEMBER DEVELOPMENT AND STANDARDS

SUB-COMMITTEE

This Member Learning and Development Strategy has been fully endorsed by the Member Learning Development Steering Group who have, until May 2023, been involved in and have driven the drafting of this document.

The Group first agreed its terms of reference in 2003 in order to ensure all Members have access to opportunities to broaden their specialist knowledge and skills in relation to their duties as Aldermen or Common Councillors. The Group was re-established in 2022 following the implantation of the Lord Lisvane's Governance Review and the strategy re-invigorated.

Now the Member Development and Standards Sub-Committee will take on oversight of the strategy and its implementation and may periodically update contents throughout its lifetime.

Whilst this strategy is designed to support and structure the City Corporation's work and commitment to Member development, every Member is encouraged to take personal responsibility for their own development.

The Sub-Committee (formerly the Steering Group) has a number of responsibilities including:

- Development and review of a learning and development strategy that is relevant to, and continues to meet the needs of, all Members.
- Developing a comprehensive induction programme for all new Members as they join the Court
- Establishing a range of development opportunities which Members may pursue individually or in groups, based on an analysis of their needs
- Setting out and monitoring a budget allocated to Member development and ensuring it is used effectively and delivers value for money
- Ensuring Members are made aware of, and encouraged to pursue, all the learning and development opportunities that are available
- Monitoring how learning and development opportunities - formally as part of a structured Member Learning and Development Programme and also informally - are being delivered across the organisation, and their effectiveness
- Monitoring Member involvement in the learning and development activities that are provided and take relevant action, as required, to improve attendance/participation.

2. THE CITY CORPORATION'S MEMBER LEARNING AND DEVELOPMENT STRATEGY

Good practice dictates that effective Members' learning and development programmes are those that are informed by Members. Consequently, after the Induction Programme following the 2022 Ward Elections, all Members of the Court of Common Council were surveyed to establish what knowledge and skills gaps may exist. A formal Member Learning and Development offer has therefore been developed, taking into account the views, requirements and relevance to Members and will be delivered on a quarterly basis from 2023-2025. This rolling programme should feature formal in-person training courses, online courses and recordings, visits and practical skills sessions, developed in consultation with the Sub-Committee, and delivered to all Members. In addition to this, but outside of the formal Member Learning and Development offer, committee-specific training will be provided by Chief Officers as and when necessary and the Chairmen will continue to deliver a series of topical briefings for Members.

A structured programme, delivered on a rolling basis, is being offered to Members and this will continue through to the next Ward elections in March 2025. During this time, there will be a focus on rebranding the service to raise the profile and add creditability to the programme

This Strategy is intended to enhance the profile of the City Corporation's commitment to Member Learning and Development by providing clarity about what support is available to all Members and how this can be accessed; and to identify the key issues that will be addressed in the formulation, delivery and evaluation of the rolling programme between April 2023 and March 2025.

3. HOW MEMBER LEARNING AND DEVELOPMENT NEEDS WILL BE IDENTIFIED

To ensure that the Member Learning and Development Programme remains Member-led, surveys will be undertaken periodically to ascertain Members' learning and development requirements.

Members will be provided with regular updates from the Governance and Member Services Team through the Members' Briefing and Members' Portal (new digital platform). They will be encouraged to identify areas/issues that should be addressed in the rolling programme and draw these to the Sub-Committee's attention. Feedback from attendees at learning and development events will also inform the content and delivery of the rolling programme of learning and development activities. Qualitative and quantitative tools will be used as part of the evaluation arrangements to effectively measure impact and satisfaction levels. A structured Learning and Development Programme, which will be delivered on a rolling basis as of March 2023, will focus on the following:

Essential Training Needs

The Sub-Committee will routinely review the learning and development programme to ensure that it continues to meet the needs of Aldermen and Common Councillors and reflects any relevant changes in the internal and external environment. Such factors may include changes in corporate priorities, new legal requirements, or developments and changes in local government services and structures.

It is vital that any learning and development activities relate directly to Members to fulfil their individual roles. To ensure this is the case each newly elected Member will be provided with an induction programme that delivers an overview of what the City of London Corporation does and how its diverse services are funded and delivered. In addition, committee-specific issues will be addressed in a variety of ways including presentations from Chief Officers, one to one sessions with officers, site visits, access to virtual learning events and the circulation of written briefings. Additional learning and development opportunities, that address practical skills and Members' wider roles, will also be available.

Newly-elected Members joining through by-elections will have access to the same induction offering as those who joined in March 2022. This is facilitated through one-to-one discussions and access to recordings of sessions. Refresher learning and development activities will be included in the rolling programme of activities to ensure that Members are able to fulfil their roles most effectively. Where possible, the Member Services Team will endeavour to record all events, to be made available via the Members' Digital Platform for future viewing.

Areas of knowledge that will be relevant to all Members, were included in the 2022 induction but will be made available for the 2023-2025 Member Development Programme include:

- Code of Conduct
- The Member/Officer Protocol
- Disclosure of pecuniary and other significant interests
- Knowledge of the demographic profile of the City of London and the social, environmental and economic issues facing the residential and business communities
- The City Corporation's departments and key members of staff
- Meeting regulations and committee/Court of Common Council procedures
- Relevant legislation (licensing/planning)
- Data protection and Freedom of Information responsibilities

Recommended Training

The Sub-committee will identify opportunities that it recommends that Members undertake to support the discharging of their duties.

Specialised Roles, Needs and Related Factors

It is important that all Members are fully aware of the breadth of the organisation's services, its history, its tradition and its on-going relevance. Likewise, as above, some Members will have additional roles that they currently fulfil or are likely to fulfil in the future and therefore specialist or focused training will be delivered where such needs are identified.

The following list is not exhaustive but highlights areas of specialised training that will be included in the programme:

- Regulatory awareness (i.e. Licensing, Planning, etc.)
- Staff Appeals training
- The Governance Framework (i.e. Standing Orders, Code of Conduct)
- Ceremonial protocol
- Key topics relevant to the City of London Corporation
- Changes in legislation

There will be areas related to our institutions, such as the City's Family of Schools, that demand specialist training and will be responsible for delivering this directly to the relevant Members. This will be managed by the experts within those relevant departments, however, going forward over the 2023-25 period, the Member Services Team will be seeking to draw together all of these threads, for a collaborative and considered offering.

Identifying personal development needs

The above aspects will define generic learning and development needs linked to corporate aims or activities and, most importantly, Members' roles. However, for the programme to be truly reflective of, and to meet individual Members' needs and interests, an element of self-analysis is required. All Members are therefore strongly encouraged to undertake a certain amount of self-analysis and to advise the Committee and Member Services Team about any skills or knowledge gaps that could be addressed through the learning and development programme. The process will

be overseen and monitored by the Member Development and Standards Sub-Committee.

Practical skills that might be of interest to Members, and which will be included in the Member Learning and Development Programme, include:

- Chairmanship Skills
- Presentation Skills
- Communication skills including negotiating, conflict resolution, advocacy and lobbying
- Public speaking
- Problem solving, scrutiny and analytical skills
- Social media

Individual personal learning and development requests

Where Members have specific learning and development interests that are relevant to their role as an elected Member but not met through the structured Member development programme, requests to attend particular events (i.e. external conferences, seminars and training sessions) should be submitted to the Member Development and Standards Sub-Committee, via the Committee and Member Services Team, for approval. Where attendance/event costs are to be met from the Member Development budget, the Member Development and Standards Sub-Committee approval is required in advance.

Data Collection and use

The Member Services Team have an ambition to capture data relating to Member skills and interests, particularly as they develop over time and build from experience in a non-City Corporation capacity. It is hoped that this can be achieved once the main programme has bedded in. Reminders encouraging updates from Members, other engagement methods will be considered in order to maximise response.

Whilst the Team is committed to better using the information available to tailor the approach to Member Learning and Development, this data will also continue to be shared with Innovation and Growth, Remembrancer's Department and Mansion House to help inform relevant events – therefore generating benefits across multiple departments and areas of the City Corporation

Corporate and strategic objectives

It is essential that this programme works towards supporting Members in delivering the City Corporation's Corporate Strategy. The Member Services Team will engage with the Chief Strategy Officer, and all Chief Officers on a regular basis, to ensure that any areas of development are identified and addressed pro-actively.

4. HOW MEMBER LEARNING AND DEVELOPMENT NEEDS WILL BE CONTINUED TO BE MET

Due to the intensive nature and short timeframe of a typical induction programme, all of the learning and skills development needs of Members are unlikely to be met solely through induction. Aldermen and Councillors will therefore have access to continuing, needs-based learning and skills development opportunities throughout their term to enhance their effectiveness.

When looking to identify appropriate development activities, there is a need to be mindful of ensuring that those activities represent value for money. In the current economic situation, wherever possible, development needs will be addressed through in-house provision and free resources. Pan-London opportunities will also be explored and, where relevant, made available to Members. In some circumstances, particularly where practical skills-based learning and development is required, external training providers will be engaged.

Where a course is considered valuable, but where costs will not allow participation to all Members, a view will be taken on whether it would be appropriate to offer the opportunity to the relevant Chairs and Deputy Chairs.

The development of an effective training and development programme is based on identifying the skills and knowledge required by Members to perform their roles and responsibilities effectively. Throughout the year, Aldermen and Councillors will be able to undertake a variety of general learning and development activities. Likewise, a variety of tailored activities will be made available to Chairs, Committee Members or those that have expressed an interest in undertaking practical skills-based training. Learning and development activities will be delivered in a variety of methods including:

- In-house briefings and workshops delivered at various times throughout the day on a broad range of topics
- External conferences, seminars and training events (off-site or on-site collective or 1-2-1)
- Written briefings and learning materials
- E-learning packages
- Recording of each session available via the Members' Portal to increase attendance and exchange of learning
- Site visits
- Sharing of knowledge amongst Members
- Mentorship and shadowing opportunities from 2024.

Members are encouraged to be involved in the development of fellow Members where appropriate by supporting induction and on-going training activities, disseminating expert knowledge; and offering mentoring.

Where relevant and practical, learning and development activities will be promoted and made available to the City Corporation's Co-opted Members.

The day-to-day management of appropriate Member Learning and Development activities will be the responsibility of the Committee and Member Services Team, in consultation with the Member Development and Standards Sub-Committee

Members should contact the Governance and Member Services Team at any time to discuss learning and development needs and interests:

Email: june.haynes@cityoflondon.gov.uk

All Members will be regularly notified of the learning and development activities available and encouraged to participate where possible.

5. ROLLING PROGRAMME OF TRAINING EVENTS

The learning and development programme will be delivered on a quarterly themed-basis as follows:

2023/24	Quarter commencing	Theme/Focus
Q1	01 April 2023	Leadership Skills
Q2	01 July 2023	Health, Safety & Wellbeing
Q3	01 October 2023	Equality, Diversity and Inclusion
Q4	01 January 2024	Data and Information
2024/25		
Q1	01 April 2024	Leadership Skills
Q2	01 July 2024	Health, Safety & Wellbeing
Q3	01 October 2024	Equality, Diversity and Inclusion

The rolling programme will be delivered on this basis until **31 December 2024** in advance of the Ward elections in **March 2025**.

Information setting out the details of all learning and development activities that will take place during each quarter will be published in advance and circulated to all Members.

Where free, ad-hoc training opportunities present themselves, these will be advertised to the whole Court (cost depending). Where there are costs associated with training, proposals will be brought to the Sub-committee, providing there is sufficient time to do so. If there is insufficient time to bring forward proposals to the Sub-committee, the Deputy Town Clerk and Assistant Town Clerk will be authorised to approve the cost of training and the appropriate recipient(s) of the training, in consultation with the Chief Commoner and Deputy Chair of the Sub-Committee.

Advance notification of anticipated attendance at all events will be required and in the event that low attendance is anticipated, the relevant Chief Officer and the Chief Commoner will be consulted as to whether or not a session should be postponed and rearranged to take place on an alternative date.

Where low attendance at externally facilitated sessions is anticipated, to ensure that the Member Development Budget is used appropriately, the Chief Commoner and Deputy Chair of the Sub-Committee will be consulted and if necessary, practical skills sessions will be postponed until the optimum attendee number can be guaranteed.

6. EQUALITY OF ACCESS AND OPPORTUNITIES

The City recognises its responsibility to offer equality of access to learning and development for all elected Members. In practice this means making sure that there are no physical, social, religious or cultural barriers to Members who want to participate in development opportunities, including those with work and family responsibilities, and using a range of methods to meet learning needs.

All Members shall have the opportunity to benefit from learning and development opportunities regardless of their physical circumstances, ethnicity, race, gender, sexuality, age or religion.

Information about learning and development opportunities will publicised appropriately and well in advance and in a format that all participants can access.



7. MONITORING AND EVALUATION

It is important to monitor and evaluate Members' learning and development to ensure that it has met its objectives, to ensure that the Corporation has received value for money in terms of the cost and the benefits, and to identify where improvements can be made in the future.

Attendance at learning and development sessions will be recorded in order to monitor interest and Members will be encouraged to give feedback on all learning and development activities. This will inform the on-going learning and development programme and commissioning work with external training providers; as well as ensuring that there is continuous improvement in the delivery of the Member Learning and Development Programme and maximisation of the benefits to Members.

Members will be asked to complete a short evaluation form after attending a learning and development event but in some instances other evaluation methods might be used including:

- Pre and post course questionnaires
- Feedback from the event facilitator (i.e. Chief Officer delivering a briefing or an external training provider)
- Verbal or written feedback from either the group or individuals who took part in the activity.

All feedback about the learning and development programme will be reviewed by the Member Development and Standards Sub-Committee on a quarterly basis.

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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