

<b>Committee(s):</b> Member Development and Standards Sub-Committee Policy and Resources Committee	<b>Date:</b> 17/07/2024 26/09/2024
<b>Subject:</b> Independent Review of Member Behaviour (Local Government Association) – Proposed Action Plan	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	<b>All</b>
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so how much?</b>	<b>N/A</b>
<b>What is the source of funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain’s Department</b>	<b>N/A</b>
<b>Report of:</b> Town Clerk	<b>For Decision</b>
<b>Report author(s):</b> Gemma Stokley	

### Summary

Good administration and effective decision-making is dependent upon successful Member/Member and indeed Member/Officer working relationships. In this vein, and mindful of the need to encourage constructive and positive behaviours, the Town Clerk (with the support of the then Chief Commoner and the Policy Chair) made an approach to the Local Government Association (LGA), in order to commission an independent review of Member behaviour and inform actions that might be taken to support a commitment to learning and improvement within the organisation, in the context of a strong desire to ensure that the City Corporation is an inclusive and respectful place for people to undertake their work and other duties.

Your Member Development and Standards Sub-Committee (MDSSC) were involved from the outset and were provided with an overview of the intended independent review proposed and, following some suggestions around timescale and scope, approved its progression.

Once complete the Review and the report presenting the draft findings in full was shared with the full Court membership. Your Sub-Committee first considered the recommendations therein, posed their own further questions to add to these, and directed that the views of all Members then be sought informally. A brief covering report drawing out some key questions upon which the Sub-Committee wanted all Members to reflect was submitted to the February Informal Court of Common Council meeting and the meeting itself afforded all the opportunity to discuss the proposals in greater detail, ahead of this being fed back formally to your Sub-Committee.

This report now brings together all comments received on suggested areas for reflection highlighted within the Review Report and also sets out an Action Plan for delivery which your Policy and Resources Committee and, ultimately, the Court of

Common Council, are now asked to approve for adoption. The timing of this report is intended to dovetail with and reflect upon points also raised under the Members Code of Conduct Review given that there are, by definition, clear links between the two pieces of work and an opportunity to capture any relevant learning between these.

## **Recommendations**

Members are asked to note the points raised by Members (both at the Informal Court meeting in February, at your Member Development and Standards Sub-Committee and by direct response to the Town Clerk thereafter) in relation to the specific questions posed by the Reviewer and approve the Action Plan setting out the proposed next steps to help best address these.

### **Main Report**

#### **Background**

1. The City of London Corporation has 125 elected Members (100 Common Councilmen and 25 Aldermen). Under the Localism Act 2011, the City Corporation must promote and maintain high standards of conduct by Members and co-opted Members and must adopt a Code of Conduct that is consistent with the Seven Principles of Public Life. The City Corporation has also adopted a Member/Officer Charter that is designed to ensure positive and appropriate working relationships.
2. Notwithstanding the arrangements in place, it has been observed that improvements could be made to the way in which elected Members engage with their peers, as well as with officers and with partner agencies.
3. In an attempt to enhance this area, to promote an inclusive and respectful working environment and support ongoing improvements to Member culture, the LGA was approached to conduct an independent review to assess Member/Member and Member/Officer relationships and behaviours within the City of London Corporation. The LGA responded with a proposal and a timetable for its delivery which was considered and formally endorsed by the Member Development and Standards Sub-Committee.
4. The review took place throughout October 2023. The reviewer's approach was to conduct a number of structured interviews as well as a total of seven focus group meetings to which all elected Members were invited (two in-person and five virtually). Where Members responded to indicate that they would prefer not to raise issues within a group setting, they were encouraged to submit any observations to the reviewer in writing and a number opted to do so.
5. The reviewer also conducted desk research of relevant policies (e.g., the Member Code of Conduct, Member/Officer Charter), the Member Development Programme with attendance stats, webcasts of public meetings, staff survey results, external media articles relating to City of London Corporation culture, communications regarding wellbeing/culture/ staff engagement, grievance/whistle-blowing statistics, and other relevant documentation, to assist in the conclusions reached.

### **Current Position**

6. The review has now concluded. Your Member Development and Standards Sub-Committee had the opportunity to review the findings in the first instance at their December 2023 meeting and, whilst reflecting on the questions posed therein, offered their own thoughts/additional points that they felt would benefit from wider input. Thereafter, the Town Clerk was instructed to share the outcomes with all elected Members, asking that they reflect specifically on the questions set out so as to direct Officers as to any potential next steps that they may feel necessary to help address them.
7. The report was consequently circulated to all Members and time was set aside within the agenda for the February 2024 Informal Court of Common Council meeting to allow for constructive discussion and debate about its findings and suggestions for moving forward. The March 2024 meeting of your Member Development and Standards Sub-Committee provided a final opportunity for Members to draw all views together and to re-visit the questions posed through the Review holistically with these in mind.
8. Alongside this, a consultation concerning a review of the City Corporation's existing Member Code of Conduct document has been underway and Officers were keen to present both pieces at the same time given that, by definition, the two are inter-related and a linked timetable for implementation provides the opportunity to reflect on any relevant learning/commentary across both. A review of the existing Member/Officer Charter is also now proposed for the Autumn which will also respond to various points of the proposed action plan here.

### **Summary Feedback**

9. For ease of reference, the feedback received on each question posed both at the February Informal Court meeting, the March MDSSC meeting and also those made separately to the Town Clerk thereafter are summarised below:-
  - a. **What does "good" look like, could this benefit from the creation of a behavioural framework with worked examples? Who would be best placed to feed into such a document?**
    - *Many were against the introduction of a framework defining 'good' and felt that more of a cultural shift/common sense approach was needed versus further formal documentation;*
    - *The idea of a City Corporation 'Mission Statement' was put forward, clarifying the organisation's underlying values;*
    - *Words in existing policies and procedures should be put into practice by all in terms of working to create a truly inclusive environment and demonstrating good behaviours;*
    - *It was felt that training for all on cultural competency and non-apparent differences would be helpful e.g. – class/social standing, neurodivergence, mental health – important to expand Members' education beyond the visible;*
    - *It was suggested it may be helpful to define 'bad' as opposed to 'good' behaviours to clearly set out those behaviours that were to be discouraged and called out.*

**b. How can the existing messaging around expectations and standards of behaviours be reinforced within the induction process?**

*No substantive comments.*

**c. Should the introduction of a “buddying” system for new Members be considered – would Ward Deputies (not necessarily your own Ward Deputy) be best placed to offer this?**

- *Many were in favour of a buddying system;*
- *Many felt that this did not necessarily have to fall to Ward Deputies and that this role should be considered entirely separate to any sort of buddying system;*
- *It was noted that some Ward Deputies themselves were newly elected Members that would therefore require their own tailored support/mentoring;*
- *Whilst Ward Deputies were often well placed to advise on generalities, it was noted that Committee specific training/mentoring would be of most value to new Members;*
- *It was felt that a skills audit should be undertaken when onboarding new Members to any Committees;*
- *It was felt that any buddying system should not be overly formalised.*
- *All Members intending to return to office post March 2025 should be approached in good time to seek expressions of interest/supporting statements for those willing to act as buddies to any newly elected Members. A certain number of Members would then be selected to form a ‘pool’ of people to whom newer Members may reach out as they navigate the complexities of the organisation.*

**d. Should the introduction of mandatory training for Committee Chairs be introduced – how best could compliance with this be encouraged/enforced, through the Code of Conduct/Standing Orders for example?**

- *City specific training for Chairs should be offered on a regular basis but not made mandatory, ever mindful of the time demands already placed on Members;*
- *Some queried what the sanction might be for those not undertaking such training were it to be mandated;*
- *It was noted that Chairs were elected annually and that, ultimately, if Members were unhappy with their performance, they could cast their votes accordingly at this juncture;*
- *It was noted that the natural journey of a Chair was to serve as a Member of a certain Committee first, then as Deputy Chair and finally Chair – this was felt to be the ideal ‘training ground’ for the position;*
- *The idea of an annual appraisal or other suitable process by which formal feedback could be received by Chairs from their Committee membership was put forward – this should be a confidential exercise;*

- *The suggestion of a ‘carousel session’ hosted by different Chairs, setting out their approach to managing meetings with an opportunity for Q&As was made;*
- *It was highlighted that further clarity around the roles of various Chairs was required.*

**e. How might we identify measures of success around the role of the Chief Commoner in supporting informal resolutions to potential complaints? Does the recent change to the Complaints Process and the introduction of a Pre-Complaint Protocol for all Member-on-Member matters requiring consultation with the Chief/a past Chief still on the Court or the Aldermanic Chairs go far enough?**

- *It was felt that poor behaviours reported outside of any formal process was an important means by which the organisation could and should build up a picture of the issues emerging and individuals involved;*
- *It was underlined that cultural changes could not be achieved by simply implementing procedures. Communication and common sense/courtesy was key;*
- *It was noted that there would be certain incidents, those involving discrimination around protected characteristics for example, that would simply require a laid down process;*
- *Some warned against the weaponisation of the formal process;*
- *The introduction of the Pre-Complaint process for Member/Member complaints was welcomed;*
- *A Member queried whether a similar informal process could be championed for Member/Officer complaints;*
- *It was noted that the Chief Commoner could not be held accountable where Members indicated that they were not open to using the Pre-Complaint process.*

**f. How do we encourage “allyship” in calling out bad behaviour? How and where best might “allyship” be defined?**

- *Many felt that this was about common sense and creating environments where all felt confident in calling out bad behaviours, in Committee meetings for example, where it could often be helpful to pause and re-set the tone of certain debates;*
- *It was important to underline that ‘allyship’ was not about ‘ganging up’ or singling out. Behaviours could be corrected without personalising matters – it was about both behaviours and impacts (albeit sometimes unintended) and emotional intelligence;*
- *It was noted that the Police Authority Board had recently been offered training which may be of relevance/use to the wider Court in this respect;*
- *Speaking out was key - important not to be an active bystander;*

- *Some felt that those on the EDI Sub-Committee could be acting as 'champions' in this respect and had a duty to remind all of behavioural expectations.*

### **Proposed Next Steps**

10. In order to address the views expressed and actions supported by Members under each question posed by the Independent Reviewer, Officers have drawn up a proposed Action Plan (**attached at Appendix 2**). Members are asked to approve its adoption and the next steps set out therein.
11. It is proposed that progress against the Action Plan will be regularly reported upon and monitored by your Member Development and Standards Sub-Committee.
12. The target dates for much of the action plan centre around the new Member Induction in April-May 2025. In terms of measuring success, there is little quantitative data to provide a strict numerical comparison. Initially, we would be relying on anecdotal evidence of improved culture. That being said, it may be possible to support the Chief Commoner in monitoring the number of behavioural matters raised with them informally. These could be used alongside data on the use of the pre-complaints protocol and, of course, the full complaints procedure. Over time, we would be able to report on any increase or decrease in the level of concerns over Member behaviour.

### **Corporate and Strategic Implications**

8. The main objective is to foster an environment of professionalism with an expectation that all Members and Officers will be treated courteously and with dignity. The now completed LGA Review and any next steps in terms of addressing the findings here would demonstrate the drive of the Corporation to ensure high standards of conduct and to embrace best practice. This will, in principle, allow for better delivery against all objectives within the Corporate Plan 2024-29.

### **Financial Implications**

9. Any ongoing financial implications will be dependent upon next steps determined by Members in responding to recommendations coming forward. This may, therefore, require subsequent bids to be made in due course; however, there are no additional funding implications at this stage.

### **Resource Implications**

10. Additional resources may be required to deliver any subsequent learning and development events arising from the points highlighted within the review and directed by Members. Subsequent reports may be required to set these out in greater detail

### **Legal Implications**

11. The legal implications of the proposal are contained within the body of this report. Members are asked to specifically note the City Corporation's duty,

under the Localism Act 2011, to promote and maintain high standards of conduct by Members and co-opted Members.

### **Risk Implications**

12. Member conduct represents a potential reputational risk to the organisation, together with a practical risk associated with a failure to attract and retain high quality Members and Officers should there be a negative working environment. It is, therefore, in the interests of the Corporation to take such steps as are required to foster a positive and inclusive working environment for its Members and Officers.

### **Equalities Implications**

13. Public bodies have a duty under the Equality Act to have due regard to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and those who do not. The proposals contained in this report do not have any potential negative impact on a particular group of people based on their protected characteristics, rather they seek to actively foster good relations between all.

### **Climate Implications:**

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

### **Security Implications:**

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

### **Conclusion**

16. The independent review of Member behaviour conducted by the LGA has concluded and is part of a wider commitment to learning and improvement within the organisation, in the context of a strong desire to ensure that the City of London Corporation is an inclusive and respectful place for people to undertake their work and other duties.
17. The review clearly highlights that there is much for the Corporation to be proud of but it is obvious too that some challenges still persist. All Members have now had the opportunity to consider these initial findings.
18. It is clear that, for the steps proposed to be taken in response to the Review to be a success and deliver real change, it will be essential to seek to build consensus, with the primary objective being that the organisation is able to articulate and demonstrate the standards of behaviour that are expected of its elected Members clearly and consistently. It is in this vein that we therefore now ask that your Committee approve the proposed Action Plan to address the points highlighted and agreed by Members as requiring further improvement.

## **Appendices**

- Appendix 1 – LGA Final Report - An independent review into Member behaviour within the City of London Corporation
- Appendix 2 - Independent Review of Member Behaviour (Local Government Association) – Proposed Action Plan

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