

Royal Borough of Kensington and Chelsea **Independent Ethics Panel Annual Report**

Introduction

This is the first annual report of the Independent Ethics Panel for Kensington and Chelsea Council. The Panel was established in 2018 as part of the Council's commitment to maintaining the highest ethical standards in governance and management.

In 2017, in the aftermath of the Grenfell Tower tragedy, the Council adopted the principles set out in the [Charter for Families Bereaved through Public Tragedy](#), proposed by Bishop James Jones in his report on the experiences of families affected by the Hillsborough disaster

In doing so, the Council has committed to, amongst other objectives, being "accountable and open to challenge", and ensuring "that processes are in place to allow the public to hold [them] to account for the work [it does] and for the way in which [it does] it.

In June 2018 the Council agreed to a number of changes to strengthen ethical governance at the Council - including the establishment of an Independent Ethics Panel. Its main roles include:

- advising the Council on the best practice to promote and maintain high standards of conduct by Councillors and officers
- advising the Council on the adoption or revision of a Members' Code of Conduct.
- advising the Council on the adoption or revision of the arrangements for dealing with complaints alleging a breach of the Members' Code of Conduct.
- advising whether a complaint should be investigated
- making recommendations to be taken into account by the Audit and Transparency Committee before it takes a decision on a complaint which has been investigated.
- advising the Council on matters relating to ethics and ethical conduct, anticipate ethical challenges and foster good practice.
- making relevant recommendations on these matters to the Chief Executive and the Monitoring Officer.

The issues the Panel considers are frequently of a confidential or sensitive nature, especially where it relates to individual complaints, so meetings of the Panel are held in private. This annual report is intended to provide an overview of our work by describing some of the key issues we have considered and activities we have undertaken.

Membership

The Ethics Panel is made up of three Independent Persons appointed under the auspices of the [Localism Act 2011](#). Members of the Panel are appointed by the Council following an open recruitment process. Since its establishment four people have served on the Panel. They are:

Revd Ijeoma Ajibade (2018-) - Ijeoma currently works for Mission to Seafarers as Regional Director, Europe. Ijeoma spent most of her career working in local government and she also worked for the London Assembly and for two Mayors of London (Ken Livingstone and Boris Johnson). She ministers at St Philips Earls Court and is also Honorary Minor Canon at Southwark Cathedral.

Ms. Johanna Holmes, OBE (2018-) - Johanna's working career since 1973 in housing and homelessness spans the public, private and voluntary sectors. Her most recent activity in this field was as Chair of a housing association – East Homes – from 2007 to 2013. Johanna Holmes has lived in North Kensington for more than forty years and has served the Council as an Independent Person since 2013.

Dr Sadie Regmi (2018-19) - Sadie is a Public Health Registrar and a National Institute of Health Research (NIHR) Academic Clinical Fellow at Imperial College London. She resigned from the Panel in September 2019 in order to pursue a Kennedy Scholarship at Harvard University.

Mr Shajad Hussain (2019-) - Shajad is a Licensing Manager for Transport for London, responsible for London Taxi and Private Hire Vehicles, including the investigation of complaints against drivers. Mr Hussain was appointed by the Council in late 2019 to replace Dr Sadie Regmi.

Review of Activities

Complaints about Member Conduct

The central role of the Ethics Panel is to strengthen the arrangements for handling complaints about the conduct and behaviour of elected members. In performing this function we also fulfil the statutory role as Independent Persons by advising the Monitoring Officer on complaints relating to Councillor conduct.

Where wider lessons might be drawn, we will advise the Monitoring Officer and/or the Chief Executive about action they may wish to take. For example, issues relating to the conduct of scrutiny meetings led to the Panel providing advice to inform the Council's overall review of scrutiny arrangements.

Details of investigations undertaken are reported to the Audit and Transparency Committee in accordance with the Council's arrangements for dealing with complaints.

Policies, guidance and advice

As well as advising on specific complaints, the Panel plays a role in strengthening the overall framework for conduct and behaviour. We do this by advising the Monitoring Officer and supporting the development of appropriate policies and guidance.

Following the publication of the Committee on Standards in Public Life's report on [Local Government Ethical Standards](#), the Panel advised the Council on the actions it might take to maintain the high standards of conduct required in local government to protect the integrity of decision-making, maintain public confidence and safeguard local democracy.

The report included a range of recommendations mostly to Government, as the recommendations involve changes to legislation, but also to local authorities, the Local Government Association and political groups. In particular the report sets out a list of Best Practice recommendations which local authorities should consider as a benchmark of good ethical practice and implement.

The Ethics Panel considered the report in detail and advised the Monitoring Officer on how it might implement relevant recommendations. This process informed a full review of the Members' Code of Conduct and the arrangements for dealing with complaints, with changes agreed at the [Administration Committee](#) held on 18 September 2019.

The Panel also supported the development of guidance for Councillors on the acceptance and declaration of gifts and hospitality. We will review all relevant policies and guidance at regular intervals to ensure they work as intended and continue to be in line with best practice in the sector.

Outside Appointments

The Panel were asked to advise the Council on the ethical considerations that may be relevant when appointing elected members to outside bodies and organisations.

This is a challenging issue. Unless an elected member is appointed specifically as a representative of the Council, then that appointee has a duty first and foremost to act in the best interests of the organisation to which they have been appointed, over and above the duties they owe to the Council.

This tension is likely to lead to ethical dilemmas arising for a Councillor seeking to represent both the Council, their residents, and what is likely to be a public-spirited organisation that might seek to work with, alongside, or under the regulatory orbit of the Council itself.

We therefore recommended that there should be a stringent test for agreeing to appoint Councillors to outside bodies. Criteria should include whether there is a clear advantage to the Council and/or the public interest in making such an appointment; whether the objectives of the Council and the organisation in question are aligned; and whether there is complete clarity about the role of the appointee and why it is desirable that that person is an elected member. We welcome the new policy the Council has produced to support this aspect of its work.

Independent Grenfell Recovery Taskforce

The Ethics Panel met the Taskforce in November to discuss the details of observations made in their fourth report about standards of member conduct. As a result, we have begun to consider what wider contribution we can make to support change at the council and the ongoing recovery effort in the borough.

We have therefore undertaken to attend more Council meetings during 2020 to understand the ongoing dynamics of the Council's relationship with its communities. We also intend to consider in more detail training and development for elected members.

The Taskforce spoke to us about the challenges the whole organisation faces in changing its culture in the aftermath of Grenfell. We think it would be helpful for us to play a greater role in advising the Council on ethical concerns that might be relevant to organisational change, and have asked the Chief Executive to advise us on how this might be done

Conclusion

Over the eighteen months the Panel has been in operation our approach has matured. We have broadened our areas of interest, to ensure that we not only provide independent assurances about the strength of the local standards regime, but also give the Council advice, guidance and challenge across other areas where there may be ethical considerations and dilemmas. Our aim is to be a resource for both Council and community. We are eager to hear from residents, officers and councillors about areas where they think we can be of assistance.

The Independent Ethics Panel

Revd Ijeoma Ajibade
Johanna Holmes
Shajad Hussain