

CODE OF CONDUCT OF THE GREATER LONDON AUTHORITY

PART 1

GENERAL PROVISIONS

Introduction and interpretation

1. — (1) This Code applies to **you** as a member of the Greater London Authority ("the GLA") or the Mayor's Office for Policing and Crime ("MOPAC").

(2) Where **you** are a member of MOPAC, this Code applies to you subject to section 31 of the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (as amended or re-enacted).

(3) The terms used in this Code are:

"the Authority" covers both the GLA and MOPAC (as applicable).

"Member" means:

- the Mayor of London,
- Members of the London Assembly,
- the Mayor of London in his/her capacity as the statutory occupant of MOPAC;
- the Deputy Mayor for Policing and Crime (whether or not an Assembly member),
- any independent person appointed by the Authority to assist with the discharge of the ethical standards functions.

(4) You should read this Code together with the principles of public life, which are as follows:

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding

contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

(5) It is your responsibility to comply with the provisions of this Code.

Scope

2. — (1) You must comply with this Code whenever you act in your capacity as a member of the Authority.

(2) Where you act as a representative of the Authority—

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- (b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

(3) In this Code “relevant authority” has the meaning given to it by section 27(6) of the Localism Act 2011. It also includes any “functional body” as defined in section 424 of the Greater London Authority Act 1999 (as amended).

General obligations

3. — (1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause you or the Authority to breach the Equality Act 2010 or the Bribery Act 2010;

(b) bully, victimise or harass any person (including by harassment of a sexual nature);

(c) intimidate or attempt to intimidate any person who is or is likely to be—

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct;

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority; or

(e) provide or offer to provide a reference for any candidate for employment or promotion with the Authority.

(3) In relation to police authorities and MOPAC for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.

(4) In relation to sub-paragraph (2)(b) above:

- i. harassment is behaviour that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them¹;
- ii. sexual harassment is unwanted conduct of a sexual nature; and
- iii. conduct can be considered sexual harassment even if it was unintentional or not intentionally directed at any specific person².

4. You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

¹ As defined by the Equalities Act 2010

² As defined by ACAS, '[ACAS publishes new advice on sexual harassment at work 19/11/17](#)'

(a) reasonable and in the public interest; and

(b) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

(i) act in accordance with your authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.

7. —(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

PART 2

INTERESTS

Pecuniary Interests

8. —(1) You have a disclosable pecuniary interest if it is of a description specified in regulations made by the Secretary of State and either:

(a) it is an interest of yours, or

(b) it is an interest of:

(i) your spouse or civil partner;

- (ii) a person with whom you are living as husband and wife, or
- (iii) a person with whom you are living as if you were civil partners and you are aware that that other person has the interest.

Registration of pecuniary interests

9(1) You must, within 28 days of:

- (a) this Code being adopted or applied by the Authority; or
- (b) your election or appointment (where that is later),

notify the Authority's Monitoring Officer in writing of any disclosable pecuniary interests you have at that time, and whether or not you consider that any of these interests should be treated as sensitive interests (as defined in paragraph 11 below).

(2) You must, within 28 days of becoming aware of any new pecuniary interest or any change to any pecuniary interest notified to the Monitoring Officer under sub-paragraph (1), notify the Authority's Monitoring Officer in writing of that new pecuniary interest or change, and whether or not you consider that these should be treated as sensitive interests (as defined in paragraph 11 below).

Pecuniary interests in matters considered at meetings or by a single member

Meetings

10(1) In this Code, "meeting" means:

- (a) any meeting of the London Assembly or any formal meeting held by the Mayor in connection with the exercise of functions of the Authority;
- (b) any meeting of the Assembly's committees, sub-committee, joint committees, joint sub-committee, advisory committees or advisory sub-committee.

(2) If you attend a meeting and have and are aware that you have a disclosable pecuniary interest in any matter to be considered, or being considered, at that meeting, you must - subject to paragraph 11 below (sensitive interests) -disclose that interest to the meeting, and may not - unless you have obtained a dispensation from the Authority Monitoring Officer - (i) participate, or participate further, in any discussion of the matter at the meeting; or (ii) participate in any vote, or further vote, taken on the matter at the meeting.

(3) Subject to the Authority's Standing Orders, you may or may not be excluded from a meeting while any discussion or vote takes place that you are not permitted to participate in, as a result of sub-paragraph (2) above.

Single member action

(4) If you are empowered to discharge functions of the Authority acting alone, and have and are aware that you have a disclosable pecuniary interest in any matter dealt with, or being dealt with, by you in the course of discharging that function, you must not take

any steps, or any further steps, in relation to the matter (except for the purposes of enabling the matter to be dealt with otherwise than by you).

Sensitive interests

11. —(1) Where you consider (and the Authority’s Monitoring Officer agrees) that the nature of a disclosable pecuniary interest is such that disclosure of the details of the interest could lead to you or a person connected with you being subject to intimidation or violence, it is a “sensitive interest” for the purposes of the Code, and the details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed, in accordance with paragraph 10(2) above.

PART 3

RELATED DOCUMENTS

13. The procedures attached at Appendix 1 apply in relation to any alleged breach of this Code.
14. Formal guidance from the Monitoring Officer in respect of expected conduct by Assembly members appointed to relevant positions by the Mayor of London is attached at Appendix 2.
15. The Authority's Planning Code of Conduct is attached at Appendix 3.
16. The procedures under which complaints made against the Mayor's Office for Policing and Crime are attached at Appendix 4.
17. The procedures under which registration and declaration of interests, gifts and hospitality are to be made are attached at Appendix 5.

Meta Data

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GUIDANCE ON MAKING A COMPLAINT ABOUT A GLA MEMBER'S CONDUCT

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NOTE: There is a useful summary of the complaint process in the Introduction section below, at paragraph A.7.

INTRODUCTION

What does this document deal with?

- A.1 You should read this document if you want to complain about the behaviour or conduct of any of the following individuals:
- the Mayor of London,
 - any of the 25 London Assembly Members;
 - any co-opted member of the Authority; and/or
 - any of the independent people engaged by the GLA to assist in the discharge of its Standards functions.

General information about the GLA and the GLA's Code of Conduct

- A.2 The Mayor of London and the 25 members of the London Assembly are elected "Members" of the Greater London Authority. Details regarding the Mayor of London can be viewed here: <http://www.london.gov.uk/who-runs-london/mayor>. Details of the London Assembly Members can be viewed here: <http://www.london.gov.uk/who-runs-london/the-london-assembly/members>
- A.3 These elected Members must comply with the GLA's Code of Conduct. This Code of Conduct sets out the standards of behaviour and conduct required of these Members. The following is not a complete list but, by way of example, the Code of Conduct requires GLA Members to treat others with respect; not to bully any person; not to disclose confidential information; not to act in a manner that could reasonably be regarded as bringing their office or the GLA into disrepute; and it also requires GLA Members to disclose and register any pecuniary interests they have in GLA business. For full details of the Code of Conduct, please visit the following link:
<http://www.london.gov.uk/priorities/transparency/standards-behaviour>
- A.4 If you do not have Internet access, please contact the GLA's Monitoring Officer (contact details below) for paper copies.

Other complaints

- A.5 If you want to complain about something that is not to do with the behaviour of a GLA Member and the GLA's Code of Conduct, you should visit the following link for information about the GLA's Corporate Complaints procedure: <https://www.london.gov.uk/about-us/contacting-city-hall-and-mayor-5/complaints> ; or you can contact: The Public Liaison Unit, Greater London Authority, City Hall, The Queen's Walk, London SE1 2AA, Telephone: 020 7983 4100, Minicom: 020 7983 4458, Fax: 020 7983 4057, or Email: mayor@london.gov.uk.
- A.6 If you are unsure, you should contact the GLA's Monitoring Officer for assistance by emailing member.complaints@london.gov.uk or by writing to:

The Greater London Authority's Monitoring Officer, City Hall, The Queen's Walk, London SE1 2AA

Complaining about a GLA Member's behaviour or conduct - A new complaints process

- A.7 Previously, the GLA had a Standards Committee which was responsible for dealing with these complaints under a process commonly referred to as "Local Assessment." Following a change to the law (as contained within the Localism Act 2011), the Mayor of London and London Assembly have now put in place the Code of Conduct (and associated documents) and the Authority's Monitoring Officer is responsible for dealing with any complaints that the Code has allegedly been breached.

Summary of how the new Local Assessment Process works

Stage 1 - Making a complaint

- In order to make a complaint, you must send your complaint in writing to the Monitoring Officer at the GLA (see paragraph A.6 above for details on how to do this and where to send it).

Stage 2 – Early Informal Resolution

- If possible, the GLA will normally try to resolve your complaint informally.

Stage 3 – Initial assessment of your complaint

- If informal resolution is not possible, the Monitoring Officer of the GLA will assess the complaint and decide whether formally to investigate the allegations contained therein. If the Monitoring Officer decides that the complaint should be investigated, he/she will undertake a process (details of which are set out below) to determine whether or not the complaint is to be upheld. If the complaint is not to be investigated, the Monitoring Officer will write to you to explain why.

Stage 4 - Investigation of the complaint

- If the GLA's Monitoring Officer does investigate your complaint, the final summary investigation report and finding will be published on the Authority's website. In cases where the Monitoring Officer upholds your complaint, he/she can apply no formal sanction other than to provide an opinion on the conduct of the GLA Member concerned as compared to the expectations of the Code of Conduct.

There are no appeal mechanisms within this process. Should you be dissatisfied with the Monitoring Officer's decisions and/or actions at any point, you may be able to complain to the Local Government Ombudsman or to the courts.

STAGE 1

HOW TO COMPLAIN ABOUT MEMBER CONDUCT & WHAT YOU AND THE MEMBER ARE TOLD AFTER YOU HAVE MADE A COMPLAINT

How to complain

- 1.1 If you want to complain that a Member of the GLA (the Mayor of London, the 25 Assembly Members, any co-opted Members of the Authority or any of the independent persons appointed to assist the Monitoring Officer in the discharge of his/her functions) has breached the GLA's Code of Conduct you must make your complaint in writing.
- 1.2 You can do this by completing a Complaint Form and submitting this online by visiting the following link: <http://www.london.gov.uk/webform/online-gla-member-complaint-form>. Alternatively, you can ask for a paper copy of the Complaint Form by emailing member.complaints@london.gov.uk. The Complaint Form explains what information you should include in the form.
- 1.3 You are not, however, required to use the Complaint Form, and can make your complaint by writing to:
The Greater London Authority's Monitoring Officer, City Hall, The Queen's Walk, London SE1 2AA.
- 1.4 As explained above, generally speaking, the GLA's Monitoring Officer, has various legal duties to ensure that the GLA and its Members comply with the law.
- 1.5 If you do not use the Complaint Form and, complain to the Monitoring Officer instead, you should clearly set out the following information in your letter:
 - The name of the Member you believe has breached the Code of Conduct;
 - What the Member has done that you believe breaches the Code of Conduct, and which paragraphs of the Code you believe they have breached. (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);
 - 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;
 - You should say what action you think would be appropriate to resolve your complaint;

- Whether you would like to ask that your identity and the details of your complaint should be kept from the Member(s) you are complaining about.

What happens once you submit a complaint?

- 1.6 All complaints about Member conduct will go to the GLA's Monitoring Officer.
- 1.7 If the Monitoring Officer is unsure whether you are actually making a complaint, (s)he will contact you to clarify your query.

What you and the Member are told next

- 1.8 If the Monitoring Officer is clear that you are making a complaint that a GLA Member has breached the GLA's Code of Conduct, the Monitoring Officer will normally try to resolve your complaint informally.

- 1.9 If informal resolution is not appropriate or is unsuccessful, the Monitoring Officer will:

- (i) write to you to acknowledge that (s)he has received your formal complaint, and informing you that the Member you are complaining about will usually be provided with your identity, unless you write back within 5 working days asking for this not to happen;

and

- (ii) will, unless there are good reasons not to, write to the Member you are complaining about:

- (a) stating that a complaint has been made against them;
- (b) providing them with your name (unless you have asked that this information is not provided and/or there are good reasons not to provide it);
- (c) stating the relevant paragraphs of the Code you believe the Member has breached; and
- (d) stating that the complaint will be considered by the Monitoring Officer.

STAGE 2 – EARLY INFORMAL RESOLUTION

What is informal resolution?

- 2.1 Where the GLA's Monitoring Officer decides that it would be appropriate to seek informal resolution, they will contact you and the Member you are complaining about, to find out if your complaint can be resolved informally, without recourse to formal assessment and investigation.
- 2.2 There will be a whole range of actions that may be appropriate to try and resolve your complaint informally.
- 2.3 Some examples are: the Monitoring Officer having a discussion with the Member you have complained about; arranging for the Member to do something which you have asked them to do; arranging a discussion between you and the Member; obtaining an apology from a Member.
- 2.4 It is important, therefore, that you tell us in your complaint what action you think should be taken to resolve your complaint.

STAGE 3 – INITIAL ASSESSMENT

Initial assessment of your complaint

- 3.1 The Monitoring Officer will conduct an initial assessment of all complaints on a case-by-case basis and, in doing this, will also take into account relevant guidance and advice (and may seek the views of an Independent Person appointed by the GLA for such purposes).
- 3.2 The Monitoring Officer will also take into account any relevant criteria and factors that, over the course of time, the GLA's Standards Committee had previously taken into account when assessing complaints.
- 3.3 In light of the absence of formal sanctions available to the Monitoring Officer to apply in the event of a formal breach of the Code, the Greater London Authority expects this complaints process to be proportionate to the issues raised and the expected outcomes. The Monitoring Officer will therefore take into account the wider public interest and the cost to the public purse of undertaking any investigation into alleged breaches of the Code. Complaints are, therefore, only likely to be taken forward for investigation where the allegations are objectively and reasonably considered to be serious matters. Whilst every complaint will be judged on its particular merits, it is possible that, for example, a complaint by one Member of the Authority against another that only alleges a lack of due respect will not be considered to be a matter where an investigation would be appropriate nor in the wider public interest. Similarly, a suggestion that an elected Member who has exercised his or her right to voice a legitimate opinion has brought their office and/or the Authority into disrepute by so doing is likely not to be taken forward for further consideration. As an additional example, the failure of an elected Member to respond to correspondence or to choose to terminate correspondence with an individual would also be unlikely in and of itself to be investigated.
- 3.4 After conducting an initial assessment of your complaint, the Monitoring Officer will do one of the following:
 - (a) decide that no action should be taken on your complaint (and inform you of this decision and the related reasons); or
 - (b) pass your complaint to the Monitoring Officer of a different authority, if he/she considers that that is a more appropriate way of dealing with your complaint; or
 - (c) decide that he/she is minded to investigate your complaint, subject to representations of the member you have complained about (who may seek the views of an independent person appointed by the GLA for such purposes); or
 - (d) decide to investigate your complaint (and inform you of this decision and the related reasons);.

Considering what information should be provided after initial assessment

- 3.5 After the Monitoring Officer has assessed your complaint, he/she will then decide whether a written summary of your complaint should be provided to the Member complained about; whether your identity should be provided to that Member (if this has not already happened).
- 3.6 When taking these decisions, the Monitoring Officer must consider whether providing these or any details would be against the public interest or would undermine a person's ability to investigate your complaint (as this may be necessary at a later stage).

How are you told about the Monitoring Officer's decision?

- 3.7 The Monitoring Officer will write to you and the Member you are complaining about following the initial assessment to inform them of the outcome. A decision not to investigate a complaint (along with summary details of the complaint) will then be published on the GLA's website.

A decision of 'no action' is the end of the GLA process

- 3.8 Where the Monitoring Officer has decided that no action should be taken on your complaint, there is no ability to ask the GLA for a review of the Monitoring Officer's decision, which is final. In these circumstances, you may be able to complain to the Local Government Ombudsman (PO Box 4771, Coventry CV4 0EH; Telephone: 0300 061 0614; Fax: 024 7682 0001).

STAGE 4

INVESTIGATION AND DECISIONS

- 4.1 Where the Monitoring Officer decides that a complaint should be investigated further, he/she may ask you, the Member you are complaining about, and other relevant people to provide them with detailed information or explanations, possibly by way of an interview.
- 4.2 In conducting the investigation and determining the complaint, the Monitoring Officer will seek and take into account the views of at least one independent person appointed by the GLA for such purposes. The Member you are complaining about may also seek the views of the independent person in relation to your complaint.
- 4.3 Information obtained in doing the investigation will only be released to individuals or organisations where this will allow your complaint to be dealt with properly.
- 4.4 In addition to taking into account the views of the independent person, the Monitoring Officer will, when seeking to reach a finding on the complaint, take into account relevant guidance, professional advice and relevant criteria and factors that, over the course of time, the GLA's Standards Committee had previously taken into account when taking decisions on complaints.
- 4.5 The role of the independent person(s), in law, is:
- To give views, which must be taken into account, to the Monitoring Officer before he/she makes a decision on an allegation that he/she has decided to investigate;
 - To give views, if requested by the Monitoring Officer, on any other allegation that has been received; and
 - To give views to any member, or co-opted member, of the authority if that person's behaviour is the subject of an allegation.
- 4.6 The independent person must, within a reasonable timescale (not usually more than 21 days), provide the Monitoring Officer with views in writing, to describe in particular what they would see as an appropriate outcome to the matter under consideration, taking into account all of the related information and circumstances.

What happens when your complaint is investigated and the investigation is completed?

- 4.7 Once the investigation is completed, the Monitoring Officer will:
- (i) find that the Member you have complained about has failed to comply with the GLA's Code of Conduct ("a finding of failure"); **OR** find that the Member you have complained about has not failed to comply with the GLA's Code of Conduct ("a finding of no failure"); and

- (ii) prepare a written summary report of the investigation which contains a statement of what their finding is; and
 - (iii) send a copy of the report to you and the Member you are complaining about as soon as is reasonably possible after making the decision; and
 - (iv) publish the summary report (those elements that are not private and confidential) and finding on the GLA's web site.
- 4.8 In cases where the Monitoring Officer upholds your complaint, he/she has no legal powers to apply formal sanctions other than to provide an opinion on the conduct of the GLA Member concerned as compared to the expectations of the Code of Conduct.
- 4.9 There is no ability to appeal against the Monitoring Officer's decision on a complaint following any such investigation, as that decision is final. In these circumstances, you may be able to complain to the Local Government Ombudsman (PO Box 4771, Coventry CV4 0EH; Telephone: 0300 061 0614; Fax: 024 7682 0001).
- 4.10 The Monitoring Officer will produce regular reports for the Mayor and London Assembly, containing such summary information as can properly be provided in respect of the discharge of his/her functions under the Authority's ethical standards regime.

Guidance for Assembly Members appointed to positions by the Mayor

1. If you are a member of and attend a meeting of an ordinary committee or sub-committee of the Assembly and any matter for determination before that meeting relates to a decision made by another of the Assembly's committees or sub-committees of which you are a member you should disclose this fact to the meeting, and consider whether you are properly able to: (i) approach the matter with a genuinely open mind so as not to give rise to any reasonable perception on the part of a member of the public that you have a conflict of interest, and then whether you consider that you are properly able to: (ii) participate, or participate further, in any discussion of the matter at the meeting; and/or (ii) participate in any vote, or further vote, taken on the matter at the meeting.
2. If you are a member of and attend a meeting a committee or sub-committee of the Assembly and any business before that meeting relates to any matters you have dealt or are dealing with as a representative of, adviser to or as someone formally exercising functions on behalf of the Mayor, you should consider whether you are properly able to: (i) approach the matter with a genuinely open mind so as not to give rise to any reasonable perception on the part of a member of the public that you have a conflict of interest, and then whether you consider that you are properly able to: (ii) participate, or participate further, in any discussion of the matter at the meeting; and/or (ii) participate in any vote, or further vote, taken on the matter at the meeting.
3. If you are a member of the Assembly who has been appointed as a representative of, adviser to or as someone formally exercising functions on behalf of the Mayor, and if you are a member of and attend a meeting a committee or sub-committee of the Assembly and any business before that meeting relates to decisions on the establishment and or appointment of members, chair(s) and deputy chair(s) to any ordinary committee, ordinary sub-committee or advisory body that has within its terms of reference the responsibility to review any of the functions you have been appointed by the Mayor to exercise on his behalf, you should consider whether you are properly able to: (i) approach the matter with a genuinely open mind so as not to give rise to any reasonable perception on the part of a member of the public that you have a conflict of interest, and then whether you consider that you are properly able to: (ii) participate, or participate further, in any discussion of the matter at the meeting; and/or (ii) participate in any vote, or further vote, taken on the matter at the meeting.
4. The guidance contained in paragraphs 1-3 above does not apply where you attend the meeting for the purposes of answering questions or otherwise giving evidence relating to that decision, action or matter. The guidance set out within paragraphs 1-3 (above) does apply where you attend a meeting as a substitute member of the committee/body in question.

GREATER LONDON AUTHORITY

UNIFIED PLANNING CODE OF CONDUCT

Purpose

1. This Code is intended to ensure that those it applies to conduct themselves in accordance with the highest standards of probity, openness and transparency in the sphere of the GLA's planning work.

Scope and application

2. This Code applies to the following people involved in exercising the GLA's (Mayoral or Assembly) planning functions, including those providing advice on or scrutinising them:
 - The Mayor;
 - The Statutory Deputy Mayor, other Assembly Members and co-opted members of the Assembly's committees (if any);
 - Other Deputy Mayors and any other member of GLA staff appointed by the Mayor;
 - Other members of GLA staff, including those supporting the Assembly;
 - All other office-holders, consultants or contractors engaged by the GLA to exercise or support Mayoral or Assembly planning functions.
3. "Decision-Maker" refers to anyone formally exercising (determining) a statutory decision in relation to a planning matter. This is usually the Mayor but can include others acting under delegated powers: the Statutory Deputy Mayor, other Deputy Mayors and other GLA staff members. Where appropriate, it may also include Assembly Members and their support staff in relation to the Assembly's role in scrutinising planning matters.
4. Nothing in this Code is intended to restrict the legitimate and appropriate scrutiny of the Mayor's exercise of planning functions (including by GLA staff and others on their behalf) by the Assembly, its committees and individual Assembly Members.

Guiding Principles: The Seven Principles of Public Life

5. The Seven Principles of Public Life (as approved at any time by the Committee on Standards in Public Life) apply at all times in relation to the planning work of Decision-Makers. They are widely publicised and set out in the GLA Code of Conduct for Elected Members.

The 7 principles of public life

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Enforcement

6. Failure to comply with the expectations set by this Code may result in action being taken against:

- The Mayor, Statutory Deputy Mayor and Assembly Members: under the GLA Members Code of Conduct;
- GLA staff (whether appointed by the Mayor or Head of Paid Service): under the Code of Ethics and Standards for Staff and other relevant disciplinary policies and procedures; and
- Other office-holders, consultants or contractors: under the terms of their appointment, engagement or other relationship with the GLA.

General requirements

7. Those covered by this Code shall ensure the following:

- All planning matters are considered solely on their merits;
- Proper and adequate reasons are recorded or published for decisions;
- Bias or the appearance of bias arising from personal interests or connections is avoided;
- Any discussion about a specific planning proposal, or planning matters generally, does not prejudice or prejudice the formal exercise of any planning functions (also see the text on Pre-determination below in paragraphs 17 to 19);
- There is openness in the GLA's relations with all interested parties;
- There is transparency in the handling of planning matters (see paragraphs below relating to declaration of interests);
- That no improper or undue influence is brought to bear by or on behalf of any of the persons to whom this Code applies on any other person (including GLA staff, office-holders, consultants or contractors) in connection with any planning matter;
- Any information gained in the course of their work is not misused for personal gain or political purposes;
- They shall not seek to promote their own private interests or those of any persons, businesses or other organisations with whom they have relationships or connections by giving them advantages or more favourable treatment than others (see paragraph 9 below).

8. Additional requirements dealing with specific issues are set out below.

Declarations of interests, relationships and avoidance of potential conflicts

9. This is important for the following reasons:

- It is a fundamental legal principle that a person with a private/personal stake in the outcome of a decision cannot be involved in taking it;
- To demonstrate that planning decisions have been taken on their planning merits and in the wider public interest;
- To avoid the perception of bias or pre-determination: Decision-Makers and all persons involved in the exercise of planning functions must avoid doing anything from which they could reasonably be regarded as having a "closed mind" as to the outcome of the decision (see paragraphs 17 to 19 below);
- To avoid giving grounds for legal challenge;
- To avoid the perception that decisions are being taken to benefit family, friends or business contacts' interests or for other social or reputational advantage;
- To maintain the integrity of the planning system and of those making decisions, advising on or scrutinising its work.

Pecuniary interests

10. Pecuniary interests have to be disclosed and declared by:

- The Mayor, Statutory Deputy Mayor and other Assembly members in accordance with Part 2 of the GLA Members Code of Conduct;
- All GLA staff (including Deputy Mayors and other staff appointed by the Mayor) in accordance with the Code of Ethics and Standards for Staff;
- Other office-holders, consultants or contractors engaged by the GLA in accordance with the Code of Ethics and Standards for Staff as if they were GLA staff for this purpose.

Effect of having a pecuniary interest

11. “Pecuniary interest” includes anything that is required to be disclosed and registered under the above Codes, whether or not it has actually been registered.

12. The Decision-Maker, or other person involved in the exercise of the planning functions to which the pecuniary interest relates, must contact the Monitoring Officer or if a member of Staff contact their manager (who may contact the Monitoring Officer and obtain legal advice) without delay to flag the issue and take advice and:

- Must not exercise, or be involved in any way in any of the support processes related to, the function to which the interest relates (e.g. not just taking the decision but giving advice or writing reports etc in relation to it);
- (Where the law allows) must delegate or formally arrange for some other appropriate person to take the decision or undertake the work they would have been involved in and record that fact with the Governance Team; and
- Must not lobby “behind the scenes” or otherwise promote their views in relation to the matter.

13. If delegation of the decision/ matter to another person is prohibited by statute, then the planning function must not be exercised unless legal advice confirms it can.

Non-pecuniary interests, relationships and potential conflicts of interest

14. In addition to pecuniary interests it is important that other non-financial matters and “relationships” are disclosed to avoid the perception of undue/improper influence even though, strictly speaking, they do not have to be registered under the various GLA codes for Elected Members or GLA staff.

15. Examples of where non-pecuniary interests or relationships must be disclosed include:

- Where a Decision-Maker is subject to a party whip in relation to a planning matter, they must declare the existence of the whip and its nature;
- Where Assembly Members are also on a local Planning Committee or the board of a functional body they should declare the interest when attending any meeting on a relevant application; or
- The Decision-Maker is a friend or relative of a person who is involved or stands to benefit from the planning matter in question.

Effect of having a non-pecuniary interest

16. The same requirements apply as if the person concerned had a pecuniary interest: the Monitoring Officer or manager must be contacted and the same restrictions apply.

Pre-determination and bias

17. The Mayor or other Decision-Maker on a planning matter must not do anything by which it could reasonably be regarded as them having a “closed mind” as to the outcome of the decision.
18. Having taken legal advice from the planning legal advisor, if they consider that it is possible to reasonably regard themselves as having a closed mind as to that particular decision, then that decision should be delegated to another appropriate person.
19. In particular:
 - There is no pre-determination simply by virtue of the fact the Mayor takes over a planning application for the Mayor’s own determination, nor by the Mayor or other Decision-Maker being active in planning issues generally (including expressing views or campaigning on planning matters) provided that in doing so they do not do anything from which they could reasonably be regarded as showing they have a closed mind or have predetermined any future planning decision, application or matter, and they must be careful not to give any such impression; and
 - The Mayor shall not automatically be precluded from exercising planning functions, including assuming jurisdiction over an application, when one of the GLA’s Functional Bodies has an interest in that function.

Pre-application/post submission discussions and meetings

20. In the interests of promoting the highest standards of development in Greater London and facilitating consultation on matters of potential strategic importance, the staff of the Authority may provide pre-application advice relating to planning matters of potential strategic importance to potential applicants in accordance with the procedures set out in the GLA’s pre-application advice service.
21. Before any discussion takes place, it must be made clear that the advice given by officers does not constitute a formal response or decision by the Mayor (or any person to whom the Mayor may have delegated the function). Any views or opinions expressed are without prejudice to the Mayor’s formal consideration of the application or that of such delegated person(s).
22. In the interests of open consultation, Decision-Makers and persons involved in the exercise of planning functions may, for the purpose of discussion and clarification only, agree to receive presentations on potential planning applications, or to have meetings with potential applicants or applicants, local authorities and other interested parties, provided that relevant GLA staff are also present, and:

- Shall ensure that a note is kept and filed of any such meetings and placed on the website in the event of such an application being formally notified to the Mayor in due course;
- May seek to involve other interested parties in such meetings;
- Shall ensure that no indication of opinion is given or a view expressed that may give the impression that a final view on the application/matter in question has already been reached; and
- Shall ensure that discussions do not develop into negotiations and confirm that such meetings do not form part of the formal determination process.

Site visits

23. The Mayor will not normally attend any site visits unless the Mayor has directed to become the local planning authority. Where any planning matter requires a site visit these shall be carried out in accordance with section 3 of the Procedure for Representation Hearings.

Issue date	October 2019
Amendments made from previous version	Consolidation of three previously separate codes into a unified code for all Members and staff
Approved by	Mayor and London Assembly, acting jointly
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Senior owner	Monitoring Officer
Document owner	Governance and Performance Manager

Appendix 4 of the GLA Code of Conduct

GLA Guidance on complaints and conduct matters about the Mayor's Office for Policing and Crime and the Deputy Mayor for Policing and Crime

Introduction

1. This guidance deals with complaints and conduct matters about the conduct of a 'Relevant Office Holder'. The Relevant Office Holder is either the office holder of the Mayor's Office for Policing and Crime (MOPAC), (which is the person holding office as the Mayor of London), or the person appointed to the office of the Deputy Mayor for Policing and Crime (DMPC) (see also the definitions section below). The appropriate regulations are the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (the Regulations) and nothing in this guidance overrules the provisions of these Regulations.
2. The London Assembly Police and Crime Committee (the Committee) has delegated its functions under the Regulations to the Greater London Authority's (GLA) Monitoring Officer (the Monitoring Officer).
3. Any complaint to the Committee shall be immediately directed to the Monitoring Officer and any other information under the Regulations which relates to a function which the Committee has delegated to the Monitoring Officer will be passed immediately to the Monitoring Officer.
4. The Monitoring Officer will keep the Committee informed of matters relating to the conduct of a Relevant Office Holder and provide the Independent Office for Police Conduct (IOPC) with all such assistance as it reasonably requires.
5. This guidance shall be updated from time to time and shall be read in conjunction with the Regulations and the statutory guidance issued by the IOPC from time to time.

Definitions

6. A "Relevant Office Holder" is the holder of the offices of the Mayor's Office for Policing and Crime and the Deputy Mayor for Policing and Crime, and in relation to any conduct includes a person who:
 - a) holds the relevant office at the time of the conduct but subsequently ceases to hold that office; or
 - b) holds the relevant office at the time when a complaint or conduct matter comes to the attention of the Monitoring Officer but did not hold that office at the time of the conduct.
7. A "complaint" is a complaint about the conduct of a Relevant Office Holder.

8. A “serious complaint” is a complaint made about conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence.
9. A “conduct matter” is where there is an indication (whether from the circumstances or otherwise) that a Relevant Office Holder may have committed a criminal offence. Conduct matters can arise without a complaint being made (for example, legal proceedings).
10. For the purposes of this guidance, reference to “consultation/consult with Committee as appropriate” may include verbal or written updates to the Chair and Deputy Chair of the Committee, and verbal or written updates to the formal meetings of the Committee.

Complaints

11. The following paragraphs 11 to 58 apply only in relation to complaints made about the conduct of a Relevant Office Holder. A complaint, and the way it is handled, is not the same as a conduct matter, and the two processes are separate and distinct.

A: Address for complaints

12. The Monitoring Officer will notify MOPAC (the corporate entity) of the name and address of the Monitoring Officer, to whom complaints by members of the public are to be directed and shall specify how MOPAC will publish such information.

B: Receipt of complaints

13. A member of the public may complain to the following people or organisations, although, except in the case of alleged criminal conduct, complaints are encouraged to be made direct to the Monitoring Officer:
 - a) The Monitoring Officer;
 - b) The Committee;
 - c) The IOPC;
 - d) Directly to the Relevant Office Holders;
 - e) The Commissioner of Police of the Metropolis.
14. Where a complaint is made to the Relevant Office Holder about their conduct, the Relevant Office Holder must tell the Monitoring Officer of the complaint.
15. Where a complaint is made to the Commissioner of Police of the Metropolis, the Commissioner of Police of the Metropolis must tell the Monitoring Officer.
16. The Regulations provide that when a complaint is made to the IOPC about the Relevant Office Holder, the IOPC must tell the Committee (usually via the Monitoring Officer) of the complaint

unless it considers that there are exceptional circumstances to justify notification not being given. Upon receipt, the Monitoring Officer will inform the Committee.

17. The Monitoring Officer will determine, on receipt of information, whether it meets the definition of a “complaint” (see the definitions section above). If the information received does not amount to a “complaint”, the Monitoring Officer will write to the member of the public and explain this and no action will be taken. The Monitoring Officer will also provide an update to the Committee.
18. Following receipt of a complaint about the conduct of the Relevant Office Holder, other than in the following circumstances, the Monitoring Officer must record the complaint in the Register (see paragraph 18 and 19):
 - a) the complaint has or is being dealt with by criminal proceedings against the person whose conduct it was;
 - b) the complaint has been withdrawn.
19. Recording a complaint does not mean that there has been any assessment or consideration of the merits of the complaint or that the complaint has any substance at this stage of the process. Such assessment will be made later in the process.
20. The Monitoring Officer must establish and maintain a Register within which to record all key details about the complaint (the date received, the complainant, a summary of the complaint / the category into which it falls, the date on which it was recorded, an indication of intended action on the complaint and any other information relevant).
21. The Monitoring Officer must notify the Chief Executive of MOPAC that a complaint has been recorded.
22. If the Monitoring Officer does not record a complaint, the Monitoring Officer must tell the complainant of the decision not to record the complaint and therefore to take no action upon it, and explain the grounds on which that decision was made, whether in relation to whole or part of the complaint.

C: Consideration as to whether the complaint is a “serious complaint”

23. This section C is in accordance with the requirements specifically given to the Monitoring Officer by the IOPC and the IOPC’s 2018 guidance¹.
24. Once the complaint has been recorded, the Monitoring Officer will make an initial assessment of the complaint to decide whether or not it meets the definition of a “serious complaint”.

¹

https://www.policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/complaints_guidance_for_police_and_crime_panels.pdf

25. In order to assist with the initial assessment, the Monitoring Officer will obtain any information that is readily available. This includes gathering information that is held by the Relevant Office Holder, the GLA, or any other organisation (to the extent that it is readily available), and may include decision forms, emails, and any other documents that are relevant to the complaint. Depending on the nature of the complaint, this initial assessment may take time to complete. For the avoidance of doubt, the Monitoring Officer will not create any new evidence, for example, by interviewing witnesses.
26. In undertaking this assessment and prior to reaching a view as to whether there is a serious complaint, the Monitoring Officer shall consult the Committee as appropriate and may also consult the IOPC.

D: Referral of a serious complaint to the IOPC

27. If the Monitoring Officer determines from the information and evidence gathered that the complaint is a “serious complaint”, the Monitoring Officer will notify the Committee of this and will refer it to the IOPC as soon as is practicable, and in any event not later than the end of the day following the day on which it becomes clear to the Monitoring Officer that the complaint is a serious complaint.
28. On referring a complaint to the IOPC, the Monitoring Officer should supply all relevant available information (including any information and evidence considered in the initial assessment) that is likely to assist the IOPC when making its decision, together with the referral form.
29. In addition, the Monitoring Officer must give written notification to the complainant and to the Relevant Office Holder concerned of the referral, unless it appears to the Monitoring Officer that notifying the person complained about might prejudice a possible future investigation.
30. The IOPC will decide whether or not to investigate the complaint and will tell the Monitoring Officer in writing of the decision. If the IOPC decides that an investigation is necessary, it will decide whether it should be a managed investigation or an independent investigation.
31. Where the IOPC determines that it is not necessary for it to investigate a complaint, it will refer the complaint back to the Monitoring Officer. The IOPC will tell the complainant and the Relevant Office Holder of this decision.
32. Following any referral back of the complaint by the IOPC, the Monitoring Officer will deal with the complaint in accordance with the section below: Resolution of Complaints.

E: Preserving evidence

33. When a complaint comes to the attention of the Monitoring Officer, the Monitoring Officer must take all appropriate steps to obtain and preserve evidence that is readily available in relation to the conduct in question, both initially and from time to time after that. The IOPC

may give the Monitoring Officer directions for obtaining and preserving evidence and the Monitoring Officer must comply with any such directions.

34. Where a complaint is made to the Relevant Office Holder about their own conduct, the Relevant Office Holder must take all appropriate steps to obtain and preserve evidence in relation to the conduct in question, both initially and from time to time after that. The IOPC or the Committee or the Monitoring Officer may give the Relevant Office Holder directions to take steps to obtain and preserve evidence. The Relevant Office Holder must comply with any such directions.

F: Copies of complaints

35. Where a complaint is recorded, the Monitoring Officer shall supply to the complainant a copy of the record made of the complaint and, subject to the following paragraphs, supply to the person complained against a copy of the complaint.
36. A copy of the complaint supplied to the person complained against may be in a form which keeps anonymous the identity of the complainant or of any other person.
37. The Monitoring Officer may decide not to supply a copy of a complaint if they are of the opinion that to do so:
- a) might prejudice any criminal investigation or pending proceedings; or
 - b) would otherwise be contrary to the public interest.

The Monitoring Officer will consult with the Committee as appropriate in this regard.

38. Where the Monitoring Officer decides not to supply a copy of a complaint, they shall keep that decision under regular review.

G: Disapplication of the Regulations

39. If the Monitoring Officer considers that a complaint which has been recorded (and is not one that must be referred to the IOPC) is one in respect of which either it should be handled otherwise than in accordance with the Resolution of Complaints section below or no action should be taken, and it falls within the category of complaints set out in paragraph 38, then the Monitoring Officer may instead handle the complaint in whatever manner (if any) they think fit. The Monitoring Officer will consult with the Committee as appropriate in this regard.
40. The categories of complaints are where the Monitoring Officer considers:
- a) the complaint is concerned entirely with the conduct of the Relevant Office Holder in relation to a person who was working in their capacity as a member of the Relevant Office Holder's staff at the time when the conduct is supposed to have taken place;

- b) more than twelve months have elapsed between the incident giving rise to the complaint and the making of the complaint and either there is no good reason for the delay, or injustice would be likely to be caused by the delay;
 - c) The matter has already been the subject of a complaint;
 - d) The complaint is anonymous, and it is not reasonably practicable to find out a name or address;
 - e) The complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints;
 - f) The complaint is repetitious.
41. A repetitious complaint is one which is substantially the same as a previous complaint, or concerns the same conduct as a previous conduct matter, contains no fresh allegations which affect the account of the conduct complained of, no fresh evidence, being evidence not reasonably available at the time the previous complaint was made and in respect of which a previous determination or withdrawal of complaint has been made.
42. The Monitoring Officer must notify the complainant that they have decided to handle the complaint in this way.

H: Withdrawal of complaints

43. If the Monitoring Officer receives written notification that the complainant wishes to withdraw their complaint or does not want any further action to be taken in relation to their complaint, signed either by them or a person acting on their behalf, then the Monitoring Officer must record the withdrawal.
44. If a complainant has indicated that they wish to withdraw a complaint but does not provide signed written notification, the Monitoring Officer must write to the complainant to find out whether they wish to withdraw the complaint. If the complainant responds and indicates that they do wish to withdraw the complaint, or if there is no response within 21 days, the complaint should be treated as if a signed written notification of withdrawal had been received. If the complainant responds that they do not wish to withdraw the complaint, the complaint must continue to be dealt with under the Regulations.
45. If the complaint has been referred to the IOPC and has not been referred back to the Committee, the Monitoring Officer must notify the IOPC that they have recorded the withdrawal of the complaint. The IOPC will then decide whether the withdrawn complaint should be treated as a conduct matter and will tell the Committee of the decision.
46. In any other case, the Monitoring Officer must consider whether the withdrawn complaint relates to conduct which should be treated as a conduct matter (i.e. it constitutes or involves, or appears to constitute or involve, the commission of a criminal offence). If it should, it must be recorded and treated as a conduct matter. If not, then no further action needs to be taken under the Regulations in relation to the complaint.

47. The Monitoring Officer shall notify the Relevant Office Holder complained about if:

- a) the Monitoring Officer records the withdrawal of a complaint or the fact that the complainant does not want any further action to be taken in relation to his or her complaint;
- b) the Monitoring Officer decides that a complaint should be treated as a conduct matter;
- c) the IOPC decides that a complaint should be treated as a conduct matter;
- d) the complaint will no longer be dealt with under the Regulations due to the withdrawal.

48. If the Monitoring Officer previously decided not to tell the Relevant Office Holder of the complaint because they believed it may prejudice any criminal investigation, pending proceedings or would not be in the public interest, the Monitoring Officer does not need to tell the Relevant Office Holder of the withdrawal.

I: Resolution of Complaints

Resolution in accordance with the GLA's ethical standards regime – applies to the holder of MOPAC and DMPC where they are a member of the London Assembly

49. A complaint which has been recorded about the office holder of MOPAC or a holder of the office of DMPC who is a member of the London Assembly at the time when the complaint is recorded, and which is not required to be referred to the IOPC, shall be dealt with by the Monitoring Officer as if it was were a written complaint made under the GLA ethical standards regime².

50. The Monitoring Officer shall, as soon as is practicable, inform the Committee of the outcome of the complaint.

Informal resolution – applies where the holder of the office of DMPC is not a member of the London Assembly

51. Where a complaint is made against a holder of the office of DMPC, who is not a member of the London Assembly at the time when the complaint is recorded, the Monitoring Officer shall make arrangements for the complaint to be subject to informal resolution.

52. Informal resolution may include the appointment of a Deputy Monitoring Officer to secure the informal resolution of the complaint.

53. Procedures for informal resolution shall not include a formal investigation of the complaint in accordance with the GLA's ethical standards regime but documents in relation to the complaint and meetings with the person complained against may be required of the person complained against.

² See the Code of Conduct of the Greater London Authority including Appendix 1 Guidance on making a complaint about a GLA member's conduct

54. Where it appears to the Monitoring Officer that the complaint had in fact already been satisfactorily dealt with at the time it was brought to their notice, the Monitoring Officer may, subject to any further representations, treat it as having been resolved.
55. The Monitoring Officer shall, as soon as it practicable, give the complainant and the person complained against an opportunity to comment on the complaint.
56. Where the person complained against chooses not to comment on the complaint, the Monitoring Officer shall record this fact in writing.
57. The Monitoring Officer shall not, for the purposes of informally resolving a complaint, tender on behalf of the person complained against an apology for their conduct unless the person complained against has admitted the conduct in question and has agreed to the apology.
58. Where a complaint has been subject to informal resolution, the Monitoring Officer shall as soon as practicable make a record of the outcome of the procedure and send a copy of that record to the complainant and the person complained against.
59. A Monitoring Officer shall not publish any part of any such record unless they:
- a) have given the complainant and the person complained against the opportunity to make representations in relation to the proposed publication; and
 - b) have considered any such representations and are of the opinion that publication is in the public interest.

J: Keeping the Police and Crime Committee informed

60. The Monitoring Officer shall provide timely updates to the Committee as set out above in relation to complaints, serious complaints and resolution of them.

Conduct matters

61. The following paragraphs 60 to 79 apply only in relation to conduct matters about a Relevant Office Holder. A conduct matter, and the way it is handled, is not the same as a complaint, and the two processes are separate and distinct. It is also important to acknowledge that a conduct matter could become a complaint. In addition, as set out at paragraph 44 above, a withdrawn complaint could become a conduct matter.

A: Considering whether civil proceedings or other circumstances amount to a conduct matter

62. This section A is in accordance with the requirements specifically given to the Monitoring Officer by the IOPC and the IOPC's 2018 guidance.

63. Where information comes to the attention of the Monitoring Officer in civil proceedings or in other circumstances about the conduct of a Relevant Office Holder, the Monitoring Officer shall consider whether there is a conduct matter.
64. In considering whether there is a conduct matter arising in civil proceedings or in other circumstances, the Monitoring Officer shall gather and consider all information that is readily available. This includes gathering information that is held by the Relevant Office Holder, the GLA, or any other organisation (to the extent that it is readily available), which may include, but is not limited to, decision forms, emails, and any other documents that the Monitoring Officer considers are relevant. Depending on the nature of the matter, this may take time to complete. For the avoidance of doubt, the Monitoring Officer will not create any new evidence, for example, by interviewing witnesses.
65. In undertaking this consideration, and prior to reaching a view as to whether there is a conduct matter, the Monitoring Officer shall consult the Committee as appropriate and may also consult the IOPC.

B: Recording conduct matters arising in civil proceedings

66. Where:

- a. the Monitoring Officer has received notification that civil proceedings relating to any matter have been brought by a member of the public against a relevant office holder, or it otherwise appears to the Monitoring Officer that such proceedings are likely to be so brought; and
- b. it appears to the Monitoring Officer (whether at the time of the notification or at any time subsequently) that those proceedings involve or would involve a conduct matter,

the Monitoring Officer shall record that matter.

67. The Monitoring Officer must notify the Chief Executive of MOPAC that a conduct matter arising in civil proceedings has been recorded.
68. However, the Monitoring Officer does not need to record the matter if it has already been recorded as a complaint or has been, or is already being, dealt with by means of criminal proceedings against the person to whose conduct the matter relates.
69. Civil proceedings involve a conduct matter if—
- a) they relate to such a matter; or
 - b) they are proceedings that relate to a matter in relation to which a conduct matter, or evidence of a conduct matter, is or may be relevant.

C: Recording a conduct matter arising in other circumstances

- 70. If the Monitoring Officer determines that the matter amounts to a “conduct matter”, as defined, the Monitoring Officer will record that matter.
- 71. The Monitoring Officer must notify the Chief Executive of MOPAC that a conduct matter in other circumstances has been recorded.
- 72. However, the Monitoring Officer does not need to record that matter if it has already been recorded as a complaint or has been, or is already being, dealt with by means of criminal proceedings against the person to whose conduct the matter relates.
- 73. The IOPC may direct the Monitoring Officer to record a matter that has come to the attention of the IOPC which is a conduct matter but has not been recorded by the Monitoring Officer.
- 74. Where the Monitoring Officer records a conduct matter, the Monitoring Officer will refer the matter to the IOPC, in accordance with the procedures set out below for referrals to the IOPC.
- 75. The Monitoring Officer will establish a Register within which to record all key details about the conduct matter which can be readily accessed and examined by the IOPC, if required.

D: Matters occurring outside of England and Wales

- 76. Where the conduct did not occur in England and Wales, it is the duty of every Relevant Office Holder to notify the Monitoring Officer, of any investigation, allegation or proceedings in relation to their conduct which would amount to a conduct matter if the conduct took place in England and Wales.
- 77. Where notification is given under paragraph 72, the Monitoring Officer shall handle the matter in whatever manner they see fit.

E: Referral of a conduct matter to the IOPC

- 78. Where the Monitoring Officer has recorded a conduct matter, the Monitoring Officer will refer it to the IOPC as soon as possible and no later than the end of the day following the day on which the conduct matter has been recorded.
- 79. On referring a conduct matter to the IOPC, the Monitoring Officer will supply all relevant available information that is likely to assist the IOPC when making its decision, together with the referral form. This includes any information and evidence obtained during the initial assessment referred to in section A above.
- 80. In addition, the Monitoring Officer must give written notification to the Relevant Office Holder concerned of the referral, unless it appears to the Monitoring Officer notifying the Relevant Office Holder might prejudice a possible future investigation.

81. The IOPC will decide whether or not to investigate the conduct matter and will tell the Monitoring Officer in writing of the decision. If the IOPC decides that an investigation is necessary, it will decide whether it should be a managed investigation or an independent investigation.
82. Where the IOPC determines that it is not necessary for it to investigate a conduct matter, it will refer the conduct matter back to the Monitoring Officer.
83. Following referral back of a conduct matter, the Monitoring Officer will report the outcome of the IOPC's determination to the Committee. The Monitoring Officer will deal with the conduct matter in such manner (if any) as the Monitoring Officer may determine.

F: Keeping the Police and Crime Committee informed

84. The Monitoring Officer shall provide timely updates to the Committee as set out above in relation to conduct matters and the IOPC's consideration and determination.

Record Keeping

85. The Monitoring Officer shall keep records of:
 - a) every complaint and purported complaint made;
 - b) every conduct matter recorded by the Monitoring Officer arising from civil proceedings or otherwise coming to the attention of the Monitoring Officer; and
 - c) every exercise of a power or performance of a duty under the Regulations.
86. The Monitoring Officer shall report, on a regular basis, the summary details (such as can be reported in public), on the exercise of any and all of these functions to the Committee for monitoring purposes and will include a summary of the matters listed in the above paragraph 82 a) to c).

Provision of Information to the IOPC

87. The Monitoring Officer shall provide to the IOPC all such information or documents specified, and all evidence or other things so specified or described by the IOPC in a notification given by the IOPC to the Monitoring Officer and in a manner and within a time so specified.

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Approved by	Police & Crime Committee (Nov 2020 and Jan 2021)
Review date	January 2023
Senior owner	Monitoring Officer
Document owner	Monitoring Officer

Procedure for registration and declaration of interests, gifts and hospitality

1. Pecuniary Interests

- 1.1 GLA Members are required in law, and under Part 2 of the GLA's Code of Conduct, to notify the GLA's Monitoring Officer in writing of their Disclosable Pecuniary Interests.
- 1.2 All GLA Members should have done this by the relevant date (28 days after their election or appointment) by having completed and signed the attached form, entitled '*Notification of Disclosable Pecuniary Interests*' and returned it to the GLA Monitoring Officer.

Updating your notifications / register of interests

- 1.3 Within 28 days of becoming aware of any changes to your Disclosable Pecuniary Interests, or of acquiring any new Disclosable Pecuniary Interest, you must write to the GLA's Monitoring Officer notifying them accordingly. Failure to do so, without reasonable excuse, is a criminal offence; as is to knowingly or recklessly provide information about your interests that is false or misleading. Please also see paragraph 9 of the GLA's Code of Conduct.

Sensitive Interests

- 1.4 Where the nature of an interest is such that you and the Monitoring Officer agree that disclosure of the details of the interest could lead you, or a person connected with you, being subject to violence or intimidation, it will be a sensitive interest, and will not be published by the GLA. If you think you have an interest that should be treated as sensitive, and not published, you will need to complete the section at the end of the form, entitled *Sensitive Pecuniary Interests*. Please also see paragraph 11 of the GLA's Code of Conduct.

Gifts and Hospitality

- 1.5 The GLA (by the Mayor and the Assembly acting jointly) has committed to requiring its elected members to declare the receipt of any gifts and hospitality with an estimated value of £50 or more. Below is a link to the GLA's existing guidance on gifts and hospitality:

<https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures>

- 1.6 All Members are required to continue to declare the receipt of any gifts and hospitality in accordance with the Authority's existing procedures and guidance, by registering gifts and hospitality received on the Authority's on-line database. The on-line database may be viewed here: <https://www.london.gov.uk/people/all-gifts-hospitality>

2. Dispensations

Disclosable Pecuniary Interests

- 2.1 Under the Code of Conduct, where an elected member has, and is aware that they have, a Disclosable Pecuniary Interest in any matter to be considered, or being considered, at a meeting of the Assembly or one of its committees, they may not participate, or participate further, in any discussion of the matter, or participate in any vote, or further vote, taken on the matter at the meeting UNLESS they have obtained a DISPENSATION from the Authority's Monitoring Officer.

Appendix 5

- 2.2 Where an elected member (ie: the Mayor, the statutory Deputy Mayor or the Deputy Mayor for Policing and Crime) has a Disclosable Pecuniary Interest in any executive decision, they cannot obtain a dispensation – and must not take, and must therefore delegate, the executive decision.

Criteria for obtaining a Dispensation

- 2.3 The Monitoring Officer may grant a dispensation allowing a member to:

- participate in the discussion, or
- vote on the matter, or
- participate in the discussion, and vote on the matter (in which they have a Disclosable Pecuniary Interest)

BUT only where the Monitoring Officer considers that:

- without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
- without the dispensation the representation of different political groups of the meeting transacting any particular business would be so upset as to alter the likely outcome of any vote;
- the granting of the dispensation is in the interests of persons living in the Authority's area (please see the footnote below for a guide as to when this may arise)¹, or
- it is otherwise appropriate to grant a dispensation.

Applications for a dispensation

- 2.4 To obtain a dispensation, an elected member must personally write to the Monitoring Officer explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought.
- 2.5 The Monitoring Officer may decide to deal with the application through written representations, but may also discuss the application with the elected member.

Decision and Records

- 2.6 In granting a dispensation, the Monitoring Officer must specify the period of time for which it has effect, which may not exceed four years.
- 2.7 The Monitoring Officer will record their decision in writing and keep it with the GLA's Register of Interests.

Revised September 2019

¹ As a guide, this might for example be where relevant and legitimate views would not otherwise be heard; or where some material harm would occur to relevant persons living in London were the Member(s) not able to participate and or vote.

Greater London Authority Group

Register of Interests - Notification of Disclosable Interests

Section A

I, (full name)

in respect of the following Relevant Body or Bodies:

(name of relevant GLA
Group bodies)

GIVE NOTICE that I have the following Disclosable Interests being of a description specified in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464 and others considered appropriate to be declared.

[Note: Please state "None" where appropriate rather than leaving boxes blank.]

Sensitive Interests

Where you consider any of the information requested from you in this form could, if disclosed or published, lead to you or a person connected to you being subject to violence or intimidation, you should not include the information in Part B of the form but should instead complete Section C: Sensitive Interests (at the end of the form) to seek the Monitoring/ Authorised Officer's agreement that it is a "sensitive interest" and should not be published. Where this is the case the relevant details that are required to be registered in Part B should instead be recorded in Section C.

Section B

Employment

1. Details of any employment, office, trade, profession or vocation carried on for profit or gain by me or my partner¹(where you are aware your partner has the interest).

[Note: You do not need to include your membership of /employment by the Relevant Body specified at section A.

In relation to any employment, office, trade, profession or vocation carried out by you or your partner, the details should include the nature and title of the role, and name of any organisation for which the role is performed / which pays you or your partner

¹ "Partner" means your spouse, civil partner, or a person with whom you live as if you were a married couple or civil partners. This definition applies throughout this form.

for performing the role. Those who are also London borough councillors or, for example, members of another Functional Body, will need to include these details in this section of the form, because these are 'offices' and because some will receive allowances for performing these roles.]

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Sponsorship

(This section on sponsorship is for the Mayor and Assembly members only).

2. Details of any payment or provision of any other financial benefit (other than from a Relevant Body/bodies specified at Section A of this form) made or provided within the last 12 months in respect of any expenses incurred by me in carrying out my duties as an elected member, or towards my election expenses. *(This includes any payment or financial benefit from a trade union).*

[Note: The following details need to be entered in the form: the amounts of any payments made / the nature of any financial benefit received; the dates on which they were made / provided; and the name of the person or organisation that made the payment / provided the financial benefit. These details only need to be provided in respect of any payment made or financial benefit provided to you as a member, or towards your election expenses. They do not need to be provided in respect of any such payments made, or financial benefits provided, to your partner.]

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Contracts with Relevant Bodies

[Note: In sections 3(a) to 3(e) below the following details need to be entered for each category:

- *the names of the parties to the contracts – so the relevant authority, and either (i) your or your partner's or close family member's name, or (ii) the name of the firm or body corporate (of which you or your partner or close family member is a director, including details of the directorship, or in the securities of which you or your partner or close family member has a beneficial interest including;*
- *the date on which the contract was entered into, and the duration of the contract;*
- *a brief description of the contract: the goods or services to be provided, or works to be executed.*

In addition, for each section – 3(a) to (e) you are asked to include details where it is proposed that that company or body enters into a contract with the Relevant Body within the following 28 days.

For members of the London Enterprise Panel, the contracting body that this section relates to will be the Greater London Authority.]

- 3(a). Details of any contract which is made between a Relevant Body and EITHER (i) myself (or my partner) OR (ii) a member of my close family under which (a) goods or services are to be provided or works are to be executed and (b) where that contract has not been fully discharged.

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- 3(b). Details of any contract which is made between a Relevant Body and a firm in which EITHER (i) I am (or my partner is) * a *partner* OR (ii) a member of my close family is a *partner* under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.

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- 3(c). Details of any contract which is made between a Relevant Body and a body corporate of which EITHER (i) I am (or my partner is) a *director*² OR (ii) a member of my close family is a director under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.

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- 3(d). Details of any contract which is made between a Relevant Body and a firm or a body corporate in the *securities*³ of which EITHER I have (or my partner has) a beneficial interest OR (ii) a member of my close family has a beneficial interest under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.

² Director includes a member of the committee of management of an industrial and provident society

³ "Securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

- 3(e). Details of any contract which is made between a Relevant Body and a firm in which EITHER (i) I am (or my partner is) an employee OR (ii) a member of my close family is an employee under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.

Land: freeholds, leaseholds and tenancies

4. Details of any beneficial interest that I have or my partner has in land within Greater London that entitles me or my partner to occupy (alone or jointly with another) that land, or to receive income from it.

[Note: by way of guidance, this includes where:

- you or your partner own(s), or own(s) a percentage of the freehold or long-term leasehold of a property (whether or not subject to a mortgage),*
- you or your partner lease(s) land or property, on shorthold tenancies (for example, an assured shorthold tenancy), or*
- land or property is owned by a trust in which you have or your partner has an interest.*

The following details should to be entered here: what the interest is, whether it is your or your partner's interest, the full address and postcode of the land and the London borough in which it is situated.

If you consider this to be a Sensitive Interest, you should declare the full details in Section C below and include the first part of the postcode of the land and the London borough in which it is situated (as minimum requirements).]

Licences of land

5. Details of any licence that entitles me or my partner (alone or jointly with others) to occupy land within Greater London for a month or longer.

[Note: Details of the nature and length of the licence should be entered in this section, along with the full address and postcode of the land, and the London borough in which it is situated. If you consider this to be a Sensitive Interest, you should declare those details in Section C below.]

Corporate tenancies where a Relevant Body is the landlord

6. Details of any tenancy where, to my knowledge, (a) a Relevant Body is the landlord; and (b) the tenant is (i) a firm in which I am (or my partner is) a partner, (ii) a body corporate of which I am (or my partner is) a *director*, or (iii) a firm or a body corporate in the *securities* of which I have (or my partner has) a beneficial interest.

[Note: Details of the nature of and parties to the tenancy should be entered in this section, along with the full address of the property that is subject to the tenancy, its postcode and the London borough in which it is situated and details of any relevant company directorship.]

Securities

7. Details of beneficial interest that I have or my partner has in the securities of a body where (a) that body (to my knowledge) has a place of business or land in Greater London and (b) EITHER (i) the total nominal value of the securities that I or my partner has exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which I or my partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

[Note: Details of the nature of the interest that you have or your partner has should be entered in this section, along with the name and full address of the body in whose securities that interest is held and details of any directorship etc on that body.]

Other Interests

8. Names and positions in non-profit making organisations with which a Relevant Body has dealings where I am or my partner is a trustee or participate(s) in management of that body and where not disclosed elsewhere in this form.

9. Any other office or position which I hold (including companies, trade associations and industry forums) and where not already disclosed elsewhere in this form.

10. Any other directorships of companies which I hold, whether paid or not, and where not already disclosed elsewhere on this form.

11. Any other Interest which I or my Partner holds which might reasonably be likely to be perceived as affecting my conduct or influencing my actions in relation to my role on the Relevant Body, where not already disclosed elsewhere on this form.

Declaration

1. I confirm that the information given above is a true and accurate record of my relevant interests, given in good faith and to the best of my knowledge;
2. I recognise that (where applicable) it may be a breach of the Localism Act 2011 and/or other relevant legislation and may be a criminal offence, to:
 - a) Omit information that ought to be given in this notice;
 - b) Provide information that is materially false or misleading;
 - c) Fail to give further notice to the Monitoring Officer/ Authorised Officer, within 28 days of becoming aware of:
 - any change to the interests specified in this form above, or
 - acquiring any new interest required to be declared by this form,

in order to bring up to date the information given in this notice.

Date:	Signed:
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Section C: Sensitive Pecuniary Interests

To: Monitoring Officer or relevant Appropriate Officer

From: [Name]

I consider that the following Disclosable Pecuniary Interest/s is/are sensitive and should not be published.

NOTE - If a registered sensitive interest ceases to be sensitive you must add this information to the published form above within 28 days of becoming aware of this.

Disclosable Pecuniary Interest (specify relevant section of the form)	Details of interest (Insert the same details about the interest that are required to be declared in Section B above)	Reason why the interest is considered sensitive (i.e. why you consider that disclosure of details of the interest could lead to you or a person connected with you to being subjected to violence or intimidation).

Signed:..... Date:

Name

.....

Authorised Officer Decision

Yes, I agree/ No I disagree [Delete as appropriate] that disclosure of the details of the interest(s) identified in this form above could lead to the Member, or a person connected with the Member, being subjected to violence or intimidation, and that the interest(s) should therefore be treated (as applicable) as “sensitive interests” under section 32 of the Localism Act 2011.

The reason for my decision is

.....
.....

To return a copy to the submitter of the form.

If the authorised officer agrees, to be filed on Sensitive Interests file. If the authorised officer does not agree to file in the publicly available register.

[Notes:

Section 29 of the Localism Act 2011 requires the Monitoring Officer of a relevant authority to establish and maintain a register of interests of members and co-opted members of the authority. Under Section 30 of the Act, a member or co-opted member of a relevant authority must, before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the authority, notify the authority’s Monitoring Officer of any disclosable pecuniary interests which the person has at the time when the notification is given. Within 28 days of becoming aware of any changes to disclosable pecuniary interests, or of acquiring any new disclosable pecuniary interest, members and co-opted members must write to the Monitoring Officer notifying him or her accordingly. Failure to do so, without reasonable excuse, is a criminal offence; as is to knowingly or recklessly provide information about relevant interests that is false or misleading.

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464 (as amended) specify what interests constitute disclosable pecuniary interests. These categories of interests are marked with an asterisk in this form. In addition to those categories and in the interests of transparency, those asked to complete this form are also recommended to provide the additional information requested.

These provisions of the Act apply to elected members and co-opted members of the Greater London Authority. However, in the interests of consistency, Board and committee members, mayoral appointees and senior staff across the GLA Group are all recommended to use this form.]

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