



# STANDARDS COMMITTEE

**TUESDAY 5 DECEMBER 2006**

**7.30 PM**

**COMMITTEE AGENDA**

**COMMITTEE ROOM 5  
HARROW CIVIC CENTRE**

**MEMBERSHIP (Quorum 2 Councillors and 1 Independent Person)**

**Chairman: The Right Revd Peter Broadbent**

**Councillors:**

**Mrs Janet Cowan  
Mrs Kinnear  
Jean Lammiman  
Joyce Nickolay (VC)**

**B E Gate  
Phillip O'Dell**

**Independent Persons:**

**Ms Sheila Darr  
Dr John Kirkland  
Mr Mohammad Rizvi**

**Reserve Members:**

1. Mrs Lurline Champagnie
2. Tom Weiss
3. Jeremy Zeid
4. Mark Versallion

1. Mitzi Green
2. Mr Asad Omar
3. -

**Issued by the Democratic Services Section,  
Legal Services Department**

**Contact: Michelle Fernandes, Committee Administrator  
Tel: 020 8424 1542 E-mail: michelle.fernandes@harrow.gov.uk**

***NOTE FOR THOSE ATTENDING THE MEETING:  
IF YOU WISH TO DISPOSE OF THIS AGENDA, PLEASE LEAVE IT BEHIND AFTER THE MEETING.  
IT WILL BE COLLECTED FOR RECYCLING.***

**HARROW COUNCIL**

**STANDARDS COMMITTEE**

**TUESDAY 5 DECEMBER 2006**

**AGENDA - PART I**

1. **Attendance by Reserve Members:**

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

2. **Declarations of Interest:**

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee, Sub Committee, Panel or Forum;
- (b) all other Members present in any part of the room or chamber.

3. **Arrangement of Agenda:**

To consider whether any of the items listed on the agenda should be considered with the press and public excluded on the grounds that it is thought likely, in view of the nature of the business to be transacted, that there would be disclosure of confidential information in breach of an obligation of confidence or of exempt information as defined in Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1972 (as amended).

4. **Minutes:**

That the minutes of the meeting held on 19 September 2006 be taken as read and signed as a correct record.

5. **Public Questions:**

To receive questions (if any) from local residents or organisations under the provisions of Committee Procedure Rule 19 (Part 4B of the Constitution).

6. **Petitions:**

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution).

7. **Deputations:**  
To receive deputations (if any) under the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution).
- Enc. 8. **Members' Register of Interests:** (Pages 1 - 4)  
Report of the Director of Corporate Governance.
- Enc. 9. **Review of Whistleblowing Policy:** (Pages 5 - 22)  
Report of the Head of Human Resources.
- Enc. 10. **Protocols – Monitoring Officer and Chief Financial Officer:** (Pages 23 - 36)  
Report of the Director of Corporate Governance.
- Enc. 11. **Review of the Code of Conduct:** (Pages 37 - 40)  
Report of the Director of Corporate Governance.
- Enc. 12. **Confidential Information:** (Pages 41 - 56)  
Report of the Director of Corporate Governance.
- Enc. 13. **Recommendation from the Member Development Panel - Annual Development Programme:** (Pages 57 - 80)

**AGENDA - PART II - NIL**

This page is intentionally left blank



Meeting:	Standards Committee
Date:	5 December 2006
Subject:	Members' Register of Interests
Key Decision: (Executive-side only)	No.
Responsible Officer:	Director of Corporate Governance
Portfolio Holder:	The Leader
Exempt:	No.
Enclosures:	None.

## SECTION 1 – SUMMARY AND RECOMMENDATIONS

This report sets out the results of a survey of the practices of other London Boroughs in relation to the publication of the Members' Register of Interests, and outlines some of the new functions available with the upgraded version of the Democratic Services team's modern.gov software.

### **RECOMMENDATIONS:**

To agree that:

- (1) officers use the upgraded modern.gov software to implement a system of automatic monthly e-mail reminders to Members to keep their entries in the Register of Interests up to date;
- (2) the Register of Interests be published on both the intranet and the internet, subject to the removal of home addresses and signatures;
- (3) officers seek to implement the facility to enable Members to update Register of Interests forms via the intranet.

## SECTION 2 - REPORT

- 2.1 At its meeting on 19 September 2006, the Standards Committee discussed the extent of Members' compliance with the Code of Conduct in relation to completion of Register of Interests forms. It was noted that the publication of the Members' Register of Interests on either the intranet or the internet was under consideration, and the Committee requested that officers investigate how other boroughs made their Members' Register of Interests available.
- 2.2 A survey of other London Boroughs has now been carried out and 19 of the 31 other London Boroughs responded. The results were as follows:
- 5 Boroughs publish the Register on the website;
  - 3 Boroughs did not publish the Register as a whole but published Members' interests separately (eg on individual webpages relating to each Member);
  - 6 Boroughs did not currently publish the Register but were planning to in the near future;
  - 5 Boroughs did not publish the Register or indicate that they planned to.
- 2.3 The Democratic Services team's modern.gov software has recently been upgraded, and the upgraded version offers a number of new facilities relating to Members' Register of Interests. The upgraded software is currently still being embedded and the full extent of the new functionality is being explored, but it appears that the new functions include the following:-
- The publication of the Members' Register of Interests on the intranet or the internet or both;
  - A facility for Members to fill in/update their Register of Interests forms on-line via the intranet;
  - E-mail reminders sent to Members to keep their entry in the Register of Interests up to date.
- 2.4 Sending reminders to Members to update/return their Register of Interests forms is currently a time-consuming task. In order to improve the administration of the Members' Register of Interests and reduce officer time spent on this, it is therefore suggested that officers seek to implement the facility to send Members regular (eg monthly) e-mail reminders of the need to keep their entry in the register up to date.
- 2.5 It is also proposed that the Register of Interests be published on both the intranet and the internet, to improve the accessibility of the Register both to Council Members and members of the public, and that officers seek to implement the intranet update facility, to enable Members who wish to do so to submit their forms electronically. With regard to these features, however, there are some issues arising which officers are exploring further. These include the following:
- Clarification is being sought on the format in which the Register would appear on the website, and whether certain types of information (eg Members' home addresses) can be omitted from the published Register if Members so request it. In addition, it may not

be appropriate for Members' signatures to appear on the forms, if these were made available on the website.

- With regard to the facility for Members to submit Register of Interests forms electronically via the intranet, it is proposed that officers should review all forms/updates prior to their inclusion in the published Register (as they do currently with hard copy forms) to ensure that forms have been completed correctly and relevant information provided. Members should not be able to publish updated forms directly to the web, as this could create problems with maintaining the hard copy register.

2.6 Further details on how all the features work are currently being sought from the software supplier, and in the event that there are any problems with implementing them, these will be reported back to the Committee.

2.7 Before the publication of the Register and the implementation of the intranet update facility, all Members will be contacted with details of how this will work. Members of the Standards Committee will be given advance warning.

2.8 The Committee is therefore requested to agree that:

- officers use the upgraded modern.gov software to seek to implement a system of automatic monthly e-mail reminders to Members to keep their entries in the Register of Interests up to date;
- the Register of Interests be published on both the intranet and the internet, subject to the removal of home addresses and signatures;
- officers seek to implement the facility to enable Members to update Register of Interests forms via the intranet.

### SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input checked="" type="checkbox"/>	Name: Barry Evans
		Date: 23 November 2006
Monitoring Officer	<input checked="" type="checkbox"/>	Name: John Robinson
		Date: 22/11/06

## SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

**Contact:** Claire Vincent, Democratic and Practice Manager, tel: 020 8424 1637.

**Background Papers:** Report to and Minutes of the Standards Committee on 19 September 2006.

**IF APPROPRIATE, does the report include the following considerations?**

1.	Consultation	N/A
2.	Corporate Priorities	N/A
3.	Manifesto Pledge Reference Number	N/A





Meeting:	Standards Committee
Date:	5 <sup>th</sup> December 2006
Subject:	Review of Whistleblowing Policy
Key Decision: (Executive-side only)	N/A
Responsible Officer:	Jon Turner - Head of Human Resources
Portfolio Holder:	David Ashton, Finance and Business Matters
Exempt:	No
Enclosures:	Draft revised Whistleblowing Policy

## **SECTION 1 – SUMMARY AND RECOMMENDATIONS**

This report sets out the progress made in revising the current Whistleblowing Policy and procedure.

### **RECOMMENDATIONS:**

To note progress on the review of the Whistleblowing Policy and comment on the revised proposed Policy.

## SECTION 2 - REPORT

The terms of reference of this committee states that it is “to have oversight of the Council’s Whistleblowing policy”.

The current Whistleblowing Policy and procedure has been in place since March 2001, and is now being reviewed as part of the Council’s governance arrangements and general review of its policies.

A copy of the proposed revised draft Policy is attached and feedback is sought from this committee on the proposed document.

The review has incorporated feedback from Officers who have dealt with Whistleblowing issues and comments from Legal Services. The revisions provide greater clarity around the legislation concerning Whistleblowing and to whom the Policy applies. It also updates and improves guidance on how workers can raise a concern.

In addition to this committee the revised Policy will also be the subject of consultation with trade unions, employee support groups and Complaints Officers. This consultation is currently underway.

Following consultation, the final Policy will be submitted to the next meeting of this Committee for approval.

## SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input checked="" type="checkbox"/>	Name:...Barry Evans
		Date: 22 <sup>nd</sup> November 2006
Monitoring Officer	<input checked="" type="checkbox"/>	Name: Helen White
		Date: 22 <sup>nd</sup> November 2006

## SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

**Contact:** Tish Tunnacliffe HR Adviser, 020 8424 1136

**Background Papers:** Whistleblowing Policy agreed March 2001

**IF APPROPRIATE, does the report include the following considerations?**

1.	Consultation	YES - ongoing
2.	Corporate Priorities	N/A
3.	Manifesto Pledge Reference Number	N/A

# Council Policy and Procedure on Whistleblowing

## 1. Background

The Council is committed to the highest possible standards of conduct, openness, honesty and accountability and takes seriously any issues of malpractice or wrongdoing. Workers are often the first to realise there may be something seriously wrong within the workplace and the Council expects workers who have serious concerns about any aspect of the Council's work to come forward and voice those concerns.

The Public Interest Disclosure Act 1998 (PIDA) protects workers who 'blow the whistle' about malpractice or wrongdoing within an organisation. This Act makes provision on the kinds of disclosures which may be protected, the circumstances in which such disclosures are protected and persons who may be protected. This policy and procedure is intended to be

## 2. Who is covered by the Policy and Procedure?

This policy and procedure applies to all Council employees, permanent and temporary, agency workers, contractors and their staff and Elected Members are covered by the procedure. It also covers suppliers and those providing services under a contract with the Council in their own premises, for example, care homes. The term "worker" within this document is used to describe any of the above.

This policy does not form part of an employees contract of employment.

### Schools

This policy and procedure is strongly recommended for adoption by School Governing bodies, following consultation with their staff. Governing bodies are urged to adhere to the principles outlined within this policy and procedure.

Where this policy and procedure makes reference to a manager, in schools this will be a senior Teacher or Head Teacher.

## 3. Why do we need a Policy and Procedure?

This policy and procedure is intended to encourage and enable workers to raise serious concerns within the Council rather than overlooking a problem or "blowing the whistle" outside.

This policy and procedure aims to:

- encourage workers to feel confident in raising serious genuine concerns and to question and act upon concerns;
- provide avenues for workers to raise those concerns and receive feedback on any action taken;
- encourage and enable workers to raise serious concerns within the Council rather than overlooking a problem or taking it outside of the organisation.
- ensure that workers are aware of how to pursue concerns if they are not satisfied with the action taken;

- reassure workers that they will be protected from possible reprisals or victimisation for Whistleblowing in good faith in accordance with this procedure.

It is recognised that cases may have to proceed on a confidential basis.

#### **4. What is covered by this Policy and Procedure?**

Disclosing a concern which the worker honestly and reasonably believes suggests that malpractice or wrongdoing is in the process of being committed or is likely to be committed, would qualify for protection under PIDA. Malpractice or wrongdoing include:

- a criminal offence;
- the breach of a legal obligation;
- a miscarriage of justice;
- a danger to the health and safety of any individual;
- damage to the environment; or
- deliberate covering up of information tending to show any of the above.

#### **5. Safeguards against Harassment or Victimisation**

The Council will not tolerate any harassment or victimisation (including informal pressures) and will, wherever possible, take appropriate action to protect workers when a concern is raised. Workers who suffer harassment or victimisation should inform the individual with whom they raised their initial concern.

Workers raising an issue referred to in Section 4, are protected from harassment, victimisation, disciplinary action or dismissal or any other disadvantage at work. Workers will be protected even if their disclosure of any wrongdoing or malpractice is not substantiated after investigation), provided they raise/disclose issues in good faith and in accordance with the PIDA.

#### **6. Relationship with other Procedures**

This policy and procedure is not intended to cover concerns that can be progressed under existing personnel policies. There are existing procedures in place to enable workers to lodge a grievance relating to their own employment, either in terms of the treatment afforded to them or their terms and conditions of employment.

Council employees can seek guidance and advice on how to pursue matters of concern from Human Resources.

### **PROCEDURE FOR RAISING A CONCERN**

See Appendix 1

#### **7. How to Raise a Concern**

##### **Council employees**

- Guidance or advice on how to pursue matters of concern may be obtained from the Human Resources and advice/support may also be sought from a Trade Union Representative.

- The worker's concerns may be raised verbally or in writing.
- The worker needs to ensure that the person with whom they raise the concern is fully aware that they are using this policy and procedure.
- It will be helpful to provide the background and history of the concern (giving relevant dates, names & locations), the reasons for the particular concern about the situation and details of evidence / witnesses.
- Assistance with preparing this information may be sought from an HR Adviser or Trade Union representative.
- The earlier the concern is raised the easier it is to take action.
- Workers may wish to discuss their concern in confidence with their Trade Union representative or work colleague and/or invite their trade union representative or work colleague to be present during any meetings or interviews in connection with the concerns raised.

### **Other Workers**

- Concerns may be raised verbally or in writing.
- The worker needs to ensure that the person with whom they raise the concern is fully aware that they are using this policy and procedure.
- It will be helpful to provide the background and history of the concern (giving relevant dates, names & locations), the reason for particular concerned about the situation and details of evidence / witnesses.
- The earlier the concern is raised the easier it is to take action.

## **8. To whom do I Report my concerns?**

This policy and procedure provides workers with an avenue to raise concerns within the Council.

Concerns should normally be raised with a Senior Council Officer, for employees this would normally be their immediate manager.

### **Council employees**

Council employees who do not wish to raise the issue with their manager because of the nature, seriousness or sensitivity of the issues involved, can raise their concerns with their Director, go direct to the Chief Executive or Director of Legal Services.

### **Schools**

In the case of schools if the concern relates to the Headteacher, this should be made to the Chair of the Governing Body.

### **Council Members**

Where Council Members have concerns they may wish to first discuss matters with their Group Leader, but this does not discharge the responsibility to report serious matters urgently to either the Chief Executive or Director of Legal Services.

**For guidance on raising concerns outside of the Council, see Section 10 below.**

## **9. How the Council will Respond**

- 9.1 The Council will respond to the concerns raised. Investigation does not imply either acceptance or rejection of an individual's concerns.
- 9.2 Within 5 working days, the person with whom the concern was raised must acknowledge its receipt in writing, irrespective of how the concern was raised.
- 9.3 Where the concern has been raised with a manager she/he, together with an HR Adviser (or other relevant representative eg from Audit or Child Protection Unit) will decide whether the matter needs to be referred to a more senior officer e.g. Director, Chief Executive, Director of Legal Services, Head Teacher, Chair of Governors.
- 9.4 The initial enquiry will be undertaken, wherever possible within 10 working days, by the most appropriate Officer(s). This will not involve a detailed investigation, however, sufficient information will need to be gathered in order that a decision can be made as to whether further investigation will take place.
- 9.5 Where appropriate, the matters raised may:
- be investigated by management, internal audit, or through the disciplinary process
  - be referred to the police
  - be referred to the external auditor or other external investigation
  - form the subject of an independent inquiry
  - be investigated under another procedure e.g. child/adult protection
  - be investigated under the Registered Homes Act
  - be investigated under other forms of prosecution and inspection e.g. to protect public health and safety
- 9.6 In order to protect individuals and those accused of misdeeds or possible malpractice or wrongdoing, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Council will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 9.7 Within fifteen working days of a concern being raised, the person with whom the grievance has been raised will write to the individual who raised the matter:
- indicating how they propose to deal with the matter
  - giving an estimate of how long it will take to provide a final response
  - informing them whether any initial enquiries have been made
  - supplying them with information on staff support mechanisms, and
  - informing them whether further investigations will take place and who will conduct that investigation
  - explaining the reasons why no investigation is to be carried out

- 9.8 It may be necessary, as part of the investigation, to obtain additional information from the worker who raised the concern.
- 9.9 The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud.
- 9.10 The Council accepts that individuals who raise a concern need to know that the matter has been properly addressed. Thus, subject to legal constraints, the worker will be given feedback on any action taken. However, it will not include information relating to specific individuals, which will remain confidential.

## **10. How the Matter can be taken Further**

This policy and procedure is intended to provide workers with an avenue within the Council to raise concerns. The Council hopes workers will be satisfied with any action taken. If not, and they feel it is right to take the matter outside the Council, the matter can be raised with the organisation as listed in Appendix 2.

There may be circumstances where a worker considers that (s)he needs to raise the matter externally. This may be because, for example, there is a need to involve the appropriate external regulatory body, or the worker considers that the matter has not been properly addressed, or that an worker reasonably believes that the matter will be covered up.

If a worker is unsure whether or how to raise a concern or wants confidential advice, contact can be made with the independent charity Public Concern at Work on 020 7404 6609 or at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk). Their lawyers can provide free confidential advice on how to raise a concern about serious malpractice or wrongdoing at work.

In circumstances where a worker decides to raise the matter externally, (s)he will only be protected under this procedure, and under employment law, where the disclosure is made in accordance with the Public Interest Disclosure Act 1998. This means that the disclosure must fall under one of the categories listed in paragraph 4 above and must be made in one of the following ways:

- a) in the course of obtaining legal advice
- b) to a prescribed regulatory body (listed in Appendix 2) provided the disclosure is made in good faith and the worker reasonably believes the prescribed body is responsible for the matter of concern and that the information allegations are substantially true;
- c) to other third parties where the worker makes the disclosure;
  - in good faith, with reasonable believe that the information and allegations are substantially true, and
  - does not make the disclosure for personal gain, and
  - has already raised the matter with the Council or prescribed regulator, unless the worker reasonably believes that (s)he will suffer a detriment, or there is not prescribed regulator and (s)he reasonable believes that evidence will be concealed or destroyed if (s)he makes the initial disclosure to the Council, and
  - in all of the circumstances it is reasonable to make the disclosure.

d) The disclosure is of an exceptionally serious nature and the whistleblower makes the disclosure:

- In good faith, with reasonable belief that the information and allegations are substantially true, and
- Does not make the disclosure for personal gain, and
- in all of the circumstances it is reasonable to make the disclosure.

Council employees who wish to take the matter outside the Council should check with their Trade Union representative or Human Resources that they are not in breach of any of the Council's Code of Conduct. Council employees should not, in any circumstances, approach the media/press.

### **11. Support for Person Raising a Concern**

- The council is committed to good practice and high standards and wants to be supportive of individuals who raise concerns.
- Council employees experiencing stress as a result of their involvement in this process can seek counselling and support from the Council's Occupation Health Service or Employee Assistance Programme.
- Council employees can also approach their Trade Union for advice/support throughout the procedure.
- The Council will take steps to minimise any difficulties, which individuals may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings the Council will arrange for them to receive advice about the procedure and, if necessary, be fully prepared for a Court appearance.

### **12. Support for those affected by the Raising of a concern**

- The Council will support individuals affected by the raising of a concern as appropriate.
- Council employees experiencing stress as a result of their involvement in this process can seek counselling and support from the Council's Occupation Health Service or Employee Assistance Programme.
- Council employees can also approach their Trade Union for advice/support throughout the procedure.

### **13. Confidentiality**

All concerns raised will be treated in confidence.

If a worker raises an issue, every effort will be made not to reveal their identity. It must be recognised, however, that in order to investigate the matter, information must be obtained and/or other workers questioned, therefore total confidentiality cannot be guaranteed. If it becomes necessary to reveal the worker's identity they will be consulted



before this action is taken. If there is an unauthorised disclosure of their identity, disciplinary action may be taken against that individual.

#### **14. Anonymous Allegations**

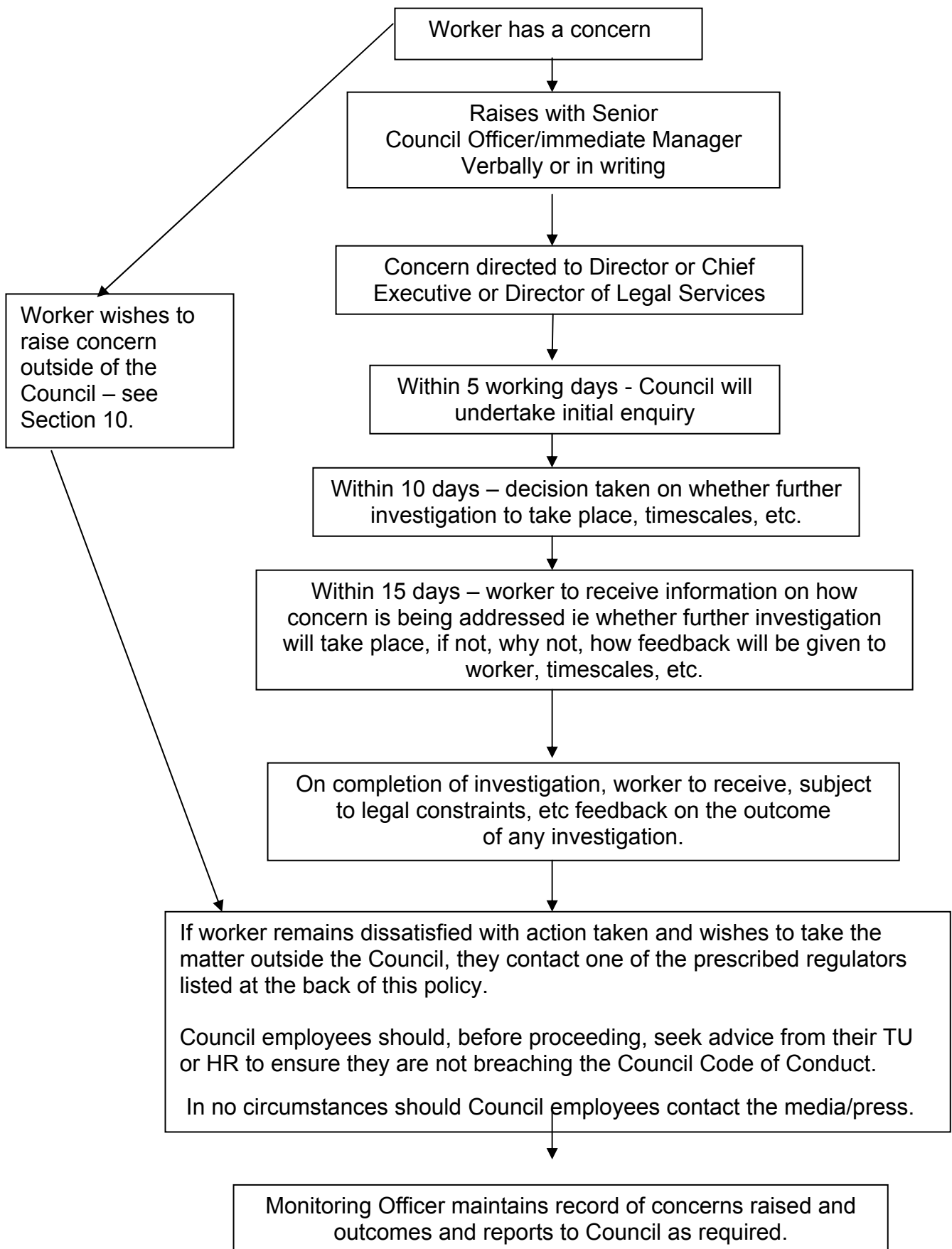
Where a concern is raised anonymously, these will be considered at the discretion of the Council taking into account the seriousness of the issues raised; the credibility of the concern; and the likelihood of confirming the allegation from attributable sources.

#### **15. Untrue Allegations**

The Council expects that any complaint will be made in good faith but may take action against the complainant if this is found not to be the case.

#### **16. The Responsible Officer**

The (Chief Executive) or Director of Legal Services, who is the Council's Monitoring Officer has overall responsibility for the maintenance and operation of this policy and procedure. This officer maintains a record of concerns raised and the outcomes and will report as necessary to the Council (but in a form which does not endanger confidentiality). All concerns raised under this policy and procedure will be reported to the (Chief Executive) or Monitoring Officer by the manager to whom the concern was originally raised.



## APPENDIX 2

Prescribed Regulator	Matters in respect of which regulator is prescribed
<p><b>The Audit Commission for England and Wales</b> (including auditors appointed by the Commission)            The Audit Commission            1 Vincent Square            London SW1P 2PN            Tel: 020 7630 1019</p>	<p>The proper conduct of public business, value for money, fraud and corruption in local government, and health service, bodies</p>
<p>The Certification Officer            Brandon House            180 Borough High Street            London SE1 1LW            Tel: 020 7210 3734 / 3735            Fax: 020 7210 3612  <a href="http://www.certoffice.org">www.certoffice.org</a></p>	<p>Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations</p>
<p>The Charity Commissioners for England &amp; Wales            Charity Commission            Liverpool Head of Operations            2nd Floor            20 Kings Parade            Queens Dock            Liverpool L3 4DQ            Tel: 0870 3330123            Fax: 0151 703 1556  <a href="http://www.charity-commission.gov.uk">www.charity-commission.gov.uk</a></p>	<p>The proper administration of charities and of funds given or held for charitable purposes.</p>
<p>Chairman of the Criminal Cases Review Commission            Criminal Cases Review Commission            Alpha Tower            Suffolk Street            Queensway            Birmingham            B1 1TT            Tel: 0121 633 1800            Fax: 0121 633 1804            Email: <a href="mailto:info@ccrc.gov.uk">info@ccrc.gov.uk</a>  <a href="http://www.ccr.gov.uk">www.ccr.gov.uk</a></p>	<p>Actual or potential miscarriages of justice. (The Commission has responsibility for these matters in respect of England, Wales and Northern Ireland).</p>
<p>Independent Police Complaints Commission            90 High Holborn            London            WC1V 6BH            Tel: 020 7166 3000  <a href="http://www.ipcc.gov.uk">www.ipcc.gov.uk</a></p>	<p>Matters relating to the conduct of a person serving with the police (as defined in section 12(7) of the Police reform Act 2002) or of any other person in relation to whose conduct the Independent Police Complaints Commission exercises functions in or under any legislation.</p>

<p>Civil Aviation Authority CAA House 45-59 Kingsway London WC2B 6TE Tel: 020 7453 6160 Fax: 020 7453 616 <a href="http://www.caa.co.uk">www.caa.co.uk</a></p>	<p>Compliance with the requirements of civil aviation legislation, including aviation safety</p>
<p>The competent authority under Part IV of the Financial Services and Markets Act 2000 Head of Listing Department London Stock Exchange Old Broad Street London EC2N 1HP Tel: 020 7797 3884 Fax: 020 7334 8976</p>	<p>The listing of securities on a stock exchange; prospectuses on offers of transferable securities to the public</p>
<p>The Commission for Healthcare Audit and Inspection Finsbury Tower 103-105 Bunhill Row London EC1Y 8TG Tel: 020 7448 9200 <a href="http://www.healthcarecommission.org.uk">www.healthcarecommission.org.uk</a></p>	<p>Matters connected with (a) the provision of health care for the purposes of the National Health Service (where "health care" has the same meaning as in section 45(2) of the Health and Social Care (Community Health and Standards) Act 2003), (b) the provision of independent health care services within the meaning of section 5A(8) of the Care Standards Act 2000, or (c) any activities not covered by (a) and (b) in relation to which the Commission exercises its functions.</p>
<p>The Commission for Social Care Inspection 33 Greycoat Street London SW1P 2QF Tel: 020 7979 2000 Fax: 020 7979 2111 <a href="http://www.csci.org.uk">www.csci.org.uk</a></p>	<p>Matters relating to the provision of regulated social care services as defined in the Care Standards Act 2000, and the inspection and performance assessment of English local authority social services as defined in section 148 of the Health and Social Care (Community Health and Standards) Act 2003.</p>
<p>The Commissioners for Her Majesty's Revenue and Customs Cross Cutting Policy Room 1E/04 1 Parliament Street London SW1A 2BQ Freephone: 0900 595 000 Free fax: 0800 523 0506 E-mail: <a href="mailto:customs.confidential@hmrc.gov.uk">customs.confidential@hmrc.gov.uk</a></p>	<p>Value added tax, insurance premium tax, excise duties and landfill tax. The import and export of prohibited or restricted goods. Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of the national minimum wage.</p>
<p>Comptroller and Auditor General of the National Audit Office</p>	<p>The proper conduct of public business, value for money, fraud and corruption in</p>

<p>National Audit Office 157-197 Buckingham Palace Road Victoria London SW1W 9SP Tel: 020 7798 7999 <a href="http://www.nao.gov.uk">www.nao.gov.uk</a></p>	<p>relation to the provision of centrally funded public services.</p>
<p>Director General of Water Services Office of Water Services Centre City Tower 7 Hill Street Birmingham B5 4UA Tel: 0121 625 1300 Fax: 0121 625 1400 <a href="http://www.ofwat.gov.uk">www.ofwat.gov.uk</a></p>	<p>The supply of water and the provision of sewerage services.</p>
<p>The Director of the Serious Fraud Office Elm House 10- 16 Elm Street London WC1X 0BJ Tel: 020 7239 7272 Fax: 020 7837 1689 <a href="http://www.sfo.gov.uk">www.sfo.gov.uk</a></p>	<p>Serious or complex fraud.</p>
<p>The Environment Agency Rio House Waterside Drive Aztec West Almondsbury Bristol BS12 4UD Tel: 0800 807060 (24 hour line) or enquiries 01454 624400 Fax: 01454 624409 <a href="http://www.environment-agency.gov.uk">www.environment-agency.gov.uk</a></p>	<p>Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment including those relating to pollution, abstraction of water, flooding, the flow of rivers, inland fisheries and migratory salmon or trout.</p>
<p>Food Standards Agency Personnel and Establishments Division Food Standards Agency Room 111C Aviation House 125 Kingsway London WC2B 6NH Tel: 020 7276 8120 Fax: 020 7276 8132 <a href="http://www.food.gov.uk">www.food.gov.uk</a></p>	<p>Matters which may affect the health of any member of the public in relation to the consumption of food and other matters concerning the protection of the interests of consumers in relation to food.</p>
<p>Financial Services Authority 25 The North Colonnade Canary Wharf London</p>	<p>The carrying on of investment business or of insurance business. The operation of banks and building societies, deposit-taking businesses and wholesale money market</p>

<p>E14 5HS  Tel: 020 7676 4646  Fax: 020 7676 9727  E-mail: <a href="mailto:whistle@fsa.gov.uk">whistle@fsa.gov.uk</a>  <a href="http://www.fsa.gov.uk/Pages/Doing/Contact/Whistle/">www.fsa.gov.uk/Pages/Doing/Contact/Whistle/</a></p>	<p>regimes. The operation of friendly societies, benevolent societies, working men's clubs, specially authorised societies and industrial and provident societies. The functioning of financial markets, investment exchanges and clearing houses. Money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Financial Services Authority.</p>
<p>Gas and Electricity Markets Authority  9 Millbank  London  SW1P 5GE  Tel: 020 7901 7000  <a href="http://www.ofgem.gov.uk">www.ofgem.gov.uk</a></p>	<p>The generation, transmission, distribution and supply of electricity, participation in the operation of an electricity interconnector (as defined in section 4(3E) of the Electricity Act 1989) and activities ancillary to these matters.  The transportation, shipping and supply of gas through pipes, participation in the operation of a gas interconnector (as defined in section 5(8) of the Gas Act 1986) and activities ancillary to these matters.</p>
<p>General Social Care Council  Goldings House  2 Hays Lane  London  SE1 2HB  Tel: 020 7397 5100  Fax: 020 7397 5145  <a href="http://www.gsccl.org.uk">www.gsccl.org.uk</a></p>	<p>Matters relating to the registration of social care workers under the Care Standards Act 2000.</p>
<p>Health and Safety Executive  Caerphilly Business Park  Caerphilly  South Wales  CF83 3GG  Tel: 0845 345 0055  Fax: 0845 408 9566  <a href="http://www.hse.gov.uk/workers/whistleblowing">www.hse.gov.uk/workers/whistleblowing</a></p>	<p>Matters which may affect the health or safety of any individual at work; matters which may affect the health and safety of any member of the public arising out of, or in connection with, the activities of persons at work.</p>
<p>Housing Corporation  Assistant Director Supervision  Housing Corporation  149 Tottenham Court Road  London  W1T 7BN  Tel: 020 7393 2000</p>	<p>The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.</p>
<p>Local Authorities  (The local authority which under section 18 of the Health and Safety at Work etc Act 1974 is responsible for the enforcement of the</p>	<p>Matters which may affect the health or safety of any individual at work; matters which may affect the health and safety of any member of the public arising out of, or</p>

relevant statutory provisions)	in connection with, the activities of persons at work.
Information Commissioner The Office of the Information Commissioner Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Tel: 01625 545700 Fax: 01625 524510 E-mail: <a href="mailto:mail@ico.gsi.gov.uk">mail@ico.gsi.gov.uk</a> <a href="http://www.informationcommissioner.gov.uk">www.informationcommissioner.gov.uk</a>	Compliance with the requirements of legislation relating to data protection and to freedom of information*. (*Data protection legislation regulates the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information) (*Freedom of information legislation provides for the disclosure by public authorities of the information that they hold).
National Care Standards Commission St Nicholas Building St Nicholas Street Newcastle NE1 1NB Tel: 0191 233 3556 Email: <a href="mailto:enquiries@ncsc.gsi.gov.uk">enquiries@ncsc.gsi.gov.uk</a>	Matters relating to the provision of regulated care services, as defined in the Care Standards Act 2000.
Scottish Commission for the Regulation of Care Compass House 1 Riverside Drive Dundee DD1 4NY Tel: 0845 603 0890 Fax: 01382 207289 <a href="http://www.carecommission.com">www.carecommission.com</a>	Matters relating to the provision of care services, as defined in the Regulation of Care (Scotland) Act 2000.
The Pensions Regulator Napier House Trafalgar Place Brighton BN1 4DW Tel: 0870 6063 636 Textphone: 0870 2433 123 Fax: 0870 2411144 <a href="http://www.thepensionsregulator.gov.uk">www.thepensionsregulator.gov.uk</a>	Matters relating to occupational pension schemes and other private pension arrangements.
The Office of Communications Riverside House 2a Southwark Bridge Road London SE1 9HA Tel: 020 7981 3000 Fax: 020 7981 3333 <a href="http://www.ofcom.org.uk">www.ofcom.org.uk</a>	The provision of electronic communications networks and the use of the electromagnetic spectrum, broadcasting and the provision of radio and television services, media ownership and control and competition in communications markets.
Office of Fair Trading	Matters concerning the sale of goods or the

<p>Fleetbank House 2-6 Salisbury Square London EC4Y 8JX Tel: 020 7211 8000 Fax: 020 7211 8800 <a href="http://www.ofc.gov.uk">www.ofc.gov.uk</a></p>	<p>supply of services, which adversely affects the interests of consumers. Competition affecting markets in the United Kingdom.</p>
<p>The Rail Regulator Office of the Rail Regulator 1 Waterhouse Square 138-142 Holborn London EC1N 2TQ Tel: 020 7282 2000 Fax: 020 7282 3888 <a href="http://www.rail-reg.gov.uk">www.rail-reg.gov.uk</a></p>	<p>The provision and supply of railway services.</p>
<p>Standards Board for England 1st Floor Cottons Centre Cottons Lane London SE1 2QL Tel: 0845 078 8181 <a href="http://www.standardsboard.co.uk">www.standardsboard.co.uk</a></p>	<p>Breaches by a member or co-opted member of a relevant authority (as defined in section 49(6) of the Local Government Act 2000) of that authority's code of conduct.</p>
<p>HM Treasury Insurance Directorate Parliament Street London SW1P 3AG Tel: 020 7270 1720 Fax: 020 7270 4694</p>	<p>The carrying on of insurance business.</p>
<p>Secretary of State for Trade and Industry Vetting Section Companies Investigation Branch Department of Trade and Industry 10 Victoria Street London SW1H 0NN Tel: 020 7215 3120 Fax: 020 7215 3112 Consumer Affairs Directorate V418 Department of Trade and Industry 1 Victoria Street London SW1H 0ET Tel: 020 7215 5496 Fax: 020 7215 0339</p>	<p>Fraud and other misconduct in relation to companies, investment business, insurance business, or multi-level marketing schemes (and similar trading schemes); insider dealing.</p>



<p>Secretary of State for Transport  Secretary to the Executive Board  Maritime and Coastguard Agency  Spring Place  105 Commercial Road  Southampton  SO15 1EG  Tel: 023 8032 9277  Fax: 023 8032 9122</p>	<p>Compliance with merchant shipping law,  including maritime safety.</p>
<p>Local authorities which have responsibility for  enforcement of consumer protection  legislation</p>	<p>Compliance with the requirements of  consumer protection legislation.</p>
<p>Local authorities which are responsible for the  enforcement of food standards</p>	<p>Compliance with the requirements of food  safety legislation.</p>

This page is intentionally left blank



Meeting:	Standards Committee
Date:	5 December 2006
Subject:	Protocols – Monitoring Officer and Chief Financial Officer
Key Decision: (Executive-side only)	No
Responsible Officer:	John Robinson Director of Corporate Governance
Portfolio Holder:	Councillor Chris Mote Leader (Strategic Overview, External Affairs & Property)
Exempt:	No
Enclosures:	Monitoring Officer Protocol Chief Financial Officer Protocol

## SECTION 1 – SUMMARY AND RECOMMENDATIONS

This report proposes the adoption by the Council of the Protocols for the Statutory Officers posts of Monitoring Officer and Chief Financial Officer. The adoption will demonstrate that arrangements are in place to ensure that the Statutory Officers can carry out their responsibilities with the support of Members and Officers.

### **RECOMMENDATIONS:**

- (a) That the Standards Committee approve the Monitoring Officer and Chief Financial Officer Protocols; and
- (b) To recommend to the Council the adoption of the Protocols for the Monitoring Officer and Chief Financial Officer

## SECTION 2 - REPORT

- 2.1 A draft Monitoring Officer Protocol was originally submitted to this Committee in October 2003, but was withdrawn pending revision. The revised draft has been finalised in consultation with the Monitoring Officer. At the same time it was considered appropriate that a similar Protocol for the Chief Financial Officer should also be prepared. This draft has also been prepared in consultation with the Chief Financial Officer.
- 2.2 The Council is required under section 5 of the Local Government and Housing Act 1989 to appoint a statutory Monitoring Officer. Key responsibilities under the 1989 Act include:
- i) reporting on contravention/likely contravention of any enactment or rule of law;
  - ii) report on maladministration or injustice where the Ombudsman has carried out an investigation
- 2.3 The responsibilities ascribed to the Monitoring Officer were expanded following the introduction of the Local Government Act 2000, Part III which deals with ethics and probity. Key additional responsibilities include:
- i) Investigation into misconduct and advice on the determination of complaints;
  - ii) Advice to the Standards Committee;
  - iii) Maintenance of the registers of Interests, gifts and hospitality;
  - iv) Advice on interpretation of the Code of Conduct;
  - v) Liaison with the Standards Board for England and Ethical Standards Officers.
- 2.4 Similarly, the Council is required under section 151 of the Local Government Act 1972 to appoint a Chief Financial Officer.
- 2.5 The key responsibilities of the Chief Financial Officer are contained within the Local Government Financial Act 1988, and the Local Government Act 2003, which include:
- i) reporting on any decision (of Council or the Executive) which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account;
  - ii) reporting on expenditure incurred (including expenditure proposed to be incurred which is likely to exceed the resources available to meet that expenditure);
  - iii) reporting on the robustness of budget calculations
  - iv) the adequacy of proposed financial reserves
  - v) previous years' financial reserves if it appears controlled reserves is or likely to be inadequate
  - vi) assist the Council in the carrying out of regular budget monitoring

2.6 The Protocol sub-divides the responsibilities into three categories:

i) Reports and decision-making

The Protocol highlights the need for early consultation by Executive Directors and Directors with the Monitoring Officer and Chief Financial Officer on policy changes and possible problems for the authority. There are also requirements in relation to record keeping.

ii) Legality, vires and constitutional issues

This part of the Protocol highlights the Monitoring Officer's and Chief Financials Officer's role in ensuring the authority acts within its powers and the law.

iii) Ethics and Probity

This section deals with the role of the Monitoring Officer and Chief Financial Officer in relation to the conduct of members.

2.7 There are no resources or costs associated with the recommendation. In addition, there are no risks to the Council if the Protocols were not approved, as the Statutory Officers would continue to carry out their responsibilities in accordance the relevant legislation. The Protocol is intended to demonstrate that the Council has arrangements in place to ensure that the Monitoring Officer and Chief Financial Officer can carry out their responsibilities with the support of Members and Officers.

2.8 The Protocols are also in accordance with best practice guidance from The Association of Council Secretaries and Solicitors (ACSeS) and The Chartered Institute of Public Finance and Accountancy (CIPFA).

2.9 A similar Protocol for the Head of Paid Service (the Chief Executive is being prepared and will be submitted to the next meeting of the Standards Committee for approval.

### SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Financial Officer	<input checked="" type="checkbox"/>	Name Barry Evans
		Date: 16 November 2006
Monitoring Officer	<input checked="" type="checkbox"/>	Name: Jill Travers
		Date: 19 November 2006

## SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

**Contact:** Elaine McEachron, Senior Lawyer Corporate Governance,  
020 8420 9414 (ext 5414)

**Background Papers:**

Standards Committee Report 7<sup>th</sup> October 2003

**IF APPROPRIATE, does the report include the following considerations?**

1.	Consultation	N/A
2.	Corporate Priorities	N/A
3.	Manifesto Pledge Reference Number	N/A

# LONDON BOROUGH OF HARROW

## PROTOCOL FOR MONITORING OFFICER RESPONSIBILITIES

### **1. Introduction**

- 1.1 This protocol describes the principal functions of the Monitoring Officer and the way in which the Council expects him or her to discharge those functions.
- 1.2 The Monitoring Officer is a statutory appointment required by section 5 of the Local Government and Housing Act 1989 ('the Act').
- 1.3 A summary list of the statutory responsibilities of the Monitoring Officer appears in the table annexed to this document.
- 1.4 The current responsibilities of the Monitoring Officer rest with the Director of Legal Services, Hugh Peart, who shall appoint a deputy, (should he be unable to act) and who shall keep him briefed on any relevant issues that he/she may be required to deal with in his absence.

### **2. Roles and responsibilities**

- 2.1 Under the Act, the Monitoring Officer has a duty to prepare a report if it appears to him/her that any proposal, decision or omission by the Authority would:
  - breach any enactment or rule of law; or
  - constitute maladministration or injustice as defined by the Local Government Act 1974.

In order to determine whether to prepare such a report, the following arrangements and principles will operate between Members and officer colleagues on the one hand, and the Monitoring Officer on the other.

#### 2.2 Reports and decision-making

- (a) As a member of the Corporate Management Team, the Monitoring Officer will have advance notice of those meetings, their agenda and reports, and the right to attend and speak;
- (b) The Monitoring Officer or his/her staff will be provided with copies of all reports to Members in good time (i.e. at least 10 working days) before the reports are submitted for printing in order to confirm whether the proposal, decision or omission, by the Authority as outlined in the report would breach any enactment or rule of law; or constitute maladministration or injustice.

- (c) Officers are obliged to incorporate the comments of the Monitoring Officer into reports. If this is not observed the Monitoring Officer reserves the right to recommend the withdrawal of the report or issue a separate report to Members explaining his/her views on the matter for consideration;
- (d) Officers and Members must alert the Monitoring Officer to any informal or formal meeting between Cabinet Members or Committee Chairs and senior officers where procedural, vires or constitutional issues are likely to arise;
- (e) The Monitoring Officer will have the right to attend any meeting of the Council, featuring either Members or officers, (including the right to be heard) before any binding decision of the Council is made;
- (f) The Monitoring Officer will act as the Proper Officer in relation to the preparation, publication and retention of records of decisions taken by or on behalf of the Executive;
- (g) As required by statute, the Monitoring Officer will report to Council as necessary on the staff, accommodation and resources he/she requires to discharge his statutory duties;
- (h) In consultation with the Mayor, Cabinet, Standards Committee and the Standards Board for England, the Monitoring Officer may defer the making of a formal report under section 5 of the Local Government and Housing Act 1989 (a Monitoring Officer Report), where another investigative body is involved.

### 2.3 Legality, vires and constitutional issues

- (a) Senior Officers will alert the Monitoring Officer to all emerging issues of concern including legality, vires and constitutional issues;
- (b) The Monitoring Officer will meet regularly with the Chief Executive and the Chief Finance Officer (the Section 151 Officer) to consider and recommend action in connection with corporate governance issues and other matters relating to legal, procedural, impropriety or other constitutional issues that are likely to, or do, arise;
- (c) The Monitoring Officer will be available for Members and officers to consult on any issues relating to the Council's legal powers, possible maladministration, propriety and probity issues and for advice on the Constitution;
- (d) After consulting with the Chief Executive and Chief Finance Officer, the Monitoring Officer will have the right to notify the Police, the Council's Auditors and other regulatory agencies of his concerns in respect of any matter and to provide them with the documents to assist them in their statutory functions;



## 2.4 Ethics and probity

- (a) The Monitoring Officer will ensure the Standards Committee is supported in its mission to maintain high standards of ethics and probity;
- (b) The Monitoring Officer will develop good working relationships with the Standards Committee, Ombudsman, the District Auditor and the Standards Board for England;
- (c) In carrying out investigations of any kind, the Monitoring Officer will have unqualified access to any information held by the Council and to any officer who can assist in the discharge of his functions;
- (d) The Monitoring Officer will be expected to support the Standards Committee in the local determination of complaints against Members where allegations of misconduct are referred to him by the Standards Board for investigation, or where investigations are referred for local determination by an Ethical Standards Officer;
- (e) The Monitoring Officer may give informal advice and undertake relevant enquiries into allegations of misconduct by Members in the absence of a written complaint received by the Standards Board for England, and if appropriate will make a written report to the Standards Committee, unless the Chair of the Standards Committee, the Chief Executive and the Monitoring Officer decide that a report is unnecessary;
- (f) The Monitoring Officer will carry out investigations of misconduct allegations in compliance with any direction of Ethical Standards Officers;
- (g) The Monitoring Officer will have the power to delegate any part of his role in relation to investigations in compliance with directions of Ethical Standards Officers to another appropriately qualified officer within the Legal Services Department or externally;
- (h) The Monitoring Officer will be responsible for preparing a training programme for Members on the ethical framework, subject to approval of the Standards Committee;
- (i) The Monitoring Officer will maintain the registers of Members' Financial and other Interests, Gifts and Hospitality;
- (j) The Monitoring Officer will investigate any application for a dispensation and report as necessary to the Standards Committee for decision;
- (k) Officers and Members will alert the Monitoring Officer to any issues of concern to the Council concerning ethics and probity;
- (l) The Monitoring Officer has the right to obtain external legal advice, from an independent barrister or solicitor, on any matter. He/she shall be given sufficient resources to enable this to be done;

- (m) The Monitoring Officer will be able to appoint an independent legal adviser to assist the Council in relation to an investigation where a Member is alleged to be in breach of the Code of Conduct. He/she shall be given sufficient resources to enable this to be done;
- (n) To ensure the effective and efficient discharge of this Protocol, the Chief Finance Officer will ensure that adequate insurance and indemnity arrangements are in place in order to protect and safeguard the interests of the Council and the proper discharge of the role of the Monitoring Officer.

### **3. Conflicts**

- 3.1 Where the Monitoring Officer receives a complaint or becomes aware of a potentially reportable issue or event relating to a matter on which he/she has already advised, the matter shall be dealt with by the Deputy Monitoring Officer who will report to the Chief Executive and/or the authority as appropriate.

### **4. Sanctions for breach of this Protocol**

- 4.1 Complaints about a breach of any matters in this Protocol by Members may be referred to the Standards Committee of the Council and the relevant Leader and/or Chief Whip of the Party Group concerned.
- 4.2 Complaints about breaches of this Protocol by officers will be referred to the relevant Chief Officer and/or the Chief Executive.

## Summary of Monitoring Officer functions

Function	Source of Function
1. Report on contravention or likely contravention of any enactment or rule of law.	Section 5 Local Government and Housing Act 1989.
2. Report on any maladministration or injustice where Ombudsman has carried out an investigation.	Section 5 Local Government and Housing Act 1989.
3. Appointment of Deputy Monitoring Officer.	Section 5 Local Government and Housing Act 1989.
4. Report on resources needed to undertake Monitoring Officer functions.	Section 5 Local Government and Housing Act 1989.
5. Investigate misconduct in compliance with Regulations and directions of Ethical Standards Officers (ESO).	Regulations under Section 66(1) and 66(6) Local Government Act 2000. Direction from ESO in individual cases.
6. Establish and maintain registers of members interests and gifts and hospitality.	Section 81 Local Government Act 2000 and Members' Code of Conduct.
7. Advice to Members on interpretation of the Code.	Members' Code of Conduct
8. Key role in the framework for local determination of complaints. Advice to Members, officers and the public on the operation of the Code and how alleged breaches should be investigated.	S66 of the LGA 2000 Statutory guidance para. 8.20
9. Liaison with Standards Board for England and Ethical Standards Officers.	Regulations under sections 54(4), 57(3) and 66 of the LGA 2000.
10. Compensation or remedy for maladministration.	S.92 Local Government Act 2000.
11. Advice on vices issues, maladministration, financial impropriety, probity, budget and policy framework to all members.	DCLG guidance.

This page is intentionally left blank

# LONDON BOROUGH OF HARROW

## PROTOCOL FOR CHIEF FINANCE OFFICER RESPONSIBILITIES

### **1. Introduction**

- 1.1 This protocol describes the principal functions of the Chief Finance Officer and the way in which the Council expects him or her to discharge those functions.
- 1.2 The Chief Finance Officer is a statutory appointment required by section 151 of the Local Government Act 1972, who shall be responsible for the proper administration of financial affairs of the Authority.
- 1.3 A summary list of the statutory responsibilities of the Chief Finance Officer appears in the table annexed to this document.
- 1.4 The current responsibilities of the Chief Finance Officer rest with the Director of Financial & Business Strategy, Myfanwy Barrett who shall nominate a member of her staff as Chief Finance Officer (if she is unable to act owing to absence or illness).

### **2. Roles and responsibilities**

- 2.1 Under the Local Government Financial Act 1988 ("the 1988 Act"), the Chief Finance Officer has a duty to prepare reports if it appears to him/her that:
  - Any Council decision or likely decision would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account;
  - Any Executive decision or likely decision would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account;
  - The expenditure of the Council incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.

Under the Local Government Act 2003 ("the 2003 Act") the Chief Finance Officer has a duty to prepare reports on:

- The robustness of the authority's budget calculations;
- The adequacy of the authority's proposed financial reserves; and
- Previous years' financial reserves if it appears that controlled reserves is or likely to be inadequate including recommendations for appropriate actions.

The Chief Finance Officer will assist the Council in the carry out regular budget monitoring in accordance with section 28 the 2003 Act. If as a result it appears that there has been a deterioration in its financial position, the Council, must take such action, as it considers necessary to deal with the situation.

In order to determine whether to prepare a report in accordance with the roles and responsibilities, the following arrangements and principles will operate between Members and officer colleagues on the one hand, and the Chief Finance Officer on the other.

## 2.2 Reports and decision-making

- (a) As a member of the Corporate Management Team, the Chief Finance Officer will have advance notice of those meetings, their agenda and reports, and the right to attend and speak;
- (b) The Chief Finance Officer or his/her staff will be provided with copies of all reports to Members in good time (i.e. at least 10 working days) before the reports are submitted for printing in order to confirm whether the proposal, decision or likely decision would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account;
- (c) Officers are obliged to incorporate the comments of the Chief Finance Officer into reports. If this is not observed the Chief Finance Officer reserves the right to recommend the withdrawal of the report or issue a separate report to Members explaining his/her views on the matter for consideration;
- (d) The Chief Finance Officer is responsible for the proper administration of the financial affairs of the Council and will have unqualified access to all financial information held by all the departments of the Council and to any officer within those departments who can assist in the discharge of his/her functions;
- (e) The Chief Finance Officer will have the right to attend any meeting of the Council, featuring either Members or officers, (including the right to be heard) before any binding decision of the Council is made;
- (f) As required by statute, the Chief Finance Officer will report to Council as necessary on the staff, accommodation and resources he/she requires to discharge his/her statutory duties;
- (g) In consultation with the Chief Executive and the Monitoring Officer the Chief Finance Officer may defer the making of a formal report under section 114 of "the 1998 Act" or section 25 of "the 2003 Act" (a Chief Finance Officer Report), where another investigative body is involved.

## 2.3 Legality, vires and constitutional issues

- (a) Senior Officers will alert the Chief Finance Officer to all emerging issues of concern including contractual, financial, budgetary or other relevant issues referred to in the constitutional;

- (b) The Chief Finance Officer will meet regularly with the Chief Executive and the Monitoring Officer to consider and recommend action in connection with corporate governance framework, contract procedure rules, financial regulations and budgetary issues that are likely to, or do, arise;
- (c) The Chief Finance Officer will be available for Members and officers to consult on any issues relating to the Council's, impropriety, probity, budget and policy framework issues, contract procedure rules or financial regulations or other relevant issues referred to in the constitution;
- (d) The Chief Finance Officer will have the right to add further contractual, financial or other relevant guidance as he/she considers appropriate from time to time;
- (e) After consulting with the Chief Executive and Monitoring Officer, the Chief Finance Officer will have the right to notify the Police, the Council's Auditors and other regulatory agencies of his/her concerns in respect of any matter and to provide them with the documents to assist them in their statutory functions;

#### 2.4 Ethics and probity

- (a) The Chief Finance Officer will develop a good working relationship with the External Auditor appointed by the Audit Commission;
- (b) In carrying out investigations of any kind, the Chief Finance Officer will have unqualified access to any information held by the Council and to any officer who can assist in the discharge of her functions;
- (c) The Chief Finance Officer will be expected to support the Audit Committee;
- (d) Officers and Members will alert the Chief Finance Officer to any issues of concern to the Council concerning financial impropriety and probity;
- (e) The Chief Finance Officer has the right to obtain external advice, on any matter. He/she shall be given sufficient resources to enable this to be done;
- (f) To ensure the effective and efficient discharge of this Protocol, the Chief Finance Officer will ensure that adequate insurance and indemnity arrangements are in place in order to protect and safeguard the interests of the Council and the proper discharge of the role of the Chief Finance Officer.

### **3. Sanctions for breach of this Protocol**

- 3.1 Complaints about a breach of any matters in this Protocol by Members may be referred to the Standards Committee of the Council and the relevant Leader and/or Chief Whip of the Party Group concerned.
- 3.2 Complaints about breaches of this Protocol by officers will be referred to the relevant Chief Officer and/or the Chief Executive.

## Summary of Chief Finance Officer functions

<b>Function</b>	<b>Source of Function</b>
1. Responsibility for the proper administration of financial affairs of the Council	Section 151 Local Government Act 1972
2. Duty to nominate a member of his/her staff as chief financial officer (if unable to act owing to absence or illness)	Section 114 Local Government Financial Act 1988
3. Duty to report on a Council decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114 Local Government Financial Act 1988
4. Duty to report on an Executive decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114A Local Government Financial Act 1988
5. Duty to report if the expenditure of the Council incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure	Section 114 Local Government Financial Act 1988
6. Duty to report on the robustness of the authority's budget calculations.	Section 25 Local Government Act 2003
7. Duty to report on the adequacy of the authority's proposed financial reserves	Section 25 Local Government Act 2003
8. Duty to report on previous years' financial reserves if it appears that controlled reserves is or likely to be inadequate, including recommendations for appropriate actions to rectify	Section 27 Local Government Act 2003
9. Duty to assist the Council in carrying out regular budget monitoring	Section 28 Local Government Act 2003





Meeting:	Standards Committee
Date:	5 December 2006
Subject:	Review of the Code of Conduct
Key Decision:	No
Responsible Officer:	John Robinson Director of Corporate Governance
Portfolio Holder:	Councillor Chris Mote Strategic Overview, External Affairs and Property
Exempt:	No
Enclosures:	None

## SECTION 1 – SUMMARY AND RECOMMENDATIONS

This report informs members of the timescale for the introduction of the revised Code of Conduct, and anticipated main areas of change.

### **RECOMMENDATIONS:**

The Committee is requested to:

- (1) Note the timescale;
- (2) Agree that the draft response can be finalised by the Chairman prior to its submission

## SECTION 2 - REPORT

This committee has received various reports with regard to the proposals for a revised Code of Conduct.

The Standards Board for England (SBE) has now issued its understanding of the timings and the anticipated main areas of change for the revised Code which are as follows:

1. That the Department for Communities and Local Government (DCLG) will issue the revised Code within the next few weeks.
2. The consultation should be completed by the end of December.
3. Parliament is expected to approve the Revised Code in late January/early February.
4. The Revised Code of Conduct should come into effect in May 2007.

The SBE anticipates that the intention is to allow for training to take place before to coming into force of the Code and that authorities will be encouraged to adopt the revised Code as soon as is practical, preferable at their annual meetings in May 2007.

The anticipated main areas of change will be:

- a) the definition of personal interest
- b) the creation of a new category of interest called public service interest
- c) disclosure of confidential information in the public interest
- d) disrepute
- e) bullying
- f) abolition of the duty to report breaches of the Code by other members.

The SBE has indicated that guidance and training materials will be issued when the revised Code comes into force.

The consultation document has not yet been issued. As soon as this is received it will be circulated to members for comments. The comments will formulate the final response, which will be approved by the Chairman of this Committee prior to its submission.

### SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input checked="" type="checkbox"/>	Name: Barry Evans
		Date: 16 November 2006
Monitoring Officer	<input checked="" type="checkbox"/>	Name: Jill Travers
		Date: 19 November 2006

### SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

**Contact:** Elaine McEachron, Senior Lawyer Corporate Governance  
telephone 020 8420 9414 (ext 5414).

**Background Papers:**

Standard Committee Reports – 27<sup>th</sup> March 2006 and 2<sup>nd</sup> June 2006

**IF APPROPRIATE, does the report include the following considerations?**

1.	Consultation	N/A
2.	Corporate Priorities	N/A
3.	Manifesto Pledge Reference Number	N/A

This page is intentionally left blank



Meeting:	Standards Committee
Date:	5 December 2006
Subject:	Confidential Information
Key Decision: (Executive-side only)	No
Responsible Officer:	John Robinson Director of Corporate Governance
Portfolio Holder:	Councillor Chris Mote – Strategic Overview, External Affairs & Property
Exempt:	No
Enclosures:	(1) SBE Bulletin 30 (2) SBE – Frequently asked questions about the Code

## **SECTION 1 – SUMMARY AND RECOMMENDATIONS**

This report sets out the current practice of the Standards Board for England with regard to its practice in relation to confidential information.

### **RECOMMENDATIONS:**

The Committee is requested to note the report.

## SECTION 2 - REPORT

- 2.1 This Committee at its meeting on 19<sup>th</sup> September requested officers to establish whether it was the standard practice for the Standards Board for England to divulge confidential information of complaints in correspondence and over the telephone.
- 2.2 The query was referred to the Standards Board and the following is a summary of the response received from a Principal Legal Adviser:
- i) At complaint/referral stage the individual the subject of the complaint is not usually notified in the first instance because there may be no need to as only 22% of complaints get referred for investigation.
  - ii) Once an investigation has commenced the individual is notified and at an appropriate stage is contacted to discuss the matter.
  - iii) Both the complainant and the member are notified if the matter is referred to the Monitoring Officer for investigation.
  - iv) That generally they are guided by the common law of confidence and the various statutory provisions such as the Freedom of Information Act, Data Protection Act and s63 of the Local Government Act 2000.

The current position with regard to s63 of the LGA 2000, is to be found in Bulletin 30 and in the frequently asked questions about the code which can be found on the SBE website, copies of which are attached.

- v) That the above guidance applies to press, public or other councillor enquiries.

## SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input checked="" type="checkbox"/>	Name: Barry Evans
		Date: 16 November 2006
Monitoring Officer	<input checked="" type="checkbox"/>	Name: Jill Travers
		Date: 19 November 2006

## SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

**Contact:** Elaine McEachron, Senior Lawyer Corporate Governance  
Telephone; 020 8420 9414 (ext 5414)

**Background Papers:**

Report and minutes of the Standards Committee meeting held on 19 September 2006.

**IF APPROPRIATE, does the report include the following considerations?**

1.	Consultation	N/A
2.	Corporate Priorities	N/A
3.	Manifesto Pledge Reference Number	N/A

This page is intentionally left blank



## Contents

- 1 **Devolution and evolution**  
*Annual Review* launched
- 2 **Referrals process**  
Complaints we don't refer
- 3 **Monitoring local investigations**  
A new approach
- 4 **Referral and investigation statistics**
- 6 **Standards committees and independent overview**
- 6 **Dealing with the press**
- 8 **Disclosing information**
- 8 **Self-assessment survey**
- 8 **New association for independent members**

It was good to see so many familiar faces and meet new members and officers at our exhibition stand at the recent Local Government Association Conference in Bournemouth. Many visitors to the stand were interested, and pleased, to hear about the proposed changes to the Code of Conduct.

There were also a number of comments about the transfer of the system for assessing allegations to principal authorities. While most people welcomed the benefits of a local system, a number had concerns about managing the function and the problems that authorities will face if they have a large number of parish and town councils in their area. This is all helpful feedback and we will ensure we respond to it by focusing our work on supporting authorities at a local level with guidance and advice. We will also call for standards committees and monitoring officers to be properly resourced.

I will be on our exhibition stand at the three party conferences in September and October and look forward to talking to a lot more of you there, as well as, of course, at our annual assembly in October.

**David Prince, Chief Executive**

## 'Devolution and Evolution' - Annual Review published

The devolution of the responsibility for the ethical agenda, increased local ownership and the changing role of the Standards Board for England are the key themes addressed in our *Annual Review 2005-06*.

The review focuses on the shift in ownership of the conduct regime to a local level. The majority of cases are now being dealt with locally and the introduction of a system of local assessment of complaints is proposed for 2008. We are committed to increasing the number of investigations at a local level and providing training, support and guidance to local authorities to achieve this. The review details the change in our work as we become a strategic regulator, overseeing the ethical framework and encouraging responsibility at a local level to continue to grow.

The review also details our achievements over the past year, which include:

- A successful consultation and review of the Code of Conduct, now awaiting implementation by government
- The initial assessment time for complaints reduced to nine working days

- Effective partnership working with other local government organisations to develop an ethical governance toolkit for authorities to gauge their ethical performance
- The Fourth Annual Assembly of Standards Committees, which focused on greater local ownership of the ethical agenda

Copies of the *Annual Review* and our *Annual Report* are now available on our website [www.standardsboard.co.uk](http://www.standardsboard.co.uk)

If you would like a hard copy of either publication please email [publications@standardsboard.co.uk](mailto:publications@standardsboard.co.uk) or phone 020 7378 5000

### The referrals process — what type of complaints don't we refer?

**The Standards Board for England is obliged to consider every complaint made to us in writing and decide whether to refer it to an ethical standards officer for formal investigation. This is the case for all complaints, including those that fall into the tit-for-tat, political point-scoring or vexatious categories. One purpose of the referral process is to filter out those that do not merit investigation on those grounds.**

With plans for authorities to receive and filter complaints from 2008, we thought it would be useful to look at some of the other types of complaint that we have recently declined to refer for investigation.

#### Complaints about the council or council officers

We often receive complaints that are really about the council or the actions of officers. For example, there was a recent complaint against the leader of a London borough and the portfolio holder for housing. The complainant was concerned that security doors on the estate where he lives were not being repaired properly, yet residents were still being charged for the operation of the doors. He complained against the leader and the housing portfolio holder, as he had allegedly reported the problem to them but the issue remained unresolved.

In deciding not to investigate this complaint, we noted that the councillors had forwarded the complainant's concerns to appropriate officers. We also stated that the Standards Board cannot take a view on the efficiency with which a council

responds to service complaints or the quality of repairs undertaken by the council.

Another recent case that concerned the actions of officers rather than the conduct of individual councillors was a complaint that the chief executive of a district council had failed to countersign amendments to the members' register of interests. The complaint was against 39 members of the council, on the grounds that they had allegedly failed to ensure that the chief executive fulfilled the requirements of his office. We decided that the allegation did not disclose a potential breach of the Code of Conduct.

We frequently receive complaints that councillors have breached the Code of Conduct when in actual fact the substance of the complaint is about dissatisfaction with a decision taken by the authority as a whole. This can be seen in a recent complaint about play parks.

The complainant related his various concerns over a parish council's actions in respect of the play parks and stated that his complaint was against the chair of the parish council because, as chair, "he is responsible for all decisions and actions taken by the council". We did not refer this matter for investigation, as we do not have jurisdiction to investigate the merits of decisions taken by an authority and cannot hold individual councillors responsible for collective decisions.

#### Complaints about correspondence

Another common complaint that we generally do not investigate concerns members failing to provide a substantive response to correspondence. A recent example of this type of complaint was an allegation that a member of a London borough had failed to give a meaningful response to the complainant's many emails and that he had also decided to deal with future correspondence from the complainant under the council's vexatious correspondence procedure.

In deciding not to investigate this complaint we noted that councillors are entitled to invoke their authority's vexatious correspondence procedure if they feel it is appropriate to do so and it is not for the Standards Board to comment on the appropriateness of this decision. We also noted that the Code of Conduct does not require members to respond to every item of correspondence sent to them.

## Complaints about pre-Code incidents

We often get complaints about actions that occurred before the Code of Conduct was adopted or before the individual in question was elected.

One case of this nature concerned recent publicity in the local press over a district councillor's conviction, 20 years ago, for the theft of a small sum of money. The complainant alleged that by being a convicted thief the councillor in question had brought his authority into disrepute. We noted that the Standards Board does not have jurisdiction over matters that occurred before the adoption of the Code of Conduct.

### Monitoring local Investigations

**We have looked at the outcome of a number of local investigations to try to assess how the local investigation process is going. We have now received 202 reports from monitoring officers and the percentage of complaints being referred for local investigation continues to rise. 61% were referred for local investigation in the last three months.**

We looked at 50 reports, selected at random. Most (30) related to members of town and parish councils. In 40 cases, the authority undertook the investigations internally, with the monitoring officer conducting 17 of them, the deputy monitoring officer handling 10, and various other council officers doing 13. In four linked cases, the investigation was dealt with by way of a reciprocal arrangement; external solicitors or barristers handled another four cases; and two cases were completed by independent consultants.

---

“ It is important that careful thought is given to who carries out an investigation and the skills and resources needed to carry it out thoroughly. ”

---

We felt that the vast majority of reports demonstrated a clear presentation of the complaint, investigation and interpretation of the Code of Conduct. Only seven were not considered

of an appropriate standard. These investigations had all been carried out by officers other than the monitoring officer. It is important that careful thought is given to who carries out an investigation and the skills and resources needed to carry it out thoroughly.

### A new approach to monitoring local investigations

Now that the local investigation of complaints has been underway for 18 months we have reviewed our approach to dealing with the issues that give cause for concern. In future:

- Within six weeks of referral, we will confirm with the monitoring officer that the investigation is underway, resolve any issues and enquire about the anticipated completion date. We will maintain contact with monitoring officers to ensure investigations proceed expeditiously.
- We will not comment on draft reports so that we are not seen to be an integral part of what is a local process.
- If we see minor problems in a report, we will refrain from commenting before the standards committee has met. We may then raise the matter informally with the monitoring officer after the standards committee has reached its decision.
- We will raise more serious matters with the monitoring officer before the standards committee has met to consider the report.
- We will contact the chief executive if we think there is a serious problem with the outcome of the standards committee hearing — for example, if there is a flawed interpretation of the Code of Conduct.
- We will refer any complaints we receive about the process of an investigation or a standards committee hearing to the council's corporate complaints procedure. If this does not resolve the matter, and it involves maladministration, the Local Government Ombudsman is the appropriate forum for redress.

There has been a very positive start to the investigation of complaints locally and they are generally being dealt with efficiently and effectively. The monitoring arrangements we have introduced should ensure that any concerns are dealt with at the right time in the most appropriate way.

## Local case summaries?

Case summaries are one of the most effective ways we have of telling the standards committees, monitoring officers, journalists and the public about completed cases. The case summary section of our website receives over 11,000 separate visits per month.

We only publish full summaries of cases we investigate ourselves and just the basic details of local investigation outcomes. A number of monitoring officers and standards committee chairs have asked us to consider publishing full case summaries for cases investigated at a local level, so they can be used as a learning tool.

In order for us to be able to do this, we would need to ask local monitoring officers to prepare summaries following a template we would provide, so that we could publish the summaries on their behalf making it clear that they are written by, and are the responsibility of, the local authority concerned.

This is an issue we will ask our Board to consider, but in the meantime we would like to know your views on the subject.

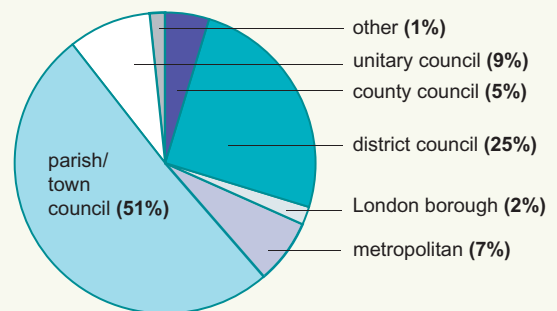
Please let us know by writing to [stephen.callender@standardsboard.co.uk](mailto:stephen.callender@standardsboard.co.uk)

## Referral and investigation statistics

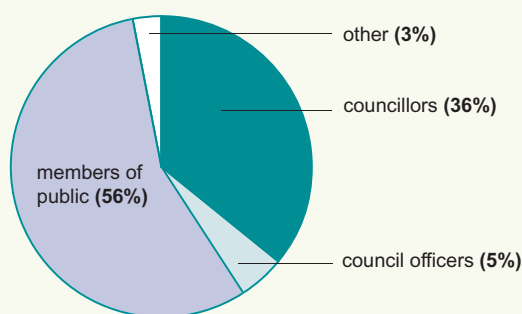
The Standards Board for England received 817 allegations between April and June 2006, compared to 951 during the same period in 2005-06.

The following charts show referral and investigation statistics for that period.

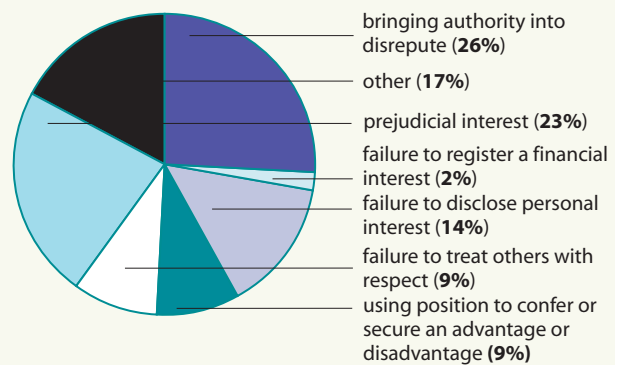
### Authority of subject member in allegations referred for investigation



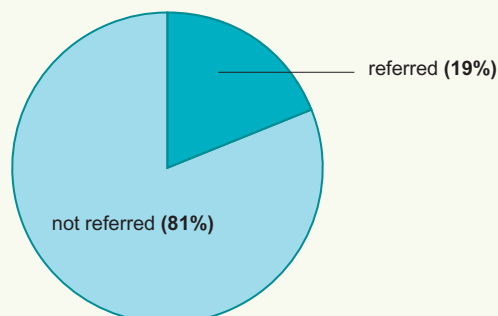
### Source of allegations received



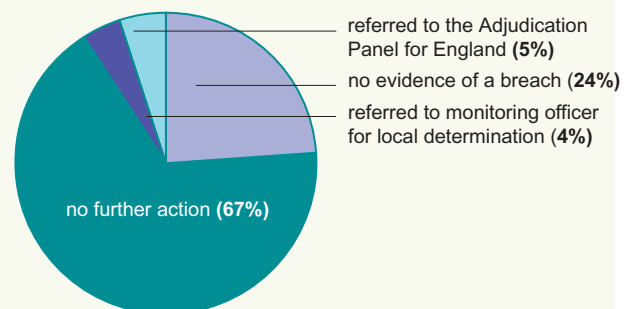
### Nature of allegations referred for investigation



### Allegations referred for investigation



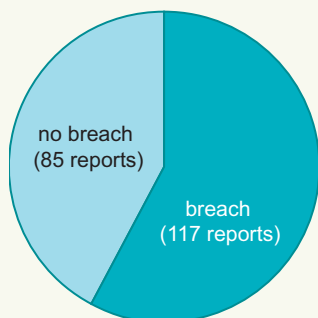
### Final findings



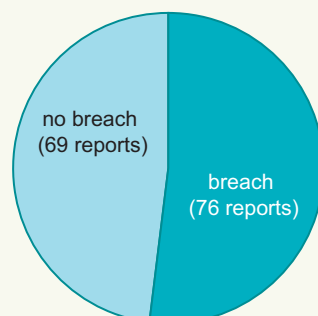
## Local investigation statistics

For the financial year 2005-06, ethical standards officers referred 352 cases for local investigation — equivalent to 44% of all cases referred for investigation. Of those cases, we have received 202 reports.

### Monitoring officers' recommendations following local investigations



### Of those 202 reports, 145 standards committees have met



These figures include nine instances where the standards committee disagreed with the monitoring officer. In six cases, the decision changed to 'no breach', and in three cases it changed to 'breach'.

### Standards committee determinations



There have also been eight appeals that went to the Adjudications Panel from local investigations.

Between April and June 2006, ethical standards officers referred 100 cases for local investigation — equivalent to 61% of all cases referred for investigation. All of these cases are still outstanding.

## Forthcoming research: A snapshot of standards committees

You may soon be receiving a questionnaire, from the Association of Council Secretaries and Solicitors (ACSeS) and the Standards Board, which seeks to provide a snapshot of the role of standards committees and monitoring officers, and their views and experiences on a range of issues, including support and training.

BMG Research is conducting the research and the results will be presented at our Annual Assembly in October and detailed in further editions of this Bulletin and on our website.

The results will also inform the provision of future support for standards committees and monitoring officers, and will be shared with ACSeS.

For further information please contact:

Gary Hickey on 020 7378 5087 or at [gary.hickey@standardsboard.co.uk](mailto:gary.hickey@standardsboard.co.uk)

or Anna Sansom on 0121 333 6006 or at [anna.sansom@bmgresearch.co.uk](mailto:anna.sansom@bmgresearch.co.uk)

## Research on standards committees' role in providing an independent overview

We discussed the University of Manchester's research on the components of an ethical environment in Issue 29 of the *Bulletin*. The research also identified the differing roles of standards committees in providing an independent overview.

Three types of standards committee were identified by the research:

- The *lapdog* standards committee is ineffective at playing the regulatory role because of insufficient resources or inappropriate political influence.
- The *watchdog* standards committee focuses on the conduct of members and ensuring it is prepared for conducting a hearing.
- The *guide dog* standards committee not only fulfils its statutory obligations but also provides a supportive as well as a regulatory role. Such activities include a more general overview of training for members, responsibility for revising protocols, and wider organisational processes, such as providing an overview of whistle-blowing and complaints procedures.

Whether or not a standards committee takes on a wider remit depends on factors such as the existence of related committees (for example, audit committees and governance committees), the skills and experience of independent members, and the limits placed on the work programme by questions of democratic legitimacy and the need for independent members to maintain impartiality.

Standards of conduct can sometimes slip off the agenda when an authority has not experienced any problems. The research concluded that standards committees can help keep the ethical framework on the agenda by working to a programme, ensuring a training programme, and periodically assessing ethical conduct in the authority.

The final report on 'components of an ethical environment' is available on our website at: [www.standardsboard.co.uk/Aboutus/Research/](http://www.standardsboard.co.uk/Aboutus/Research/)

## Dealing with the press

A number of authorities have asked for our advice on handling the press in relation to cases being investigated at a local level.

Encouraging ethical standards should be part of the mainstream work of any authority. That is one of the reasons we believe press calls on local investigations ought to be handled by authorities' press offices. Local press officers are communications professionals who know how to respond to enquiries without being tempted or trapped into straying into comment or detail that is unhelpful to the authority or ongoing investigations. That said, they will need you to take a lead in setting a policy. The most important principle in dealing with press enquiries is to have a clear policy outlining what you will or will not say and to stick to it.

Here is our press policy on case related issues, and the reasons for it:

### The Standards Board's press policy

We do not confirm or deny if we have received a complaint before we have decided if it will be investigated.

This is because anyone can make a complaint about anything and only about a quarter of the allegations that we receive are referred for investigation. This will not be an issue for authorities at the moment as the Standards Board makes the initial decision.

### Information we disclose about complaints

Once a decision has been made about whether to investigate an allegation, we will disclose the following information:

- the name of the member
- the name of their authority
- if the complaint came from a member of the public or a member of the same authority
- the areas of the Code of Conduct to which the allegation refers
- the reason if a complaint is not being investigated
- if the complaint is being investigated by the Standards Board or by the local authority

This information is only given in response to press enquiries. We do not proactively publicise cases at

this point. This is because we do not want to encourage stories about alleged bad behaviour. At the same time we do not want to be secretive and unhelpful.

We use the areas of the Code to identify the issue because this is less inflammatory than describing the behaviour and enables the press officer to use one of a number of pre-set forms of words.

This information is only made available three working days after we have written to the complainant and person complained about. This is to ensure that all the relevant people are informed of our decision by us, instead of reading it in the local press.

It is worth remembering that some people making complaints will have spoken to their local papers already, sometimes even before they write to us. They have also been known to issue press releases. The Standards Board has always been concerned about the use of the system to gain political capital in this way. We have said as part of our report to ministers on the review of the Code of Conduct that we wish to explore options with central and local government about how such behaviour could be minimised.

In the meanwhile, bear in mind the possibility that your press office may seem to know less than the local paper. As ever, the best approach is to stick rigidly to the press policy of what can and cannot be said.

#### During an investigation

- If a case is referred for local investigation, we will tell journalists the name of the authority investigating the case and will refer all enquiries to them.
- If a case is investigated by an ethical standards officer from the Standards Board, we will repeat the information we have already given out, but not add to it.

#### Following the investigation

- If a case is investigated by the Standards Board and the ethical standards officer finds either that there is no evidence of a breach of the Code, or that there is no need for further action, we will prepare a case summary which will appear on our website. All enquiries will then be referred to the case summary and we do not comment further.

- If a case is referred to a tribunal or local standards committee hearing we confirm this and then make no further comment as the case is still ongoing.

#### Following a hearing

- If a local authority investigated a case, we refer enquiries to them. On completion of the local investigation we will produce a basic listing of the outcome and this will appear on our website.
- If a case is investigated centrally and then heard by a local standards committee, we will prepare a case summary based on the report of the hearing and make it available on our website. All press enquiries will be referred to the summary.
- If a case is heard by the Adjudication Panel for England, we will publish a summary on our website. The final hearing report will be available on the Adjudication Panel's website.
- In exceptional cases, we will issue a press release on the findings of hearings or tribunals. This is done if we believe that it is in the public interest to use the case to publicise a wider point such as the unacceptability of bullying.

#### Case summaries

Case summaries are an important part of our press policy. They enable us to agree an account of the case which we can check is accurate and provide adequate information for us to refuse to comment further. We currently only publish full summaries of cases we investigate ourselves, but there is a possibility that we may publish summaries of cases investigated locally in the future.

#### Talk to your local press officer

We believe it is important that standards committees and monitoring officers fully brief their own press offices so that they are fully prepared to deal with calls about investigations and hearings. They should also be empowered to argue for the benefits of ethical standards and the standards regime as well as to explain the process and answer any questions not related to specific cases.

The ethical agenda is about building public confidence in local democracy. Your local media is one of the key ways of reaching the public with that message.

## Disclosing information gathered by ethical standards officers

We have recently been advised that a literal approach to section 63 of the *Local Government Act 2000*, which concerns the disclosure of information gained by ethical standards officers during their investigations, is likely to result in procedural unfairness.

Section 63 is essentially a data protection provision. Its aim is to prevent the unjustified disclosure of information obtained by an ethical standards officer about individuals during the course of an investigation. Its general purpose is therefore to complement the privacy rights of subject members and others. Many other regulators operate under a similar statutory provision.

Section 63 cannot be used to stop a member who is the subject of an investigation from disclosing information supplied by an ethical standards officer about themselves to others. But generally it does prevent a member who is the subject of an investigation from disclosing information supplied by an ethical standards officer relating to others. However, because of the *Human Rights Act*, it cannot prevent the member from using that information in order to legitimately prepare their defence against allegations.

Section 63 relates only to information gathered during an ethical standards officer's investigation by an ethical standards officer. It does not relate to views or opinions they may express or to information not gathered during an investigation.

This less restrictive interpretation is also supported by feedback gained from a number of cases considered by the Adjudication Panel for England.

## Self-assessment survey in the ethical governance toolkit

The Audit Commission, the Improvement and Development Agency (IDeA) and the Standards Board have got together to develop an ethical governance toolkit. The toolkit is designed to help councils to assess how well they are meeting the ethical agenda and identify areas for improvement.

The toolkit consists of four elements:

- self-assessment survey

- full audit
- light touch health check
- developmental workshops

So far, 28 councils and over 2,000 members and senior officers have used the self-assessment survey.

Results to date reveal that members tend to have a more positive view of their council than do officers. Most members and officers agree that the way the ethical agenda is being managed in their authority is helping to build confidence in local democracy.

Most councils have appropriate arrangements in place in relation to the *Local Government Act 2000*, but some councils are more proactive than others in promoting the ethical agenda and high standards of behaviour. In many councils, standards committees have some way to go before they can be said to be making a positive difference. Training for members also needs to be improved.

Most council leaders and chief executives offer positive role models but there is room to improve trust among members and between members and officers. The results also show that whistle-blowing arrangements are inadequate in too many councils and the role of the monitoring officer in this area of work could often be enhanced.

For more information on the toolkit contact Alison Kelly at [a-kelly@audit-commission.gov.uk](mailto:a-kelly@audit-commission.gov.uk) or on 07759 723 943 or visit the [IDeA](http://IDeA) website

## New association for independent members to be launched at Annual Assembly

The Association of Independent Members of Standards Committees in England (AIMSce), is to hold its inaugural meeting at our Fifth Annual Assembly of Standards Committees. It is being set up by independent members to champion their role on standards committees and to represent their needs and interests, and will be launched at the fringe event, 'Independent members gaining a voice', on Monday 16 October.

"The need for a collective representation of independent members is becoming more and more evident as the need for such members increases," explains Bruce Claxton, chair of the AIMSce steering group.



"We are very excited to be launching the organisation at the Annual Assembly. It offers us an excellent opportunity to network with a wide audience of standards committee members and others from the local government family."

Other fringe events at the conference will cover a range of topics, from the proposed local assessment of allegations to the relationship between ethical governance and organisational culture. Those joining AIMSce in hosting fringe events include:

- the Association of Council Secretaries and Solicitors (ACSeS)
- the Improvement and Development Agency (IDeA)
- the National Association of Local Councils (NALC)
- the Society of Local Authority Chief Executives and Senior Managers (SOLACE)

More information on all of the fringe events — and the conference as a whole, including up-to-date speaker details — is available on the conference website at:

[www.annualassembly.co.uk](http://www.annualassembly.co.uk)

Places at the conference are filling up fast, and we are set for a busy, action-packed event. Spaces at personally selected sessions are allocated on a first come, first served basis, so if you are planning on attending, make sure you register now by visiting the conference website.

This page is intentionally left blank

**EXTRACT FROM STANDARDS BOARD FOR ENGLAND WEBSITE  
FREQUENTLY ASKED QUESTIONS ABOUT THE CODE – INVESTIGATIONS**

**Question:** Should details of complaints against members be disclosed to the public?

There is no statutory mechanism preventing those making a complaint to us (or those who are the subject of such a complaint) from making the nature of the complaint known to the press and public (although members can seek an injunction to prevent the publication of defamatory material through the courts).

Our position is that we do not comment on the details of complaints or investigations into those complaints while an investigation is ongoing. Where information is already in the public domain, we will confirm whether or not the information is accurate.

We suggest that the authority concerned should adopt a similar approach. Matters being investigated by an ethical standards officer should not generally be the subject of discussion or debate in the authority. Where there is a need for discussion, ethical standards officers should consider whether the nature of the matters discussed falls within any of the categories of “exempt information” in Schedule 12A of the Local Government Act 1972.

This page is intentionally left blank



Meeting:	Standards Committee
Date:	5 <sup>th</sup> December 2006
Subject:	Member Development
Key Decision:	No
Responsible Officer:	Paul Najsarek, Director, People, Policy and Performance
Portfolio Holder:	Cllr Jean Lammiman, Chair, Member Development Panel Cllr David Ashton, Deputy Leader and Portfolio Holder, Business Development
Exempt:	No
Enclosures:	List all documents attached, which include information relevant to the report

## **SECTION 1 – SUMMARY AND RECOMMENDATIONS**

This report sets out the member development strategy 2006 – 2009 and the learning and development programme for elected Members.

### **RECOMMENDATIONS:**

The Committee is requested to approve the member development programme for 2006 – 2010

**REASON:** The programme is designed to meet the learning and development needs of elected Members.

## **SECTION 2 - REPORT**

In May 2006 following elections a full member induction was conducted. There is now a need to provide members with further development support. The member development strategy and programme 2006 – 2010 is attached.

Comprehensive Performance Assessment identifies the need to develop leadership capacity at member level and the IDeA Member Development Charter, signed in 2003, also marks the council's commitment to member development.

The Council is committed to achieving the following corporate priorities as per the Corporate Plan 2006-09. The attached strategy and programme is integral to meeting these priorities:

- Making Harrow safe, sound and supportive
- Getting Harrow Moving
- Protecting our precious environment
- Tackling waste & giving real value for money
- Empowering Harrow youth
- Giving more choice in sport, leisure & amenities

A structured approach to member development is a key component in the CPA and in achieving the corporate plan. The member development programme will meet the identified needs and recommendations of the members and will be reviewed regularly to ensure that the content, timing and delivery methods are suited to members needs.

The member development programme is supported by the Learning and Development team within the Business Development directorate. The programme will be largely provided through in-house speakers and will be designed to minimise costs wherever possible e.g.catering, accommodation, equipment and printing costs etc. However external speakers are being sought where appropriate, and in line with the budget for 2006-07.

### SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input type="checkbox"/> Y	Name: Barry Evans Date: 5 September 2006
Monitoring Officer	<input type="checkbox"/> Y	Name: Jill Travers Date: 5 September 2006

### SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

**Contact:** Lindsey Kelham, Service Manager Learning and Development  
Tel: 020 8424 1130

**Background Papers:**

Report from the Member Development Panel 13 Sept 2006 (updated)  
Recommendation from the Member Development Panel - 13.9.06

**IF APPROPRIATE, does the report include the following considerations?**

1.	Consultation	YES
2.	Corporate Priorities	YES
3.	Manifesto Pledge Reference Number	No

This page is intentionally left blank



<b>Meeting:</b>	Member Development Panel
<b>Date:</b>	13 <sup>th</sup> September 2006, revised October 2006 and November 2006
<b>Subject:</b>	Annual development programme
<b>Key decision:</b>	No
<b>Responsible Chief Officer:</b>	Paul Najsarek, Director, People, Performance and Policy
<b>Relevant Portfolio Holder:</b>	Councillor Jean Lammiman
<b>Status:</b>	Part 1
<b>Ward:</b>	Not Applicable
<b>Enclosures:</b>	None

1. **Summary/ Reason for urgency (if applicable)**

1.1 Not applicable

2. **Recommendations**

2.2. **To discuss the draft proposals and approve the member development programme for 2006 – 2010**

2.3. **To consider appropriateness, content and frequency of sessions**

**REASON: the programme takes needs and recommendations into account.**

3. **Consultation with Ward Councillors**

3.1 Not Applicable

#### 4. **Policy Context (including Relevant Previous Decisions)**

- 4.1 Following the evaluation of the member induction programme, which started in May 2006 there is a need to provide members with further development support, as identified by members during the evaluation and training needs analysis (Appendix Four).
- 4.2 Comprehensive Performance Assessment, previously undertaken in 2002, is scheduled for November 2006. CPA identifies the need to develop leadership capacity at both Officer and member level and this report sets out a draft programme to achieve this.
- 4.3 The IDeA Member Development Charter, signed in 2003, marks the council's commitment to member development. The attached Member Development Strategy (Appendix One) details this commitment and the strategic positioning. This will be reviewed annually.
- 4.4 The Learning and Development Programme for Elected Members (Appendix Two) and the Learning and Development Schedule (Appendix Three) details the proposed training for the period 2006-2010.

#### 5. **Relevance to Corporate Priorities**

- 5.1 The Council is committed to achieving the following corporate priorities as per the Corporate Plan 2006-09. The attached strategy and programme is integral to meeting these priorities:
  - 5.2 Making Harrow safe, sound and supportive
  - 5.3 Getting Harrow Moving
  - 5.4 Protecting our precious environment
  - 5.5 Tackling waste & giving real value for money
  - 5.6 Empowering Harrow youth
  - 5.7 Giving more choice in sport, leisure & amenities

#### 6. **Background Information and options considered**

- 6.1 **Feedback following 2006 Induction** Members views on the 2006 induction programme have been sought in order to inform the Member Development Strategy and identify key areas and priorities for the Learning and Development Programme 2006-2010.. A total of 8 evaluation forms were returned by Members and confirmed that the induction programme was well received(see Appendix Four). Below is a summary of the areas identified to be included in the Learning and Development Programme:

Essential training on representing the Council on outside bodies  
Performance monitoring and data quality management  
Leadership  
Freedom of Information  
Harrow Strategic Partnership  
Government Policy for Local Government (white paper)  
Inspection regimes including Corporate Assessment and JAR  
Member's constituency role and dealing effectively with constituency problems  
IT training  
Member's role in Scrutiny, Development Control and Planning  
Chairing meetings  
Report writing  
Council rules and procedure  
Issues pertaining to "Enforcements"  
Communications  
Finance

HR Management (Chief Officers Panel)  
Technical Matters regarding Local Government  
Information on how the Council Department work  
Plan working papers  
Legal aspects

- 6.2 **2006 – 2010 Learning and Development Programme for Elected Members** is designed to underpin the Council's strategy for Member Development. The programme clearly identifies statutory and recommended training in addition to briefings designed to improve the knowledge of Members on local government framework, practice and inspection regime. These have been incorporated into a draft programme and set out in, Appendix Three.
- 6.3 In order to ensure that the programme continues to reflect the changing needs of members and the council, the process of planning, monitoring and co-ordination of additional requests will be agreed with the Member Development Panel and confirmed by the Service Manager, Learning and Development.
- 6.4 The programme aims to avoid clashes with religious festivals and other Council meetings wherever possible. This however is very difficult and it is likely that changes to Council meetings will necessitate changes to the programme.
- 6.3 The programme will be largely provided through in-house speakers and will be designed to minimise costs wherever possible e.g.catering, accommodation, equipment and printing costs etc. However external speakers are being sought where appropriate, and in line with the budget for 2006-07.
7. **Consultation**
- 7.1 None
8. **Finance Observations**
- 8.1 The proposals contained in this report can be contained within the current budget for Member Development.
9. **Legal Observations**
- 9.1 No legal comments
10. **Conclusion**
- 10.1 A structured approach to member development is a key component in the CPA and in achieving the corporate plan. The programme as outlined in Appendix Two and Three will meet the identified needs and recommendations of the members and senior officers.
11. **Background Papers**
- 11.1 None
12. **Author**
- 12.1 Lindsey Blundell, Service Manager, Learning and Development

## Harrow Council Member Development Strategy 2006 to 2010

---

### The Vision

Through the work of the Member Development Panel the Council aims to adopt a member led strategic approach to Elected Member development. Harrow Council is fully committed to supporting the development of Elected Members and this Member Development Strategy seeks to provide the link between Elected Members' plans and the Council's corporate objectives.

### Background

In 2003 the Council confirmed its commitment to Elected Member development as outlined by the IDeA Charter by striving towards:

- A member development programme which ensures that members can fulfil their responsibilities to the local community and provide clear leadership and effective scrutiny of local council functions. This may be done in conjunction with the IDeA or other component agencies.
- All members made aware of the training and development opportunities available
- An internal process to identify individual needs, which involves Members
- Individual Learning Accounts for Members which provide a minimum of five days training and development each year to meet the vision of the authority
- Adequate resources to meet the objectives of the training and development from both internal and external resources
- An assessment of how we can assist members with personal commitments that might impact on their ability to carry out their role and responsibilities, through the provision of suitable allowances and support
- A willingness to support the programme to external scrutiny to check its effectiveness and to share information and good practice with other councils and agencies
- An opportunity each year to examine the way that we conduct our business and the commitments we place on elected members so that those with family and work commitments can come forward to serve their community.
- The implementation of a Member Development Strategy and Learning and Development Programme that clearly identifies the difference development activities will make.

### Strategic Positioning

The Member Development Strategy sets out the main requirements for the term (2006-2010) and is underpinned by a Learning and Development Programme of events which outlines the framework that will provide Elected Members with additional knowledge and skills. The implementation of the programme will enable them to help shape and develop the corporate agenda in partnership with senior officers to support the successful achievement of the Council's corporate objectives.

Both the Member Development Strategy and Learning and Development Programme are key to fulfilling the standards set by the Audit Commission. As part of CPA the Audit Commission seeks to assess community leadership as well as corporate arrangements and capacity to support services in delivering improvements.

## **The Member Development Strategy for 2006-2010**

The Member Development Strategy will focus on the following areas in order to prepare Elected Members to meet the challenges ahead:

- **Developing strategic leadership skills to help build the capacity of Members**

In order to develop strategic leadership in Elected Members joint events with the senior officer team and executive members will be arranged periodically. Elected Members will also participate in the annual cycle of Harrow Council Managers' Conferences and Seminars, as appropriate. These events include the top 300 managers across the council and provide members an opportunity to build networks, engage with officers and to share ideas, issues and solutions at a local and strategic level.

A number of members have also expressed an interest in becoming IDeA peer members as part of the IDeA Peer Review scheme. It is recommended that each group consider which members should be involved in this opportunity.

- **Developing Political Awareness and Community Leadership to support community cohesion.**

External support for leadership development and councilor mentoring for Elected Members is currently being explored further discussion will takeplace with councilors in relation to participation. However this is not within the current budget.

Objectives for development in this area include:

1. Developing personal leadership and decision making
  2. Exploring the role of member's responsibility and relationships with officer and member colleagues
  3. Developing political leadership and the theoretical and practical aspects of political and organisational leadership.
  4. Developing a good understanding and working knowledge of local practice to help members to challenge the decisions made by senior officers
- **Developing clear processes to help identify, plan and meet the developments needs of Elected Members**

The Harrow Council Member Development Strategy and the Learning and Development Programme for Elected Members is developed jointly by the Service Manager, Learning and Development and the Member Development Panel. It is agreed in consultation and implemented, promoted and managed by the Service Manager, Learning and Development. The Learning and Development Programme is designed for the period 2006-2010, however there is a degree of flexibility built in to ensure that the programme is adapted to take account of Elected Members' learning and development needs and the business environment.

## **Development and Evaluation of Learning Needs**

Harrow Council has a wide range of councillors. An initial Training Needs Analysis has been undertaken through the evaluation of the Member Induction Programme and has been incorporated into the Learning and Development Programme in order to ensure it takes account of the individual skills and experience each councillor brings to the council.

To ensure that the Learning and Development Programme continues to fulfil the needs of Elected Members' learning objectives will be clearly stated and monitored and evaluated closely to ensure that the learning and development objectives have been met. Additional development needs will be identified throughout the term and incorporated into the programme accordingly. This mechanism ensures that the learning and development plan is on track.

- **The provision of an effective induction programme that clearly defines the the process for members coming on board mid term**

Induction provides the foundation for a successful Learning and Development Programme. The May 2006 the member induction programme was evaluated and these findings form the basis of the 2006-2010 Learning and Development Programme. Member Induction will take place again in May 2010, following the local elections. This will be developed using exit interviews with existing Elected Members, and using the evaluation of the 2006-2010 Learning and Development Programme.

The Member Handbook was issued in May 2006 as part of the induction programme. Officers will regularly update this handbook. This includes the annual learning and development schedule. During 2006-2010 new Elected Members arriving as a result of by elections will receive a handbook and induction briefings from relevant officers.

- **The provision of statutory training in Scrutiny, planning, licensing and code of conduct etc**

A programme of mandatory training was completed as part of the 2006 Member induction programme. In order to ensure that Elected Members are kept up to date these sessions will be run annually from 2007 to 2009.

### 1.1.1

#### **Scheduling**

In order to maximize the effectiveness of learning and development time it is proposed that a number of briefing sessions are scheduled annually. These sessions will be designed to share and discuss a number of current issues simultaneously in a time efficient way. At least 3 months notice for events will be provided to Elected Members to maximize attendance and provide equally opportunities to attend.

#### **Equality and Diversity**

Harrow Council is committed to ensuring that all Elected Members are supported to fulfill their personal learning and development needs. The Council is also committed to ensuring that all learning and development activity is accessible to all Elected Members. Elected Members will have regular opportunities to give feedback through the evaluation processes. Elected Members also have the opportunity to engage through the Member Development Panel or directly with the Service Manager, Learning and Development.

Harrow Council is also striving for Investors In People accreditation corporately in order to demonstrate its commitment to developing all the people who work within the Council. The Member Development Strategy and the Learning and Development Programme demonstrates this commitment to investing in its members and focuses on the individual members and the part they play in the organisation's effectiveness.

## **Learning and Development Programme for Elected Members 2006 to 2010**

---

### **Learning and Development Objectives**

- To ensure that all Elected Members are provided with learning and development that is effective in building capacity and addresses development priorities
- To address wider development matters to promote work-life balance and citizenship and to develop community leaders
- To ensure that members learn and develop effectively and share learning with other elected members and where appropriate with officers and stakeholders
- To ensure that council business is conducted legally and appropriately in accordance with the Constitution and the Code of Conduct for Councillors
- To ensure that the investment in learning and development is evaluated in terms of benefits and impact

### **Member Induction**

### **Statutory Training and Refreshers**

The Learning and Development programme will also include sessions on the following:

- Scrutiny
- Code of Conduct & Register of Interests
- Planning
- Licensing



## **Leadership Development**

### Developing Strategic Leadership

### Developing Political and Community Leadership

## **External Opportunities**

External speakers and facilitators will be invited to participate in the annual Learning and Development Programmes in order to ensure that Elected Members gain an external perspective and benefit from a broad range of experiences.

Elected Members will also be encouraged to participate in external events where appropriate, and to engage in visits to other boroughs to ensure that learning and development is broad and well informed.

## **Resources**

### IT and Intranet Support

All Elected Members are supported by HITs, the Harrow Council IT team. IT facilities and support are provided to Elected Members on request.

### Elected Members Library

### **Budget**

There is budget allocated for member development and induction in 2006-07. The Service Manager, Learning and Development hold this budget. All expenditure is in agreement with the lead officer, Councillor Lammiman, and in consultation with the member development panel.

## Learning and Development Programme Schedule for Elected Members 2006 to 2010

<b>Annual Learning and Development</b>	<b>Lead Officer</b>	<b>Members to Attend</b>	<b>Contents</b>
<b><i>Statutory and Priority Training</i></b>			
2 x Planning Sessions	Andy Parsons Dennis Varcoe Frank Stocks	Members on the Development Control Committee	Purpose, legal framework, Member's role
2 x Code of Conduct Sessions	John Robinson	All Members	Ethical standards framework
2 x Licensing Sessions	David Galpin Shankar Sivashankar	Members of Licensing Panels	Licensing Act, role of committee & panel
Scrutiny	Nahreen Matlib Lynne McAdam	Members of Scrutiny Committee & Reviews	Principles, protocols & procedures
Grievance & Disciplinary	Jon Turner Jill Travers	Members of these Panels	Statutory framework & Council's procedures
Leadership & Role of Cabinet (as part of leadership development activity)	Jill Rothwell	Members of Cabinet, Portfolio holders	Personal, political & community leadership *programme of leadership training to be provided to portfolio holders. Further activity post appointment of a chief executive
Recruitment	Jon Turner	Members of Chief Officer's Employment Panel	Council's recruitment & selection process
<b><i>Recommended Training for the development of Knowledge, Skills and Competence</i></b>			
Finance & Contracts	Myfanwy Barrett	All Members	Finance & budget management
Equality/Diversity	Jon Turner	All Members	Legal framework and Council's policies
Community Engagement	Paul Najsarek	All Members	Community Engagement Strategy
Updates on Latest Legislation	Hugh Peart	All Members	Overview of relevant Govt legislation
Risk Management	Julia Bourne Dave Ward	All Members	How to manage business risk
Health & Safety	David Ward Paul Williams	All Members	H & S legislation and Council procedures
Looked-After Children and the Council	Paul Clark Gail Hancock	Members Involved in these issues	Council's policy and contracting procedures
IT	Carol Cutler Mark Kieran	All Members	IT applications and services available

**Quarterly Members' Briefings\***  
**in order of priority**

***\*briefings may now be replaced by action learning events involving members, officers and partners***

November 06 Inspections: CPA & JAR	Tom Whiting David Harrington	All Members	Govt requirements & Council's procedure for inspections
Date TBC Representing The Council On Outside Bodies	Hugh Peart	All Members	Legal issues and Council protocol *to be delivered ASAP
TBC Harrow Strategic Partnership	Mike Howes Paul Najsarek	All Members	Partners & Community Strategy
Date TBC Performance Management & Management Information	Tom Whiting	All Members	KPIs and performance management
Date TBC Local Government White Paper	Paul Najsarek	All Members	Policy development
Date TBC MIS Briefing Inspections and Performance Management	Paul Najsarek	All Members	Performance and inspection results

## Learning and Development Programme Dates 2006 to 2010

<b>Date</b>	<b>Session</b>	<b>Content/ Objectives</b>	<b>Speaker</b>	<b>Audience</b>
September 2006	2 x Scrutiny training sessions	To evaluate and understand the new scrutiny processes	Inlogov	Members of Scrutiny Committees & Reviews
November 2006	What's scrutiny about?	Introduction to scrutiny	TBA	As Above
November 2006	Being the chair of a scrutiny committee or panel	Scrutiny and role of Member	TBA	As Above
February 2007	2x Planning & Development	Legal framework & Member's role	TBA	Members of Development Control Committee
February 2007	Harrow Strategic Partnership	Overview and purpose of HSP	TBA	Open to all Members
March 2007	2x Code of Conduct	Ethical Standards Framework	TBA	All Members
March 2007	Leadership & Role of Cabinet	Personal & community leadership	TBA	Cabinet & Portfolio holders
March 2007	2x Licensing	Licensing Act & role of Committee	TBA	Members of Licensing Panels
April 2007	Scrutiny training session	Scrutiny & role of Member	TBA	Members of Scrutiny Committees & Reviews
April 2007	Health & Safety	H & S procedures at the Council	TBA	Open to all Members
May 2007	Disciplinary & Grievance	Statutory framework & Council	TBA	Members of these Panels
May 2007	Risk Management	Management of business risk	TBA	Open to all Members
June 2007	Recruitment	Council's recruitment policy & practice	TBA	Members of Chief Officers' Employment Panel
June 2007	Finance & Contracts	Finance & contract management	TBA	Open to all Members
July 2007	Community Engagement	Community Engagement Strategy	TBA	Open to all Members
July 2007	Looked-After Children & the Council	Council policy and contracting process	TBA	Open to all Members
September	Representing the Council on outside bodies	Protocol & legal framework	TBA	Open to all Members
September 2007	Performance monitoring and Data quality management	Council's policy & strategy on PM	TBA	Open to all Members
October 2007	Inspections: CPA & JAR	Overview of requirements	TBA	Open to all Members

## Event Calendar 2006- 2008

	2006				2007				2008			
	01-03	04-06	07-09	10-12	01-03	04-06	07-09	10-12	01-03	04-06	07-09	10-12
Planning&Development		● ●				● ●				● ●		
Code of Conduct		● ●				● ●				● ●		
Intro to the Licensing Act		●				●				●		
Hearing under Licensing Act		● ●				● ●				● ●		
Planning & Development			●				●				●	
Scrutiny Members Evening			●				●				●	
Disciplinary & Grievance			●				●				●	●
Recruitment				●				●				
Community Engagement			●				●				●	

### Briefing / Recommended training

Leadership & Role of Cabinet				●	●						●		
Equality / Diversity						●			●				
Health & Safety					●	●						●	
Risk management							●						
Finance & Contracts					●						●		
Looked-After Children and the Council							●				●		
Representing the Council on Outside Bodies												●	
Performance Monitoring & Data Quality Management								●			●		●
Harrow Strategic Partnership						●						●	
Inspection: CPA & JAR											●	●	

## Event Calendar 2009 - 2010

	2009				2010				Notes / Comments
	01-03	04-06	07-09	10-12	01-03	04-06	07-09	10-12	
Planning&Development		● ●				● ●			
Code of Conduct		● ●				● ●			
Intro to the Licensing Act		●				●			
Hearing under Licensing Act		● ●				● ●			
Planning & Development			●				●		
Scrutiny Members Evening			●				●		
Disciplinary & Grievance			●				●		
Recruitment				●				●	
Community Engagement			●				●		

### Briefing / Recommended training

Leadership & Role of Cabinet				●	●				
Equality / Diversity						●			
Health & Safety					●	●			
Risk management							●		
Finance & Contracts					●				
Looked-After Children and the Council							●		
Representing the Council on Outside Bodies									
Performance Monitoring & Data Quality Management								●	
Harrow Strategic Partnership						●			
Inspection: CPA & JAR									

August 2006

## **Report on evaluation of Member Induction Programme 2006**

---

### **What was the Induction programme?**

The induction programme consisted of six separate events during May and June.

- The Welcome Evening on the 8 May was the first major event held straight after the elections to welcome new and existing Members to the Council. It provided the opportunity to complete essential administrative tasks such as signing of office and Code of Conduct as well as receiving information on IT issues and policies.
- On 16 May there were two sessions of three tours organised to give Members more flexibility to select the more appropriate session for them. The tours consisted of:
  - A) a two-hour tour of Borough with the aim of giving an overview of the work of the Council and issues facing the Council across the borough.
  - B) A half-hour tour of the Civic Centre with the aim of introducing the Civic Centre and allowing Members to see some key areas such as Access Harrow centre recently opened, Committee Rooms, Group Offices and some other areas where officers work.
  - C) A half-hour tour of Hits with the aim of giving an overview of how the Council's IT Department operates.
- You, the Council and the Community event aimed to introduce Members to Scrutiny, Harrow Strategic Partnership and LAA and Code of Conduct. The event made use of an Actor to play the role of a new councillor asking questions from a panel of senior officers and an experience Member.
- The next three series of events consisted of 3 Open Days, which gave an opportunity for Directorates to showcase their services and for officers to meet and talk with Members face to face.

Please find below a summary of events:

**Table 1**

<b>Event</b>	<b>Date</b>	<b>Numbers attended</b>
1. Welcome Evening	8 May	63
2. Tours of the Borough, Civic Centre and Hits	16 May	26
3. You, The Council and the Community	18 May	34
4. Chief Executive and Business Development Open Day	23 May	22
5. Urban Living Open Day	14 June	22
6. People First Open Day	22 June	20

**Evaluation**

**1.1 Evaluation of the Welcome Evening**

Evaluation forms were sent Mid May to obtain feedback for the Welcome Evening. 63 forms were sent out, 17 forms were returned (27%). At the same time, a training needs questionnaire was sent out to obtain information on individual training requirements of Members. 13 of these were completed and returned (21%).

With respect to the Welcome Evening they were asked to rate how useful they found the various agenda items of the evening. See results as illustrated in Table 2.

**Table 2**

<b>Welcome Eve Agenda Items</b>	<b>Very useful %</b>	<b>Of some use %</b>
Chief Executive's introduction	64	36
IT Services for Members	40	60
Code of Conduct	36	64
Member's Lounge Displays	25	75
Member Support Services	13	87
Your Journey with Harrow (Welcome Pack)	19	81

100% of respondents confirmed that they were:

- Informed in good time
- Were ushered effectively
- Found venue satisfactory
- Found catering satisfactory

11% found there was a problem with equipment; e.g. computers

81% rated the entire evening as "good" or "very good", while 10% rated the evening as satisfactory.

Some additional comments were:

- One Member asked to make it clear whether refreshments meant a buffet dinner or just tea/coffee
- Code of Conduct session was an improvement on previous years
- Chief Executives Introduction was better structured and put into context
- Well Done!
- One evening too rushed

## **1.2 Evaluation of the overall Induction programme**

63 Evaluation forms were sent out in mid June to all councillors; 8 forms were returned (13%).

### **Summary of feedback:**

#### **Welcome Evening 8 May**

- All Members found the evening “very useful” and “very well organised” or “quite well organised”

#### **Tour Day 16 May**

- All those who attended the tour of borough found it “very useful”
- All those who attended the Civic Centre tour found it “very useful”
- All but one who attended the Hits tour found it “very useful”, one found it of “some use”.

#### **You, The Council and the Community 18 May**

- All those who attended found the event “very useful”

Directorate Open Days:

#### **Business Development and Chief Executive Open Day 23 May**

- All those attended found the event “very useful” and comments included: “Displays and officers very helpful”

#### **Urban Living Open Day 14 June**

- All those attended found the event “very useful” and comments included: “Brilliant, could have stayed all afternoon”!

#### ***People First Open Day 22 June***

- All those attended found the event “very useful” and comments included: “Well done!”



### **1.3 Training Needs Analysis**

14 Members completed and returned their forms.

Specific training requested:

- Essential training on representing the Council on outside bodies
- Performance monitoring and data quality management
- Leadership
- Freedom of Information
- Harrow Strategic Partnership
- Government Policy for Local Government (white paper)
- Inspection regimes including Corporate Assessment and JAR
- Members constituency role and dealing effectively with constituency problems
- IT training
- Members role in scrutiny
- Members role in Development Control and Planning
- Chairing meetings
- Report writing
- Council rules and procedure
- Issues pertaining to “Enforcements”
- Communications
- Finance
- HR Management (Chief Officers Panel)
- Technical Matters regarding Local Government
- Information on how the Council Department work
- Plan working papers so we can understand the information
- Legal aspects

## *Conclusion*

### **Evaluation of induction events**

Unfortunately the poor response received on the overall induction programme makes it difficult to make a meaningful analysis of the individual events. However the more significant response received from the Welcome Evening evaluation paints a very positive picture of the event both in terms of the contents and the way it was organised.

In addition to the feedback from the Members, the working Group of Officers involved in the design and planning of the overall induction events met at the end of May to evaluate and discuss what went well and what could be improved. Here is a list of their comments:

- Very positive feedback from Councillors
- Well organised
- Good atmosphere and Officers very helpful
- Food good but too much
- Good idea to colour-group the Councillors and ushers
- Area where food served was too cramped; Members' Lounge may have been better to have food but could have served drinks outside in lobby area
- Chief Executive briefing should have included Health and Safety aspect
- Exhibitions were of mixed quality; a working group could be set up to co-ordinate the contents and format of exhibitions to make them look more of a-piece
- One of the Councillors was very helpful on the evening; It would be good practice to write to one or two existing Councillors prior to the event to invite them to help as ushers on the night

**MEMBER DEVELOPMENT PANEL****13 SEPTEMBER 2006**

Chairman: \* Councillor Jean Lammiman

Councillors: B E Gate \* Keeki Thammaiah (1)  
\* Paul Osborn

\* Denotes Member present  
(1) Denotes category of Reserve Member

**PART I - RECOMMENDATIONS****RECOMMENDATION 1 - Annual Development Programme**

Your Panel considered a report of the Director of People, Performance and Policy, which sought Members' comments on the draft proposals for the Member Development Programme for 2006 to 2010.

It was noted that the proposals had been drawn up in response to feedback from Members on the 2006 induction programme and a Member survey on training needs. The Panel felt that overall the induction programme had been good. The need for regular training needs analyses to be carried out was emphasised.

Members proposed some minor amendments to the Member Development Strategy set out at Appendix 1 to the officer report, and made a number of comments on the proposals for the Member Development Programme. A Member suggested that there should be more training for Executive Members, and that it should be mandatory. The importance of training on chairing and serving on certain Committees was highlighted. Members felt that, rather than a quarterly briefing, the event entitled "Representing the Council on Outside Bodies" should be recommended training for all Members. It was also suggested that, later in the programme, events be held for members of the public who were interested in becoming Councillors.

Further to a query from a Member, the Director of People, Performance and Policy undertook to check whether there was a need for the further training sessions on scrutiny scheduled for November 2006, and what the objectives of those sessions were. The Panel also emphasised the need to ensure that Member training sessions, particularly for mandatory training, did not clash with other Council meetings and events or faith events and requested that there be better communication between Departments.

The Panel having approved the Member Development Programme for 2006 to 2010, as amended to reflect the comments outlined above,

**Resolved to RECOMMEND:** (To the Standards Committee)

That (1) the draft Member Development Strategy for 2006 to 2010, as now amended, be approved; and

(2) the draft Member Development Programme for 2006 to 2010, as amended to reflect the comments outlined above, be noted.

(See also Minute 11).

This page is intentionally left blank