

GOVERNANCE COMMITTEE

AGENDA

7.30pm	Tuesday 20 March 2007	Havering Town Hall Main Road, Romford
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Members 10: Quorum 4

COUNCILLORS:

**Conservative Group
(6)**

Frederick Thompson
(Chairman)
Kevin Gregory (Vice-
Chairman)
Steven Kelly
Eric Munday
Roger Ramsey
Michael White

**Residents' Group
(2)**

Gillian Ford
Barbara Matthews

**Rainham &
Wennington
Independent
Residents' Group
(1)**

Mark Stewart

**Labour Group
(1)**

Keith Darvill

For information about the meeting please contact:

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NOTES ABOUT THE MEETING

1. HEALTH AND SAFETY

The Council is committed to protecting the health and safety of everyone who attends meetings of its Committees.

At the beginning of the meeting, there will be an announcement about what you should do if there is an emergency during its course. **For your own safety and that of others at the meeting, please comply with any instructions given to you about evacuation of the building, or any other safety related matters.**

2. MOBILE COMMUNICATIONS DEVICES

Although mobile phones, pagers and other such devices are an essential part of many people's lives, their use during a meeting can be disruptive and a nuisance. Everyone attending is asked therefore to ensure that any device is switched to silent operation or switched off completely.

3. CONDUCT AT THE MEETING

Although members of the public are welcome to attend meetings of the Committee, they have no right to speak at them. Seating for the public is, however, limited and the Council cannot guarantee that everyone who wants to be present in the meeting room can be accommodated. When it is known in advance that there is likely to be particular public interest in an item the Council will endeavour to provide an overspill room in which, by use of television links, members of the public will be able to see and hear most of the proceedings.

The Chairman of the meeting has discretion, however, to invite members of the public to ask questions or to respond to points raised by Members. Those who wish to do that may find it helpful to advise the Committee Officer before the meeting so that the Chairman is aware that someone wishes to ask a question.

PLEASE REMEMBER THAT THE CHAIRMAN MAY REQUIRE ANYONE WHO ACTS IN A DISRUPTIVE MANNER TO LEAVE THE MEETING AND THAT THE MEETING MAY BE ADJOURNED IF NECESSARY WHILE THAT IS ARRANGED.

If you need to leave the meeting before its end, please remember that others present have the right to listen to the proceedings without disruption. Please leave quietly and do not engage others in conversation until you have left the meeting room.

AGENDA ITEMS**1 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS
(if any) - receive.**3 DECLARATION OF INTERESTS**

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4 MINUTES

To approve as correct records the minutes of the meeting of the Committee held on 21 November 2006, and to authorise the Chairman to sign them.

5 RAINHAM WORKING PARTY**6 APPOINTMENT OF SCHOOL GOVERNORS****7 APPOINTMENTS TO OTHER ORGANISATIONS, 2006/07****8 CORPORATE GOVERNANCE ARRANGEMENTS IN HAVERING**

Governance Committee, 20 March 2007

9 MEMBERS' ALLOWANCES SCHEME, 2007/08

To follow when the Final Agenda for the Council meeting on 21 March 2007 is published.

10 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

Cheryl Coppel
Chief Executive

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Havering Town Hall
21 November 2006 (7.30pm – 8.55pm)**

Present:

COUNCILLORS:

Conservative Group Frederick Thompson (in the Chair), Steven Kelly, Eric Munday, +Fred Osborne, Roger Ramsey and Michael White

Residents' Group Gillian Ford and Barbara Reith

Rainham & Wennington Independent Residents' Group Mark Stewart

Labour Group Keith Darvill

Councillors Kevin Gregory (for part of the meeting) and Jeffrey Tucker were also present

+ Substitute Member: Councillor Fred Osborne (for Kevin Gregory)

Except as shown, all decisions were taken with no vote against

Councillor Keith Darvill declared a personal interest in the matter referred to in Minute 20

The Chairman reminded Members of the action to be taken in an emergency

15 MINUTES

The Minutes of the meeting of the Committee held on 4 October 2006 were approved as a correct record and were signed by the Chairman.

16 AREA COMMITTEES – PROCEDURE FOR AGREEING CAPITAL SPEND

The Committee was reminded that, when the revised structure for Area Committees had been agreed, Council had made available to each of them capital provision of £5,000 for spending on local schemes, together with further provision of £45,000, under the control of the Cabinet, against which each Area Committee could bid, for schemes of a larger nature than their own provision

Governance Committee, 21 November 2006

could cover, or for joint schemes with other Area Committees. The Committee was now invited to agree a procedure designed to enable such schemes and bids to be dealt with.

The proposed procedure provided for the Group Director, Public Realm and her staff, as the budget holder, to co-ordinate the receipt of schemes and bids and to confirm that such proposals constituted appropriate expenditure.

Members considered, however, that the process should be more streamlined and, in particular that, provided the scheme met the requirements of the Council's financial framework and rules for capital expenditure, it should proceed. Where the cost would be greater than available in one year, no objection in principle was seen to funds being carried forward into the next, when more would become available.

It was noted that certain types of scheme would attract design fees, which would need to be taken into account when scheme costs were being worked out.

RESOLVED:

That the procedure for dealing with Area Committee capital schemes, and bids to be met from the central funding held by the Cabinet, as set out in Appendix 1 to this report, be approved.

17 OVERVIEW & SCRUTINY PROCESS – reference from Council – further report

At its last meeting, the Committee had given initial consideration to a motion and amendment referred from Council about the Council's Overview & Scrutiny process. The Committee had requested submission of detailed comment on several aspects of the process, and the report was submitted accordingly.

The Committee was reminded that a number of recommendations made by the Audit Commission in 2003 on strengthening the process remained to be addressed, although some had been overtaken by more recent events. The report also referred to political balance issues and to the scrutiny of outsourced services and of services provided in the borough by, or on behalf of, other public authorities. An Overview & Scrutiny Liaison Committee was provided for in the Council's Constitution but had rarely met.

It was also noted that the Government had recently published a White Paper on enhancing the role and powers of local government, which included proposals for strengthened Overview & Scrutiny examination, particularly of external organisations.

Members concluded that current Overview & Scrutiny activity in Havering was proceeding satisfactorily in general and that there had been some good work

done, which Members endorsed. There was need for review but that could await the outcome of other examinations of the scrutiny function London-wide and legislation following from the White Paper. In the meantime, it was accepted that steps could be taken to improve matters.

RESOLVED (by 6 votes to 4):

That, pending more detailed review in due course in the light of anticipated legislation and the review by London Councils, the following steps be taken:

- (a) Familiarisation/training be arranged for all Chairmen and Members (including those in the Cabinet) of the roles and operational parameters of the Overview & Scrutiny Committees
- (b) Support for Overview & Scrutiny continue to be provided by the dedicated team within Democratic Services
- (c) Arrangements be made for the Overview & Scrutiny Liaison Committee to meet.

(Note – voting on the resolution was:

For – Councillors Steven Kelly, Eric Munday, Fred Osborne, Roger Ramsey, Frederick Thompson and Michael White;

Against – Councillors Keith Darvill, Gillian Ford, Barbara Reith and Mark Stewart)

18 ARTICLE 3 OF THE CONSTITUTION – Citizens' Rights and Responsibilities

The Chairman had agreed pursuant to Section 100B(4) of the Local Government Act 1972 that the following should be considered as an urgent matter, to enable a report to be submitted to the forthcoming meeting of Council.

Article 3 of the Constitution (dealing with citizens' rights and responsibilities) had been reviewed and revision was now suggested in order to make it more in keeping with Havering's needs than the current Article.

Members considered the draft Article carefully but concluded that its text was unsuitable for current needs and, therefore, **RESOLVED:**

That the proposed revision of Article 3 of the Constitution be abandoned as the existing Article was based on the model issued in 2002 by the

government.

19 AMENDMENTS TO THE CONSTITUTION - Monitoring Officer's alterations

The Constitution provided that this Committee must be notified at the first reasonable opportunity of any amendment made by the Monitoring Officer in exercise of her delegated power. The Committee now noted the amendments made by her and published in Notification 26 (as set out in Appendix 2 to these minutes).

20 APPOINTMENT OF SCHOOL GOVERNOR

Councillor Keith Darvill declared a personal interest in the matter referred to in this minute.

The Committee noted that the panel established to make recommendations as to the appointment of school governors by the Council as LEA had recently met. The name of a prospective governor identified by the panel who was a Member of the Council was now submitted for approval.

RESOLVED:

That Councillor Keith Darvill be appointed to the governing body of Gaynes School & Language College.

21 APPOINTMENT OF NOMINATIVE TRUSTEES OF ROMFORD COMBINED CHARITY

The Chairman had agreed pursuant to Section 100B(4) of the Local Government Act 1972 that the following should be considered as an urgent matter, to enable the persons appointed to attend a forthcoming meeting of the Charity's Trustees.

The terms of office of two of the Nominative Trustees of the Romford Combined Charity, Councillor Michael Armstrong and former Councillor Alexandra Smith, had recently expired and the Committee was now invited to appoint their successors.

RESOLVED:

That Councillor Michael Armstrong be re-appointed, and Councillor Andrew Curtin be appointed as Nominative Trustees of the Charity.

22 PROVISION OF FAXES FOR GROUP LEADERS

The Chairman had agreed pursuant to Section 100B(4) of the Local Government Act 1972 that the following should be considered as an urgent matter, to deal with

Governance Committee, 21 November 2006

an outstanding request.

As part of reviewing the provision of ICT facilities for Members, the provision or replacement of faxes at home had ceased as other ICT facilities and use of email means fax usage was no longer generally high, and as fax facilities were provided at the Town Hall in support of all Members.

The Leader for of the Rainham & Wennington Independent Residents' Group had asked for his Council-supplied fax, which was beyond repair, to be replaced. As to do would have been contrary to current practice, the Committee was invited to consider the request.

It was noted that any policy which was applied to one Group Leader would apply to all Group Leaders.

RESOLVED:

That a new fax be provided in response to the request.

23 STANDARDS COMMITTEE - REVIEW

The Chairman agreed pursuant to Section 100B(4) of the Local Government Act 1972 that the following should be considered as an urgent matter.

The Leader of the Council announced that he had invited Councillor Kevin Gregory to undertake a review of the Council's Standards Committee, for report to this Committee in due course.

**APPENDIX 1
(Minute 16)****AREA COMMITTEES: PROCEDURE FOR AGREEING CAPITAL SPEND**

- 1 Schemes proposed by Area Committees must conform to the Council's Financial Framework and capital expenditure rules and:
 - a) be able to be capitalised
 - b) fit with existing planned capital spend policies and projects
 - c) have no significant revenue implications
 - d) be within the available capacity of officers to undertake and deliver

- 2 Schemes to be met from the £5,000 capital funds allocated to each Area Committee will be dealt with as follows:
 - The Committee (or Chairman on its behalf) identifies a scheme (where there is more than one scheme, the Committee will set the order of priority)
 - Where executing the scheme would incur professional fees, Public Realm shall notify the Chairman of the additional cost
 - Where necessary, the Group Director, Public Realm shall advise the Chairman that the scheme does not conform to the requirements and discuss alternative ways of proceeding
 - A decision to proceed shall be taken by the Committee, or in consultation with the Chairman on its behalf.

Expenditure from funds allocated to each Committee is not "executive" expenditure and, therefore, any decision by a Committee or its Chairman is not subject to call-in.

- 3 Schemes that are the subject of bids for a share of the global provision will be dealt with as follows:
 - The Committee (or Chairman on its behalf) identifies a scheme
 - Where executing the scheme would incur professional fees, Public Realm shall notify the Chairman of the additional cost
 - Where necessary, the Group Director, Public Realm shall advise the Chairman that the scheme does not conform to the requirements and discuss alternative ways of proceeding
 - In conjunction with the Chairman, Public Realm will prepare a Form A for the Cabinet Member for Resources for decision in accordance with the normal corporate clearance arrangements (e.g. to ensure that the proposal is lawful)
 - Once authorised by the Cabinet Member, the scheme may proceed

Expenditure from the allocation for this purpose is "executive" expenditure and, therefore, any decision by the Lead Member is open to call-in. The Environment Overview & Scrutiny Committee would deal with any such call-ins.

**APPENDIX 2
(Minute 19)****Notification No. 26****Date 10 November 2006****Notification of amendments to the constitution****Amendments made by the Monitoring Officer**

Part 2, Article 15.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution:

Part 1A	4a-4d	<p>Insert The Local Code of Corporate Governance set out in the Appendix in the Constitution at the end of Part 1.</p> <p><i>Note: see annex following this notification</i></p>	Decision of Governance Committee
Part 3, Section 1.2		<p>Amend as follows:</p> <p>Adjudication and Review</p> <ul style="list-style-type: none"> • 9 councillors, or the number of councillors determined by Council from time to time, provided that no more than 1 councillor is a Cabinet member • independent persons from the Council's panel to attend appropriate hearing's panels <p>Council staff</p> <p>To consider disciplinary, capability and grievance matters relating to all staff below deputy chief officer</p>	Statutory Requirement and correction of error
Part 3, Section 1.2		<p>Replace as follows:</p> <p>Adjudication and Review Committee</p> <p>Hearings Panel</p> <p>Each meeting of the Hearings Panel is constituted separately according to the category of hearing before the panel:</p>	Statutory requirement and correction of error

Governance Committee, 21 November 2006

		<p>=====</p> <p>Disciplinary, capability and grievance appeal hearings 3 members of the principal committee</p> <p>Job evaluation appeals hearings 3 members of the principal committee and 3 trade union nominees with voting rights</p> <p>=====</p> <p>Statutory social services hearings 2 members of the principal committee and 1 independent person who must Chairmen the hearing and who has voting rights</p> <p>Hearings under the Children Act 1989 Represent-ations Procedure (England) Regulations 2006 3 independent persons from the Council's panel.</p> <p>Hearings under the Local Authority Social Services Complaints (England) Regulations 2006 2 independent persons from the Council's panel (one as Chairman) and 1 member of the principal committee</p> <p>In relation to each category of hearing listed below, the Hearings Panel is empowered to make such awards as it considers appropriate in the interests of justice provided that it does not act outside of Council Policy.</p> <p>If the Hearings Panel is of the view that Council Policy is erroneous the Chairman of the Panel shall draw the policy provision to the attention of the relevant Head of Service and Lead Member for consideration and possible review.</p> <p>=====</p> <p>Disciplinary, capability and grievance appeal hearings To conduct staff disciplinary, capability and grievance appeal hearings in accordance with Council procedures</p> <p>Job evaluation appeals hearings To consider individual employees' appeals under the job evaluation scheme</p> <p>=====</p> <p>Statutory social services hearings • To hear oral representations by persons aggrieved by decisions of the Council as registration authority under the Registered Homes Act 1984 and the Children Act 1989</p>	
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Governance Committee, 21 November 2006

		<p>To consider and to determine objections pursuant to section 77 of the Children Act 1989</p> <p>To deal with representations made under the Children Act 1989 and the National Health Service and Community Care Act 1990</p> <p>Hearings under the Children Act 1989 Representations Procedure (England) Regulations 2006 To consider representations by or on behalf of users of children's services in accordance with the Regulations</p> <p>Hearings under the Local Authority Social Services Complaints (England) Regulations 2006 To consider representations by or on behalf of users of adult services in accordance with the Regulations</p>	
Part 6	364	<p>Allowance for Area Committee Chairmen is reduced from £6,390 to £4,260 effective from 8 May 2006.</p> <p>Area Committee Chairmen</p> <p>£4,260</p>	Decision at Annual Council
Part 6	364	<p>Insert Note at end of Table of allowances</p> <p>Note: <i>That the allowance for a Leader of a Minority Opposition and a Deputy Leader of a Minority Opposition shall only be payable to a Leader and Deputy Leader of a political group with six members and over.</i></p>	Decision at Annual Council

THE LOCAL CODE OF CORPORATE GOVERNANCE IN HAVERING

INTRODUCTION

The Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) published a framework document for Corporate Governance in Local Government.

The London Borough of Havering is committed to the principles of good corporate governance and wishes to confirm its ongoing commitment and intentions, through the continued maintenance of a Local Code as recommended by the CIPFA/SOLACE Framework.

What is Corporate Governance?

For the purposes of this code it is defined as the system by which organisations are directed and controlled.

The Council recognises that effective local government relies upon establishing and maintaining the confidence of the public in both the elected Members and Officers of the Council.

The Council acknowledges that the setting of high standards of self governance provides a clear and demonstrable lead to both our existing and potential partners, and therefore provides the basis of effective community governance.

The Principles

The London Borough of Havering actively recognises the principles identified through CIPFA/SOLACE, and seeks to fulfil each area as detailed within this document.

Accountability

Effectiveness

Integrity

Openness & Inclusiveness

Up to date

1. Community Focus

The London Borough of Havering will publish on a timely basis

- an annual report
- a performance plan.

In addition to this, arrangements will be made for the independent review of the financial and operational reporting processes.

Individuals and groups from all sections of the community will be encouraged to engage with, contribute to and participate in the work of London Borough of Havering, these processes will be monitored to ensure that they operate effectively.

We are committed to

- Openness in all of our dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.
- Establishing clear channels of communication with all sections of the community and other stakeholders, putting in place appropriate monitoring arrangements to ensure that they operate effectively.
- Developing with the local community and stakeholders, a vision for the local communities. This will be clearly articulated and disseminated and will incorporate:
 - Their strategic plans
 - Priorities
 - Targets

2. Service Delivery Arrangements

The London Borough of Havering will:

- Set measurable standards and targets for performance in the delivery of services on a sustainable basis and with reference to equality policies.
- Establish sound systems for providing management information for performance measurement purposes.
- Monitor and report performance against agreed standards and targets and develop comprehensive and understandable performance plans.
- Foster effective relationships and partnerships with other public sector agencies and the private and voluntary sectors and consider outsourcing where it is efficient and

Governance Committee, 21 November 2006

effective to do so, in delivering services to meet the needs of the local community and establish processes to ensure that they operate effectively.

- Provide positive responses to the findings and recommendations of external auditors and statutory inspectors. Arrangements for the effective implementation of agreed actions will be made.
- Be committed to diversity and, in doing so, we acknowledge the diversity of the local population, this will therefore be reflected in our service delivery.

3. Structures and Processes

Balance of Power and Authority

The London Borough of Havering will document:

- The protocols governing relationships between members and officers.
- The relative roles and responsibilities of executive and other members and senior officers, so they are clearly defined.
- Details of Committees, including Audit, Governance and Overview & Scrutiny Committees.

Roles and Responsibilities – Members

The London Borough of Havering will:

- Meet regularly on a formal basis to set the strategic direction and monitor the service delivery of the authority.
- Develop and maintain a scheme of delegated or reserved powers, which should include a formal schedule of those matters specifically reserved for the collective decision of the authority.
- Establish clearly documented and understood management for:
 - Policy development, implementation and review
 - Decision-making, reporting and monitoring & control
 - Formal procedural and financial regulations to govern the conduct of the authority's business.
- Recognise of the initial and continued training need of members. Members are to be trained for their roles and given access to all relevant information, advice and resources as necessary, to enable them to effectively fulfil their roles.

Governance Committee, 21 November 2006

- Define formally in writing the role of the executive member(s) of the authority, to include responsibility for providing effective strategic leadership to the authority and for ensuring that the authority successfully discharges its overall responsibilities for the activities of the organisation as a whole.
- Define clearly in writing the roles and responsibilities of all members of the local authority, together with the terms of their remuneration and its review.

Roles and Responsibilities – Officers

The London Borough of Havering will:

- Make a Chief Executive or equivalent responsible to the authority for all aspects of operational management.
- Make a senior officer responsible to the authority for:
 - Ensuring that appropriate advice is given on all financial matters
 - Keeping legitimate financial records and accounts
 - Maintaining an effective system of internal financial control.
- Make a senior officer responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations and other relevant statements of good practice are complied with.
- Define clearly in writing the roles and responsibilities of all senior officers, together with the terms of their remuneration and its review.
- Adopt clear protocols and codes of conduct to ensure that the implications of supporting community political leadership for the whole council are acknowledged and resolved.

4. Risk Management and Internal Control

The London Borough of Havering will:

- Develop and maintain robust systems for identifying and evaluating all significant business risks which involve the proactive participation of all those associated with planning and delivering services.
- Put in place effective risk management systems, including systems of internal control and an internal audit function. These arrangements need to ensure compliance with all applicable statutes, regulations and relevant statements of best practice to ensure that public funds are suitably safeguarded and used economically, efficiently and effectively, in accordance with the statutory and other authorities that govern their use.
- Ensure that services are delivered by trained and experienced people.

Governance Committee, 21 November 2006

- Arrange for objective reviews of the effectiveness of risk management and internal control, including internal audit.
- Maintain an objective and professional relationship with their external auditors and statutory inspectors.
- Publish within the annual report, an objective, balanced, understandable statement and assessment of the authority's risk management and internal control mechanisms and their effectiveness in practice.

5. Standards of Conduct

The London Borough of Havering will:

- Develop and adopt formal codes of conduct defining the standards of personal behaviour to which individual members, officers and agents of the authority are required to subscribe and establish appropriate systems and processes to ensure that they are complied with.
- Make arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and establish appropriate processes to ensure that they continue to operate in practice.
- Put in place arrangements to ensure that their procedures and operations are designed in conformity with appropriate ethical standards, and to monitor their continuing compliance in practice.
- Establish a whistle blowing Policy to which staff, contractors, partners, the public and other stakeholders have access to.

6. Update and Revision of the Local Code of Corporate Governance.

In accordance with the requirements of the Council's Internal Control Framework, this code will be updated and revised by the 15th January 2007.

If you have any comments or questions on this Local Code please contact Rita Greenwood, Finance and Commercial Group Director at the Town Hall on 01708 432218, or e-mail rita.greenwood@haverling.gov.uk



MEETING

DATE

ITEM

GOVERNANCE COMMITTEE

20 MARCH 2007

5

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: RAINHAM WORKING PARTY

SUMMARY

This report deals with the future of the Rainham Working Party which was established during the last Administration but before the new area committee arrangements were put in place.

RECOMMENDATION

That in view of the establishment of new area committee arrangements and of area committee chairmen job descriptions, the Rainham Working Party is no longer required and Council be recommended that the Constitution be amended by the deletion of references to the Working Party in Part 2, Article 8, paragraph 8.03, and Part 3, Section 1, paragraph 1.6.

REPORT DETAIL

1. In 2003 the Council established the Rainham Working Party with the membership and terms of reference set out in part 2, Article 8 of the Constitution. The Working Party is not a body for the purpose of the Local

Government Act 1972 or the subject of proportionality rules under the Local Government Act 1989.

2. Under the Constitution the Working Party comprises the three Rainham and Wennington ward members plus a member nominated by the Leader of the Council. There is currently no member nominated by the Leader. The Working Party's purpose is
 1. To make recommendations to Cabinet
 - On action to improve Council services and their performance in the Rainham and Wennington Ward and
 - On ways to improve the quality of life and environment for residents in the Rainham and Wennington Ward
 2. To work with local businesses and with Thames Gateway and like agencies to promote the interests of the Rainham and Wennington Ward and make recommendations to Cabinet as appropriate.
3. The Working Party met 14 times between October 2003 and April 2006. Notes of meetings were taken by Democratic Services staff, while presentations and oral and written reports were delivered by Regeneration staff. The Working Party never made any recommendations to Cabinet nor did it communicate directly with local businesses or with Thames Gateway or like external agencies. The Working Party did not meet in public.
4. Since the last meeting (in April), new area committee arrangements have come into effect. The Rainham and Wennington ward interest is covered by the South Hornchurch and Rainham Area Committee (which also covers the South Hornchurch ward). In addition, area committee chairmen now have a job description which requires them to deliver the committees' terms of reference which include "to foster good relations with local people, interest groups and businesses within the community area and promote their increased dialogue with the Council on local issues."
5. From the above it will be seen that the thrust of the Working Party's terms of reference are not only covered by the area committee, but also the Chairman is specifically required to work to that outcome. This would suggest that the role of the Working Party originally envisaged for the Working Party is now covered by other means.
6. In view of the significant alternative channels available to involve local members in considering regeneration issues it would seem anomalous to have a Working Party which only addresses issues in one of the two Havering wards in the Thames Gateway/London Riverside regeneration area.
7. In all the circumstances it is proposed that the Working Party be stood down.

8. Financial Implications and risks

Should the working party continue to meet there may be some duplication of officer effort as both the Working Party and the local area committee would receive elements of officer support to the same end. However, by standing down the Working Party it is not anticipated that any resource saving would be significant.

9. Equalities and Social Inclusion Implications and Risks

It is not considered that those in the Rainham and Wennington ward would be adversely effected should the Working Party no longer meet.

10. There are no Legal implications or risks, or Human Resources implications or risks

Staff Contact: Philip Heady
Democratic Services Manager

Telephone: 01708 432433

Email: philip.heady@haverling.gov.uk

**Cheryl Coppel
Chief Executive**

Background papers

Rainham Working Party meeting notes 2003-2006



MEETING

DATE

ITEM

GOVERNANCE COMMITTEE

20 MARCH 2007

6

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: APPOINTMENT OF SCHOOL GOVERNORS

Candidates for appointment as LEA school governors who are also Members or employees of the Council are appointed by this Committee (all other LEA governor appointments are made by the Group Director, Children's Services under delegated powers).

The Governor Appointment Panel has now submitted for formal approval the nominations of the following, to be appointed as LEA governors at the schools indicated:

Nominee:	School:
Ms Margaret Darvill (a Children's Service employee)	Hilldene Primary
Mrs Chris Hipperson (a Library Service employee)	Dunningford Primary
Councillor Pam Light	Redden Court
Councillor Andrew Mann	Pinewood
Councillor Geoff Starns	Bower Park

No **Financial, Human Resources and Equalities, Social Inclusion Implications and Risks or Legal Implications and Risks** arise. Appointments are made with the Council's Equalities and Social Inclusion policies in mind.

Governance Committee, 20 March 2007

RECOMMENDATION

That each nominee be appointed to the governing body of the school indicated above.

**Contact Officer: Ian Buckmaster, Manager of Committee and Overview
& Scrutiny Support**

Telephone: 01708 432431

**Cheryl Coppel
Chief Executive**

Background Papers: None



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	20 MARCH 2007	7

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: APPOINTMENTS TO OTHER ORGANISATIONS, 2006/07

1 HAVERING THEATRE TRUST

- 1.1 At its meeting in June 2006, the Committee appointed Councillors Andrew Curtin, Ray Morgon and Roger Ramsey to the Board of the Trust. The Trust is a limited company and the Board is, in effect, a Committee of the Council of Management of the Trust. All Members of the Council of Management are in law directors of the company.
- 1.2 Originally, the Council appointed two Members to the Board but, for reasons now not all clear, in 2002 that was increased to three. Regrettably, the exchanges between the Trust and the Council at that time are no longer available and it is not known whether the appointment of three Members was an error or something agreed at the time.
- 1.3 Whatever the reason, the appointment of three Board members does not comply with the Articles of Association of the Trust, which provide for the appointment by the Council of two Members only. Between 2002 and late 2006 the error was not noticed either by officers or by the Trust but late in 2006 the Trust contacted the Council to ask that it be rectified.
- 1.4 The Committee is therefore now requested to amend its decision of last June and to determine which two of the three Members are to continue as Board members.

2 ADOPTION PANEL

- 2.1 In June 2006, the Committee appointed, among others, Councillor Pat Mylod, Roger Bolton and Cedric Hendricks as members of the Adoption Panel. At the time, the Committee was advised that new Adoption Panel Regulations had the effect among other things of requiring the compulsory retirement from the Panel of any member who had served nine years in that capacity. Councillor Mylod, Mr Bolton and Mr Hendricks would all be affected by that requirement.
- 2.2 The three members have now retired and the Committee is requested now formally to confirm the following individuals' membership of the Panel in succession to the retirees. There was also at the time a vacancy and a individual has been found to take that place.
- 2.3 Those concerned are:
Tess Blight – Headteacher, Sanders Draper School
Betty Haltham – Independent Member
Tony Ferguson – Health Service representative
Jonathan Pearce – Social Worker member
- 3.1 There are no direct **legal, financial, human resources** or **equalities and social inclusion** implications or risks associated with this report.

RECOMMENDATION

- 1 That the Committee amend its decision of 6 June 2006 as to the appointment of Members to the Board of the Havering Theatre Trust and determine which two of Councillors Andrew Curtin, Ray Morgon and Roger Ramsey should continue to serve in that capacity for the remainder of this municipal year.
- 2 That the appointments of Tess Blight, Betty Haltham, Tony Ferguson and Jonathan Pearce to the Adoption Panel, be confirmed.

Cheryl Coppell
Chief Executive

Staff Contact: Ian Buckmaster
Manager of Committee and Overview & Scrutiny Support

Telephone: 01708 432431

Background papers:

There are no papers



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	20 MARCH 2007	8

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: CORPORATE GOVERNANCE ARRANGEMENTS IN HAVERING

SUMMARY

This report provides the six monthly update in respect of Corporate Governance arrangements.

RECOMMENDATION

That the Committee:

1. Note the actions taken and views expressed.
2. Confirm that the expectations as set out in the assessment are in place within Havering.
3. Note that the information in this report will be used to develop the 2006/07 Statement of Internal Control.
4. Confirm the Code of Corporate Governance is still relevant and appropriate.
5. Confirm their commitment to promote good Corporate Governance.

REPORT DETAIL

1. This Committee reaffirmed a Code of Corporate Governance in July 2006. A review has taken place by the Governance Officer Group and some minor amendments made to clarify wording and make reference to possible future changes. The amended Code is on the Internet and attached here at Appendix A.
2. Regular self assessments take place by the Governance Group. The self assessment was formulated on the basis of an assessment against a framework issued by CIPFA/SOLACE as supplemented by the CPA key lines of enquiry. The latest one is appended as Appendix B.

Officers have self assessed the measures of effectiveness and are of the view that these arrangements are in place.

3. Areas where effectiveness will be improved include:
 - Partnership Toolkit development
 - Promote risk management awareness
 - Property database and condition survey.
4. Publicity of the Code has and continues to take place by publication of articles in Inside Havering and Living in Havering as well as by writing to all Stakeholders. Feedback has been, or is being presented, e.g. Area Committees.
5. In order to continue to assess the effectiveness of our arrangements, the views of a variety of people will continue to be sought to assess whether the public understand:
 - who does what at the council;
 - how to get information about our finances, and;
 - how to get clearer information about the decisions the council makes.

The last report had the results of the 2005 review. Following that review, we have:

- continued to improve the finance pages on the website
 - scheduled an article on "How the Council Works" for the February edition of 'Living.'
6. It may assist Members of Governance committee to refer to Appendix C and consider the questions contained in this recent best practice assessment.
 7. A Communications Protocol has been developed, which provides a written framework to ensure clarity and purpose. This is attached as Appendix D.

Financial Implications and Risks:

There are none arising directly. The risk of taking this forward is an increased expectation from stakeholders that is not delivered through the actions of the Council. However, this risk is unlikely as the Council is committed to openness and transparency. The risks of not taking this forward is the Council not being viewed as open and transparent and the Audit Commission assessing Corporate Governance adversely in the CPA.

Legal Implications and Risks:

The Corporate Governance Code reflects many of the statutory requirements placed on the Council by various Local Government Acts. It does not introduce new obligations on the Council.

Human Resource Implications and Risks:

Implementation of these measures will lead to improved performance management. It will also ensure clear standards of personal behaviour are adopted through the development of protocols and codes of conduct. It will also recognise the importance of continual training and development for Members to enable them to effectively fulfil their roles.

Equalities and Social Inclusion Implications and Risks:

The code should ensure that the Council is shown as an inclusive Authority.

Staff Contact: Rita Greenwood **Title:** Group Director
Finance and Commercial

Telephone: 01708 432218

CHERYL COPPELL
Chief Executive

Background Papers

None.

THE LOCAL CODE OF CORPORATE GOVERNANCE IN HAVERING

INTRODUCTION

The Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) published a framework document for Corporate Governance in Local Government.

The London Borough of Havering is committed to the principles of good corporate governance and wishes to confirm its ongoing commitment and intentions, through the continued maintenance of a Local Code as recommended by the CIPFA/SOLACE Framework.

What is Corporate Governance?

For the purposes of this code it is defined as the system by which organisations are directed and controlled.

The Council recognises that effective local government relies upon establishing and maintaining the confidence of the public in both the elected Members and Officers of the Council.

The Council acknowledges that the setting of high standards of self governance provides a clear and demonstrable lead to both our existing and potential partners, and therefore provides the basis of effective community governance.

The Principles

The London Borough of Havering actively recognises the principles identified through CIPFA/SOLACE, and seeks to fulfil each area as detailed within this document.

- Accountability
- Effectiveness
- Integrity
- Openness & Inclusiveness
- Up to date

1. Community Focus

The London Borough of Havering will publish, on a timely basis, an annual report and performance plan.

In addition to this, arrangements will be made for the independent review of the financial and operational reporting processes.

Individuals and groups from all sections of the community will be encouraged to engage with, contribute to and participate in the work of London Borough of Havering, these processes will be monitored to ensure that they operate effectively.

We are committed to

- Openness in all of our dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.
- Establishing clear channels of communication with all sections of the community and other stakeholders, putting in place appropriate monitoring arrangements to ensure that they operate effectively.
- Developing with the local community and stakeholders, a vision for the local communities. This will be clearly articulated and disseminated and will incorporate priorities and targets. It will be supported by relevant strategic plans.

2. Service Delivery Arrangements

The London Borough of Havering will:

- Set standards and targets for performance in the delivery of services on a sustainable basis and with reference to equality policies.
- Establish sound systems for providing management information for performance measurement purposes.
- Monitor and report performance against agreed standards and targets in a comprehensive and understandable way.
- Foster effective relationships and partnerships with other public sector agencies and the private and voluntary sectors and consider outsourcing where it is efficient and effective to do so, in delivering services to meet the needs of the local community and establish processes to ensure that they operate effectively.
- Provide positive responses to the findings and recommendations of external auditors and statutory inspectors. Arrangements for the effective implementation of agreed actions will be made.
- Be committed to diversity and, in doing so, we acknowledge the diversity of the local population. Service delivery will take account of our diverse communities.

3. Structures and Processes

Balance of Power and Authority

The London Borough of Havering will document:

- The protocols governing relationships between members and officers.
- The relative roles and responsibilities of executive and other members and senior officers, so they are clearly defined.
- Details of Committees, including Audit, Governance and Overview & Scrutiny Committees.

Roles and Responsibilities – Members

The London Borough of Havering will:

- Meet regularly on a formal basis to set the strategic direction and monitor the service delivery of the authority.
- Develop and maintain a scheme of delegated or reserved powers, which should include a formal schedule of those matters specifically reserved for the collective decision of the authority.
- Establish clearly documented and understood management for:
 - Policy development, implementation and review
 - Decision-making, reporting and monitoring & control
 - Formal procedural and financial regulations to govern the conduct of the authority's business.
- Recognise the initial and continued training need of members. Members are to be trained for their roles and given access to all relevant information, advice and resources as necessary, to enable them to effectively fulfil their roles.
- Define formally in writing the role of the executive member(s) of the authority, to include responsibility for providing effective strategic leadership to the authority and for ensuring that the authority successfully discharges its overall responsibilities for the activities of the organisation as a whole.
- Define clearly in writing the roles and responsibilities of all members of the local authority, together with the terms of their remuneration and its review.

Roles and Responsibilities – Officers

The London Borough of Havering will:

- Make a Chief Executive or equivalent responsible to the authority for all aspects of operational management.
- Make a senior officer responsible to the authority for:
 - Ensuring that appropriate advice is given on all financial matters
 - Keeping legitimate financial records and accounts

- Maintaining an effective system of internal financial control.
- Make a senior officer responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations and other relevant statements of good practice are complied with.
- Define clearly in writing the roles and responsibilities of all senior officers, together with the terms of their remuneration and its review.
- Adopt clear protocols and codes of conduct to ensure that the implications of supporting community political leadership for the whole council are acknowledged and resolved.

4. Risk Management and Internal Control

The London Borough of Havering will:

- Develop and maintain robust systems for identifying and evaluating all significant business risks which involve the proactive participation of all those associated with planning and delivering services.
- Put in place effective risk management systems, including systems of internal control and an internal audit function. These arrangements need to ensure compliance with all applicable statutes, regulations and relevant statements of best practice to ensure that public funds are suitably safeguarded and used economically, efficiently and effectively, in accordance with the statutory and other authorities that govern their use.
- Ensure that services are delivered by trained and experienced people.
- Arrange for objective reviews of the effectiveness of risk management and internal control, including internal audit.
- Maintain an objective and professional relationship with their external auditors and statutory inspectors.
- Publish within the annual report, an objective, balanced, understandable statement and assessment of the authority's risk management and internal control mechanisms and their effectiveness in practice.

5. Standards of Conduct

The London Borough of Havering will:

- Develop and adopt formal codes of conduct defining the standards of personal behaviour to which individual members, officers and agents of the authority are required to subscribe and establish appropriate systems and processes to ensure that they are complied with.

- Make arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and establish appropriate processes to ensure that they continue to operate in practice.
- Put in place arrangements to ensure that their procedures and operations are designed in conformity with appropriate ethical standards, and to monitor their continuing compliance in practice.
- Establish a whistle blowing Policy to which staff, contractors, partners, the public and other stakeholders have access to.

6. Roles / Responsibilities of the Public

The public have rights and responsibilities set out in the Constitution regarding voting and petitions, information held by the Council and complaints. The Constitution also sets out their rights in participation in Council affairs and the responsibilities upon them when they do.

7. Update and Revision of the Local Code of Corporate Governance.

In accordance with the requirements of the Council's Internal Control Framework, this code will be updated and revised in January 2008, or before if necessary, having regard to any changes required under the current CIPFA consultation draft "Good Governance in Local Government".

If you have any comments or questions on this Local Code please contact Rita Greenwood, Finance and Commercial Group Director at the Town Hall on 01708 432218, or e-mail rita.greenwood@havering.gov.uk

USE OF RESOURCES

<p>The aim here is to show how well the Council manages and uses its financial resources by showing</p> <ul style="list-style-type: none"> • How well we plan and manage our finances (Financial Management) • How financially sound we are (Financial Standing) • How we safeguard our financial interests (Internal Controls) • The extent to which we deliver Value For Money (Value For Money) 					
How the above is achieved	Source documents / processes / other means used to demonstrate achievement	Self Assessment Measure of effectiveness	Improvements planned	Lead Officer	Timescale
1 Link budgets and the capital programme o priorities; Effectively manage our asset base; Report and monitor performance against budget	Capital Strategy/Medium Term Capital Programme Prudential Indicators Report Medium Term Financial Strategy Revenue Budget Corporate Plan BVPP/Performance Monitoring	⇒ Capital and revenue budgets to be demonstrably in support of corporate priorities – regular monitoring ⇒ Objectives to be delivered within budget ⇒ Virement rules followed ⇒ Unsupported borrowing properly assessed and monitored ⇒ Update of Capital Strategy and MTFs in light of new corporate Priorities. ⇒ Review of Budget Process ⇒ Improve performance	Database introduced Regular Condition Survey Mandatory training New capital system	RG/GG RG/GG RG/MS RG/MS	Dec 07 Summer 07 March/April 07 and ongoing to 2008 March 08
2 Manage spending within available resources: Maintain adequate reserves	Capital Programme/Revenue Budget Budget Report LAAP Bulletin No. 55	⇒ Priorities to be delivered within budget ⇒ Performance regularly monitored ⇒ Budget to be supported	Mandatory training	RG/MS	March/April 07 and ongoing to 2008

Governance Committee, 20 March 2007

		<ul style="list-style-type: none"> by a risk-based assessment of resources ⇒ Improved Capital Strategy/Programme ⇒ Improved budget process ⇒ Clearer risk-based reserve/contingency strategy 	New capital system	RG/MS	March 08
3	<p>Maintain effective internal controls including those relating to partnerships; Manage risks Limit vulnerability to fraud and corruption</p>	<p>Statement of Internal Control Audit Commission Report on Fraud and Corruption</p> <ul style="list-style-type: none"> ⇒ Use SIC groundwork to force through improvements ⇒ Full SIC ⇒ Response to DA Reports ⇒ Delivery of recommendations ⇒ Reduction in number/level of frauds ⇒ Fraud & Corruption Policy 	<p>Review of SIC for 2006/07</p> <p>Partnership Toolkit</p>	<p>RG</p> <p>JO</p>	<p>Ongoing</p> <p>June 07</p>
4	<p>Achieve value for money; Manage and improve value for money</p>	<p>Budgets Performance Reports Gershon – Annual efficiency Statements</p> <p>Use of Resources self assessment</p> <ul style="list-style-type: none"> ⇒ Deliver Gershon / VFM savings – 2.5% (of which 1.25% cash) whilst ensuring that quality/standard of service does not decline. ⇒ Performance comparators versus spend with other Councils 	<p>Review vfm</p> <p>Efficiency assessment toolkit</p> <p>ASD review and programme</p>	<p>JO</p> <p>JO</p> <p>JO/RG/DE/CJD</p>	<p>Ongoing</p> <p>July 07</p> <p>Sept 07</p>

Governance Committee, 20 March 2007

PARTNERSHIPS

<ul style="list-style-type: none"> The aim here is to show how well the Council manages its wide range of partnerships, from high value Strategic Partnerships / PFI's contracts, to lower value commitments, obligations and agreements. 					
How the above is achieved	Source documents / processes / other means used to demonstrate achievement	Self Assessment Measure of effectiveness	Improvements planned	Lead Officer	Timescale
1 Know the extent of our involvement in partnerships, through the maintenance and up to date register of partnerships	Partnership Map	<ul style="list-style-type: none"> ⇒ Quantified Partner Relationships ⇒ Identified Key Partnerships according to Audit Commission Criteria ⇒ Obtained Heads of Service Assurances on their Partnerships 	Rationalise Partnerships where appropriate – Report to CMT	JO	April 2007
2 Obtain appropriate technical, legal and financial advice, commensurate with the level of complexity in a proposed partnership	ASD Support Team	<ul style="list-style-type: none"> ⇒ Action Plan ⇒ Audit Commission reports ⇒ Customer questionnaires results 	Review potential for Framework Agreement with legal partner	CJD	Sept 07
3 Satisfy ourselves of the business rationale for each partnership entered into	Outline and Final business Cases Feasibility studies Gateway Review	<ul style="list-style-type: none"> ⇒ Success of partnership ⇒ Schemes progressing 	Partnership Toolkit and via Service Planning	JO	June 07
4 For PFI's and Strategic Partnerships undertake Risk Transfer exercises at an early point and evaluate risk at each key stage ('Gateway') of the procurement process, in line with Office of Government Commerce best practice	Risk Matrix in Project Business Case Project Risk Registers	<ul style="list-style-type: none"> ⇒ Transfer of significant risk to partners as part of process/contract ⇒ Six monthly reviews and updates 	Partnership Toolkit	JO	June 07

Governance Committee, 20 March 2007

5	Consider exit strategies prior to the finalising of contracts, obligations, commitments or agreements			Recommendations to be included in Partnership Toolkit	JO	June 07
6	Satisfy ourselves that partners Governance and Risk Management arrangements are fit for purpose					
7	Manage major partnership projects using best Project Management Practices	Existing Project Management Toolkit				
8	Ensure appropriate performance management arrangements are in place for measuring the performance of partnerships and the evaluation of outcomes	Service level agreements Local area Agreements Community Strategy	⇒ Improvement and Delivery Board ⇒ Individual Board arrangements ⇒ Overview and Scrutiny Committee	Ability of Partners' reports to be included in the new Performance Management Database	JO	April 08
9	Ensure service users can obtain redress if things go wrong			Review SLA's		

RISK MANAGEMENT AND INTERNAL CONTROL

“An authority needs to establish and maintain a systematic strategy, framework and processes for managing risk. Together, these arrangements should:

- Include making public statements to stakeholders on the authority’s risk management strategy, framework and processes to demonstrate accountability**
- Include mechanisms for monitoring and reviewing effectiveness against agreed standards and targets and the operation of controls in practice**
- Demonstrate integrity by being based on robust systems for identifying, profiling, controlling and monitoring all significant strategic and operational risks**
- Display openness and inclusivity by involving all those associated with planning and delivering services, including partners**
- Include mechanisms to ensure that the risk management and control process is monitored for continuing compliance to ensure that changes in circumstances are accommodated and that it remains up to date”.**

How the above is achieved	Source documents / processes / other means used to demonstrate achievement	Self Assessment Measure of effectiveness	Improvements planned	Lead Officer	Timescale
(a) Develop and maintain robust systems for identifying and evaluating all significant risks which involve the proactive participation of all those associated with planning and delivering services	Risk management strategy and risk registers in place. CFO and Lead Member allocated responsibility. Audit Committee oversee. Performance management system. Risk Management Group Budget papers. Internal control statements. Regular report to Officers and Members. Regular communications in a number of ways, e.g. regular questionnaires, usage in clearing reports, usage in making corporate decisions. Corporate Business Continuity Strategy.	⇒ Regular reviews ⇒ All principal risk registers updated ⇒ Linking of RM to Corporate Governance ⇒ Code of Governance Framework and link to Full SIC Framework	Continue to promote positive and negative risk management. Implement disaster recovery and continuity plans testing and ensure plans are in place, including procedure notes are in place. Good progress being made with plan being prepared.	RG RG	Ongoing Dec 08
(b) Put in place effective	Scheme of delegation	⇒ CPA/Inspection Feedback	Continue to promote positive and	RG	Ongoing

Governance Committee, 20 March 2007

<p>risk management systems, including systems of internal control and an internal audit function. These arrangements need to ensure compliance with all applicable statutes, regulations and relevant statements of best practice and need to ensure that public funds are properly safeguarded and are used economically, efficiently and effectively, and in accordance with the statutory and other authorities that govern their use</p>	<p>Internal audit protocol PDPA Performance management system Financial standards and procedure rules Audit plan Audit Committee Internal control statements Fraud/corruption strategy</p>	<p>⇒ External audit review of SIC as part of Statement of Accounts ⇒ Full SIC produced ⇒ Quarterly reports to SMT on progress in implantation of risk management actions ⇒ Regular review of Internal Audit's performance ⇒ Audit rep group established to suggest improvements in Internal Audit Service.</p>	<p>negative risk management. Implement disaster recovery and continuity plans testing and ensure plans are in place, including procedure notes are in place. Good progress being made.</p>	<p>RG</p>	<p>Dec 08</p>
<p>(c) Ensure that services are delivered by trained and experienced people</p>	<p>Job description/personal specifications Training plans including finance / equality IIP Leadership programme Evaluation sheets External trainers as necessary New corporate induction programme. Member induction programme.</p>	<p>⇒ PDPA ⇒ EOS ⇒ Evaluation of Induction ⇒ IIP Assessment ⇒ Workforce Planning ⇒ Leadership Programme for Managers, including 360° feed back</p>	<p>Structured programme of training and awareness for staff and Members being formalised. Various sessions for staff, including induction, procurement, insurance with evaluation questionnaires.</p>	<p>RG/SH</p>	<p>Ongoing</p>
<p>(d) Put in place effective arrangements for an objective review of risk management and internal control,</p>	<p>Performance management system Risk registers Internal control statements Audit Committee</p>	<p>⇒ Risk Rating changes ⇒ External Reviews including Use of Resources ⇒ Assurance Framework</p>	<p>Internal Audit position regularly discussed with Audit Commission and future delivery taken to Audit Committee.</p>	<p>RG/MS</p>	<p>Ongoing</p>

Governance Committee, 20 March 2007

including internal audit	External Reviews Risk Management Group Annual Review of Internal Audit.				
(e) Maintain an objective and professional relationship with their external auditors and statutory inspectors	Inspectorate reports Annual audit letter and other audit reports Audit protocol Meeting notes Regular meetings	⇒ Prompt responses to draft audit reports ⇒ Compliance with protocol inspections ⇒ Co-ordination of inspection reports coming into the authority	None.		
(f) Publish on a timely basis, within the annual report, an objective, balanced and understandable statement and assessment of the authority's risk management and internal control mechanisms and their effectiveness in practice	Annual accounts, including SIC, BVPP and Corporate Plan. MTFS and budget. The Head of Audit's Annual Report. The Corporate and service risk registers.	⇒ SIC produced to meet Accounts Reporting Deadline for Audit Committee and Council External Audit Certification	Annually reviewed against Peers.	RG	May annually

SERVICE DELIVERY ARRANGEMENTS

<p>“A local authority should ensure that continuous improvement is sought, agreed policies are implemented and decisions carried out by maintaining arrangements which:</p> <ul style="list-style-type: none"> • Discharge their accountability for service delivery at the local level • Ensure effectiveness through setting targets and measuring performance • Demonstrate integrity in dealings with service users and developing partnerships to ensure the “right” provision of services locally • Demonstrate openness and inclusivity through consulting with key stakeholders, including service users • Are flexible so that they can be kept up-to-date and be adapted to accommodate change and meet user wishes” 					
How the above is achieved	Source documents / processes / other means used to demonstrate achievement	Self Assessment Measure of effectiveness	Improvements planned	Lead Officer	Timescale
(a) Set standards and targets for performance in the delivery of services on a sustainable basis and with reference to equality policies	Best value performance plan Best value reviews Local PI's Service/strategic plans Learning sets Integrated Performance Management Framework	⇒ Corporate Plan objectives monitored	Achieved: Level 2 of the Equality Standard reached March 2006. B&ME and Disability forums created. Strategic and operational corporate groups on Equalities up and running. Standard questions on demographics (for consultation and research surveys) agreed. Planned: Chief Equalities officer post created and to be appointed to – then work will continue on reaching level 3 of the equalities standard.	D Ede	March 2006
		⇒ Roadshows delivered by Chief Executive		D Ede	June 2006
		⇒ All Service Plans Quality Assured by Corporate Performance Team		D Ede	April 2006
		⇒ Quarterly reporting % of PI's improving		J Owen	Sept 2006
		⇒ Corporate Equality Plan adopted and has been implemented to enable Levels 1 to 3 of the Equality Standard for Local Govt. to be complied with and declared.		D Ede	To be confirmed
⇒ Race Equality Scheme refreshed and republished					
(b) Put in place sound systems for providing management information for performance measurement purposes	Performance management and information system. External auditor reports. Monthly performance packs, discussions with Cabinet,	⇒ CPA Corporate Assessment published result ⇒ Clearly defined performance reporting mechanisms and	Business case for Performance Management Database agreed and going to Corp ICT Board 14 Feb 2007. Thereafter scoping and tendering will be undertaken.	J Owen	April 2008

Governance Committee, 20 March 2007

	Group Leaders via Leader's Briefing/ Improvement Board and SMT/Project Board.	<p>timetables in place both Corporately and within all programme areas – minimum standards established in performance management framework</p> <p>⇒ Reporting structure agreed by SMT and Cabinet</p> <p>⇒ Performance Management Framework includes guidance on responsibilities, reporting, data quality, addressing poor performance</p> <p>⇒ Distribution records of performance guidance distributed throughout the Council and minutes of the Performance management group</p>	<p>Improvement and Delivery Board had replaced Commissioner Board and is looking at Performance Packs and Borough – wide Quality of Life issues and how they can be monitored and reported on.</p> <p>Performance Information in the Head of Service Packs and the Members Pack more closely aligned to the Corporate Priorities.</p>	<p>J Owen</p> <p>J Owen</p>	<p>On-going</p> <p>June 2007</p>
(c) Monitor and report performance against agreed standards and targets and develop comprehensive and understandable performance plans	<p>Best value performance plans</p> <p>Scrutiny committee reports</p> <p>Service/Strategic Plans</p> <p>Member Performance Pack</p> <p>Commissioner Board</p>	<p>⇒ Performance Plan feedback (internal)</p> <p>⇒ District Auditor Opinion on BVPP</p> <p>⇒ Inspection action plan monitoring database reports – quarterly</p>	<p>Template for service plans revised annually to ensure unify the service plans with all the other demands for the information within it on a regular basis.</p>	J Owen	On-going
(d) Put in place arrangements to allocate resources according to priorities	<p>Community Strategy and HSP/ LAA</p> <p>The Council's three year financial and strategic planning process includes:</p> <ul style="list-style-type: none"> • Corporate Development Plan • Medium Term Financial Strategy • Performance Plan 	<p>⇒ Baseline progress against KLOE</p> <p>⇒ Use of resources CPA score</p> <p>⇒ Corporate Assessment</p> <p>⇒ Integration of MTFs, budget setting consultations and the Service Planning process into one Corporate Planning process</p>	<p>Continuation of existing approach to demonstrate excellence in approach.</p>	J Owen	On-going

Governance Committee, 20 March 2007

	Service plans and PDPAs exist beneath this. All designed to ensure money resources flow to policy objectives.	⇒ Recommendations for Use of Resources and other 2006 inspections included inaction Plans to be monitored by Members.			
(e) Foster effective relationships and partnerships with other public sector agencies and the private and voluntary sectors, and consider outsourcing where it is efficient and effective to do so, in delivering services to meet the needs of the local community, and put in place processes to ensure that they operate effectively in practice. Encouraging greater awareness of and use of the results from the General satisfaction survey in Service Planning.	Community strategy Procurement Strategy LPSA Havering strategic partnership/community management team in place and reviewed to assess if fit for purpose for LAA delivery with changes made. LPSA agreed with partners covering 12 critical areas Best Value Review of Alternative Service Delivery sets framework for new approach together with procurement strategy Voluntary sector COMPACT agreed Commissioner Board reviews Alternative service delivery opportunities North East London Partnership meetings and various joint initiatives in place	⇒ Regular monitoring of LSP indicators ⇒ IAA ⇒ Delivery of ALMO ⇒ Partnership Toolkit ⇒ New LAA to deliver additional revenue and enhanced improvement	Local Area Agreements will provide a further opportunity to build on existing relationships and arrangements – planning is underway. Develop joint planning, research/information and joint working arrangements for Consultations Local Area Agreements now developed. Action Plan for Voluntary Sector development being worked on by Sustainable Communities Partnership Toolkit to be ready by April 2007. Social Inclusion Best Value Review being scoped at the moment.	J Owen J Owen J Owen R MacFarland J Owen	Sept 2007 March 2008 February 2007 March 2008 April 2007
(f) Respond positively to the findings and recommendations of external auditors and	Annual audit letter and other audit reports Inspectorate reports Audit Committee reports	⇒ Inspection results and bench markings ⇒ Levels of recommendations and	Need to consider 'real time updates' in e-monitoring systems.	J Owen	April 2008

Governance Committee, 20 March 2007

<p>statutory inspectors and put in place arrangements for the effective implementation of agreed actions</p>	<p>Head of Service performance packs</p> <p>The CDP sets out our improvement planning process. This is monitored every month via performance reports. Cabinet receive presentations on key inspection reports.</p> <p>Services OSCs look at service specific inspections and monitor progress.</p>	<p>implementation ⇒ Delivery of objectives ⇒ Audit Committee tracks progress by Service Areas against Action Plans</p>	<p>Our aim will be to have an electronic system for tracking delivery of action plans.</p> <p>Performance Management Database will include this requirement in its specification.</p>	<p>J Owen</p> <p>J Owen</p>	<p>April 2008</p> <p>April 2008</p>
<p>Reference Documents</p>	<p>Tools to assist local authorities for self-assessment purposes</p>				
<ul style="list-style-type: none"> • Local Government Act 1999: Best Value DETR circular 10/99 • Race Relations Act 1976 and Race Relations (Amended) Act 2000 					

STANDARDS OF CONDUCT

“The openness, integrity and accountability of individuals within a local authority from the cornerstone of effective corporate governance. The reputation of the authority depends on the standards of behaviour of everyone in it, whether members, employees or agents contracted to it.

Therefore members and senior officers of a local authority will need to:

- **Exercise leadership by conducting themselves as role models for others within the authority to follow**
- **Define the standards of personal behaviour that are expected from members and staff and all those involved in service delivery, and put in place arrangements to ensure:**
 - **Accountability, through establishing systems for investigating breaches and disciplinary problems and taking actions where appropriate, including arrangements for redress**
 - **Effectiveness in practice through monitoring their compliance**
 - **That objectivity and impartiality are maintained in relationships to demonstrate integrity**
 - **That such standards are documented and clearly understood to display openness and inclusivity and are reviewed on a regular basis to ensure that they are kept up-to-date”**

How the above is achieved	Source documents / processes / other means used to demonstrate achievement	Self Assessment Measure of effectiveness	Improvements planned	Lead Officer	Timescale
5a Develop and adopt formal codes of conduct defining the standards of personal behaviour to which individual members, officers, and agents of the authority are required to subscribe and put in place appropriate systems and processes to ensure that they are complied with	Members/officers code of conduct and relationships Anti fraud and corruption policy Complaints procedures Performance management system PDPA Fraud/corruption strategy	⇒ Few complaints to Standards Board for England about Members. ⇒ Few disciplinary issues for officers around Code of Conduct. ⇒ Training for Members on Code of Conduct generally and specifically as part of induction week. ⇒ Awareness raising amongst officers on Code of Conduct last year ⇒ Inspection report on RIPA	Corporate monitoring of all complaints Note – Codes of Conduct, Whistleblowing the subject of formal report to Standards Committee Note : New Members Code of Conduct the subject of Consultation likely to be issued by June 2006. Training of Members and senior staff on the new Code and report on Code to Standards Committee Issue Guidance to all Councillors following the Livingstone case. Member training for Standards Committee Members followed by	CJD JO/CJD	6 months July 2007-03-05 January 2007 Before early Summer 2007

Governance Committee, 20 March 2007

			<p>general Member training following December report to Standards Committee.</p> <p>Participation in the Audit Commission's Ethical Governance Survey</p> <p>Revise Protocol following RIPA inspection and train new Authorising Officer and staff who may use/infringe RIPA</p>		<p>Summer 2007</p> <p>Protocol Revision January Training by late Spring 2007</p>
5b Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice	<p>Constitution</p> <p>Codes of conduct</p> <p>Financial regulations/framework</p> <p>Hospitality register</p> <p>Register of Interest</p> <p>Reminders to staff and Members</p>	<p>⇒ Few complaints against Members/officers.</p> <p>⇒ Members advised where possible if likely to have an interest.</p> <p>⇒ Registers up to date.</p> <p>⇒ Reviews.</p>	None.	CJD	
5c Put in place arrangements to ensure that their procedures and operations are designed in conformity with appropriate ethical standards, and to monitor their continuing compliance in practice	<p>Constitution and Codes of conduct</p>		<p>Report to Standards Committee on Code and breaches</p> <p>New Code when published to be briefed and training requirement</p>	CJD	<p>6 months</p> <p>July 2007</p>
5d Put in place arrangements for whistle blowing to which staff and all those contracting with	<p>Whistle blowing policy publicising the Audit Commission hotline established under the Public Interest</p>	<p>⇒ Whistleblowing policy in place. And re-launched 2006.</p> <p>⇒ Relatively small number of</p>	None	CJD	

Governance Committee, 20 March 2007

the council have access	Disclosure Act 1998.	complaints but probably not below levels elsewhere. ⇒ Progressive increase in percentage of staff aware of procedure.			
Reference documents	Tools to assist local authorities for self assessment purposes				
<ul style="list-style-type: none"> Standards Committees: Strengthening Conduct in Local Government The University of Birmingham School of Public Policy (1999) 	<ul style="list-style-type: none"> Ethical Governance Audit I&DeA (2000) 		Ethical Governance Audit to be undertaken	JO/CJD	July 2007

STRUCTURE AND PROCESSES

“A local authority needs to establish effective political and managerial structures and processes to govern decision-making and the exercise of authority within the organisation. A local authority should maintain arrangements to:

- **Define the roles and responsibilities of members and officers to ensure accountability, clarity and ordering of the authority’s business**
- **Ensure that there is proper scrutiny and review of all aspects of performance and effectiveness**
- **Demonstrate integrity by ensuring a proper balance of power and authority**
- **Document clearly such structures and processes and to ensure that they are communicated and understood to demonstrate openness and inclusivity**
- **Ensure such structures and processes are kept up-to-date and adapted to accommodate change”**

How the above is achieved	Source documents / processes / other means used to demonstrate achievement	Self Assessment Measure of effectiveness	Improvements planned	Lead Officer	Timescale
Balance of Power and Authority					
(a) Put in place clearly documented protocols governing relationships between members and officers	Protocols in place.	Number of complaints by officers about Members, and vice-versa	None. Awaiting issue of new Members Code of Conduct. Training/advice will then be rolled out to Members and Staff.	CJD	Likely for July 2007
(b) Ensure that the relative roles and responsibilities of executive and other members, members generally and senior officers are clearly defined	Record of decisions and supporting materials Job Profiles Regular reports to Governance Constitution and process for delegation set out.	Member/Officer protocol in place and observed. Few issues arising between members on the Constitution (e.g. executive/overview & scrutiny).	None, other than ensuring covered in Member Induction. Officer Code of Conduct likely to be introduced on the same timescale as Members Code. Training/advice will be rolled out to officers	CJD	No indication as yet when Officer Code will be introduced
Roles and Responsibilities – Members					
(c) Ensure that members meet on a formal basis regularly to set the strategic direction of the authority and to monitor service delivery	Schedule of council meetings and cabinet meetings. Performance and management system Financial standards and regulations Commissioner Board, Star Chamber, Performance	Schedule of meetings published. Forward plan improving. Special timetable devised and observed for the budget process. Regular review of BVPI's. Regular Cabinet/CMT	None. Members' Pack published on Intranet Format being reviewed. JO/BH looking at web publication.	CJD JO	

Governance Committee, 20 March 2007

	<p>Leader's Briefing</p> <p>Strategic direction set by Cabinet and Council through Corporate Plan. Service delivery monitored at Commissioner Board and through monthly Members' Pack.</p>	meetings on performance.			
(d) Develop and maintain a scheme of delegated or reserved powers, which should include a formal schedule of those matters specifically reserved for the collective decision of the authority	Constitution and Delegation, Calendar Brief.	<p>Scheme of Delegation in Place, including matters reserved to Council</p> <p>Schemes of officer delegation in each Programme Area.</p> <p>⇒ Evidence of performance monitoring. Scrutiny recommendations wholly or substantially agreed by Cabinet/full Council.</p> <p>⇒ Audit Committee consider issues arising from DA inspections, other external assessments, for example CPA, Best Value Reviews.</p>	None – the Constitution provides for this.	CJD	
(e) Put in place clearly documented and understood management processes for policy development, implementation and review and for decision making, monitoring and control, and reporting; and formal procedural and financial regulations to govern the conduct of the authority's business	<p>Constitution</p> <p>CDP/MTFS/BVPP Frameworks</p> <p>Other information on Intranet</p>	<p>Procedures in place for policy development under Constitution.</p> <p>Clear roles for SMT, Cabinet and Scrutiny.</p> <p>No disputes between Cabinet/Scrutiny referred to full Council.</p> <p>Small number of call-ins of executive decisions.</p>	None – the Constitution provides for this.	RG/CJD	
(f) Put in place arrangements to ensure	<p>Members' induction scheme</p> <p>Regular update sessions</p>	<p>Evidence to include:</p> <p>⇒ Member engagement in</p>	Member surveys as to their support needs.		

Governance Committee, 20 March 2007

<p>that members are properly trained for their roles and have access to all relevant information, advice and resource as necessary to enable them to carry out their roles effectively</p>	<p>Training plan for specific areas e.g. Finance, Regulatory Services, Licensing, Standards Induction programme Member Briefings in place Member Management Information Topic Group</p> <p>ODPM and Idea work commenced and completing development programme.</p>	<p>development activity. ⇒ No's of briefings. ⇒ Hits/use of Member area. ⇒ IT support and training.</p>			
<p>(g) Ensure that the role of the executive member(s) is/are formally defined in writing, to include responsibility for providing effective strategic leadership to the authority and for ensuring that the authority successfully discharges its overall responsibilities for the activities of the organisation as a whole</p>	<p>Constitution Job profiles</p> <p>In place.</p>	<p>Portfolio of Executive Members included in Constitution. Powers delegated to Executive Members included in Scheme of Delegation.</p>	<p>None.</p>		
<p>(h) Ensure that the roles and responsibilities of all members of the local authority, together with the terms of their remuneration and its review, are defined clearly in writing</p>	<p>Constitution Members' allowance scheme Job profiles</p>	<p>Members Allowances Scheme and Code of Practice included as part of Constitution.</p>	<p>None.</p>		
<p>Roles and Responsibilities – Officers</p>					
<p>(i) Ensure that a chief executive or equivalent is made responsible to the authority for all aspects of operational</p>	<p>Conditions of employment Scheme of delegation Statutory provisions Job description/specification Performance management</p>	<p>⇒ Corporate assessment</p>	<p>None</p>		

Governance Committee, 20 March 2007

management	system.				
(j) Ensure that a senior officer is made responsible to the authority for ensuring that appropriate advice is given to it on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control	Section 151 responsibilities Statutory provision Statutory reports Budget documentation Job description/specification	⇒ Reports to elected Members contain section on Finance formally cleared. ⇒ Financial Regs Reviewed ⇒ Suspension of Standing orders (for financial issues) or Financial Regulations requires specific comment from CFO ⇒ Statement of Internal Control ⇒ Accounts subject to statutory audit – audit trail must be kept. E.g. Protocol for Final Accounts working papers/records agreed annually with external auditor. ⇒ Effective system of internal financial control monitored and reviewed by internal audit ⇒ Review of Internal Audit Plan in the light of priorities / risk assessment and delivery thereof.	None		
(k) Ensure that a senior officer is made responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations and other	Monitoring officer provisions Statutory provision Job description/specification	Role of Monitoring Officer defined in Constitution	None		

Governance Committee, 20 March 2007

<p>relevant statements of good practice are complied with</p>					
<p>(l) Ensure that the roles and responsibilities of all senior officers, together with the terms of their remuneration and its review, are defined clearly in writing</p>	<p>Job descriptions/specifications Pay and conditions of service PDPA review/appraisal</p>	<p>⇒ PDPA Process and completion. ⇒ Employee Opinion Survey measuring employee understanding of manager responsibilities, policies and Employee Commitments ⇒ Investors in People internal review measures manager effectiveness and performance management of employees ⇒ Employee awards ⇒ Employee opinion survey questions re pay, job evaluation ⇒ Workforce Planning matrix</p>	<p>None</p>		
<p>(m) Adopt clear protocols and codes of conduct to ensure that the implications for supporting community political leadership for the whole council are acknowledged and resolved</p>	<p>Protocols governing member/officer relations Codes of conduct</p>	<p>⇒ Employee Awareness (PDRs/Employee Opinion Survey) ⇒ Use of Confidential Reporting Code ⇒ Code of Conduct/Member/Officer protocol in place ⇒ Declarations of interest regularly updated. Area Assembly terms of reference included in Constitution.</p>	<p>None</p>		

COMMUNITY FOCUS

“Through carrying out their general and specific duties and responsibilities and their ability to exert wider influence, local authorities should:

- **Work for and with their communities**
- **Exercise leadership in their local communities, where appropriate**
- **Undertake an “ambassadorial” role to promote the well-being of their area, where appropriate, through maintaining effective arrangements**
 - **For explicit accountability to stakeholders for the authority’s performance and its effectiveness in the delivery of services and the sustainable use of resources**
 - **Demonstrate integrity in the authority’s dealings in building effective relationships and partnerships with other public agencies and the private/voluntary sectors**
 - **Demonstrate openness in all their dealings**
 - **Demonstrate inclusivity by communicating and engaging with all sections of the community to encourage active participation.**
 - **Develop and articulate a clear and up-to-date vision and corporate strategy in response to community needs”**

How the above is achieved	Source documents / processes / other means used to demonstrate achievement	Self Assessment Measure of effectiveness	Improvements planned	Lead Officer	Timescale
<p>(a) Publish on a timely basis an annual report presenting an objective, understandable account of the authority's:</p> <ul style="list-style-type: none"> * activities and achievements * financial position and performance. <p>The reports should include statements:</p> <ul style="list-style-type: none"> * explaining the authority's responsibility for the financial statements * confirming that the authority complies with relevant standards and codes of corporate governance * on the effectiveness of 	<p>In place Planning process inc.</p> <ol style="list-style-type: none"> 1. Corporate Development Plan. 2. MTFS. 3. Performance Plan. 4. Code of Corporate Governance <p>The Council's three year financial and strategic planning process includes:</p> <ul style="list-style-type: none"> • Corporate Development Plan • Medium Term Financial Strategy • Performance Plan <p>Together these provide an</p>	<p>⇒ Improved score ratings in the CPA Corporate Assessment and Use of Resources Blocks</p> <p>⇒ Annual Report Opinion from external auditor</p> <p>⇒ Internal Audit Plans and reports</p> <p>⇒ Unqualified BVPP Judgement from the District Auditor</p> <p>⇒ Regular monitoring of the Corporate Plan commitments and level of achievement</p>	<p>Considering a formal annual report.</p> <p>Implement changes to Use of Resource criteria 2007.</p>	<p>J Owen</p> <p>M Stringer</p>	<p>Sep 07</p> <p>Sep 07</p>

Governance Committee, 20 March 2007

<p>the authority's system for risk management and internal control</p>	<p>annual report to the people of Havering. Elements are summarised in the Council Tax Leaflet and Living in Havering. The information is also available electronically via the website.</p> <p>The CDP is in effect our annual report – identifying performance issues, priorities and future plans.</p> <p>Annual Budget Book Annual Statement of Accounts</p>				
<p>(b) Publish on a timely basis a performance plan presenting an objective, balanced and understandable account and assessment of the authority's: * current performance in service delivery * plans to maintain and improve service quality</p>	<p>BVPP Community Strategy Corporate Plan Havering has an integrated Performance Management reporting system.</p>	<p>⇒ Unqualified annual BVPP Judgement from the District Auditor ⇒ Clear monthly performance monitoring mechanism to SMT and Cabinet incorporating the identification of poor performance and quality assurance of performance data ⇒ Further reduce number of performance indicators with issues and reservations ⇒ Ongoing review of progress and action in relation to external inspection service review recommendations ⇒ Service plans in place for each of the Council's</p>	<p>Improvement & Delivery Board set up and running. QA checks on key indicators? Star Chambers Implementation of external recommendations ICT strategy board has agreed to set up corporate group to define the scope of a PM Database and work flow reporting system.</p>	<p>J Owen J Owen J Owen J Owen</p>	<p>On-going June 07 On-going On-going April 08</p>

Governance Committee, 20 March 2007

		services outlining plans for improved service delivery			
(c) Put in place proper arrangements for the independent review of the financial and operational reporting processes	Annual audit letter and other audit reports. Scrutiny reports. Inspectorate reports. Member Performance Pack. Improvement Board including Group Leaders. Audit Committee. Assurance Framework. Statement of Internal Control. Monitoring of Audit recommendations. Use of Resources self assessment. MTFS/ Corporate Plan. CPA.	⇒ 100% completion of all timebound financial review recommendations on the recommendations database	Revise Performance Pack for more integration of Finance activity/data. Review Performance Indicators.	J Owen J Owen	June 07 June 07
(d) Put in place proper arrangements designed to encourage individuals and groups from all sections of the community to engage with, contribute to and participate in the work of the authority and put in place appropriate monitoring processes to ensure that they continue to work in practice	Strategic partnership and Community Management Team. Area committees roles and responsibilities. Corporate Development Plan and Performance Plans Living in Havering Consultation strategy Various consultative forums Various information sources Corporate standards agreed. E-consultation tools in place. Dedicated pages on website, including 'Getting Involved' to encourage participation. Articles on participation opportunities regularly included in 'Living'.	⇒ User participation at Area Committees ⇒ High level corporate framework for community involvement and consultation ⇒ Developed infrastructure within the voluntary and community sector ⇒ Responses received from LiH ⇒ Develop new for a to enable consultation from BME, disabled, older people and LGBT ⇒ Effective media monitoring and analysis ⇒ Customer suggestions actioned through the customer suggestion scheme ⇒ Service plans now include consultation results for	Finalise consultation / engagement toolkit and publish on the Intranet site. Develop working and planning arrangements with our partners in respect of consultation and participation activities.	J Owen J Owen	June 07 March 08

Governance Committee, 20 March 2007

	<p>Disabilities & BME consultation forums / arrangements being set up.</p> <p>Community Conference.</p> <p>Databases of registered consultation interests and local community groups set up.</p> <p>Annual priorities budget consultation process in place</p> <p>Customer satisfaction monitoring and reporting arrangements in place.</p> <p>Complaints monitoring and reporting arrangements developed and being put in place.</p>	<p>representatives of the community</p> <p>Corporate set questions on demographics agreed.</p>			
<p>(e) make an explicit commitment to openness in all of their dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so, and by their actions and communications deliver an account against that commitment</p>	<p>Code of Corporate Governance</p> <p>Constitution in place and regularly reviewed by Monitoring Officer.</p> <p>Administration stating "openness and transparency" in dealings and this is reflected by Constitution see Part 1, Part 2, Articles 1,2, & 3. Call in/requisition process is used and decisions publicised.</p>	<p>⇒ Commitment to openness in the Constitution which should be reflected in the clarity of the document itself.</p> <p>⇒ Ability to comply with FOI requests with few referrals to the Information Commissioner.</p> <p>⇒ Few reports taken as exempt and always for legitimate reasons.</p> <p>⇒ Periodic review of registrations.</p> <p>⇒ Effective media monitoring and analysis and Performance monitoring</p>	<p>None.</p>		

Governance Committee, 20 March 2007

		against standards set			
(f) Establish clear channels of communication with all sections of their community and other stakeholders, and put in place proper monitoring arrangements to ensure that they operate effectively	Communication/consultation Strategy in place including use of focus groups and annual residents' survey. Corporate IIP accreditation achieved Customer services inspection recommendations being taken forward.	No. / nature of survey responses achieved, including: ⇒ Reader surveys/response rates e.g. to offers, competitions, etc ⇒ Coverage achieved in newsletters; use existing consultation/survey mechanisms to test understanding of issues ⇒ Effective media monitoring and analysis ⇒ Evaluation of target audience ⇒ Number and frequency of hits achieved	Continue to review effectiveness of communications strategy. Staff survey completed.	J Owen	Sep 07
	A range of channels are used, including press releases, leaflets and other publications. Main direct channels are Living in Havering and Web site. Partnership consultation issues are addressed through the Havering Strategic partnership. Disabilities & BME consultation forums/ arrangements being set up.	⇒ Attendance at Roadshows ⇒ Evaluation of target audience ⇒ Attendance levels; formal and anecdotal evaluation		J Owen	Sep 06
(g) Ensure that a vision for their local communities and their strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated	Community strategy – 2 nd Annual Conference held. Community Strategy agreed 2002 after extensive public consultation and reviewed 2004. Updated 2005. BVPP Wide variety of consultations carried out by services LPSAs completed. LAAs being set up with a	Evidence of consultation with stakeholders on the community vision, plans and priorities: ⇒ No of groups contacted ⇒ No of groups inputting into the vision ⇒ No of partners involved ⇒ No of presentations events delivered to various groups ⇒ Evidence of follow up action presented to groups	LAAs will be implemented.	J Owen	Sep 07

Governance Committee, 20 March 2007

	range of partner organisations. Service Planning/CDP developed and include consideration of consultation information	and individuals on how their input has influenced ⇒ Corporate priorities set out in key documents and on the authority's internet and intranet sites. Vision statements launched in 2005 ⇒ Vision integrated into NRF, LPSA and LAA bids			
Reference documents	Tools to assist local authorities for self-assessment purposes				
<ul style="list-style-type: none"> • Modern Local Government: Guidance on Enhancing Public Participation DETR (1978) • Code of Recommended Practice on Local Authority Publicity DoE circular 20/88 • Human Rights Act 1998 Guidance • Race Relations Act 1976 and Race Relations (Amendment) Act 2000 • Macpherson Report (1999) • Local Government Act 2000 	<ul style="list-style-type: none"> • Benchmark of the ideal Authority I&DeA (1999) 				

Schedule of Officers

RG Rita Greenwood
 CJD Christine Dooley
 JO Jonathan Owen
 MS Mike Stringer
 DE David Ede

Governance Committee, 20 March 2007

SH Sheree Hamilton

GG Garry Green

FURTHER ASSESSMENT QUESTIONS FOR AUTHORITIES TO ASK THEMSELVES

1.	GOOD GOVERNANCE MEANS FOCUSING ON THE ORGANISATION'S PURPOSE AND ON OUTCOMES FOR CITIZENS AND USERS
	<ul style="list-style-type: none"> • How clear are we about what we are trying to achieve as an organisation? Do we always have this at the front of our minds when we are planning or taking decisions? How well are we doing in achieving our intended outcomes?
	<ul style="list-style-type: none"> • To what extent does the information that we have about the quality of service for users help us to make rigorous decisions about improving quality? Do we receive regular and comprehensive information on users' views of quality? How could this information be improved? How effectively do we use this information when we are planning and taking decisions?
	<ul style="list-style-type: none"> • To what extent does the information that we have on costs and performance help us to make rigorous decisions about improving value for money? How effectively do we use this information when we are planning and taking decisions? How well do we understand how the value we provide compares with that of similar organisations?
2.	GOOD GOVERNANCE MEANS PERFORMING EFFECTIVELY IN CLEARLY DEFINED FUNCTIONS AND ROLES.
	<ul style="list-style-type: none"> • Do we all know what we are supposed to be doing?
	<ul style="list-style-type: none"> • Is our approach to each of the governing body's main functions clearly set out and understood by all in the governing body and the senior executive? What does the size and complexity of our organisation mean for the ways in which we approach each of the main functions of governance?
	<ul style="list-style-type: none"> • How clearly have we defined the respective roles and responsibilities of the non-executives and the executive, and of the chair and the chief executive? Do all members of the governing body take collective responsibility for the governing body's decisions?
	<ul style="list-style-type: none"> • How well does the organisation understand the views of the public and service users? Do we receive comprehensive and reliable information about these views and do we use it in decision making?
3.	GOOD GOVERNANCE MEANS PROMOTING VALUES FOR THE WHOLE ORGANISATION AND DEMONSTRATING THE VALUES OF GOOD GOVERNANCE THROUGH BEHAVIOUR
	<ul style="list-style-type: none"> • What are the values that we expect the staff to demonstrate in their behaviour and actions? How well are these values reflected in our approach to decision making? What more should we do to ensure these values guide our actions and those of staff?
	<ul style="list-style-type: none"> • In what ways does our behaviour, collectively as a governing body and individually as governors, show that we take our responsibilities to the organisation and its stakeholders very seriously? Are there any ways in which our behaviour might weaken the organisation's aims and values?
4.	GOOD GOVERNANCE MEANS TAKING INFORMED, TRANSPARENT DECISIONS AND MANAGING RISK
	<ul style="list-style-type: none"> • How well do our meetings work? What could we do to make them more productive and do our business more effectively?
	<ul style="list-style-type: none"> • Have we formally agreed on the types of decisions that are delegated to the executive and those that are reserved for the governing body? Is this set out in a clear and up-to-date statement? How effective is this as a guide to action for the governing body and the executive? How well do we explain the reasons for our decisions to all those who might be affected by them?
	<ul style="list-style-type: none"> • Is the information we receive robust and objective? How could the information we receive be improved to help improve our decision making? Do we take professional advice to inform and support our decision making when it is sensible and appropriate to do so?
	<ul style="list-style-type: none"> • How effective is the organisation's risk management system? How do we review whether this system

Governance Committee, 20 March 2007

is working effectively? Do we develop an action plan to correct any deficiencies in the systems? If so, do we publish this each year?
5. GOOD GOVERNANCE MEANS DEVELOPING THE CAPACITY AND CAPABILITY OF THE GOVERNING BODY TO BE EFFECTIVE.
<ul style="list-style-type: none">• What skills have we decided that governors must have to do their jobs effectively? How well does our recruitment process identify people with the necessary skills and reach people from a wide cross-section of society? What more could we do to make sure that becoming a governor is practical for as many people as possible?
<ul style="list-style-type: none">• How effective are we at developing our skills and updating our knowledge? How effective are our arrangements for reviewing the performance of individual governors? Do we put into practice action plans for improving our performance as a governing body?
<ul style="list-style-type: none">• What is our approach to finding a balance between continuity of knowledge and renewal of thinking in the governing body? What are our reasons for this approach? Do we need to review it?
6. GOOD GOVERNANCE MEANS ENGAGING STAKEHOLDERS AND MAKING ACCOUNTABILITY REAL
<ul style="list-style-type: none">• Who are we accountable to and for what? How well does each of these accountability relationships work? Do we need to take steps to clarify or strengthen any relationships? Do we need to negotiate a shift in the balance between different accountability relationships?
<ul style="list-style-type: none">• What is our policy on how the organisation should consult the public and service users? Does it explain clearly the sorts of issues on which it will consult which groups and how it will use the information it receives? Do we need to review this policy and its implementation?
<ul style="list-style-type: none">• What is our policy on consulting and involving staff and their representatives in decision making? Is this communicated clearly to staff? How well do we follow this in practice? How effective are systems within the organisation for protecting the rights of staff?
<ul style="list-style-type: none">• Who are the institutional stakeholders that we need to have good relationships with? How do we organise ourselves to take the lead in developing relationships with other organisations at the most senior level?
APPLYING THE GOOD GOVERNANCE STANDARD
<ul style="list-style-type: none">• To what extent does the <i>Good Governance Standard for Public Services</i> apply to our organisation, bearing in mind its type and size?
<ul style="list-style-type: none">• Are we upholding and demonstrating the spirit and ethos of good governance that the Standard sets out to capture?
<ul style="list-style-type: none">• Do we have a process for regularly reviewing our governance arrangements and practice against the Standard? What further improvements do we need to make?
<ul style="list-style-type: none">• Are we making public the results of our reviews and our plans for future improvements and are we inviting feedback from stakeholders and service users?

LONDON BOROUGH OF HAVERING

Communications Protocol

1. PRINCIPLES

The London Borough of Havering is committed to clear, honest, effective and timely communication with residents. Communication plays a valuable role in informing stakeholders about the Council's work, helping to ensure that the Council is accountable and that its decision-making processes are open and transparent.

This Guidance is divided into two sections:

1.1 Media Protocols:

This section sets out Council's position in respect of maximising positive media coverage for the Council and its services. It includes the Council's approach to briefing the media, and outlines the appropriate spokespeople for all areas of the Council's media work.

2.2 Council Publications:

This section sets out the Council's legal requirements in respect of publicity and provides guidance to ensure that the Council meets these requirements.

2. MEDIA PROTOCOLS

2.1 The Media Team aims to:

- Increase public awareness of the Council, its services and access to them
- Explain to the public and stakeholders the Council's policies and priorities and our performance against them
- Maximise positive coverage and ensure the Council is able to respond quickly and decisively to rebut negative coverage
- Increase positive coverage in the local media
- Increase coverage in the wider media in order to raise the profile of Havering, particularly in the trade and London media.

2.2 In achieving those aims, the Council will:

- Meet the requirements of the law
- Work to ensure that their content is factual, objective and interesting
- Not allow them to be used as a means of promoting the views or interests of a political party

- Work to ensure that Council decisions are explained effectively and presented professionally
- Seek-out the public's views of our services and promote open debate of our performance and priorities.

2.3 Legal Context

This protocol is governed by provisions in the Local Government Act 1986, the Local Government Act 1988, the Local Government Act 2000, and the Code of Recommended Practice on Local Authority Publicity (revised version April 2001).

All publicity and media activities adhere to the provisions of these acts and the code.

2.4 Principles Of Relationship With The Media

The Council is committed to effective communication so that citizens are well informed about the services that affect their lives every day. The local media plays a valuable role, including the ability to reach large numbers of local residents.

However, the media is only one part of the communications mix and a basic communications strategy should be built into service developments at an early stage.

Havering aims to provide a service to the media, which is responsive and understands their needs. This is built on a basic principle of wanting to be open and transparent about the decisions of the Authority and who is accountable for those decisions.

2.5 Scope

This protocol covers all media work including photocalls and press launches, setting up broadcast interviews with a council spokesperson, clearance of press releases and responses to media enquiries. The communications team fulfils this role in part through the issuing of news releases, briefings, conferences and events.

2.6 Spokespeople

This protocol sets out clearly the agreed spokespeople for media work. This protocol will ensure Media Officers approach the correct spokespeople and are able to deal with media requests quickly in order to maximise media coverage and raise the profile of Havering (see para 2.10).

2.7 Media briefings

The Communications Team has the responsibility of ensuring that spokespeople are fully prepared and briefed for any interview. It will work with officers to gather the full facts and information and pull this into a short media briefing for spokespeople being interviewed.

2.8 Photo Opportunities

The co-ordination of photo opportunities is the responsibility of the Communications Team, working with the relevant service. It is important to provide an opportunity for the guests to be doing something of visual interest as the press will not wish simply to photograph people in suits. A focus can be provided through activities such as tree planting, laying a brick or unveiling a plaque.

Communications will ensure the appropriate guests and members of the press are invited. They will also book a photographer. These decisions will be driven by the need to ensure the best possible chance of a photograph appearing in the media.

Hospitality will not normally be provided unless the service or their partners wishes to organise and pay for it.

2.9 Events

Events may fall into one of three categories:

- **VIP visits**

Visits by external dignitaries, including government ministers, that are to the Council in a corporate capacity will be treated as photo opportunities. Invitations are extended to the Leader of the Council, Chief Executive, relevant Group Directors, MPs and partners.

- **Events of a Council-wide significance**

Invitations are extended to the Leader of the Council, Cabinet Members, Chief Executive and relevant Group Directors. For major events it may also be appropriate to invite MPs and partners.

Local, regional, trade and national media should be encouraged to attend as appropriate.

The Leader of the Council, Chief Executive and relevant partners will be offered the opportunity to provide a quote for the press release within deadlines set by the media office.

- **Ward Events**

For events of a local significance, guests should include the relevant Lead Member and Group Director plus all Ward Councillors and staff directly involved in the project.

The Lead Member and partner representatives will be invited to provide quotations for the press release.

2.10 Spokespeople

As a general rule, it is for Leader and Cabinet Member to discuss potential policy developments. Officers may explain or outline agreed policy and discuss technical matters.

Mayor	All civic and ceremonial events, expressions of regret, condolences, congratulations to members of Royal Family etc.
Leader	Council-wide issues. If unavailable, then Deputy Leader or Chief Executive or Assistant Chief Executive, Strategy & Communications; failing that a relevant Cabinet Member or Group Director.
Chief Executive	Council wide issues of major significance
Cabinet Members and Group Directors/ ACEs	All matters relating to Cabinet Members' portfolio. If unavailable, then relevant Group Director or Head of Service. The Leader may also wish to comment.
Council Officers	On technical matters, the Council spokesperson will normally be the relevant Head of Service or technical officer.
Expert officers	Officers with particular knowledge and expertise may also be used as spokespeople at the discretion of the media office.
Media officers	Media officers may act as spokespeople for the Council for straightforward and relatively uncontroversial issues.

2.11 Overview and Scrutiny Committees & Area Committees

In order to promote the overall democratic process, the work of these Committees will be promoted by the Communications Team and any major media issues arising from them will be coordinated through the media office. The appropriate Portfolioholder and/or Leader of the Council will be informed in advance.

2.12 Use of Spokespeople

- Quotations

Havering Council wants to be open, approachable and accountable. It is therefore appropriate for Councillors and senior officers to be quoted by name and title in media releases and when responding to media enquiries.

All those holding the above listed roles can be used as spokespeople within their area of responsibility – in the issuing of news releases, in responding to media enquiries, or giving interviews relevant to their area of responsibility.

As a principle, Councillors should lead on policy and service development issues, whilst officers should lead on managerial, technical and operational issues that require detailed expertise.

Staff at all levels may, **in consultation with the media office and with their agreement**, be asked to speak to the media about their work. For example, it may be appropriate for a street cleaning operative to talk about their experience of littering or a dinner lady about the effort she puts in to serve tasty meals. This kind of access can help to ensure the Council is seen as of and in the community of Havering, rather than a faceless institution.

2.13 Promoting Council Business

- Issuing of agendas

All Committee papers must be published and available to the media five days before the meeting to comply with legal requirements. They will also be made available via the Council's website at least three working days before the meeting concerned.

- Motions and questions

Motions and questions from individual Councillors shown on the agenda will not be publicised through news releases. Where possible, the media office should receive copies of written answers in advance of the meeting, to be circulated to media at the meeting.

2.14 Issuing of News Releases

- Origination

The drafting of a news release can be requested by the Chief Executive, Assistant Chief Executive / Group Director / Leader / Deputy Leader, relevant Cabinet Member, officers from the service area, or initiated by members of the Communications Team.

- Clearance

All news releases should be cleared for release with an officer 'expert' in the first instance and the relevant Cabinet Member. The Assistant Chief Executive: Strategy & Communications may approve a release should the relevant Cabinet Member be unavailable.

- Partnership Releases

News releases issued in partnership with other organisations should be encouraged where appropriate. Such news releases should be issued with each organisation's respective contact points made clear.

- **Use Of Embargoes**

Embargoes may be used sparingly at the discretion of the media office. This would most typically be when a news release is linked to a launch event, when an issue of confidentiality requires it, or when a third party requires it (e.g. announcement of award or additional funding). Embargoes are not legally enforceable but the majority of press outlets respect them.

When a service receives an embargoed press release from an external body such as a government department it should be shared with the media team to prepare the Council's response.

- **Contacts**

An appropriate officer contact must be provided at the end of each news release. This may be either a media officer or a relevant officer expert.

- **Distribution**

The priority means of distributing news releases to the media will be by email. News releases will be posted on the Council's website at the discretion of the web editor. Service areas should be encouraged to make the media office aware of any relevant specialist press outlets.

- **Use Of Photographs**

Wherever possible, news releases should be accompanied by either the offer of a photo opportunity which is likely to be of interest to the media or a relevant photograph. These should also be sent to the media electronically.

2.15 Use Of Media Briefings

The use of media briefings is to be encouraged and fits with the principles of our relationship with the media. These will be organised by the Communications Team.

2.16 Responding To Enquiries

The Communications Team will respond to enquiries within 24 hours if possible, taking into account the media's deadlines. Officers and Portfolioholders consulted on responses to policy issues should be guided by the media office on the urgency of the request.

Where a major controversial issue is the subject of media attention, the Communications Team will prepare, in consultation with officers and the Portfolioholder, a statement for issuing to media.

The Communications Team will work directly with colleagues to ensure timely responses.

2.17 Media Training

The Communications Team will provide training as required to both Councillors and staff which encourages a positive relationship with the media and provides information on the best ways to get their information across. This training may be given by external providers, by media staff or in the form of guidance notes and briefings.

2.18 Run-Up To Elections

Between the Notice of an Election and the Election itself the Council will follow the guidelines set out in the Code of Recommended Practice on Local Government Publicity, namely that:

- (a) The Council cannot publish proactive publicity in any form which relates to candidates and other politicians involved directly in the election
- (b) Publicity should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them with individual members or groups of members
- (c) Proactive events arranged in this period should not involve members. Councillors holding key political or civic positions should not be asked to comment except in an emergency.

The Council can respond in appropriate circumstances to events and legitimate service enquiries provided the answers are factual and not party political.

3. COUNCIL PUBLICATION PROTOCOLS

3.1 Application

The Council's protocol applies to all Council publications. This includes Living In Havering, leaflets, posters, exhibitions, displays, photographic material, information campaigns and display material in either printed or electronically distributed form.

3.2 Responsibility

Individual service areas are responsible for ensuring the statutory requirements for public information are met. The media office can provide guidance on use of language and appropriate distribution but is not currently resourced to offer a full copywriting service.

3.3 Appearance

All publications must meet Havering's corporate identity and style guidelines, which are available from the media office.

3.4 Accessibility

The Council is committed to making sure it provides equality of opportunity in service delivery. The principles of equal opportunity must be integrated into the provision of information. When providing public information it is important to consider the format which may be appropriate for a particular target audience. As a minimum, publications should include information on where and how to request the information in an accessible format. The design team can offer further advice.

3.5 The Law

The law states that Council shall not publish any material which, in whole or part, appears to be designed to affect public support for a political party. The Council is also prevented from giving financial or other support to any person to publish this type of material.

The Council adheres to the statutory code of practice which requires that Council published material should:

- be cost effective and justifiable
- not duplicate other available information
- be informative, objective, balanced and accurate
- set out the reasons for the Council's view (slogans alone are not enough)

The statutory code emphasizes that particular care should be taken:

- in the period leading up to an election
- when using simplified messages such as slogans
- when referring to politicians or political issues
- when commenting on controversial issues

This does **not** mean that politically sensitive or controversial issues must be avoided. Local authorities can take a view on issues and policies that affect them and their residents. However, comments should be objective, balanced, informative and accurate.

The views of an individual councillor or of a party group should not be passed off as a Council view, nor should Council resources be used for publicity by an individual councillor (unless acting in an official capacity) or party group.

Slogans can be used to enhance Council publicity as long as there is back up information or, for example, a hotline number where people can get more information.

3.6 Campaigns

Campaigns can be used to inform local people about services and policies and the reasons behind them. Campaigns must not, however, be designed to persuade the public to hold a point of view that is identified with a political party. Nor must they give the appearance of being designed for this purpose.

Campaigns can be used to persuade local people to carry out their civic responsibilities such as registering to vote, paying Council Tax or not dropping litter.

All campaigns should have a specific, measurable and achievable objective in order to meet the council's value for money priority and evaluation of each campaign should be carried out. The media office can advise.

3.7 Elections

The nearer to the Election, the greater the need to be aware of the implications of Council publications. What in normal times might not appear to be designed to affect public support for a political party, might give that appearance during the highly charged atmosphere before an election.

Council publications in the period of an election will therefore not give the appearance of trying to influence public opinion or of promoting a particular candidate or group of candidates.

4. GENERAL

Advice on all matters concerning media and publications can be obtained from the Assistant Chief Executive: Strategy & Communications (01708 432074).



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	20 MARCH 2007	9

This report is submitted with the agreement of the Chairman as an urgent matter, pursuant to Section 100B(4) of the Local Government Act 1972

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: MEMBERS' ALLOWANCES SCHEME, 2007/08

Attached to this report is a copy of a report to Council on the Members' Allowances Scheme for 2007/08.

This Committee is invited to consider the options set out in the report and to determine what recommendations to make to the Council at its meeting on 21 March.

The financial, legal, Human Resource, equalities and social inclusion implications and risks are set out in full in the report to Council.



For consideration as to the options to be submitted for approval by Council.

Staff Contact: Ian Buckmaster

**Title: Manager of Committee and
Overview & Scrutiny Support**

Telephone: 01708 432431

**CHERYL COPPELL
Chief Executive**

Background Papers

As set out in the report to Council.

COUNCIL

21 MARCH 2007

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: MEMBERS' ALLOWANCES

SUMMARY

The Council is obliged to make a scheme annually, before the 1st of April each year.

This report sets out the proposals of the Administration for a new scheme for Members' Allowances for adoption from 1st April 2007.

RECOMMENDATION

Following consultation with the Administration, it is recommended:

1. That the report from the Independent Panel on the Remuneration of Councillors in London be noted.
2. That, having regard to the Independent Panel report, the Members' Allowance Scheme be amended to accord with the Panel's recommendations as set out in this report and as follows:
 - (a) Basic allowances are agreed as set out in the report.
 - (b) Special Responsibility allowances for the Leader, Deputy Leader and Cabinet Members are agreed as set out in the report.
 - (c) Special Responsibility allowances for the Principal Opposition Leader and Deputy Leader are agreed as set out in the report.
 - (d) Special Responsibility allowances for the Minority Opposition Leader are agreed as set out in the report.

- (e) Special Responsibility allowances for the Mayor and Deputy Mayor are agreed as set out in the report.
 - (f) Special Responsibility allowances for the Chairmen of Overview and Scrutiny and Area Committees are agreed as set out in the report.
 - (g) Special Responsibility allowances for the Chairmen of Licensing, Regulatory Services, Audit, Pensions, Governance, Appointments, Adjudication and Review Committees are agreed as set out in the report.
 - (h) Special Responsibility allowances for the Overview and Scrutiny Committee Opposition Spokesmen are agreed as set out in the report.
3. The changes in recommendation 2 agreed by Members to be effective from 1st April 2007, and the existing scheme be revoked with effect from the same date.
4. That, subject to the decision of Members with regard to recommendation 2, the total number of SRAs may exceed the recommended 50% and, in the event of exceeding the 50% level, Council endorse the justification set out in the report.
5. That any additional cost in 2007/08 will be met from the sum set aside in the budget.
6. The Group Director Finance and Commercial be authorised to amend Appendix B in accordance with the Council decision on recommendation 2 if one or more elements are not agreed.

REPORT DETAIL

1. BACKGROUND INFORMATION – THE CURRENT SCHEME

1.1 The current Allowances are as follows:

Category of Allowance	Amount Per Member £
Basic Allowance	9,255
Special Responsibility Allowances:	
Leader of the Council	39,150
Cabinet members (inc Deputy Leader)	25,110
Leader of Principal Opposition	18,000
Leader of Minority Opposition	6,390
Deputy Leader of Principal Opposition	3,825
Deputy Leader of Minority Opposition	2,250
Chairmen:	
• Area Committees	4,260

• Overview and Scrutiny Committees	11,070
• Licensing and Regulatory Services Committee	20,430
• Audit, Pension, Governance, Appointments, Adjudication and Review Committee	7,650

1.2 Basic Allowance

Each Member of the Council currently receives a Basic Allowance of £9,255 increased for inflation in accordance with the scheme.

If the Councillor becomes entitled to any allowance during the year, he/she is entitled to the relevant proportion of that allowance as set out in the Constitution.

The basic allowance covers all intra-Borough travel costs and subsistence.

Where a Member is suspended or partially suspended from his responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000, or Regulations made under that part, the part of basic allowance payable to him in respect of the period for which he is suspended or partially suspended could be withheld by the Authority by decree of the Standards Committee.

1.3 Special Responsibility Allowance

When a Councillor would otherwise be entitled to more than one special responsibility allowance, then the entitlement shall be to only one, that being the one attracting the higher rate.

This means that the maximum number of Members to receive SRAs on the existing allocation of responsibility would be 70%. The Independent Panel holds the view that there should be a clear limit (50%) on the overall proportion receiving an SRA. However, given the political make up of the Council, in the past i.e. no overall control, the number of members receiving SRAs was not considered to be unreasonable.

Where a Member is suspended or partially suspended from his responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000, or Regulations made under that part, the part of Special Responsibility allowance payable to him in respect of the period for which he/she is suspended or partially suspended could be withheld by the Authority on the decision of the Standards Committee.

The Scheme provides that only basic allowances will be increased from 1st April in line with the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities.

1.3 Dependent Carers Allowance

Any costs arising from being a Dependent Carer should be met by the Basic Allowance.

1.4 Travelling and Subsistence Allowance

Subject to the conditions set out below, the Travelling and Subsistence Allowances are only payable for official Council business outside the Borough.

Travel and subsistence arrangements for key events, e.g. Town Twinning will be set in line with the above. However, taking account of the practicalities of arrangements, these will be set out and documented by the Group Director, Finance and Commercial prior to each event and be agreed with the Cabinet Member for Resources.

The rules and entitlements for reimbursement of travel expenses outside of the Borough are the same for Officers, Members and co-opted Members and, hence, are currently as follows:

1.4.1 *Public Transport*

The rate for travel by public transport shall not exceed the amount of the ordinary (second class) fare or any available cheap fare.

1.4.2 *Private Motor Vehicle*

The current rates for travel in a Member's own private motor vehicle, or one belonging to a member of their family or otherwise used by the Member based on casual user rates of up to 8,500 miles per annum are:

Cylinder capacity up to 999cc 39.7p per mile
Cylinder capacity over 1,000cc 43.1p per mile

1.4.3 *Taxi/Mini-cabs*

The rates for travel by taxi or mini-cab shall not exceed:

- In cases of urgency or where no public transport is reasonably available the amount of the actual fare and any reasonable gratuity paid.
- In any other case, the amount of the fare which would have been paid for travel by appropriate public transport.

1.5 Subsistence Allowance

Under the Building a Healthy Organisation, a change agreed for subsistence is "to limit the entitlement to claims for meals under the subsistence allowance arrangement for staff undertaking duties away from their normal place of work to where those duties entail an overnight stay or working outside normal office hours".

In respect of these subsistence allowances, the amounts payable shall not exceed the following rates, other than normal inflationary increases agreed as part of pay settlements:

Breakfast Allowance – More than 4 hours away from normal place of residence before 11 a.m.	£4.48
Lunch Allowance – More than 4 hours away from normal place of Residence including lunchtime between 12.00 and 14.00 hours.	£6.17
Tea Allowance - More than 4 hours away from normal place of residence including the period 15.00 to 18.00 hours.	£2.43
Evening Meal Allowance – More than 4 hours away from normal place of residence after 19.00 hours.	£7.64

Overnight absence for the purpose of attendance at an annual conference (with or without an annual meeting) e.g. the Local Government Association or such other association of bodies as the Secretary of State may, from time to time, approve or other Professional Institute Bodies	The full cost of accommodation as arranged and agreed by the Council and the reasonable cost of meals taken at the place of accommodation (where provision for meals is available).
Other overnight absence which arises from Council business will be based on the Officer rate as detailed here. If, however, in a particular case, accommodation cannot be found then other arrangements will be approved by the Group Director Finance and Commercial prior to booking and be in line with the above.	£50.97

Allowances are payable on the basis of expenditure incurred and Members will be reimbursed actual expenditure incurred up to a maximum of the rates set out above. Receipts must be submitted to support claims for subsistence allowance and travel costs.

1.6 **Co-Optees' Allowance**

The standard rate of allowance for statutory co-optees who sit on the Education Overview and Scrutiny Committee and the Standards Committee will be £100 per meeting attended.

In addition, independent persons sit on other panels. They will be compensated for any financial loss based on the presentation of a claim showing the actual loss incurred up to a maximum of £100.

Statutory co-optees and other independent persons will be reimbursed for all travel costs in accordance with the above, whether the travel is within or outside the Borough, but co-optees will not be paid subsistence.

1.7 Pensions

These are not available.

1.8 Election to Forgo Allowances

A person may, by notice in writing given to the proper officer of the authority, elect to forgo his/her entitlement or any part of his/her entitlement to allowances.

1.9 Claims and Payments

A time limit of three months exists for Havering in line with the rules for Officers for the making of claims.

1.10 Other Requirements of a Scheme

There are a number of other requirements of a scheme and Havering complies with these by:

- Maintaining the scheme subject to any amendments agreed.
- Publishing the scheme once approved or amended.
- Providing that if the Council amends the scheme mid year to change the amount of any allowance, a Councillor entitled to that allowance will receive the allowance at the new level from the date the amendment takes effect.
- Ensuring a further scheme is in place before any revocation of the scheme takes place.
- Including the scheme provision to ensure that where a member is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.
- Maintaining records of allowances and payments made and publishing these annually.

2. INDEPENDENT PANEL ON REMUNERATION OF COUNCILLORS IN LONDON

2.1 In October 2001, the Council accepted the principle of aligning Havering's Member Allowance Scheme with the recommendations of the Independent Remuneration Panel.

2.2 There has since been a further review and the recommendations of the report are attached at Appendix A along with the recommended bands.

3. WAY FORWARD PROPOSED BY THE ADMINISTRATION

3.1 The Local Authorities (Members' Allowances)(England) Regulations 2003 provides that a Local Authority shall make a scheme in accordance with these Regulations in respect of each year. Regulation 10 provides that such scheme shall be made before the beginning of each year commencing on 1st April. Such a scheme may be amended during the year, but only revoked with effect from the beginning of a year.

3.2 The Administration proposes the following scheme is implemented from 1st April 2007.

Category of Allowance	Amount Per Member £
Basic Allowance	9,964
Special Responsibility Allowances:	
Leader of the Council	51,191
Deputy Leader of the Administration	35,705
Cabinet members	32,705
Leader of Principal Opposition	18,000
Deputy Leader of Principal Opposition	3,825
Leader of Minority Opposition	2,227
Mayor	14,418
Deputy Mayor	7,650
Area Committee Chairmen	4,260
Overview and Scrutiny Committees Chairmen	14,418
Licensing and Regulatory Services Committee Chairmen	20,430
Audit, Pension, Governance, Appointments, Adjudication and Review Committee Chairmen	7,650
Overview and Scrutiny Committee Opposition Spokesmen	2,227

Note:

1. In accordance with paragraph 4(c) of the Members' Allowance scheme, when a Councillor would otherwise be entitled to more than one special responsibility allowance, then the entitlement shall be to only one, that being the one attracting the higher rate.

2. Group Leaders of minority opposition parties are only paid when they have a political group of six or more members.
 3. The remaining conditions remain.
- 3.3 Other than updating mileage and subsistence rates to reflect current levels, all other elements remain the same.
- 3.4 The Panel does recommend that only a maximum of 50% SRA should be paid, the proposal assuming single occupancy provides for 48 SRA's as compared to 54 Councillors (89%). This far exceeds the recommended level of 50% and the previous justification of political makeup i.e. a traditionally no overall control Council is no longer applicable. Whilst there may be some reduction in this proportion where a Member has two positions and can only receive a single SRA, this is unlikely to change the proportion so it is in line with the panel recommendation. The Administration view is that the number of SRAs is justified in view of:
- (a) The number of Committees, particularly Overview and Scrutiny and Area Committees, which exist to promote community engagement and accountability.
 - (b) The creation of Opposition Spokesmen at Overview and Scrutiny Committees to promote challenge, develop roles and improve effectiveness.
 - (c) SRAs are being set at the minimum level recommended by the Panel, unless the SRAs are already higher with the potential extra costs to the maximum levels actually being used to fund the SRAs over and above the 50% level.
- 3.5 In respect of Statutory Co-optees allowances it is proposed to adopt the recommendations of:
- (a) £117 per meeting with the exception of the independent chairman of the Standards Committee whose rate should be £240 per meeting.
 - (b) Reimbursing all travel costs whether within or outside the Borough but not paying subsistence – this is the current arrangement.
- 3.6 The Mayor and Deputy Mayor allowance covers the cost of all Mayoral activities such as clothing and personal expenses plus sundry expenses including items such as attendance at dinners and raffle tickets, sponsorship and donations. The Mayor and Deputy Mayor will be responsible for all such payments via the SRA which will be taxed. The Council will meet the cost of the Mayor's "At Home" and other Havering Civic receptions, award pins and certificates at the civic award ceremony; the medals, certificates and frames in the event of there being any ceremony associated with Honorary Alderman/Freeman of the Borough awards, gifts given on behalf of the Council in reciprocation or gifts initiated by the Council for promotional purposes, the cost of maintaining and provisioning the beverage machine in the Parlour, postage costs and all costs associated with the Mayoral transport, robes etc.

4. PUBLICATION

The Local Authority (Members' Allowances) (England) Regulations 2003 makes provision for the publication of a new or amended scheme in a newspaper in the area and for copies to be available for inspection by the public.

Financial Implications and Risks:

A straight comparison of the existing Members Scheme and the proposed schemes shows an additional cost of £181K which, after National Insurance, is £205k. An additional cost of £160k has been provided for in the 2007/08 budget.

After allowing for:

- (a) an element of non payment of SRA's due to more than one appointment;
- (b) the creation of SRA's for the Mayor and Deputy Mayor;
- (c) the use of the budget for the Mayor and Deputy Mayor expenses (including the pressure), with the exception of £7k for a Civic Purse to cover predominantly the Mayor's "At Home" and other costs incurred in Havering Mayoral receptions.

The £160k provision should be sufficient, however any shortfall, if it arises, will be met from the Contingency.

There is a risk that the costs would increase should a non Cabinet Deputy Leader of the Administration be appointed.

Human Resource Implications and Risks:

None arising directly. Travel, subsistence and allowance increases are in line with those of Officers.

Legal Implications and Risks:

The 2003 Regulations provide for an allowance scheme to be made each year with effect from 1st April and the revocation of a scheme with effect from the same date. It is permissible to amend the scheme during a year but not to make a new scheme other than at 1st April.

The Regulations set out various detailed requirements in respect of:

- publicity
- categories of special responsibility allowances
- basic allowances being the same for all members
- co-optees' allowances, etc.

In addition the Regulations provide that an Independent Remuneration Panel's report shall as soon as reasonably practicable after it is received, be made available for public

Council, 21 March 2007

inspection and the main features of the report be published in one or more newspapers circulating in its area.

Regulation 19 provides that before a local authority makes or amends a scheme, the authority shall have regard to the recommendations made to it by an independent remuneration panel. This does not mean that a local authority has to adopt only those recommendations but it does mean that if an authority is going to depart from those recommendations it should objectively justify those departures and the rationale for them so that if the decision making of the authority is called in to challenge there are both reasoned and reasonable grounds for its decision taking into account all the material factors in issue.

Payments for greater than 50% of Special Responsibility Allowances have previously been justified on the basis of "no overall control".

**Staff Contact: Rita Greenwood Title: Group Director
Finance & Commercial**

Telephone: 01708 432218

**CHERYL COPPELL
Chief Executive**

Background Papers

The Remuneration of Councillors in London: 2006 Review.

The Independent Panel

The Chair

Rodney Brooke CBE was the Chief Executive of a metropolitan county council (West Yorkshire) and a London borough (Westminster) before becoming Secretary to the Association of Metropolitan Authorities. He is Chairman of the General Social Care Council and a Deputy Lieutenant of Greater London.

Members

Professor Drew Stevenson OBE

Drew's background is in local government in London, where he was involved at Chief Executive or Chief Officer level for over twenty years including serving as Chief Executive of the London Borough of Newham (1991-95). He has advised numerous bodies, including the Government Office for London, the London Development Agency, London First and the Association of London Government and for the past five years has been seconded to work as a special advisor to the Mayor of London on the policy content and implementation of the London Plan.

Baroness (Jo) Valentine, Chief Executive, London First

Baroness Jo Valentine is Chief Executive of London First, the London business organisation; and a board member of the New West End Company and Central London Partnership. She received a non party political peerage in October 2005 and regularly sits as a Crossbench Peer in the House of Lords.

Executive summary

This report is required by law to address the questions set out in italics below. Our recommendations are in bold type.

(a) as to the responsibilities or duties in respect of which the following should be available -

- (i) special responsibility allowance;*
- (ii) travelling and subsistence allowance; and*
- (iii) co-optees' allowance;*

We recommend that:

- (1) special responsibility allowances should be paid in respect of the responsibilities set out in Appendix Three this report;**
- (2) Not more than 50% of councillors should receive a special responsibility allowance in respect of duties with an authority and should not receive more than one special responsibility allowance for responsibilities within that authority;**
- (3) the basic allowance should be treated as covering all intra-Borough travel costs and subsistence, but councils may consider that there are circumstances where it may be appropriate for a scheme to provide payment for the cost of transport, e.g. journeys home after late meetings and for people with disabilities;**
- (4) the annual allowance for co-optees should be calculated in each case with reference to the number of meetings per year, at a standard rate per meeting and such allowances**

Council, 21 March 2007

should be confined to co-optees on the Standards Committee, to Education co-optees and to the independent chair of an Audit Committee;

(b) as to the amount of such allowances and as to the amount of basic allowance;

- (5) special responsibility allowances should be paid on the basis of the bands and the ranges of allowance within each band, set out in Appendix Three to this report;**
- (6) Councils should make arrangements in their allowances schemes to allow the continuance of special responsibility allowances in the case of sickness, maternity and paternity leave in the same way that the Council's employees enjoy such benefits.**
- (7) where travel and subsistence allowances are payable, having regard to Recommendation (3) above, they should be in accordance with the current scheme for travel and subsistence applicable to the Borough's officers;**
- (8) travel allowances should extend to travel by bicycle;**
- (9) the standard rate of allowance for statutory co-optees should be £117 per meeting with the exception of the independent chair of the Standards Committee, whose rate should be £240 per meeting; and these amounts should be translated into an annual allowance by multiplying by the anticipated number of meetings;**
- (10) co-optees should be reimbursed for all travel costs in accordance with recommendation (5) above, whether the travel is within or outside the Borough, but co-optees should not be paid subsistence;**
- (11) the amount of the basic allowance should be £9,964;**

(c) as to whether dependants' carers' allowance should be payable to members of an authority, and as to the amount of such an allowance;

- (12) dependants' carers' allowances should be payable, and we recommend a flexible approach; in particular, boroughs should have regard, when setting appropriate levels, to the levels of reimbursement set by their authorities. The principles should be:**
 - (a) a maximum rate should be set locally to reflect local costs, in accordance with social service departments levels;**
 - (b) payment should be claimable in respect of children aged 15 or under or in respect of other dependants where there is medical or social work evidence that care is required;**
 - (c) only one weekly payment should be claimable in respect of the household of each member, except in special circumstances to be judged by the Council's Standards Committee;**
 - (d) the allowance should be paid as a reimbursement of incurred expenditure against receipts;**
 - (e) the allowance should not be payable to a member of the claimant's own household;**
 - (f) any dispute as to entitlement and any allegation of abuse should be referred to the Council's Standards Committee for adjudication;**

(d) as to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with regulation 10(6);

- (13) schemes should make appropriate provision to ensure that, where an amendment to the scheme results in an increase in any allowance, payment of it may, if the resolution**

effecting the amendment so provides, be backdated for a specified period, not extending beyond the beginning of the year to which the scheme applies.

(e) as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;

(14) schemes should provide for all allowances to be automatically uprated annually with reference to the annual Local Government Pay Settlement;

(15) the LGPS index should apply for the next four years unless reviewed earlier by the Panel;

(f) as to which members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972; and

(16) all Members under the age of 75 should be entitled to apply for inclusion in a pensions scheme, without satisfying any period of qualification;

(g) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable in accordance with a scheme made under section 7 of the Superannuation Act 1972.

(17) both the basic allowance and any special responsibility allowance should be pensionable.

Other matters

(18) Quasi-judicial work: London boroughs which experience a sufficiently heavy workload of quasi-judicial hearings should set up a panel of non-executive councillors who are available and willing to serve in this capacity, and should make provision for payment of a special quasi-judicial allowance to all members of that panel based on the allowances recommended for co-optees;

(19) Accountability: the current system of Members' remuneration allowances, with its principle of annualised allowances rather than attendance allowances, places a high premium on trust. We therefore regard accountability for this use of public money as being of the highest importance. We welcome the provisions in the regulations which require boroughs to keep a record of all payments made under their schemes of allowances, and for these records to be available for inspection upon request. We further welcome the requirement for a full report to be made at the end of the year, of the total sum paid by a Borough in the year under the scheme to each recipient in respect of each of the following: (a) basic allowance; (b) special responsibility allowance; (c) dependants' carers' allowance; (d) travelling and subsistence allowance; and (e) co-optees' allowance. We recommend that members themselves should go further. We believe that all members should have a job description and we expect them to be used as the basis for reporting by members on their activities on behalf of their electors and their boroughs. We set out a proposed job description for frontline councillors as Appendix 4 to this report. Councillors should see making such reports as a way of broadcasting the extensive range of tasks and duties which they undertake on behalf of the electorate. We would like them to give an account of what services they have provided to their constituents; what their objectives have been; and their success in achieving them; as well as some record of their general industry. We provide examples of good practice in Appendix 5 of this report

- (20) **Withholding allowances:** We recommend that boroughs should include in their Allowances Scheme provision for their Standards Committee to withdraw allowances in whole or in part in the event of a member being suspended or partially suspended. All allowances should be withheld for the period of total suspension, and in the case of partial suspension the basic allowance should continue to be paid (though we would expect a member voluntarily to abate their claim according to the extent to which they were able to continue to perform the functions of a non-executive member), and to the extent that the partial suspension made it impossible or impracticable for a member to undertake activities in respect of which a special responsibility allowance was payable, that allowance should be withdrawn. It is likely that this would occur in any event, because of the need to appoint another member to undertake the functions concerned, who would then becomes entitled to the allowance.
- (21) **Electing to forgo allowances:** we recommend in accordance with reg. 13 of the regulations that allowances schemes should provide that a person may by notice in writing given to the proper officer of the authority, elect to forgo his/her entitlement or any part of his/her entitlement to allowances.
- (22) **Time limit for claims and payments:** we recommend, in accordance with reg. 14 of the regulations, that schemes of allowances should impose a time of limit of six months for the making of claims for payment of: (a) dependants' carers' allowance; (b) travelling and subsistence allowance; and (c) co-optees' allowance.

Appendix Three

Special Responsibility Bands and amounts

The case for special allowances

The reasons for payment of additional special responsibility allowances should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

Categories of special allowances

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating executive arrangements
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above whether or not that activity is specified in the scheme.

Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands having regard to our recommendations. They must have regard to our recommendations. We believe these have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

Band One

1. Role

The 60 hours a month that is reflected in our calculation of the flat rate Basic Allowance should allow an effective councillor to assume a reasonable level of additional responsibility without triggering any requirement for a special allowance.

Judgement needs to be applied in the cross-over point between this and the next band up. That band is intended primarily for councillors who chair the main service committees of the council, and whose responsibility is substantial. But we acknowledge that the weight of responsibility can vary significantly between chairs of committees or panels. Some posts, such as planning, tend to involve a lot of work outside the committee or sub-committee involved, because planning decisions can have a significant impact on local communities and excite local interest. For this reason, the position tends to be assigned to a relatively senior councillor.

We have included in Band One the Leadership of the Second or Smaller Opposition Group, but only if such a group has a minimum membership of four councillors. We have also included both the Chairs and the Deputy Chairs of area-based committees and forums. This is justified because of the significant variations in the functions and level of responsibility of area committees, and on the basis that the range of allowance we are proposing for this category allows councils to differentiate between Chairs and Deputy Chairs.

Council, 21 March 2007

The posts we envisage falling within Band One include:

Vice-Chair of a Service, Regulatory or Scrutiny Committee
Chair of Sub-Committee
Leader of Second or Smaller Opposition Group
Service Spokesperson for First Opposition Group
Group Secretary (or equivalent) of Majority Group
First Opposition Group Whip
Vice Chair of council business
Chairs and Vice Chairs of Area Committees or Area Forums
Cabinet Assistant
Leadership of a major strategic topic

2. Purpose

To meet the basic responsibilities of a councillor as a community representative, together with any one or more of the following additional functions:-

- a. To lead the work of a sub-committee of the authority, whether geared to the delivery or review of a service, or the discharge or review of a function of the authority
- b. To lead a second or smaller Opposition Group on the Council
- c. To lead the larger/largest Opposition Group on the main Service Committees
- d. To act as Group Secretary for the Majority Group on the Council
- e. To act as the largest Opposition Group's Whip
- f. To scrutinise and monitor the work of the council executive and the delivery of local services
- g. To assist a member of the Cabinet with his/her portfolio
- h. To take charge of a major issue, such as championing a particular community or a very major project within the borough

3. Key tasks

To undertake the functions of a Councillor, and any one or more of the following:

- a. To lead the work of a sub-committee of the authority, whether geared to the delivery or review of a service, or the discharge or review of a function of the authority. To chair that sub-committee, including (a) working with officers to determine a programme of work, of performance reviews and/or of reporting to the parent committee; and (b) representing the service or function within and outside the authority as necessary to enable it to delivery its objectives within budget and in a cost-effective way
- b. To lead the second or smaller minority group's scrutiny of the majority group's administration of the authority, and act as spokesperson for the minority group of which he/she is leader
- c. To lead a minority group's scrutiny of the majority group's administration on a Service Committee, and act as spokesperson for his/her group on that Committee
- d. To undertake such duties for the Majority Group on the Council as are required in the administration of the Group's business
- e. To co-ordinate the participation of a Minority Group in the business of the Council's committees by organising that Group's members, liaising with officers and other political groups as appropriate.
- f. Where a member of the Cabinet has a particularly extensive portfolio, to function as assistant to that Cabinet member
- g. Where a borough faces a particularly major project or has a need to establish a champion for a particular community within the borough, to take charge of that issue or champion that community

4. Remuneration

We propose that Band One special responsibility allowances should be on a sliding scale of between 20%-30% of the remuneration package for a council leader

This would be made up as follows:

Basic Allowance: £9,964

Council, 21 March 2007

Band 1 Allowance: £2,227 to £8,323
Total: £12,191 to £18,267

Band Two

1. Role

We see this as a principal band for senior office holders. The precise division between this and the next Band will depend upon the number of key posts in cabinet and scrutiny, and the weight of responsibility attached to them. Councils will wish to exercise broad judgement in applying our general criteria to the specific circumstances of new models of governance.

The types of office we contemplate being within Band Two are:

Lead member in scrutiny arrangements, perhaps a Chair of a Scrutiny Committee
Representative on key outside body
Chair of major regulatory committee e.g. planning
Chair of council business (Civic Mayor)
Leader of principal opposition group.

2. Purpose

To carry out the functions of a Councillor and any one or more of the following:

- a. To lead the work of a strategy/resource/service committee of the authority;
- b. To assist the Leader of the Council, as the designated Deputy Leader;
- c. To lead the principal Opposition Group on the Council;
- d. To represent the authority on a key outside body, such as a regeneration partnership, not otherwise remunerated;
- e. To lead the work of a major executive sub-committee of the authority, whether geared to the delivery of review or a service, or the discharge or review of a function of the authority
- f. To have responsibility for a major aspect of the scrutiny function of the authority, probably including the programming and direction of individual reviews, recommending the employment of professional experts, where appropriate, and assisting the assembly and presentation of reports
- g. To act as the Chief Whip assisting the business of the authority through the work of the Majority Group

3. Key Tasks

To undertake the tasks of a Councillor and any one or more of the following:

- a. To act as Chair of a strategy/resource/service committee of the authority, with specific responsibility for the development of overall or service-related strategies and plans, the proposal of the annual (service) budget and, in the case of a service committee, the delivery of the overall service, including responsibilities for policy, budget, compliance and achievement of strategic objectives by that service, and to represent the service or function within and outside the authority as necessary to enable it to deliver its objectives consistently with corporate standards
- b. To chair a major executive sub-committee of the authority, including (a) working with officers to determine a programme of work, of performance reviews and of reporting to the parent committee; and (b) representing the service or function within and outside the authority as necessary to enable it to deliver its objectives within budget and in a cost-effective way
- c. To lead an aspect of the scrutiny function, to propose to the appropriate committee a programme of work devised in consultation with senior management, to achieve a balance of service interests, to propose arrangements for the involvement of community or other non-councillor representatives, and to own and present the resulting reports
- d. To assist the Leader of the Council in the formal processes and matters of leadership of the authority, including (a) developing and proposing overall strategy, budget, policy arrangements and service reviews, and (b) representing the authority in the community and in discussions and negotiations with regional, national and international organisations and others in relation to the pursuit of matters of interest to the authority and its community.
- e. To lead the Council's formal Opposition, including scrutiny of the majority group's administration of the authority, and act as spokesperson for the Opposition group of which he/she is leader

Council, 21 March 2007

- f. To participate in the activities of a key outside body to which the Councillor is appointed, to liaise between that body and the relevant officers and committee of the authority's policies and practices in relation to that body and of the community's needs and aspirations in relation to that body's role and functions.
- g. To facilitate the business of the authority on behalf of the majority Group by coordinating the timing of decision making, resolving scheduling problems, liaising with officers and other political groups as appropriate.

4. Remuneration

We propose that Band Two allowances should be on a sliding scale between 40%- 60% pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic Allowance	£9,964
Band four allowances:	<u>£14,4178 to £26,609</u>
Total:	£24,382 to £36,573

NB The Panel is very conscious that in some London boroughs planning proposals are of national importance and great complexity must be considered by the Planning Committee. In these cases we believe that the remuneration of the Chair of the Planning Committee should be towards the top of the Band.

Band Three

1. Role

We see this band as appropriate to the following posts:

- Cabinet Member
- Chair of the main overview or scrutiny committee
- Deputy Leader of the Council

There remains a need for judgement when applying our criteria to the specific circumstances of new models of governance. In some cases, cabinet members and chairs of scrutiny committees could fall more obviously within Band Two rather than this Band.

Where there is no overall control, and no councillor is formally designated as Leader of the Council, then, provided there is a formal partnership or coalition between the parties, the Leaders of the two largest controlling party groups should both be remunerated in this Band, so as to reflect the peculiarly onerous responsibilities of participating in the leadership of a hung council. In cases where a third party group is also significantly involved in the joint leadership, the same principle should apply. We have specifically included Deputy Leaders of the Council in this Band, although their membership of the Cabinet would qualify them anyway. The range of remuneration that we are proposing will provide councils with the opportunity, should they wish, to differentiate between the Deputy Leader and other cabinet members.

2. Purpose

To fulfil the purposes of a Councillor and any one or more of the following:

- a. To take responsibility within the cabinet, on the basis of individual or possibly collective or joint responsibility, for a service or function of the authority.
- b. To fulfil the role of Leader of the authority where it is organised into party political groups, as reflecting the party allegiance by which councillors were elected, and where no political group has an overall majority
- c. To lead one of the two largest political groups on the authority where it is organised into party political groups, as reflecting the party allegiance by which councillors were elected, where no political group has an overall majority, and where no Leader of the Council has been formally designated.
- d. To lead the Scrutiny function of the authority, probably with specific responsibility for the programming and direction of individual reviews, the employment of professional experts, where

appropriate, and the assembly and presentation (to the Council or another Committee) of reports (including minority opinions, where necessary).

3. Key Tasks

To undertake the functions of a Councillor and any one or more of the following:

- a. To lead one of the two largest parties on the Council, where there is no formally designated Leader and no overall majority, and to assist in the formal processes of the authority, including (a) developing and proposing overall strategy, budget, policy arrangements and service reviews, and (b) representing the authority in the community and in discussions and negotiations with regional, national and international organisations and others in relation to the pursuit of matters of interest to the authority and its community.
- b. To participate in the cabinet or strategy committee and to implement agreed policies by taking responsibility, individually or collectively, for any portfolio allocated by the authority, including providing a lead on and proposing new policy, strategy, programming, budget and service standards, and leading performance review, as well as acting as spokesperson within and outside the authority for the service/function.
- c. As the Leader of a "hung" authority, to liaise with the smaller political groups and provide leadership of the authority overall in the formal processes of the authority, including (a) developing and proposing overall strategy, budget, policy arrangements and service reviews, and (b) representing the authority in the community and in discussions and negotiations with regional, national and international organisations and others in relation to the pursuit of matters of interests to the authority and its community
- d. To lead the scrutiny function, to propose to the appropriate committee a programme of work devised in consultation with senior management, to achieve a balance of service interests, to achieve broad coverage across all services over time, to propose arrangements for the involvement of community or other non-councillor representatives, and to own and present the resulting reports (to the Council or another Committee, including any minority views which might be reported separately).

4. Remuneration

Members of a Cabinet with portfolio responsibilities under a new model of governance are in a different position from the chairs of service committees under the traditional model. Under the traditional model, responsibility is shared; in this version of a new model, it is direct. Cabinet members will individually exercise delegated powers, and this carries with it an assumption of risk and responsibility which requires proper remuneration.

We propose that Band Three allowances should be between 70%-80% pro rata of the remuneration package for a council leader.

This is made up as follows:-

Basic Allowance:	£9,964
Band 3 Allowance:	<u>£32,705 to £38,801</u>
Total:	£42,669 to £48,765

Band Four

1. Role

Leader of Cabinet

2. Purpose

To provide political leadership, to propose a policy framework and budget, and to have overall responsibility for key functions within the agreed policy framework.

3. Role

To undertake the functions of a Councillor, and also:

- To provide leadership within the Council;
- To undertake executive responsibility for developing and proposing overall strategy, budget, policy arrangements and service reviews;

Council, 21 March 2007

- To represent the Council in the community and in discussions and negotiations with regional, national and international organisations and others in relation to the pursuit of matters of interest to the authority and its community;
- To chair the cabinet committee and to take responsibility, individually or collectively, for any specific portfolio allocated by the authority, including providing a political lead on and proposing new policy, strategy, programming, budget and service standards, as well as acting as spokesperson for the authority.

4. Remuneration

This is a full-time job, involving a high level of responsibility. It is right that it should be remunerated on a basis which compares with similar positions elsewhere in the public sector, whilst still retaining a reflection of the voluntary character of public service. There are various comparable models, such as the scale for chairmanship of a national non-departmental public body, or a regional development agency, where the level of remuneration for a full-time equivalent is now more than £120,000.

The most appropriate measure is, in our view, that of a backbench MP. The functions and responsibilities of a full-time Leader of a London borough must be at least as onerous as those of an MP, and it would be quite wrong to expect that they could be remunerated at a lower rate, even excluding (as we do) the generous expenses package to which a backbench MP is entitled.

We therefore propose that the remuneration package for a council leader under Band Four of our scheme should be £61,155.

This is made up as follows:

Basic Allowance:	£9,964
Band 4 Allowance:	<u>£51,191</u>
Total:	£61,155

Band Five

1. Role

Directly elected mayor

2. Purpose

To provide political leadership, to propose a policy framework and budget, and to have overall responsibility for key functions within the agreed policy framework.

3. Key Tasks

- To provide political and executive leadership within the Council;
- To have executive responsibility for overall policy, strategy and budget arrangements for the delivery of local services;
- To represent the Council in the community and in discussions and negotiations with regional, national and international organisations and others in relation to the pursuit of matters of interest to the authority and its community;
- To be accountable to the council's overview or scrutiny committee

4. Remuneration

A directly elected mayor is a major innovation in the political management of local government elected with the office holder taking on a new role and exercising executive responsibilities over a fixed electoral cycle.

We believe this post is significantly different to that of the council leader with cabinet model and that it is a full time job with an importance which should be reflected in the salary level.

We propose that a Band Five Directly Elected Mayor should receive a remuneration package of 25% higher than that recommended for a Council Leader and that it should be a salary set at £76,194.

Members' Allowances Scheme

Agreed at the meeting of the Council on 21 March 2007. The new Scheme is agreed with effect from 1st April 2007 and the revocation of the Members' Allowance Scheme (2005) is effective from 1st April 2007.

The Council of the London Borough of Havering in exercise of the powers conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 hereby makes the following scheme:

- 1 This scheme may be cited as the Havering London Borough Council Members' Allowance Scheme. The new scheme shall have effect from 1st April 2007.
- 2 In this scheme, "councillor" means a councillor of the London Borough of Havering and "year" means the period ending on 31st March 2008 and any period of 12 months ending on 31st March in any year after 2008.
- 3 **Basic allowance (Schedule 1)**

Subject to paragraphs 7 and 12, for each year a basic allowance of £9964 shall be paid to each councillor.
- 4 **Special responsibility allowance (Schedule 1)**
 - (a) For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the Council that are specified in schedule 1 to this scheme.
 - (b) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
 - (c) When a councillor would otherwise be entitled under the scheme to more than one special responsibility allowance, then the entitlement shall instead be only to one of them, being the one attracting the higher rate.
 - (d) Where a member is also a Member of another Authority, that Member may not receive allowances from more than one Authority in respect of the same duties.
- 5 **Child and dependent care allowance**

These expenses are expected to be met from the Basic Allowance.
- 6 **Renunciation**

A councillor may by notice in writing given to the Group Director Finance and Commercial elect to forego any part of his/her entitlement to an allowance under this scheme.
- 7 **Part-year entitlements**
 - (a) The provisions of this paragraph shall have effect to regulate the entitlements of a councillor to basic and special responsibility where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

Council, 21 March 2007

- (b) If an amendment to this scheme changes the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:
- (i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - (ii) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year.

The entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (c) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her terms of office subsists bears to the number of days in that year.
- (d) Where this scheme is amended as mentioned in paragraph 7(b), and the term of office of a councillor does not subsist throughout the period mentioned in paragraph 7(b)(i), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days during which his/her term of office as a councillor subsists bears to the number of days in that period.
- (e) Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.
- (f) Where this scheme is amended as mentioned in paragraph 7(b), and a councillor has during part, but does not have throughout the whole, of any period mentioned in paragraph 7(b)(i) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

8 Travelling and Subsistence (Schedule 2)

- (a) Members can claim travelling expenses for travelling outside of the Borough on official Council business as set out in Schedule 2.
- (b) Members can claim subsistence expenses on official Council business when outside of the Borough as set out in schedule 2.

9 Claims and payments

- (a) Payments shall be made in respect of basic and special responsibility allowances, subject to paragraph 8(b), in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month.

- (b) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, then payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- (c) Payments in respect of Travel and Subsistence shall be made to the Councillor on receipt of a claim form with supporting receipts/vouchers. Claims must be made within three months of the claim arising.

10 Pension Scheme

No Member in the scheme is entitled to apply for inclusion in the Pension Scheme.

11 Financial Limits

The Group Director Finance and Commercial will arrange for the budget for members Allowances to be monitored to ensure that budgetary issues are reported to Members.

12 Increases in Allowances

Basic Allowances as quoted will stand for 2007/08 and subsequently be updated each year on 1st April by the % increase as agreed under the local pay agreement. The amounts so calculated are to be rounded up to be divisible for payment purposes.

The Travelling and Subsistence allowances will be increased in line with the increase in Officer rates.

13 Suspension of Basic and Special Responsibility Allowance

Where a Member is suspended or partially suspended from his responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000, or Regulations made under that part, the part of Basic and Special Responsibility allowance payable to him in respect of the period for which he is suspended or partially suspended may be withheld by the Authority if the Standards Committee so determines.

14 Mayor and Deputy

The Mayor and Deputy mayor allowance covers the cost of all Mayoral activities such as clothing and personal expenses plus sundry expenses including items such as attendance at dinners and raffle tickets, sponsorship and donations. The Mayor and Deputy Mayor will be responsible for all such payments via the SRA, which will be taxed. The Council will meet the cost of the Mayor's "At Home" and other Havering Civic receptions, award pins and certificates at the civic award ceremony; the medals, certificates and frames in the event of there being any ceremony associated with Honorary Alderman/Freeman of the Borough awards, gifts given on behalf of the Council in reciprocation or gifts initiated by the Council for promotional purposes, the cost of maintaining and provisioning the beverage machine in the Parlour, postage costs and all costs associated with the Mayoral transport, robes etc.

15 Co-Optees Allowances

The standard rate of allowance for statutory co-optees is £117 per meeting attended except for the Independent chair of the Standards Committee where the rate will be £240 per meeting.

Co-optees will be reimbursed for all travel costs in accordance with the above, whether the travel is within or outside the Borough, but co-optees should not be paid subsistence.

16 **Note**

- (a) The Council is required to keep a record of the payments made by it in accordance with this scheme.
- (b) The record is required to be available for inspection at all reasonable times free of charge by any local government elector for the borough who may make a copy of any part of it.
- (c) The Council is also required to arrange publication of the total sums paid in each year to each member in respect of basic and special responsibility allowances.
- (d) The Council is required to arrange publication of the Scheme when approved.

Schedule 1: Members' allowances

Category of Allowance	Amount Per Member £
Basic Allowance	9,964
Special Responsibility Allowances:	
Leader of the Council	51,191
Deputy Leader of the Administration	35,705
Cabinet members	32,705
Leader of Principal Opposition	18,000
Leader of Minority Opposition	2,227
Deputy Leader of Principal Opposition	3,825
Mayor	14,418
Deputy Mayor	7,650
Area Committees Chairmen	4,260
Overview and Scrutiny Committees Chairmen	14,418
Licensing and Regulatory Services Committee Chairmen	20,430
Audit, Pension, Governance, Appointments, Adjudication and Review Committee Chairmen	7,650
Overview and Scrutiny Committee Opposition Spokesmen	2,227

Schedule 2: Travel and Subsistence

Travelling expenses can only be claimed for travel outside of the borough on official Council business. The rules and entitlements for reimbursement of travel outside the Borough are the same as those for Officers

Subsistence allowances are only payable for official Council business outside the Borough where the duties entail an overnight stay or working outside 'normal office hours'. Members will be reimbursed actual expenditure incurred up to the maximum of the rates set for Officers

Allowances are payable on the basis of expenditure incurred and receipts must be submitted to support claims for subsistence allowances and travel costs

Travel and subsistence arrangements for key events, e.g. Town Twinning will be set in line with the above. However, taking account of the practicalities of arrangements, these will be set out and documented by the Group Director Finance and Commercial, prior to each event and be agreed with the Cabinet for Resources.



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	20 MARCH 2007	10A

This report is submitted with the agreement of the Chairman as an urgent matter, pursuant to Section 100B(4) of the Local Government Act 1972

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: JOINT SCRUTINY OF HEALTH SERVICES WITH OTHER LOCAL AUTHORITIES

SUMMARY

Authority is sought to enable the Council's Health Overview & Scrutiny Committee to arrange with other Health Overview & Scrutiny Committees to carry out joint scrutiny exercises of NHS services. The Council's Constitution already makes some provision for such work but experience in a current scrutiny exercise has shown that the existing constitutional arrangements do not go far enough to cover all eventualities.

RECOMMENDATION

- 1 That Council be **RECOMMENDED** to agree that paragraph 6.05, in Article 6 of Part 2 of the Constitution, be amended to read:

6.05 Joint scrutiny of the health service

The Health Overview & Scrutiny Committee is authorised pursuant to Regulation 7 of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 to establish together with the health overview & scrutiny committees of one or more other local authorities a joint overview & scrutiny committee.

Any such joint overview & scrutiny committee shall have such terms of reference, and shall exist for so long, as the appointing overview & scrutiny Committees may agree.

- 2 That the Monitoring Officer be authorised, in anticipation of the Council's approval, to make the necessary adjustment to the Constitution forthwith and that Council be invited to ratify that change at its July meeting.

REPORT DETAIL

1 Introduction

- 1.1 The Health & Social Care Act 2001, with associated regulations, requires local authorities to establish Overview & Scrutiny Committees (OSCs) to undertake scrutiny of local NHS services. The Act also enables two or more Health OSCs (note: the power is expressly conferred on the OSCs, not their parent authorities) acting together to establish Joint OSCs to undertake joint scrutiny exercises where to do so would be preferable to individual OSCs working alone.
- 1.2 In December 2003, Council accepted recommendations of this Committee in relation to health scrutiny and, in particular, agreed to add to the Constitution the following provision:

6.05 Joint scrutiny of health service development proposals

This article applies where the Social Care and Health Overview and Scrutiny Committee is consulted, with the relevant overview and scrutiny committees of one or more other local authorities, in accordance with Regulation 4 of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 about a substantial development in the health service of those areas.

Following receipt of such a consultation, the Overview and Scrutiny Committee shall meet forthwith in a special meeting to consider whether the Council should participate in a joint overview and scrutiny committee ("joint committee").

If it is determined that a joint committee be formed, the Overview and Scrutiny Committee shall decide (jointly with the other areas' overview and scrutiny

committees) the size, membership and terms of reference of the joint committee, having regard to the requirements Regulation 7 of the Regulations and the need for political balance.

Any such joint committee shall exist only for the purpose of dealing with the specific consultation for which it was formed and shall be disbanded on completion of the consultation in question.

- 1.3 Late last year, in response to proposals for significant changes in hospital provision emerging from a number of NHS bodies serving North East London, the Health OSCs of Barking & Dagenham, Redbridge, Waltham Forest and Havering agreed to establish a joint scrutiny exercise to review those proposals (known as “Fit for the Future”). In anticipation of the formal publication of proposals, the Members and supporting officers of the prospective Joint OSC began meeting regularly as a paving exercise. So far, three such meetings have been held and considerable preparatory work has been undertaken.
- 1.4 The original publication date for the formal “Fit for the Future” proposals has, however, slipped several times and it is now expected that the earliest it will happen is May, with as late as autumn seeming a possibility. In the meantime, the Members engaged in the preparatory work are keen to make progress.
- 1.5 It has, however, emerged, in the light of experience, that the Council’s existing Constitutional provision is more restrictive than intended. In particular, when drafted, it was anticipated that statutory consultation on NHS proposals would be the only reason for requiring joint scrutiny and that any such proposals would be published fairly swiftly after first being mooted. In practice, as noted above, the production of the formal proposals has proved to be a protracted affair, while discussion between Members of the participating Health OSCs has revealed a number areas of common concern where it would be both useful to undertake a scrutiny exercise in their own right and to link the outcomes of that work with scrutiny of “Fit for the Future”.

2 Changes needed

- 2.1 Accordingly, the Committee is now requested to agree that changes be made to the existing delegation with the following points in mind:
 - 2.1.1 Associating the need for joint scrutiny to responding to statutory consultation on health service proposals is both more restrictive than the Act allows and unduly fetters the ability of the Council’s Health OSC to participate in joint scrutiny exercises that neighbouring authorities wish to undertake. It was not intended that this should be so; rather, the restrictiveness has only become apparent as the current joint scrutiny has gathered momentum.

- 2.1.2 Since health services are increasingly delivered on a cross-boundary basis, it is becoming more difficult for the Health OSC of one borough acting alone to scrutinise some health activities. Developments in hospital service provision invariably have cross-borough effects (for example, The Queen's Hospital serves a much wider population just than Havering).
- 2.1.3 The need for joint scrutiny of health matters is likely to be continuing, rather than ad hoc. While there is no suggestion that the current joint OSC should become a standing Committee, it is certainly apparent that there is a good case for it undertaking work both in advance of considering "Fit for the Future" and afterwards, not least in monitoring the implementation of whatever proposals are finally approved.
- 2.2 It is therefore suggested that the text of paragraph 6.05, in Article 6 of Part 2 of the Constitution, quoted above be amended to read:

6.05 Joint scrutiny of the health service

The Health Overview & Scrutiny Committee is authorised pursuant to Regulation 7 of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 to establish together with the health overview & scrutiny committees of one or more other local authorities a joint overview & scrutiny committee.

Any such joint overview & scrutiny committee shall have such terms of reference, and shall exist for so long, as the appointing overview & scrutiny Committees may agree.

3 Implementation

- 3.1 Ordinarily, such an amendment would be referred from this Committee to the next meeting of Council as a recommendation for adoption. It is, however, now too late to do that as Council meets the day after this Committee. As the following Council is the Annual Meeting (at which ordinary business may not be transacted), the earliest that the Council can consider this matter is its July meeting.
- 3.2 The need for clear authority for the Council's participation in a joint committee on the basis now proposed, though having become apparent only recently, is however pressing as joint working with the other local authorities is developing rapidly. Accordingly, the Committee is asked to authorise the Monitoring Officer to make the necessary changes to the Constitution forthwith, on the understanding that Council will be invited to

ratify the recommendation and action taken on the basis of it, at its July meeting.

- 3.3 It should be noted that the joint committee cannot take any decision binding on the Council. Its role is limited to examining health service proposals and arrangements, commenting up on them and making recommendations, mainly to the health service bodies in question but also perhaps to the parent local authorities.

4 Implications and risks

- 4.1 There are no **equalities, Human Resources or social inclusion** risks or implications.
- 4.2 There are no **financial** implications or risks. Generally, the cost of a joint scrutiny will be shared between the participating local authorities; the Council's share will be met from within existing budget provision.
- 4.3 There are no **legal** implications or risks. The 2001 Act makes explicit provision for the establishment of joint scrutiny arrangements, with which any joint committee must comply. The current joint committee does comply with those requirements and the proposals in this report do not affect that compliance.

Cheryl Coppel
Chief Executive

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Background papers:

There are no papers

Governance Committee, 20 March 2007



MEETING	DATE	ITEM
Governance Committee	20 March 2007	10B

This report is submitted with the agreement of the Chairman as an urgent matter, pursuant to Section 100B(4) of the Local Government Act 1972

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: Ethical Governance Survey

SUMMARY

The Ethical Governance Survey is a "...survey of members and officers including awareness and understanding of ethical behaviour". This refers to all 54 members and all top 140 managers.

The survey is administered by the Audit Commission and is conducted online.

The survey is intended to give an assessment of the awareness of ethical governance issues at the top of the organisation. It is a national survey which will allow benchmarking against all other authorities who have completed it. The survey has been running since 2005 with many authorities having already completed it – therefore ensuring the benchmarking will be meaningful.

RECOMMENDATION

That the Survey be carried out in Spring/Summer 2007.

That the Committee play an active role in encouraging all Members to participate.

REPORT DETAIL

1. There are a number of reasons for undertaking this survey:
 - Failure to live up to the demands of the **Local Government Act 2000, Part III** (regarding taking responsibility for standards and promoting high ethical standards) can result in investigation and censure by the Standards Board of England. Not undertaking this survey could contribute to a charge of failing in this responsibility.
 - The 10th Report of the **Committee on Standards in Public Life** (Graham Committee, 2004) recommended that “All local authorities should consider using the Audit Commission/Standards Board Ethical Governance audit tool”.
 - It is part of the Audit Commission’s **Audit and Inspection Programme** for 2006/07. The Audit Commission are therefore expecting that the Council will undertake the survey, between April and September.
 - In the 2006 **Use of Resources judgement** (published January 2007), the Audit Commission recommended that the Council ensure that systems for maintaining probity are “...consistently applied...” The survey is a powerful means of assessing this consistency.
2. It is important to note that the survey does not itself represent a discrete element of the Audit Commission’s assessment of the council. The survey is provided as a diagnostic tool. It can be used as a standalone tool, or can be combined with further workshops delivered by the Audit Commission and the IDeA, although at this stage there are no plans to host any workshops.
3. **What outcomes can the Council expect?**
 - A comprehensive assessment of the Council’s awareness of ethical governance issues. From this any required improvements can be identified and delivered.
 - Continued evidence of the embrace, by the Council, of external challenge. This was one of the Audit Commission’s positive findings about the Council in the recent Corporate Assessment (published Feb 2007).
4. **What must the Council do?**
 - **Ensure maximum participation**

It is vitally important that every member and senior manager completes this survey. If there is a lack of participation this could invalidate any results. It would also send out a mixed message regarding the importance of ethical governance issues within the Council. The survey will be

conducted on a confidential basis, with individual responses not being made available

- **Offer support to all participants**

This is an opportunity for the Council to demonstrate its awareness and positive approach to ethical governance. In order to maximise this opportunity the Council must ensure that all respondents are given the support they need to provide accurate responses. This will be achieved by the provision of specific training and reference material.

Financial Implications and risks:

There are no financial implications as the Survey has no cost (with the exception of officer time in preparing for it) and does not impact on any future funding.

Legal Implications and risks:

The legal implications are included in the report.

Human Resources Implications and risks:

There are no Human Resources implications

Equalities and Social Inclusion implications:

There are no equalities and social inclusions implications

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CHERYL COPPELL
Chief Executive

Background Papers List

- None

GOVERNANCE COMMITTEE

SUPPLEMENTARY AGENDA

20 March 2007

Supplementary

7 APPOINTMENTS TO OTHER ORGANISATIONS, 2006/07

An additional appointment is reported for decision.

The following reports are submitted with the agreement of the Chairman as urgent matters pursuant to Section 100B(4) of the Local Government Act 1972

Additional reports

10A JOINT SCRUTINY OF HEALTH SERVICES WITH OTHER LOCAL AUTHORITIES

10B ETHICAL GOVERNANCE SURVEY (report to follow, if not attached)

Cheryl Coppel
Chief Executive

Governance Committee, 20 March 2007



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	20 MARCH 2007	7

SUPPLEMENTARY

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: APPOINTMENTS TO OTHER ORGANISATIONS, 2006/07

3 TRUSTEES OF POYNTZ AND OTHER CHARITIES

- 1.1 This is a small local charity, administering benefits for the poor, including some almshouses of North Ockendon. The Council appoints three of the trustees. The term of office of the current trustees will expire in November 2007. Trustees can, but need not, be Members.
- 1.2 One of the Council's appointees, a Mr Geoffrey Jones, has now moved from the area and is no longer a trustee.
- 1.3 The charity has asked the Council to appoint a local resident, a Mr David Livermore, to succeed Mr Jones. Mr Livermore has already supported the trustees, particularly in connection with the almshouses.
- 1.4 The Committee is therefore now requested to appoint Mr Livermore as a trustee.

RECOMMENDATION

That David Livermoer be appointed a trustee of the Charities of Richard Poyntz and others.

**Cheryl Coppel
Chief Executive**