



Havering

LONDON BOROUGH

GOVERNANCE COMMITTEE AGENDA

7.30 pm

Wednesday
15 January 2014

Town Hall,
Main Road,
Romford

Members 13: Quorum 4

COUNCILLORS:

Conservative
(7)

Residents'
(3)

Labour
(1)

**Independent
Residents'**
(1)

UKIP
(1)

Frederick Thompson
(Chairman)
Rebecca Bennett
(Vice-Chair)
Michael Armstrong
Robert Benham
Steven Kelly
Roger Ramsey
Michael White

Clarence Barrett
Gillian Ford
Barbara Matthews

Keith Darvill

Jeffrey Tucker

Lawrence Webb

For information about the meeting please contact:

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grant.soderberg@havering.gov.uk

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 & SUBSTITUTE MEMBERS

(If any) - receive

3 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in any item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the Committee held on 13 November 2013, and to authorise the Chairman to sign them.

5 DEVELOPMENT & AUTHORISATION OF PATIENT GROUP DIRECTIONS (PGDS) (Pages 7 - 14)

6 OUTSIDE BODIES - HORNCHURCH HOUSING TRUST (Pages 15 - 16)

7 VACATION OF OFFICE BY FORMER COUNCILLOR MARK LOGAN (Pages 17 - 20)

8 HAVERING'S MAYORALTY - REDUCTION IN ACTIVITY PROPOSAL (Pages 21 - 28)

9 MEMBER INDUCTION PROGRAMME 2014 (Pages 29 - 34)

10 POWERS OF THIRD TIER MANAGERS (Pages 35 - 38)

11 MONITORING OFFICER NO 22 AMENDMENTS TO THE CONSTITUTION (Pages 39 - 42)

Andrew Beesley
Committee Administration
Manager

**MINUTES OF A MEETING OF
THE GOVERNANCE COMMITTEE
Havering Town Hall
13 November 2013 (7.30pm – 8.50pm)**

Present:

COUNCILLORS:

Conservative Group	Frederick Thompson (in the Chair), Steven Kelly, Michael Armstrong Robert Benham, Michael White, +Wendy Brice-Thompson and +Lesley Kelly
Residents' Group	Clarence Barrett, Gillian Ford and Barbara Matthews
Labour Group	Keith Darvill
Independent Residents' Group	Jeffrey Tucker

+ **Substitute Members:** Councillors Wendy Brice Thompson (for Becky Bennett) and Lesley Kelly (for Roger Ramsey)

Councillor Pam Light – Chairman of the Member Development Group – was also present.

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

Apologies for absence were received from Councillors Becky Bennett, and Roger Ramsey

There were no disclosures of pecuniary interest

15 **MINUTES**

The minutes of the meeting held on 10 September 2013 were agreed as a true record and signed by the Chairman.

16 **APPOINTMENT OF MEMBER CHAMPION FOR CYCLING**

The Committee was invited to consider the proposal for the Council to appoint a Member Champion for cycling. The argument for this was that cycling had experienced a resurgence over the past few years and Havering had many miles of roads and a large, active, cycling population.

Members were reminded that the Mayor of London was an enthusiastic cyclist – and a champion for cycling in his own right – and that by promoting cycling and

cycling safety in Havering, it was highly probable that funding could be attracted into the borough.

After some discussion, Members formed the opinion that at this stage of the present Council's term, there was no necessity for a champion to be created, but that the responsibilities which would fall to a champion could be properly undertaken by the appropriate portfolio holder in Cabinet and the most appropriate Lead Member (apart from him being a keen cyclist) was Robert Benham.

A proposal was therefore put that the Cabinet Member for Community Empowerment be given the responsibility for championing cyclists and cycling in the borough for the remainder of the current Council and that, if it was considered appropriate, at some future time, a further report should be submitted to the Committee with the role of a Member Champion more clearly defined after the local elections in May 2014.

In favour of the motion: Councillors: Frederick Thompson, Michael White, Steven Kelly, Robert Benham, Michael Armstrong, Wendy Brice-Thompson, Lesley Kelly, Clarence Barrett, Gillian Ford, Barbara Matthews and Keith Darvill

Against the motion: Councillor: Jeffrey Tucker

The motion was **CARRIED** by eleven votes to one.

The Committee **RESOLVED** that:

- 1 The Cabinet Member for Community Empowerment be given the responsibility for championing cyclists and cycling in the borough for the remainder of the current Council.
- 2 A further report should be submitted to the Committee with the role of a Member Champion for cycling more clearly defined after the local elections in May 2014.

17 **APPOINTMENT OF DEPUTY INDEPENDENT PERSON**

Members were reminded that at its last meeting, the Committee had requested further information on Redbridge's Independent Person (IP) Sarah Cooper James who was being proposed to act as deputy for Havering's IP Mr Keith Mitchell. This was a reciprocal arrangement and required both Councils to ratify the appointments.

At the Committee's meeting on 10 September, Members had expressed a desire to be better informed about the relevant experience and skills which such an appointee brought to the position. The purpose of the report (containing exempt information concerning Ms Cooper James's background) was now before the Committee.

Members noted the information provided to them and, on being assured that Ms Cooper James' allowance is funded by Redbridge,

The Committee **RESOLVED to RECOMMEND to Council** that Sarah Cooper James be appointed as Deputy Independent Person for Havering.

18 MEMBER INDUCTION PROGRAMME 2014

The Committee was informed that the Member Development Group had, at its meeting on 21 October 2013, agreed a programme of training for Members after the forthcoming local elections in May 2014.

Members were unanimous in their appreciation of the need for councillors – especially those who were serving on regulatory or quasi-judicial committees - to have the appropriate training and that if Members failed to ensure they had the requisite training, that omission could involve the Council in potentially costly legal actions, but the Committee was equally unanimous in its rejection of the term “mandatory” in the programme.

Members argued that elected Members could not be compelled to attend training – even though not to do so might be unwise – but it was the responsibility of the Member Development Group to persuade councillors to attend. It was also considered that there ought to be a distinction drawn between newly elected councillors (first-timers) who would have had no experience of council governance and those Members who had many years of experience across a wide range of committees and for whom “basic” training was inappropriate. Members argued that courses needed to be designed to suit both beginners and those with considerable experience to be meaningful and that no Member should be compelled to attend any course, but that every Member should be persuaded to attend those courses most beneficial to their personal and corporate development.

On the assurance by the Chairman of the Member Development Group that she would take the concerns of the Committee back to it and fully review the training programme, the Committee **NOTED** the report:

19 AMENDMENTS TO THE CONSTITUTION

The Committee was invited to approve amendments to the constitution consequent upon the intention to reduce the number of straightforward, non-contentious planning applications which were considered by the Regulatory Services Committee, because they had been submitted by the Council as applicant, or for Council related developments. Delegated authority – as in non-Council applications – would provide a speedier and more cost-effective means of processing those applications. It was considered that the current process was excessive and unnecessarily bureaucratic

Members sought confirmation that if such applications were challenged the usual default rules would apply and the matter be considered by the Regulatory Services Committee.

On receiving these assurances,

The Committee **RESOLVED to RECOMMEND to Council** that the following category be added to the Constitution (Part 3.6.6) as set out below:

- (xv) To decide any application by the Council, or concerning Council land/ premises, involving buildings or structures/changes of use of no greater than 1000m² floor space, where the proposal accords with development plan and/ or national planning policies and no third party objections have been received.

20 **CREATION OF A SHARED SERVICES JOINT COMMITTEE**

The Committee was reminded that the Council together with the London Borough of Newham was proposing to run the back-office function of both Councils as a joint operation under the control of a Joint Committee. The implementation of this proposal would require the Council's Constitution to be amended to allow for such a joint venture to proceed (similar changes would have to be approved by Newham).

There was some degree of urgency because, in order to maximise the opportunity for both boroughs to benefit from mutually arranged reductions in expenditure from 1 April 2014, the Joint Committee would have to be created and ready to begin its work as soon as possible.

The first steps to setting up this Joint Committee would be that both Councils' Cabinets adopted the plan (which in Havering was 20 November and Newham, 21 November) with Havering's decision being ratified by full Council on the 27 November.

Members deliberated at length about the potential implications of the creation of such a body but acknowledged that delay would unnecessarily impact on the ability of both councils beginning to reap the benefits of reduced costs and consequent savings and would put both councils at risk in their attempts to ensure all necessary services were provided within budget.

The Committee was reminded that whatever decisions were taken in Cabinet and full Council, the Constitution itself needed to be amended to accommodate a joint body and that this was the sole purpose of the report.

Having deliberated the matter at length,

The Committee **RESOLVED to RECOMMEND to Council** that:

1. It agrees to the formation of a joint committee with the London Borough of Newham to deliver various back-office functions for both Councils.

And that the amendments to the Constitution be approved as set out below

2. The following amendment to the constitution is made:

In section 2.8 Joint Working Delegations add:

(c) Shared Services Joint Committees

This is an executive committee of this Council and the London Borough of Newham with a membership of 3 councillors from the executive of each Council.

The committee's functions will be from the 1st April 2014 to control and co-ordinate the back-office functions of both Councils, in the case of Havering these will be:

- (a) Finance & Procurement
- (b) Exchequer Services
- (c) Asset Management
- (d) Legal Services
- (e) Democratic Services
- (f) Strategic HR and Organisational Development
- (g) Business Systems

These functions are set out in detail in Schedule 2 of the Joint Committee Agreement with the London Borough of Newham.

The Joint Committee will, prior to the 1st April 2014 determine the senior management arrangements for the proposed shared service.

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GOVERNANCE COMMITTEE

15 January 2014

Subject Heading:	DEVELOPMENT AND AUTHORISATION OF PATIENT GROUP DIRECTIONS (PGDS)
CMT Lead:	Dr Mary Black, Director of Public Health
Report Author and contact details:	Mark Ansell, Consultant in Public Health, x1818
Policy context:	In certain circumstances, PGDs are necessary to deliver health improvement services now commissioned by the Council as a result of the Health And Social Care Act 2012
Financial summary:	The cost of the health improvement services to which PGDs relate is met by a ring fenced public health allocation provided for this purpose by central government.

The subject matter of this report deals with the following Council Objectives

- Ensuring a clean, safe and green borough
- Championing education and learning for all
- Providing economic, social and cultural activity in thriving towns and villages
- Valuing and enhancing the lives of our residents
- Delivering high customer satisfaction and a stable council tax

SUMMARY

The Health and Social Care Act transferred responsibility for aspects of health improvement from the NHS to top tier Local Authorities. The delivery of some health improvement services is dependent on Patient Group Directions (PGDs). PGDs are written directions enabling health professionals to supply and/or administer a named medicine to a group of patients, who may not be individually identified prior to presentation for treatment. Local Authorities now have the power to authorise patient group directions (PGDs) relating to their health improvement

responsibilities and this report sets out what this entails and how the process might best be governed.

RECOMMENDATIONS

That the Committee recommend to the Council that the following paragraph is added to Section 3.9.1 in Part 3 of the Constitution relating to the Director of Public Health's role:

(m) To authorise Patient Group Directions on behalf of the Council.

REPORT DETAIL

What are Patient Group Directions?

- 1 Patient Group Directions (PGDs) are written instructions for the supply or administration of medicines to groups of patients who may not be individually identified before presentation for treatment.
- 2 The majority of clinical care should be provided on an individual, patient-specific basis. The supply and administration of medicines under PGDs is reserved for those limited situations where this offers an advantage for patient care without compromising patient safety, and where it is consistent with appropriate professional relationships and accountability.
- 3 For example, community pharmacists are easily accessible, have a high footfall and are used by some population groups who may be less likely to attend general practice e.g. young people. As such they are well placed to offer chlamydia testing. However, they do not usually prescribe and therefore patients testing positive must subsequently attend their GP or sexual health services to be treated. This is inconvenient and increases the likelihood that treatment will be delayed. A PGD allows community pharmacists to offer this treatment where the patient meets specified criteria which serve to ensure patient safety.

Legal basis for Council authorisation

- 4 Patient group directions must be authorised by the relevant appropriate body as set out in legislation.
- 5 As a result of the Health and Social Care Act 2012, the responsibility for commissioning health improvement services was transferred to local authorities. In some cases delivery of these services is dependent on a PGD. The National Treatment Agency (Abolition) and the Health and Social

Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013¹ amended existing legislation to give Local Authorities the power to authorise PGDs in the exercise of their new public health functions.

- 6 The same order states that this power should be authorised by the Chief Executive or Director of Public Health of the local authority.

The Role of the Director of Public Health

- 7 NICE published [Patient Group Directions Good Practice Guidance](#)² in August 2013 which covers the legislation, systems and processes used when commissioners and providers of NHS services are considering the need for developing, authorising, using and updating PGDs.
- 8 NICE states that an individual person should have designated responsibility for signing PGDs on behalf of the authorising body. This person has responsibility for ensuring PGDs are developed in line with legislation and local organisational policies and governance arrangements, with full consideration of the service in which the PGD is to be used. Legislation requires this person to be the Chief Executive or the Director of Public Health (DPH). Given that authorisation will entail judgments as to whether use of a PGD is consistent with appropriate professional relationships and provides advantages for patient care without compromising patient safety, a detailed knowledge of health improvement services will be necessary and hence this responsibility would be best placed under the remit of the Director of Public Health.
- 9 The overall process of PGD development and authorisation is summarised schematically in Appendix 1. Key groups and their role in the process are outlined in subsequent sections of this report. A detailed protocol, based on the NICE PGD Good Practice Guidance, which will guide the development of PGDs in the Council, will be developed by the Council's Public Health Directorate and approved by the DPH.

The Patient Group Direction Approval Group

- 10 Prior to final authorisation by the Director of Public Health on behalf of the Council, any PGD would be approved by a multidisciplinary group of health professionals.
- 11 NICE Good Practice Guidance suggests that this PGD approval group should as a minimum include the following people:
- Prescribing or clinical governance lead
 - Medicines optimisation lead or chief pharmacist
 - Representative from other local medicines decision-making groups.

¹ The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013' <http://www.legislation.gov.uk/uksi/2013/235/contents/made> (relevant sections are paragraph 176 of Schedule 2 and paragraph 28 of Schedule 3).

² NICE (2013) 'Good Practice Guidance: Patient Group Directions'

- 12 If additional expertise is needed, the DPH will invite other professionals to participate including:
- Specialists with appropriate expertise to provide clinical advice in a specific area, such as a
 - Local specialist in microbiology (for PGDs containing an antimicrobial) or a paediatric specialist (for PGDs to be used for treatment in children)
 - Lead practitioner in the area in which the PGD is to be used
 - Patient and public representatives
 - Controlled drugs accountable officer (if the PGD includes a controlled drug)
 - Service commissioner or provider representatives
 - Finance representative.
- 13 Clinical Commissioning Groups (CCGs) also have the power to authorise PGDs pertaining to the services that they commission and have staff with the required professional competencies and previous experience of PGD development and authorisation. Havering Clinical Commissioning Group (HCCG) has agreed to assist the Council to access the health professional expertise needed to authorise and develop PGDs.

The Patient Group Direction Working Group

- 14 A separate PGD working group will be established to develop each PGD and thereafter periodically review and update it.
- 15 Legislation does not specify who must be involved in developing PGDs. The Health Service Circular (HSC 2000/026) states that PGDs 'should be drawn up by a multidisciplinary group involving a doctor, a pharmacist and a representative of any other professional group expected to supply medicines under the PGD'³.
- 16 The NICE Guidance Development Group (GDG)⁴ reviewed evidence that an individual PGD is usually developed by a named 'lead author' who has overall responsibility. This author may be part of a multidisciplinary 'PGD working group'. The lead author may be a doctor (or dentist), pharmacist or representative of any other professional group who will practise under the PGD, or another person such as the service lead. The roles and responsibilities of each person, how they work together to develop the PGD and how the group operates should be determined locally and clearly defined.
- 17 A PGD working group should be established for each individual PGD, although the same group may be responsible for developing a number of

³ NICE (2013) 'Good Practice Guidance: Patient Group Directions' (pg 48)

⁴ NICE. (2013) *GPG2 Patient Group Directions*. Available: <http://publications.nice.org.uk/patient-group-directions-gpg2/how-this-guidance-has-been-developed#guidance-development-group>. Last accessed 02.01.2014.

PGDs. The PGD working group is separate from, but would need to liaise with, the PGD approval group.

- 18 The NICE Guidance agreed that members of the PGD working group developing a PGD should include⁵:
- a lead author
 - a doctor (or dentist)
 - a pharmacist
 - a representative of any other professional group who will practise under the PGD, such as a nurse.
- 19 The GDG concluded that whatever local arrangements are in place, the expertise of a doctor (or dentist), pharmacist and representative of any other professional group who will practise under the PGD is needed when developing a PGD.
- 20 If additional expertise is needed, other professionals who may be involved in developing a PGD include:
- a specialist with appropriate expertise, such as a local specialist in microbiology for PGDs containing an antimicrobial
 - the people responsible for ensuring that only fully trained and competent professionals work under the PGD
- 21 With regard to the development of PGDs within the Council, it is envisaged that the lead author would normally be a consultant in public health who would be charged with engaging the support of a wider team of health professionals as necessary.
- 22 In some instances, a PGD may be developed by a national or regional expert group e.g. established by Public Health England or NHS England. Nonetheless, a local lead will be required to put in place and report on robust arrangements for the implementation and audit of the PGD (see below). Prior to authorisation, the DPH and Patient Group Direction Approval Group will consider and be reassured regarding the training and competency of people involved in developing all PGDs.

Implementation and audit of PGDs

- 23 As part of the documentation submitted to the Authorisation Group, the PGD Working Group will describe: -
- how relevant health professionals will be trained to supply and administer the stated medication as specified in the PGD
 - how the competence of health professionals will be assessed and recorded
 - how compliance with the PGD will be audited
 - who, how and when implementation and audit of the PGD will be reported to the PGD Approval Group.

⁵ NICE (2013) 'Good Practice Guidance: Patient Group Directions' (pg 49)

- 24 The PGD Approval Group will consider and be reassured regarding the robustness of these arrangements before authorising the PGD.

Annual Report regarding PGDs authorised by the Council

- 25 It is proposed that the DPH, supported by the PGD Approval Group will publish an Annual Report detailing any PGDs authorised and information regarding their subsequent usage. The Report will be shared with the chair and members of the Health and Wellbeing Board.

Conclusions

- 26 Patient Group Directions can offer a significant advantage to patient care by improving access to appropriate medicines where prescribing is impractical. Hence the legal framework of a PGD allows services to be redesigned and health professionals to work more flexibly for the benefit of patients.
- 27 The proposed governance arrangements set out in this paper will give the Director of Public Health the responsibility to authorise PGDs on behalf of the Council having been scrutinised by an appropriately constituted PGD Approval Group which will assess and provide reassurance regarding PGDs, and related plans for implementation and audit, developed by separate PGD Working Groups.
- 28 These arrangements will ensure that PGDs in Havering improve outcomes and experience of care whilst preserving patient safety.

IMPLICATIONS AND RISKS

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

Financial implications and risks:

There are no additional financial implications as these costs are contained within the existing contracts with the providers.

Patient Group Directions serve to reduce costs to the public purse as a whole, as they enable a one stop shop approach and prevent follow up appointments for the prescribing of medication which otherwise would happen.

Legal implications and risks:

The legal risk would arise from the authorisation of a high risk process or medication that should for patient safety reasons be administered by an independent prescriber. However, as the subject matter for PGDs are inherently low risk procedures or medication, and the approval process before final authorisation is substantial and multi-layered the outlined risk is minimal.

Human Resources implications and risks:

There are no significant HR implications or risks that can be identified from the recommendation made in this report. The role of Director of Public Health (DPH) is wide-reaching in terms of the public health function and already encompasses all the key responsibilities in this area of the work of the Council. Any potential impact on the DPH role can be appropriately explored under the Council's HR policy framework, with advice from the HR service.

Equalities implications and risks:

It is anticipated that Patient Group Directions (PGDs) will improve outcomes and experience of care and increase access to appropriate medicines whilst preserving patient safety. The groups that are most likely to benefit from the proposed arrangements are young people, men and people from certain ethnic groups and nationalities who are less likely to attend general practice.

BACKGROUND PAPERS

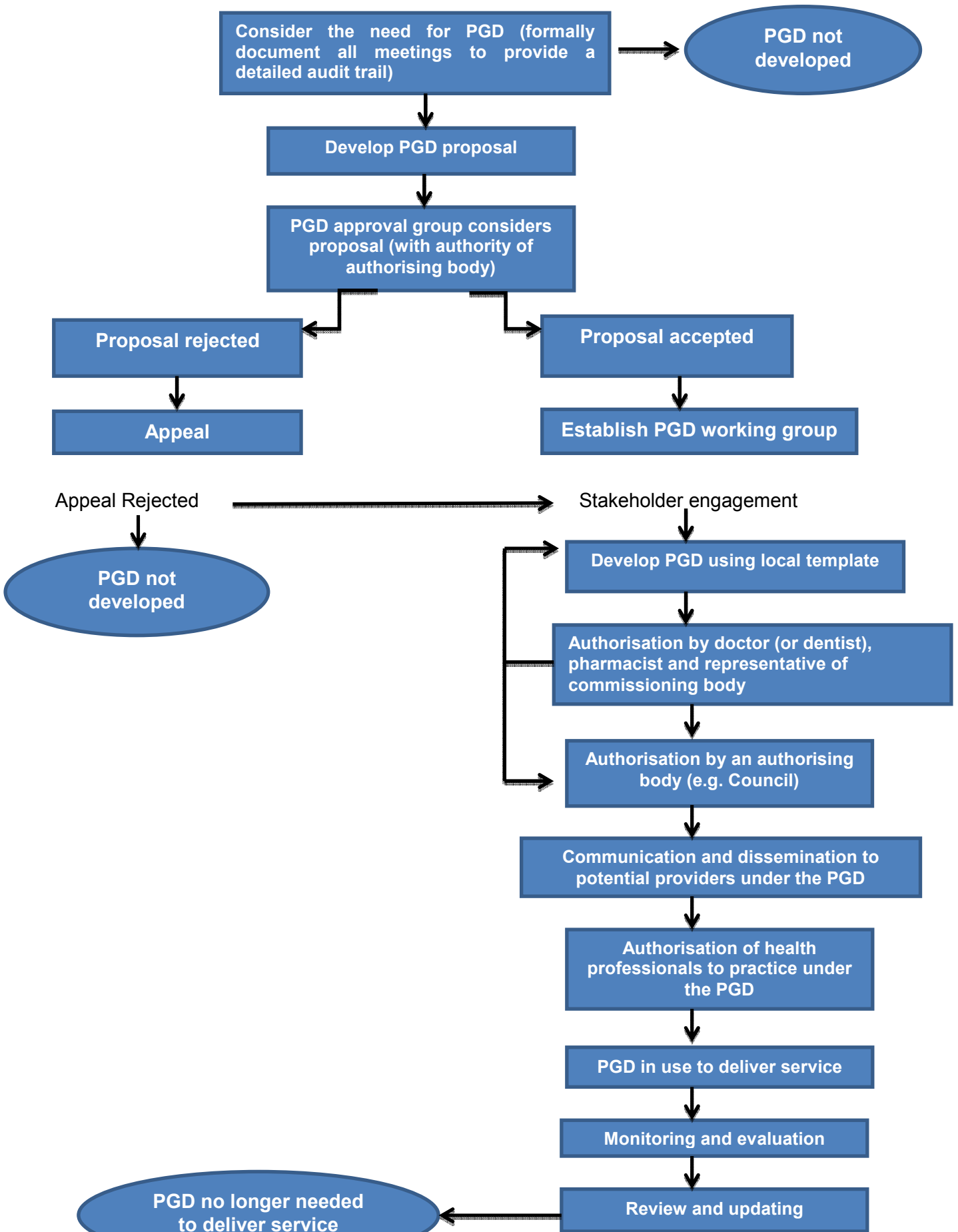
The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions), 2013, No. 235.
<http://www.legislation.gov.uk/ukxi/2013/235/contents/made>

NICE (2013) Good Practice Guidance: Patient Group Directions.
<http://www.nice.org.uk/mpc/goodpracticeguidance/gpg2.jsp>

NICE (2013) Evidence and recommendations – Patient Group Directions -
<http://publications.nice.org.uk/patient-group-directions-gpg2/evidence-and-recommendations#authorising-patient-group-directions-3>

NHS. (2013). Who are the PGD signatories? Available:
<http://www.medicinesresources.nhs.uk/en/Communities/NHS/PGDs/FAQs/Who-are-the-PGD-signatories/?query=local+authority&rank=21> Last accessed 02.01.2014.

Appendix 1: PGD development chart





GOVERNANCE COMMITTEE

15 January 2014

Subject Heading:

APPOINTMENTS TO OTHER ORGANISATIONS– HORNCHURCH HOUSING TRUST

CMT Lead:

Ian Burns
Assistant Chief Executive
01708 432442

Report Author and contact details:

Jacqui Barr
Research & Information Officer,
Committee Administration
jacqui.barr@havering.gov.uk
01708 432439

Policy context:

The Council appoints Members and others to serve on a variety of other bodies

Financial summary:

There are no significant financial implications.

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

Hornchurch Housing Trust

The Council appoints a number of nominative trustees to the Trust for four year terms of office expiring in sequence over each four year period.

The term of office for both Mr Ivor Cameron and Mrs Peggy Munday are due to expire at the end of February 2014. Both have indicated that they wish to be re-appointed to the Trust.

RECOMMENDATIONS

That the Committee appoints **Mr Ivor Cameron and Mrs Peggy Munday** as Trustees for the term of office expiring in February 2018.

IMPLICATIONS AND RISKS

Equalities and Social Inclusion Implications and Risks

There are no specific implications or risks. Appointments should be made with the Council's equalities policies in mind.

Legal, Finance and Environmental Implications and Risks

These appointments are administrative and have no direct legal, financial or environmental implications or risks. In some cases (but not this), membership of an organisation is dependent upon the Council paying a subscription: where relevant, the subscription will be met from within an appropriate budget provision.

BACKGROUND PAPERS

Files are held by Committee Administration containing background information on the organisations to which appointments are being made.

GOVERNANCE COMMITTEE

15 January 2014

Subject Heading:

VACATION OF OFFICE BY FORMER COUNCILLOR MARK LOGAN

CMT Lead:

Ian Burns
Acting Assistant Chief Executive

Report Author and contact details:

Andrew Beesley
Committee Administration & (Interim)
Member Services Manager
Andrew.beesley@havering.gov.uk
01708 432437

Policy context:

Local Government Act 1972

Financial summary:

There is no financial impact on the Council

The subject matter of this report deals with the following Council Objectives

- Ensuring a clean, safe and green borough
- Championing education and learning for all
- Providing economic, social and cultural activity
in thriving towns and villages
- Valuing and enhancing the lives of our residents
- Delivering high customer satisfaction and a stable council tax

SUMMARY

This report sets out the circumstances which led to the vacation of office by former Councillor Mark Logan.

The report also explains that as the vacancy occurred less than six months before the next round of local council elections (May 2014), there is no requirement for a by-election to take place.

RECOMMENDATIONS

That the Committee note the report.

REPORT DETAIL

- 1.1 Section 85 of the Local Government Act 1972 ('the Act') states that if a member of a local Authority fails throughout a period of six consecutive months, from the date of his/her last attendance to attend any meeting of the authority, including committee and sub-committees, s/he shall unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the Authority.
- 1.2 Former Councillor Mark Logan had not attended any Council or Committee meetings since the Annual Council meeting on 22 May 2013.
- 1.3 Council could only have considered approval of any reasons for non-attendance before the end of the relevant six month period, which would have been 21 November 2013. Whilst it is publicly known that Mr Logan is suffering from a serious medical condition, he did not submit grounds for permitted absence to the Council for it to consider. Therefore, as of 22 November 2013 he was no longer a member of this Council.
- 1.4 Once a Councillor loses office, through failure to attend for the six months period, the disqualification cannot be overcome by the Councillor subsequently resuming attendance nor can retrospective approval of the Council be sought.
- 1.5 As the vacancy arose within six months of the date on which that Councillor's term of office was due to expire, the rules states that the election will take place at the next ordinary election, and not by way of a by-election.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no direct financial implications and risks

Legal implications and risks:

The legal implications and risks are covered in the body of the report.

Human Resources implications and risks:

There are no direct human resources implications and risks

Equalities implications and risks:

There are no direct equalities implications and risks

BACKGROUND PAPERS

None

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GOVERNANCE COMMITTEE

15 January 2014

Subject Heading:

HAVERING'S MAYORALTY –
REDUCTION IN ACTIVITY PROPOSAL

CMT Lead:

Ian Burns, Acting Assistant Chief
Executive

Report Author and contact details:

Andrew Beesley
Committee Administration & (Interim)
Member Services Manager
01708 432437
andrew.beesley@havering.gov.uk

Policy context:

With continued pressures on the Council budget the activity profile of the Mayoralty and its associated support arrangements requires reviewing.

Financial summary:

The cost of the Mayoralty in 2013-2014 is estimated at £190,000. The proposals contained within the report could see a reduction in the annual costs of the Service

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input checked="" type="checkbox"/>
Valuing and enhancing the lives of our residents	<input type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

The cost of the Mayoralty is contingent on the activity preferences of the office's incumbent which can therefore mean that there is on occasion a wide variation in expenditure.

This report details a series of options for implementing defined parameters for the role and activity profile of the Mayor. With continued pressure of public finances, a

number of suggestions are proposed which would reduce the overall cost of delivering the Mayoralty in Havering.

RECOMMENDATIONS

That the Committee indicate its preferences from the list of savings options as detailed in the report.

REPORT DETAIL

- 1.1 The Mayor of Havering currently has full discretion to accept any invitation he or she receives from any local authority for any event. This also extends to invitations from Havering's twinned towns. There is no restriction on the activity parameters of the Mayor. The formal duties of the Mayor extend to presiding over meetings of Council and the signing of Council ordinance.
- 1.2 The current estimated figure for 2013/14 is approximately £190,000. This cost is comprised of staff salaries (including overtime), transport, the Civic Purse and Special Responsibility Allowances. The breakdown of costs is as follows:

Staff salaries: £107,000
Staff overtime: £35,800
Member Allowances: £22,068
Civic Purse: £14,120
Transport: £10,000
- 1.3 Amongst the public there is an appreciation for the work of the Mayor, particularly for events within the borough. Indeed, since April 2013 the Mayor will have attended over 300 engagements in Havering. There is however, not a wider understanding about what the Mayor does outside of the borough. There is also little in the way of guidance about what type and the number of events the Mayor is expected to attend out of the borough.
- 1.4 Members will note that an estimated figure of approximately £35,800 will be spent on staff overtime costs. The vast majority of this cost is absorbed by the significant volume of work undertaken by the 2 Mayoral Support Officers who play a critical role in escorting the Mayor and Deputy Mayor to the majority of events which they attend. The Support Officers are employed on an annualised hours' contract. Once the annualised hours are exceeded, an increased rate of pay is awarded. The high volume of

work undertaken by successive Mayors and Deputy Mayors has increased the workload of the 2 Support Officers, much beyond the level of work accommodated for within the annualised hours' contract. By reducing the activity of the Mayoralty, this will in-turn reduce the workload of the Support Officers thereby lowering the overtime costs paid to those members of staff.

- 1.5 With continued pressures on public finances, there are demands to curtail all non-essential activity and this report presents a range of options which aim to reduce modestly the cost of the Mayoralty.

2. Reduced activity to neighbouring boroughs

- 2.1 Mayoral activity is very much driven by the officeholder and there has been a wide variation between different years in terms of the type and setting of events attended. Each year, the Mayor and Deputy Mayor will attend approximately 600 events. Of these, some 80-100 are held in boroughs which do not neighbour Havering and which, it can reasonably be argued, have little or no connection to this borough.

- 2.2 What is proposed is to reduce the activity of the Mayoralty through restricting the activities and events the Mayor can engage in to those of the outer east London boroughs; namely Barking & Dagenham, Redbridge, Waltham Forest and Newham; and also the 3 adjoining boroughs in Essex, namely Brentwood, Epping Forest and Thurrock District Councils, and events at the County Council offices at Chelmsford. Pan-London events such as the Lord Mayor's Show would continue to be attended.

- 2.3 Based on previous years' expenditure a cost savings projection can be determined. The majority of the savings would come from the reduction in overtime, particularly for the Mayor's support officers. Whilst it is difficult to give a precise estimate of the level of savings due to the operation of the Support Officer annualised contract, a conservative estimate would be in the region of £6,000-£8,000 per annum. There would also be a saving in fuel costs associated with the reduction in activity.

3. Reduced weekend activity

- 3.1 In the current municipal, the Mayor and Deputy Mayor have attended 114 weekend engagements, a mixture of in-borough and out of borough activities. For each of those events, a Mayoral Support Officer will also have been in attendance, accruing over 350 hours of work, some of which will be paid through overtime at a higher rate given the unsociable working hours.

- 3.2 In order to reduce the excessive weekend activity, a limit could be placed on the number of weekend engagements the Mayor and Deputy Mayor could attend. If the number of events were reduced to a limit of 40 per year, coupled with the restriction reducing activity to in-borough and neighbouring boroughs as set out in the previous section of this report, this would contribute towards a similar level of overtime staffing cost savings as identified in the previous option.

4. Reduction in Civic Purse

- 4.1 Were Members minded to pursue the options as set out above, there could also be a small reduction in the annual budget for the Civic Purse.
- 4.2 The budget for 2013/14 was set at £14,120. With less activity and reduced costs associated with attending events and other engagements, the budget could be reduced to around £10,000. Any expenditure over that could be charged to the mayoral allowances to act as a disincentive for excessive activity.

5. More cost-efficient Mayoral car

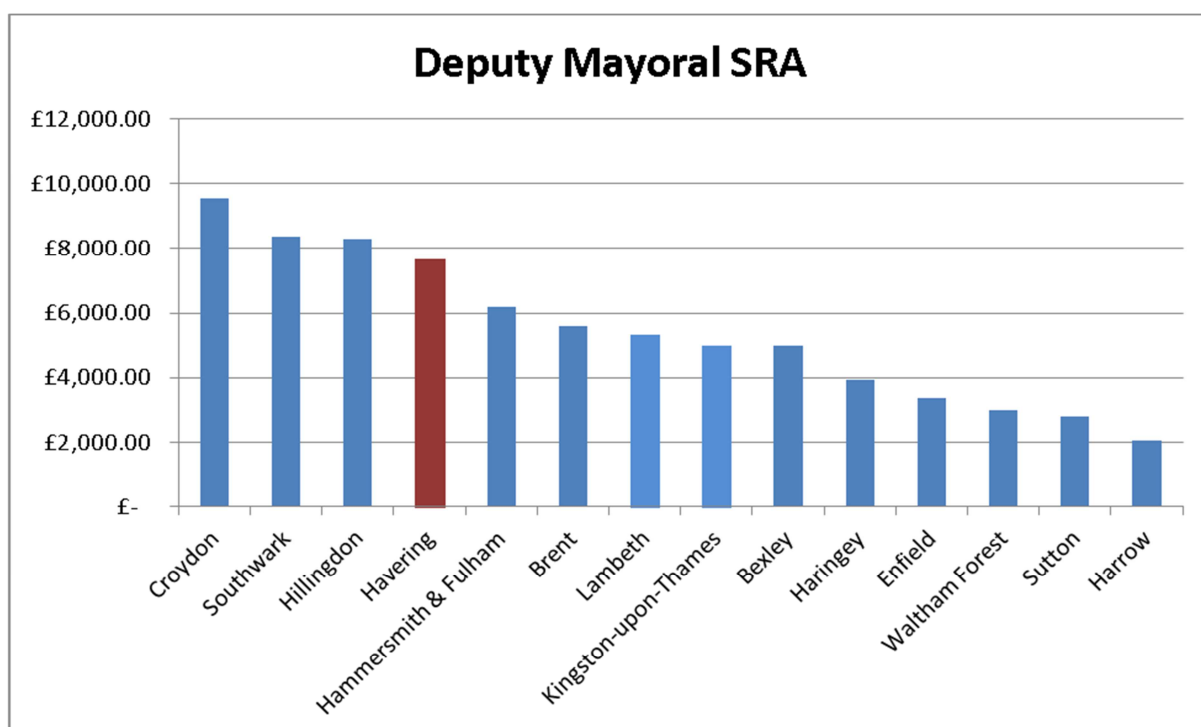
- 5.1 A Mayoral car is provided to convey the Mayor and Mayoress/Escort or, if appropriate, the Deputy Mayor and Escort to and from official Mayoral engagements.
- 5.2 The annual hire cost for the Mayor's car (Mercedes S-Class) is £3,770, with annual fuel costs of approximately £2,500.
- 5.3 For access reasons, the current Mayor has made use of a Ford Galaxy from the Council's Passenger Transport Service. The annual cost for this vehicle is approximately £1,000 (with additional staff support costs in the absence of the Mayoral Support Officers). The use of the Ford Galaxy demonstrates that through hiring a more cost-efficient vehicle additional savings could be found.
- 5.4 In addition, there is the option of going to market to source a less expensive hire car, or utilising the Council's car pool.

6. Review of Deputy Mayor SRA

- 6.1 The role of the Deputy Mayor is to deputise for the Mayor when he/she is unable to chair a meeting of Council or attend a designated event. The year in office for the Deputy Mayor is viewed as a training exercise for when he/she takes over from the outgoing Mayor. However the level of activity of a Deputy Mayor is dependent on decisions of the Mayor. In most years the Deputy Mayor undertakes only a handful of engagements.

6.2 The Deputy Mayor role receives an annual special responsibility allowance of £7,650, compared to that of the Mayor who receives £14,418.

6.3 The graph below shows a comparison of Deputy Mayor SRA's with those London Boroughs who operate the Leader and Cabinet model of governance. The graph illustrates that Havering is in the upper quartile for its Deputy Mayor SRA. Additionally, 11 London Boroughs, including the neighbouring boroughs of Barking & Dagenham and Redbridge, have chosen not to award an SRA for the role of Deputy Mayor.



6.4 Members could consider reducing the level of the SRA to a rate more comparable to other outer London Boroughs or remove the SRA altogether.

7. Conclusion

7.1 The purpose of this report is to provide Members with a series of options for reducing the overall cost of the Mayoralty whilst maintaining a high public profile within Havering and neighbouring boroughs.

7.2 A projected breakdown of savings costs, were Members minded to pursue the range of options as set out in this report, is detailed in the table below.

Potential Savings Profile over a 4 year period:

Item	Current Cost (projected)	Potential Cost	Savings
Mayoral Support Officers' Overtime Costs:	£132,000	£75,000	£56,000
Replacement for Mercedes with Ford Galaxy (or equivalent):	£15,000	£8,000	£7,000
Civic Purse:	£56,480	£40,000	£16,480
Fuel costs (for Mercedes):	£10,000	£6,000	£4,000
Deputy Mayor SRA	£30,600	£0	£30,600

In essence, the role of the Mayor would remain largely unchanged and as such would still face the same expectations from office holders and the public about the type of activity profile.

Specifically the role would continue to include:

- Presiding over meetings of Council;
- Signing Council ordinance;
- Opening new facilities;
- Visiting schools and other public facilities;
- Providing a non-partisan civic face for the authority in the community;
- Visiting community groups;
- Representing the borough at external events and engagements in a pre-approved list of local authorities;
- Dispensing civic awards;

IMPLICATIONS AND RISKS

Financial implications and risks:

The cost of Havering's Mayoralty is in the region of £190,000 per annum, which over a term equates to £760,000. The report contains a number of options which aim to reduce the annual cost of the Mayoralty.

Legal implications and risks:

None

Human Resources implications and risks:

There is no reduction in staffing levels proposed. There will however be a reduction in the level of overtime claimed by the Mayoral Support Officers as a result of the reduced activity of the Mayoralty.

Equalities implications and risks:

None

BACKGROUND PAPERS

None

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GOVERNANCE COMMITTEE

15 January 2014

Subject Heading:	MEMBER INDUCTION PROGRAMME 2014
CMT Lead:	Ian Burns
Report Author and contact details:	Andrew Beesley Committee Administration & (Interim) Member Services Manager andrew.beesley@havering.gov.uk 01708 432437
Policy context:	Following the local elections in May 2014 there is a 'requirement' to run an induction programme to brief and train members on a variety of topics.
Financial summary:	There will be a series of costs associated with the provision of training

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	<input type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

With the forthcoming local elections taking place in May 2014 there is a need to deliver a range of training and information sessions to new and re-elected members commonly known as the Member Induction Programme.

Following consideration of a draft programme by the Member Development Group at its meeting on 21 October 2013 it was agreed that the enclosed programme should be sent to Governance Committee for noting.

A report on this matter was submitted to the previous meeting of the Governance Committee in December 2013. Some minor adjustments have been made to the Member Induction Programme following that meeting.

RECOMMENDATIONS

That the Committee notes the enclosed programme of information and training sessions for new and re-elected members following the local elections in May 2014.

REPORT DETAIL

- 1.1 Following previous local elections a variety of training and information sessions have been held to assist new and re-elected Members in the conduct of their duties.
- 1.2 These sessions have included both essential and optional activities and have been designed to ensure that Members are equipped with the necessary skills and information with which to perform their roles.
- 1.3 With the forthcoming local elections in 2014 a review was undertaken of what sessions had been delivered in the past, what other authorities had done and also what feedback had been received from Members on the efficacy of previous and existing programmes.
- 1.4 A comprehensive grid detailing all of the different essential and optional training sessions was compiled under the themes of ICT, General Skills, Legal and Corporate.
- 1.5 Furthermore a draft outline of a post-election induction day was completed which has been designed to aid Members in getting a large amount of the logistical and administrative items completed at the same time.
- 1.6 The Member Induction Programme 2014 is designed to provide comprehensive support for the training needs of Members following the election and will form the main part of Member Development for the next municipal term.
- 1.7 It is envisaged that the Induction Programme will be composed of the following elements; a post-election information and administration day; a series of training and information sessions ranged over the months after the election and a delivery platform composed of online, classroom, presentational and workshop vehicles.

IMPLICATIONS AND RISKS

Financial implications and risks:

There will be a series of costs associated with the delivery of the Member Induction Programme which will be borne by the Member Development Budget and other relevant service budgets.

Legal implications and risks:

Members are required to receive a range of training around equalities and diversity, standards, expenses, register of interests, planning, licensing and safeguarding for example. Failure to undertake these sessions would put Members at risk.

Human Resources implications and risks:

None.

Equalities implications and risks:

It is a requirement for Members to undertake Equalities and Diversity training particularly with the legal duties now placed on Members. Failure to undertake these sessions would put Members at risk.

BACKGROUND PAPERS

- Member Induction Programme 2014

Governance Committee, 15 January 2014

Training Sessions [To be delivered through a range of platforms over several weeks]

Theme	Subject	Member Audience	Type
ICT	Introduction to using a computer/iPad	All	Optional
	Using Emails	All	Optional
	Web browsing	All	Optional
	Word processing / use of files and folders	All	Optional
	Introduction to e-learning	All	Optional
	Social Media	All	Optional
	Data Protection and Information Security Awareness Training	All	Essential
	Business Systems Policy	All	Essential
	Introduction to Accessing Shared Services	All	Optional
General Skills	Chairing skills	All	Optional
	Influencing and negotiating skills	All	Optional
	Public Speaking / Presentation Skills / Speech writing	All	Optional
	Time management	All	Optional
	Speed reading	All	Optional
	Casework management	All	Optional
	Networking	All	Optional
	Community Engagement	All	Optional
	Being a Councillor	All	Essential
	Introduction to Local Government	All	Optional
	Media Training	All	Optional
Legal	Planning	Committee Members / All	Essential / Optional
	Licensing	Committee Members / All	Essential / Optional
	Adjudication and Review and Complaints	Committee Members / All	Essential / Optional
	Equalities and Diversity	All	Essential
	Corporate Parent	All	Essential
	Safeguarding	Committee Members / All	Essential / Optional
	FOI / Data Protection & Security	All	Essential
	Audit and Fraud	All	Essential
	Code of Conduct	All	Essential
	Declaration of Interest and Register of Interests	All	Essential
	Standards	All	Essential
Corporate	Legal and Constitutional background	All	Optional
	Emergency Planning & Business Continuity	All	Optional
	Health and Safety	All	Essential
	Procurement / iProc	All	Optional
	Full Council and Committees	All	Essential
	Overview and Scrutiny	All	Optional
	Finance	All	Optional
	Pensions and Treasury Management	Committee Members / All	Essential / Optional
	Policy Development (How to develop policy)	All	Optional

Governance Committee, 15 January 2014

Presentations: [To be delivered at a Town Hall Open Day immediately following the election / items pulled from master list above]

Theme	Subject	Member Audience	Type	Officer
Introductory	Welcome and Introduction to the Council	All	Essential	Cheryl Coppell
	Introduction from Havering Metropolitan Police Service (MPS)			CS Jason Gwillim
	Introduction from Havering Clinical Commissioning Group (CCG) / Public Health			Dr Atul Aggarwal / Dr Mary Black
	Introduction from other Key Partners			TBC
	Being a councillor			TBC
Informational	Local Government Finance			Andrew Blake-Herbert
	Transformation			Andrew Blake-Herbert
	LBH Service / Officer Structure			TBC
	Performance Management			Claire Thompson
Legal	Code of Conduct, Standards, Expenses, Gifts, Register of Interests, Declarations			Monitoring Officer
	Data Management [FOI/DPA] / Information Security			Monitoring Officer
	Business Systems Policy			Geoff Connell
	Equalities and Diversity			Claire Thompson / External
	Corporate Parenting			Alice Peatling / Eileen Collier
Support	Member Development Programme			Anthony Clements
	Member Services Support / Use of Council Resources (Personal & Political Work)			TBC
	Full Council & Committees / Questions and Motions – how to draft			Andy Beesley
	Democratic Services Processes (CSM) – Job descriptions/Constitution/Cabinet & Committees			Andy Beesley
Logistics	Introduction to Accessing Shared Services			Sharon Ould / Sandy Hamberger
	Health and Safety Induction			TBC
	Councillors' Poster / Internet Pages Photography			Communications
	LBH ID Badges / Vehicle Pass / Courier			Nikki Richardson
	Group Membership Forms			Monitoring Officer
	ICT Device / Network Access / Shared Folder Access			Keith Hendrie
	MSO Allocation			TBC
	Allowance Payments			Nikki Richardson
	Personal Data Collection			TBC
	Business Cards			TBC

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GOVERNANCE COMMITTEE

15 January 2014

Subject Heading:	POWERS OF THIRD TIER MANAGERS
CMT Lead:	Ian W. Burns
Report Author and contact details:	Ian W. Burns Acting Assistant Chief Executive ian.burns@havering.gov.uk 01708 432484
Policy context:	
Financial summary:	

The subject matter of this report deals with the following Council Objectives

- Ensuring a clean, safe and green borough □
- Championing education and learning for all □
- Providing economic, social and cultural activity
in thriving towns and villages □
- Valuing and enhancing the lives of our residents □
- Delivering high customer satisfaction and a stable council tax □

SUMMARY

This report seeks to give delegated authority for third tier managers to hear and determine disciplinary and grievance cases.

RECOMMENDATIONS

That the Committee agrees and recommends to full Council that the following amendment be made to the section on delegated functions in the Constitution:

Insert the following section:

- 3.4A Powers of Third Tier Managers
Third Tier Managers are managers who report directly to a Head of Service.
 - (a) To hear and determine disciplinary hearings of more junior staff including those involving accusations of gross misconduct

(b) To hear and determine grievance hearings

REPORT DETAIL

1. While it has long been possible for managerial staff to handle disciplinary matters, including hearings, custom and practice within the Council has been that most disciplinary and grievance hearings are conducted by a Head of Service or Assistant Director with subsequent appeals being heard by a Group Director or occasionally another Head of Service. This is reflected in the current provision in the Constitution which delegates disciplinary matters to Heads of Service who they have to formally delegate powers to a 3rd tier manager if the Head of Service wants then to handle disciplinary hearings.
2. As a result of the Council's Transformation Programme there are fewer Heads of Service with greater calls upon their time. This results in it being increasingly difficult to schedule disciplinary and grievance hearings within a reasonable timescale. It is generally in the interest of the organisation, the Service and the affected individuals that such matters are dealt with expeditiously, indeed in the past the Council has been criticised for the length of time taken to handle disciplinary cases.
3. It is therefore proposed that third tier managers, i.e. those reporting directly to a Head of Service, will have delegated powers to hear and determine disciplinary and grievance cases. This will include those involving gross misconduct and therefore the risk of dismissal from employment if the case is found proved, although normally a case of such seriousness would be heard by a Head of Service.
4. The procedure to be followed in hearings is clearly set out in the relevant HR policy and process and HR support and training will be made available to managers.

IMPLICATIONS AND RISKS

Legal implications and risks:

The handling of internal disciplinary & grievance issues is largely a matter for an employer, the key issues being

Financial implications and risks:

There are no direct financial implications from these proposals

Human Resources implications and risks:

Equalities implications and risks:

No equalities implications and risks have been identified as a result of the proposed changes to the Council Meeting procedure as there are already provisions in the Council Procedure Rules to ensure a fair distribution of questions answered at Council meetings.

BACKGROUND PAPERS

None

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GOVERNANCE COMMITTEE

15 January 2014

Subject Heading:	MONITORING OFFICER NO 22 AMENDMENTS TO THE CONSTITUTION
Report Author and contact details:	IAN BURNS Acting Assistant Chief Executive, Legal & Democratic Services – 2442
Policy context:	Monitoring Officer Amendments to the Constitution
Financial summary:	These changes are purely procedural and have no specific financial implications

The subject matter of this report deals with the following Council Objectives

- Clean, safe and green borough □
- Excellence in education and learning □
- Opportunities for all through economic, social and cultural activity □
- Value and enhance the life of every individual □
- High customer satisfaction and a stable council tax □

SUMMARY

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer 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 constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

RECOMMENDATIONS

That this report be noted.

REPORT DETAIL

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

As a new Constitution has been adopted with effect from 9th May 2010 the numbering system has commenced again from 01/10.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

IMPLICATIONS AND RISKS

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

Financial implications and risks:

The introduction of compulsory licensing of scrap metal dealers and collectors imposes additional burdens on the council. The administration cost of determining and issuing licences can be covered by charging fees for licences, which is a matter for the Executive, but the cost of enforcement will have to be covered by existing budgets.

Legal implications and risks:

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

Human Resources implications and risks: None

Equalities implications and risks: None

BACKGROUND PAPERS

None

SUBJECT: AMENDMENTS TO CONSTITUTION

Notification No. 22

Date 11th December 2013

Notification of amendments to the constitution

Amendments made by the Monitoring Officer

Part 2, Article 11.02(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 and article/ section	Page ref	Substance of amendment / amended wording	Reason for amendment
Part 3, Section 1.3	43	Table in Section 1.3 Delete Consideration Sub-Committee and its functions Amend the function of the Hearing Sub-committee to read: "To consider the outcome of investigations and determine whether or not there has been a breach of the Member's Code of Conduct by one or more members and, if there has been a breach, what penalty should be imposed".	Legalisation & organisational changes
Part 4	185	14. Standards Committee Delete para (a) Re-number para (b) to para (a) Add (a) (iii) The Independent Person (or Deputy Independent Person) shall be entitled to attend and speak at any meeting of the Committee or Sub-Committee.	Legislation change

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