

GENERAL PURPOSES COMMITTEE

Thursday, 8 February 2018 at 7.00 p.m.

C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London,
E14 2BG

This meeting is open to the public to attend.

Members:

Chair: Councillor Danny Hassell

Vice-Chair: Councillor Denise Jones

Councillor Craig Aston, Councillor Aminur Khan, Councillor Abdul Mukit MBE,
Councillor Muhammad Ansar Mustaqim, Councillor Rachael Saunders and Councillor
Helal Uddin

Deputies:

Councillor Asma Begum, Councillor Peter Golds, Councillor Joshua Peck and
Councillor Candida Ronald

[The quorum for this body is 3 Members]

Contact for further enquiries:

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APOLOGIES FOR ABSENCE

- 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS** **5 - 8**

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992.

See attached note from the Monitoring Officer.

- 2. MINUTES** **9 - 18**

To agree the unrestricted minutes of the General Purposes Committee meeting held on 12 October 2017.

- 3. WORK PLAN** **19 - 20**

To review the Committee's work plan for the current municipal year.

- 4. REPORTS FOR CONSIDERATION**

- 4 .1 LA Governor Appointment Report** **21 - 26**

This report sets out for Members details of applicants who have applied to be nominated as the local authority governor at Tower Hamlets maintained schools and proposes that authority to nominate applicants is temporarily delegated to a Corporate Director until the first ordinary meeting of the Committee in 2018/19.

- 4 .2 Mayor and Local Government Elections 2018 Update** **27 - 36**

This report provides the Committee with an update on preparations for the Mayoral and local elections on 3 May 2018.

The Police have been invited to attend the meeting to inform the Committee of their preparations for the 3 May 2018 elections.

- 4 .3 Pay Policy Statement** **37 - 100**

Under Section 38(1) of the Localism Act 2011, the Council is required to adopt a pay policy statement for each financial year.

- 4 .4 Members' Induction** **101 - 116**

This report outlines the proposed Member Induction Programme for new and returning Members following the May 2018 Council elections. This is an indicative programme and additional work is being undertaken to consult directorate leadership teams.

4.5 Review of external appointments - Phase 2

117 - 194

Further to the initial consideration at the October 2017 meeting, the Committee is invited to consider further detail on each of the outside bodies and to make recommendations to the Mayor on how the current list of outside bodies could be amended or refined to ensure having representation on outside bodies is meeting the Council's objectives.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

6. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

EXEMPT SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

Next Meeting of the Committee:

Wednesday, 4 April 2018 at 7.00 p.m. in C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer – 020 7364 4800.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 12 OCTOBER 2017

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Danny Hassell (Chair)
Councillor Denise Jones (Vice-Chair)
Councillor Aminur Khan
Councillor Abdul Mukit MBE
Councillor Muhammad Ansar Mustaqim
Councillor Rachael Saunders
Councillor Helal Uddin

Officers Present:

Will Tuckley	(Chief Executive)
Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)
Runa Basit	(Head of School Governance & Information)
Holly Bell	(Trainee Solicitor)
Heather Daley	(Divisional Director, HR & Transformation)
Paul Greeno	(Senior Corporate and Governance Lawyer, Legal Services)
Hannah Ismail	(Trainee Solicitor)
Louise Stamp	(Head of Electoral Services)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)
Beverley McKenzie	(Head, Members Support, Democratic Services, LPG)
Joel West	(Senior Democratic Services Officer)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of disclosable pecuniary interests.

Councillor Denise Jones declared a personal interest in Agenda Item 4.2 – Local Authority Governor Applications – as she knew applicant Richard Tyndall.

2. MINUTES

RESOLVED:

1. That the unrestricted minutes of the General Purposes Committee meeting held on 5 July 2017 are agreed as a correct record; and
2. That the unrestricted minutes of the Extraordinary General Purposes Committee meeting held on 13 September 2017 are agreed as a correct record.

3. WORK PLAN

RESOLVED:

1. That the Committee's work plan 2017/18 is noted.

4. REPORTS FOR CONSIDERATION

4.1 Update of preparations for the Mayor and Local elections 2018

Will Tuckley, Chief Executive and Louise Stamp, Head of Electoral Services, introduced the report, which outlined preparations in place for the Mayor and Local Government elections 2018. Mr Tuckley and Ms Stamp provided additional detail on the election preparations.

- Following feedback from recent elections, a greater number of Polling Station Inspectors will be deployed in May 2018.
- East Wintergarden, Canary Wharf, remains the currently proposed count venue, though the Council is continuing to explore possible alternatives. Several members of the Committee expressed concerns with the security of East Wintergarden.
- Further to the postal voting pilot outlined in the report, the Committee stressed that the proposed leaflet to inform electors who to inform if they suspect fraudulent activity, needed careful consideration of its design to maximise its clarity and effectiveness. Committee members asked that they be provided with an advance copy of the leaflet.
- Further to questions on the rate of postal vote rejections, Mr Tuckley advised that the percentage of rejects had decreased overall in recent years. Ms Stamp advised that a video guide to completing postal votes will be produced, which it is hoped will further reduce the rate of rejected postal votes. The Committee welcomed this initiative, but asked that this be coupled with outreach work. The Committee discussed the risks associated with delivering postal votes to homes in multiple occupation. Ms Stamp advised that measures would be put in place to mitigate this risk, including full briefing of delivery staff.

RESOLVED:

That the General Purposes Committee:

1. Notes the content of the report.

4.2 LA Governor Appointment Report

Runa Basit, Head of School Governance & Information, introduced the report, which summarised applications from eight persons who had applied to be nominated for appointment or reappointment as a local authority governor at Tower Hamlets maintained schools.

Following consideration of the information supplied, including both unrestricted and restricted reports, the Committee agreed to nominate all eight applicants to the school governor position each had applied for.

RESOLVED -

1. That the applicants for re-appointment to Local Authority School Governor positions as set out in the report be approved as follows.
 - a. That Alesha De-Freitas be nominated for re-appointment as a governor at Arnhem Wharf Primary School under the 2012 School Governance (Constitution) Regulations.
 - b. That Melian Mansfield be nominated for re-appointment as a governor at St Elizabeth RC Primary School under the 2012 School Governance (Constitution) Regulations.
 - c. That Penny Grimwood be nominated for re-appointment as a governor at Cubitt Town Infant School under the 2012 School Governance (Constitution) Regulations.
 - d. That Shelagh Taylor be nominated for re-appointment as a governor at Osmani Primary School under the 2012 School Governance (Constitution) Regulations.
 - e. That Sophie Fanning-Tichborne be nominated for re-appointment as a governor at Swanlea Secondary School under the 2012 School Governance (Constitution) Regulations.
2. That the new applications for Local Authority Governors as detailed in the report be approved as follows:
 - a. That Andrew Barton be nominated for appointment as a governor at Harry Roberts School under the 2012 School Governance (Constitution) Regulations.

- b. That Harry Fletcher be nominated for appointment as a governor at St Matthias CofE Primary School under the 2012 School Governance (Constitution) Regulations.
- c. That Richard Tyndall be nominated for appointment as a governor at Raines Foundation School under the 2012 School Governance (Constitution) Regulations.

4.3 Employment Appeals Against Dismissal - Update

Heather Daley, Divisional Director HR and Transformation, introduced the report, which updated Members on progress towards hearing outstanding employment appeals.

RESOLVED:

That the General Purposes Committee:

1. Noted the conclusion since 30 August 2017 of 4 outstanding employment appeal hearings; and the 3 still to convene based on the current employment procedures.
2. Noted the arrangements agreed for a schedule of 3 further employment appeal panels for the municipal year 2017/18 and nominate Members to attend.
3. Agreed that a further 4 meetings be held by 31 March 2018 to consider future appeals and ensure there is no further backlog.

4.4 HR Policies and Procedures - diagnostic

Heather Daley, Divisional Director HR and Transformation, introduced the report, which provided a briefing on the conclusions of a 2016 Industrial Relation Review and a Phase 1 review of a number of key HR policies and procedures.

RESOLVED:

That the General Purposes Committee:

1. Noted the briefing within the report.

4.5 Member Learning & Development

Beverley McKenzie, Head of Members Support introduced the report.

Members of the Committee made the following observations on the current learning and development offer to Members:

1. It would be helpful if the list of upcoming Member Development Sessions could clearly distinguish those sessions which are 'Members' skills development' from those which are 'policy engagement'.
2. Members would welcome greater clarity on whether the Council would fund their participation in external training courses.
3. Mandatory training session organisation is not sufficiently sensitive to Members' availability as often only a single date/session is offered. It would be preferable if Members were first consulted on their preferred dates and sessions arranged accordingly.
4. The Chair felt the Council's ambition should be undertake a skills audit of its Members, which could then inform development of a targeted learning and development programme. The programme would be complemented by a comprehensive brochure of learning opportunities accessible to all Members.
5. Members would especially welcome opportunities which resulted in recognised qualifications, certificates etc.

Asmat Hussain, Corporate Director, Governance, welcomed Members' comments on the report. Ms Hussain asked that the matter of learning and development is raised at respective political group meetings to encourage Member attendance, which has been disappointing of late.

RESOLVED:

That the General Purposes Committee:

1. Noted the current Member learning and development conducted in 2017/18;
2. Noted the upcoming sessions to be provided for Members;
3. Noted the offer of sessions that can be made available to the Members, if sufficient demand exists; and
4. Noted that induction plans for new and returning Members are being developed and agrees to receive an update on this at their meeting in January 2018.

4.6 Review of external appointments

The Chair introduced the report, which provided an overview of the Council's process for appointing representatives to outside bodies and information on the bodies to which the Council nominates representatives.

Members of the Committee offered comments on the report as follows:

- Members would welcome advice on their role and duties when nominated to outside bodies. It would be helpful if a lead officer were identified for each body who could be approached for advice if needed.

- Further to the proposal to request each outside body to provide further information for Phase 2 of the review, the Committee asked that Members also be offered the opportunity to feed-in.
- Members asked that the listed appointees (as indicated in Appendix A) to Tower Hamlets Homes Board and Tower Hamlets Community Housing be checked, as they felt the list may not be accurate for these bodies.

RESOLVED:

That the General Purposes Committee:

1. Noted the process for the nomination of representatives to outside bodies, for both executive and non-executive functions as set out in paragraphs 3.2 to 3.6.
2. Noted the roles and responsibilities for outside body appointments as detailed in paragraphs 3.7 to 3.9 and agree that these continue to be communicated to all parties via appropriate channels.
3. Agreed that outside bodies be asked to provide the Council with updated information on their purpose, status and operating structure to inform Phase 2 of the review, which will seek to develop a picture of the skills and accountabilities needed of appointees to each outside body.
4. Agreed to receive a Phase 2 report at the January 2018 meeting, providing:
 - a. A further list of outside bodies, incorporating any changes or new information obtained as a result of (3); and
 - b. Revised Guidance for Members Representing the Council on External Bodies.

4.7 Constitution Review – Council Procedure Rules

Hannah Ismail, Trainee Solicitor and Paul Greeno, Senior Corporate and Governance Lawyer, introduced the report which, following the Committee's consideration in July 2017, presented a revised set of Council Procedure Rules for recommendation to Council. Mr Greeno advised that the revised Procedure Rules included several important changes from current rules, including:

- Deletion of the public questions rule;
- State of the Borough Debate rule amendments;
- A new rule providing for administration and opposition motion debates at ordinary meetings;
- Amendments to petition rules and a revised Petition Scheme; and
- Stronger powers for the Speaker regarding Members' conduct and public disturbance.

Ms Ismail advised of a minor error in the report. The final line of Rule 11.5 (g) from Appendix 1 should read "...other amendments received by noon the day before the meeting". Ms Ismail advised that this would be corrected before submission to full Council.

The Committee noted that the revised Council Procedure Rules would be discussed by full Council at the 22 November 2017 meeting. The Committee indicated that its preference is that the new Rules (subject to agreement by full Council) would then be applied from the start of the following ordinary Council meeting, scheduled for 17 January 2018.

RESOLVED:

That the General Purposes Committee:

1. Recommends to Council the changes to Part 4.1 of the Constitution as set out in Appendix 1 to enable these changes to come into effect; and
2. Noted that a further review of the Petition Scheme is planned for next year.

4.8 Constitution Review – Member/ Officer Relations’ Protocol

Paul Greeno, Senior Corporate and Governance Lawyer introduced the report which presented a revised Member/Officer Relations’ Protocol for recommendation to Council and addressed the Best Value Programme Review Board consideration for a Member to Member protocol.

Members of the Committee indicated they would appreciate feedback on the SOLACE Programme referred to within the report.

Asmat Hussain, Corporate Director, Governance outlined a number of ways the new Protocol will be promoted to Council officers and Members, including the Council’s Intranet and staff newsletter.

RESOLVED:

That the General Purposes Committee:

1. Recommends to Council for approval the revised draft Member/ Officer Relations’ Protocol at Appendix 1; and
2. Noted that revised draft Member/ Officer Relations’ Protocol will also be reviewed at the Standards Advisory Committee on 19th October 2017.

4.9 Whistleblowing – New policy, processes and the work of Grant Thornton

Holly Bell, Trainee Solicitor and Paul Greeno, Senior Corporate and Governance Lawyer, introduced the report which outlined the findings and recommendations made by Grant Thornton UK LLP following their review of Council's whistleblowing arrangements.

The Committee noted that the Corporate Director, Governance has indicated the role for monitoring the Council's whistleblowing will be transferred from Standards Advisory Committee to the Audit Committee, which may require minor amendments to the terms of reference of the latter body.

Asmat Hussain, Corporate Director, Governance informed the committee that the number of whistleblowing reports had increased from 31 in 2016 to 79 in 2017. Ms Hussain also advised that an e-learning module is being produced to accompany the roll-out of the new arrangements and she will arrange for Members to have access to it.

RESOLVED:

That the General Purposes Committee:

1. Noted the revised Whistleblowing Policy and recommends to the Audit Committee for approval at Appendix 1;
2. Noted the Whistleblowing Procedure and recommends to the Audit Committee for approval at Appendix 2;
3. Noted the Whistleblowing Guidance for Managers at Appendix 3;
4. Noted the Whistleblowing Guidance for Investigators at Appendix 4; and
5. Noted the Council's response to the Grant Thornton Action Plan at Appendix 5.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

None.

6. RESTRICTED REPORTS FOR CONSIDERATION

6.1 Senior Recruitment Update

Asmat Hussain, Corporate Director, Governance advised the Committee that the report accompanying this item was initially identified as being exempt from publication, due to it containing sensitive information. It was accordingly listed in the 'exempt' section of the agenda and restricted from publication. Since the agenda was published, the Corporate Director has determined the report is not exempt. Following Ms Hussain's advice, the Committee agreed that this report be considered in open session.

Will Tuckley, Chief Executive introduced the report, which updated Members on recent senior recruitment activity. In response to questions from the Committee, Mr Tuckley confirmed:

- The interim arrangements for the Corporate Director, Place, as outlined in paragraph 3.3. of the report, are expected to last until June 2018.
- The appointment of Divisional Director Sports, Leisure and Culture has now been made and Judith St John has been appointed.

RESOLVED:

That the General Purposes Committee:

1. Noted progress on the recruitment to senior management vacancies following the implementation of a revised Council structure; and
2. Confirmed the arrangements for the interim cover for the post of Corporate Director, Place as set out in paragraph 3.3. of the report.

The meeting ended at 8.35 p.m.

Chair, Councillor Danny Hassell
General Purposes Committee

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DRAFT GENERAL PURPOSES COMMITTEE WORK PLAN 2017/18

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Agenda Item 3

GP CTTEE WORK PLAN 2017/18

REPORT TITLE	BRIEF SUMMARY	LEAD OFFICER	OTHER CTTEE MEETINGS
4 APRIL 2018			
1. Local authority school governor appointments	To endorse or reject nominations for appointments to local authority school governor positions.	Runa Basit, Head of School Governance & Information	
2. Mayor and Local Government elections update	Further progress update for the Mayor and Local elections 2018, including nominations, agents, deadline dates, polling day and count briefing.	Will Tuckley, Chief Executive	
3. Constitution revisions	To note revisions made to the Constitution by the Monitoring Officer under the MO's delegated authority.	Asmat Hussain, Corporate Director of Governance	

Non-Executive Report of the: General Purposes Committee 8 th February 2018	
Report of: Debbie Jones, Corporate Director (Children’s Services)	Classification: [Unrestricted]
Local Authority Governor Application	

Originating Officer	Runa Basit
Wards affected	All

1. SUMMARY:

This report sets out for Members details of applicants who have applied to be nominated as the local authority governor at Tower Hamlets maintained schools.

2. RECOMMENDATION:

The General Purposes Committee is recommended to:

1. Consider the applications and agree to nominate the applicants to the positions that are available for local authority governors at maintained schools in Tower Hamlets.

2. Temporarily delegate authority for the Appointment and revocation of local authority school governors to the Corporate Director Childrens Services in consultation with the Chair of the General Purposes Committee, until the first ordinary meeting of the General Purposes Committee in the 2018/19 municipal year.

3. Request that a report on the exercise of this delegation (if any) by the Corporate Director be submitted to the first ordinary meeting of the General Purposes Committee in the 2018/19 municipal year.

3. REASONS FOR DECISION:

- 3.1 The School Governance (Constitution) (England) Regulations 2012 set out the process for the appointment of local authority governors to maintained schools. The Regulations allow for the local authority to nominate a person to fill the position of local authority governor. It is for the governing body to appoint that person if the governing body considers the person meets any eligibility criteria that it has set.
- 3.2 The governor nominations in this report are to fill the current LA governor vacancies.

4. ALTERNATIVE OPTIONS:

Background - LA appointed governors

- 4.1 To improve the efficiency for appointing local authority governors to school vacancies, the General Purposes Committee at a meeting held on Wednesday 15 February 2006 made the decision to delegate authority to the Corporate Director (Children, Schools & Families) to appoint and revoke the appointment of local authority governors, except where there was a dispute about an appointment or there was more than one applicant for a post in which case the Committee would decide the appointment.
- 4.2 At a meeting on 29 November 2011, the Council resolved to amend the constitution and the terms of reference of the General Purposes Committee were amended. The committee is now responsible for the appointment and revocation of local authority school governors.
- 4.3 As this is a function of the local authority there is no alternative option.
- 4.4 Due to upcoming local elections in May 2018, it is anticipated that there will be an extended period in which the Committee does not meet. To ensure local authority school governors can still be nominated if required in this period, it is proposed that the Committee delegates this function to the Corporate Director Childrens Services in consultation with the Chair of the General Purposes Committee, until the first ordinary meeting of the General Purposes Committee in the 2018/19 municipal year. Alternatively, the Committee may choose to delegate the function to the Corporate Director only.

5. LOCAL AUTHORITY GOVERNOR NOMINATIONS AND APPOINTMENTS

- 5.1 Applications to be nominated as the local authority governor to six schools are attached as Appendices to this report in the restricted area of the agenda.

6. APPLICATIONS

New applications

6.1 The Headteacher and Chair of Stephen Hawking Special School are in support of Beatrice Roberts' application.

Beatrice Roberts' application is enclosed at **Appendix 1**.

6.2 The Headteacher and Chair of The Cherry Trees Special School are in support of Clare Lovett's application.

Clare Lovett's application is enclosed at **Appendix 2**.

6.3 The Headteacher of St Saviour's CoE Primary School is in support of Sian Acreman's application.

Sian Acreman's application is enclosed at **Appendix 3**.

6.4 The Headteacher and Chair of Central Foundation Girls' School are in support of Hilary Evenett's application.

Hilary Evenett's application is enclosed at **Appendix 4**.

Re-appointments

6.5 The Headteacher at Harbinger Primary school is in support of Dr Katy Bennett-Richards' application.

Dr Katy Bennett-Richards' application is enclosed at **Appendix 5**.

6.6 The Headteacher and Chair at Halley Primary School are in support of Kimberley McNeil's application.

Kimberley McNeil's application is enclosed at **Appendix 6**.

7. COMMENTS OF THE CHIEF FINANCE OFFICER

7.1 There are no financial implications arising from the recommendations in this report.

8. LEGAL COMMENTS

8.1 Section 19 of the Education Act 2002 requires each maintained school to have a governing body, which is a body corporate constituted in accordance with the Regulations. Each maintained school is required to have an instrument of government, which specifies the membership of the governing

body. Regulations require a governing body to include person appointed as a local authority governor and for a number of associated matters.

- 8.2 The School Governance (Constitution) (England) Regulations 2012 detail the composition of the governing body and the appointment of governors, including local authority governors. The 2012 Regulations provide that there can be only one local authority nominated governor. A local authority governor is a person who is nominated by the local authority and is appointed by the governing body after being satisfied that the person meets any eligibility criteria set by the governing body. It is for the governing body to decide whether the Local Authority nominee has the skills to contribute to the effective governance and success of the school and meets any eligibility criteria they have set. If the governing body has set eligibility criteria, then these should be notified at the meeting, so the Committee can consider them before making a nomination.
- 8.3 Schedule 4 to the 2012 Regulations set out the circumstances in which a person is qualified or disqualified from holding or continuing in office as a governor, details of which are as follows –
- A person who is a registered pupil at a school is disqualified from holding office as a governor of the school.
 - A person must be aged 18 or over at the date of appointment to be qualified to be a governor.
 - A person cannot hold more than one governor post at the same school at the same time.
 - A governor who fails to attend meetings for six months without the consent of the governing body becomes disqualified from continuing to hold office, and cannot be reappointed for 12 months from the date they are disqualified.
 - A person is disqualified from holding or continuing in office if: (1) his or her estate is sequestered (under bankruptcy) or the person is subject to a bankruptcy restrictions order or an interim order; (2) he or she is, broadly speaking, disqualified from being a company director; (3) he or she has been removed from office as trustee of a charity; (4) he or she has a criminal conviction of a specified kind within a specified time period; (5) he or she is subject to a specified prohibition or restriction on employment, such as being barred from 'regulated activity' relating to children under the Safeguarding Vulnerable Groups Act 2006; or (6) he or she refuses to apply for a criminal records certificate when requested to do so by the clerk to the governing body.
 - A person is disqualified from appointment as a local authority governor if he or she is eligible to be a staff governor.
- 8.4 Once appointed, a governor will hold office for a fixed period of four years from the date of appointment, except in a limited number of circumstances. This does not prevent a governor from being elected for a further term. A governor may resign, be removed or be disqualified from holding office in the circumstances specified in the relevant Regulations.

8.5 In determining whether to appoint an authority governor, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. The Committee will wish to be satisfied that the process of selection is fair, open and consistent with furtherance of these equality objectives.

8.6 The Council's Constitution gives the General Purposes Committee responsibility for appointment of local authority school governors.

8.7 The pre-election period runs from 27 March 2018 until the final election results have been confirmed and during this period, the council is prohibited from making announcements or decisions which may be seen a politically advantageous to one party, although the Council's ordinary business can continue. It is therefore prudent to delegate decision-making in respect of appointment and revocation of local authority school governors during this period.

9. ONE TOWER HAMLETS CONSIDERATIONS

9.1 Local Authority Governors are drawn from all sectors of the community. There is a mechanism in place to ensure, as far as possible, that the composition of governing bodies reflects the makeup of the school and wider community.

10. BEST VALUE (BV) IMPLICATIONS

10.1 There are no best value implications arising from the report.

11. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

11.1 There are no SAGE implications in the report.

12. RISK MANAGEMENT IMPLICATIONS

12.1 Governors have a crucial strategic role in promoting school improvement and supporting Headteachers and staff in their work. Their statutory responsibilities and duties require a range of skills. There is a risk that the local authority will not be able to meet governing body requirements for particular skills. The LA engages in a number of activities to ensure a range of applications from the community and local business.

13. CRIME AND DISORDER REDUCTION IMPLICATIONS

13.1 The proposals in the report do not have an impact in relation to the reduction of crime and disorder.

Linked Reports, Appendices and Background Documents

Linked Report


- NONE.

Appendices

- Appendices 1 – 6 [EXEMPT]. LA Governor Application Forms

Officer contact details for documents:

- Runa Basit

<p>Non-Executive Report of the:</p> <p>General Purposes Committee</p> <p>8th February 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance</p>	<p>Classification: Unrestricted</p>
<p>Mayor and Local Government Elections 2018 Update</p>	

<p>Originating Officer(s)</p>	<p>Robert Curtis, Head of Electoral Services</p>
<p>Wards affected</p>	<p>(All Wards);</p>

Summary

This report provides the Committee with an update on preparations for the Mayoral and local elections on 3 May 2018.

Recommendations:

The General Purposes Committee is recommended to:

1. Note the report.

1. REASONS FOR THE DECISIONS

1.1 No decision is required. This report is for noting only.

2. ALTERNATIVE OPTIONS

2.1 None.

3. DETAILS OF REPORT

3.1 Introduction

Recent meetings of the General Purposes Committee have received regular reports on election matters. The Returning Officer, Chief Executive and Head of Electoral Services have attended to brief Members on key issues. Planning for the Mayor and local government elections 2018 commenced formally early in 2017. The approach builds on recent successful elections management in the borough, including the Parliamentary General Election, the London Mayor and GLA elections, the EU referendum and the Whitechapel by-election. In addition, the work undertaken analysing the experience of the 2014 and 2015 Tower Hamlets Mayor and local elections, the petition, electoral court and subsequent investigations plus the wider national work on election integrity (including the report for the government by sir Eric Pickles) provide essential background and input into planning for 2018.

3.2 Timetable

The combined elections timetable has now been published on the Electoral Commission website and is available at Part B of their guidance <https://www.electoralcommission.org.uk/i-am-a/electoral-administrator/local-elections-in-england-and-wales>. An example is attached at Appendix A

3.3 Premises

As at 19 January 2018 there are 75 polling places with 74 confirmed and 1 outstanding but this is progressing and being treated as a priority with a member of staff specifically allocated this task. 4 Polling places are new with one polling place, having been used before, being used on this occasion again.

3.4 Staffing

Staffing will commence at the beginning of February with updated Election Management software being utilised. This will enable all recruitment to be undertaken through an automated system, predominantly through e-mail and a web based application, this system tried and tested in other authorities at previous elections. This new system will streamline the process of recruitment, will reduce paperwork and should reduce costs.

All staff will be trained according to the role undertaken with transparency and integrity stressed as a major part of that training and the serious implications if they do not adhere to these principles. In addition staff will be asked to sign a declaration of impartiality and will not be appointed to areas where they live or, where known, they have connection.

Specific numbers will be determined on the completion of the various project plans taking into consideration recommendations of the Electoral Commission who will provide guidance on their interpretation of specific staffing ratios. Presiding Officers and Polling Clerks will receive face to face training and it is proposed that this is supplemented by an online training course in line with that provided in 2017.

Polling Station Inspectors and all Count Management will also receive face to face training supplemented with guidance appertaining to the task at hand.

3.5 Postal Vote Pilot

The postal vote pilot has been discussed in detail with the Cabinet Office following initial scoping documents produced by Tower Hamlets. Two meetings were held on 10 January 2018 and 19 January 2018 and they have been supplied with a detailed critique of the implications of what is being proposed.

The implementation of the postal pilot will be subject to an official order drafted by the Cabinet Office which will be subject to close scrutiny once provided to the Returning Officer for consideration.

It is proposed that a specific report to the General Purposes Committee will be made on receipt of the Cabinet Office draft order and an agreed project plan established.

3.6 Pre-Election meetings

The police have been proactive in their preparations and have attended the Elections Planning Meetings held on the 14 November 2017 and 12 February 2018 in Mulberry Place. They also have a separate agenda of meetings set up with Electoral Services, the Electoral Commission and the Cabinet Office.

Elections Planning Meetings are chaired by the Returning Officer and are attended by Electoral Services, the Electoral Commission, Metropolitan Police and Tower Hamlets Communications and IT supplier Agilisys. Several proposals are being considered including a formal complaints protocol established which will incorporate a web based reporting tool and alternative methods available for the public to contact the appropriate authorities if accusations of electoral malpractice need to be made this then permeating out to the appropriate authorities.

This approach is supported by the police and the Returning Officer to ensure that concerns or allegations received are shared and the lines of enquiry, where considered necessary, are consistent and agreed.

3.7 The count

The count venue is now confirmed as the Excel Exhibition Centre, Royal Victoria Dock, 1 Western Gateway, London E16 1XL. Visits to the centre are being arranged for the RO, Senior Elections Management team and electoral services. A specific projects event organiser has been allocated by Excel to also assist in the preparation and delivery.

A new system of entry into the count is also being considered subject to initial scrutiny and approval by the Returning Officer.

This proposal would entail capturing a photo of staff, candidates and all agents within the elections management software with count tickets for the above encapsulating a photo. This would enable those supervising the count to identify those officially appointed and establish who would be permitted into official areas of the count venue.

In addition, tickets of official posts would be scanned on entry to the count recording the entry time and display the photo on a monitor for scrutiny.

All guests would be regulated by ticket and wrist bands and only be permitted into restricted areas

3.8 The annual canvass

The annual canvass was completed in accordance with statutory requirements with the electoral registers published on the 1 December 2017.

Responses to the requests for information could be undertaken in a number of ways with the specific numbers detailed as follows

- The total number of properties canvassed was 132,953
- The total number of properties that responded was 113,596 (85.44%)
- Responded properties with changes 33,069 (29.11%)
- Non responding properties 19,357 (14.56%)
- Properties that responded by post was 24,420 (21.50%)
- Properties that responded by telephone was 4,442 (3.91%)
- Properties that responded via the internet was 19,983 (17.59%)
- Properties that responded by text was 8,433 (7.42%)
- Properties that were recorded on the mobile canvassing application was 56,318 (49.58%)

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 As this report is for noting only, financial implications have not been sought.

5. LEGAL COMMENTS

5.1 As this report is for noting only, legal implications have not been sought.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 There are no implications arising from this report.

7. BEST VALUE (BV) IMPLICATIONS

7.1 The report outlines new initiatives to improve the conduct and delivery of this election.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no SAGE implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no risk management implications arising from this report.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 The report outlines how the Council is working with the Police to prevent electoral crime.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix A: Timetable for local elections in England: 3 May 2018.

Local Government Act, 1972 Section 100D (As amended) list of “Background Papers” used in the preparation of this report

- NONE.

Officer contact details for documents:

- Robert Curtis, Head of Electoral Services

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Timetable for local elections in England: 3 May 2018

This timetable covers the following polls taking place on 3 May 2018:

- local government principal area elections (i.e. district, borough, county borough and unitary authority elections)
- parish council elections
- local authority mayoral elections in England
- any combined authority mayoral elections in England

The days which are disregarded in calculating the timetable are Saturday, Sunday, Good Friday, Easter Monday, bank holidays and any day appointed for public thanksgiving or mourning.

Please be aware that the timetable may change in the event of days being appointed for public thanksgiving or mourning.

Event	Election	Working days before poll (deadline if not midnight)	Date
Publication of notice of election	All	Not later than 25 days	Not later than Tuesday 27 March
Delivery of nomination papers	All, excluding combined authority mayoral	From the date stated on the notice of election up to 4pm on the nineteenth working day before the election	From the date stated on the notice of election up to 4pm on Friday 6 April
Delivery of nomination papers	Combined authority mayoral	From the day after the publication of notice of election until 4pm on the nineteenth working day before the election (10am to 4pm)	Between 10am and 4pm on any working day after publication of the notice of election until 4pm on Friday 6 April
Deadline for withdrawals of nomination	All	19 days (4pm)	4pm on Friday 6 April

Event	Election	Working days before poll (deadline if not midnight)	Date
Deadline for the notification of appointment of election agent	All, excluding parish council	19 days (4pm)	4pm on Friday 6 April
Making objections to nomination papers	Combined authority mayoral	On 19 days (10am to 5pm), subject to the following: Between 10am and 12noon objections can be made to all delivered nominations Between 12 noon and 5pm objections can only be made to nominations delivered after 4pm, 20 days before the poll	Between 10am and 12 noon on Friday 6 April objections can be made to all delivered nominations Between 12 noon and 5pm on Friday 6 April objections can only be made to nominations delivered after 4pm on Thursday 5 April
Publication of first interim election notice of alteration	All	19 days	Friday 6 April
Publication of statement of persons nominated	All	Not later than 18 days (4pm)	Not later than 4pm on Monday 9 April
Deadline for receiving applications for registration	All	12 days	Tuesday 17 April
Deadline for receiving new postal vote and postal proxy applications, and for changes to existing postal or proxy votes	All	11 days (5pm)	5pm on Wednesday 18 April

Event	Election	Working days before poll (deadline if not midnight)	Date
Deadline for receiving new applications to vote by proxy (not postal proxy or emergency proxies)	All	6 days (5pm)	5pm on Wednesday 25 April
Publication of second interim election notice of alteration	All	Between 18 days and 6 days	Between Monday 9 April and Wednesday 25 April (inclusive)
Publication of notice of poll	All	Not later than 6 days	Not later than Wednesday 25 April
Publication of final election notice of alteration	All	5 days	Thursday 26 April
Deadline for notification of appointment of polling and counting agents	All	5 days	Thursday 26 April
Deadline for notification of appointment of sub agents	Combined authority mayoral	5 days	Thursday 26 April
First date that electors can apply for a replacement for lost postal votes	All	4 days	Friday 27 April
Polling day	All	0 (7am to 10pm)	Thursday 3 May
Last time that electors can apply for a replacement for spoilt or lost postal votes	All	0 (5pm)	5pm on Thursday 3 May
Deadline for emergency proxy applications	All	0 (5pm)	5pm on Thursday 3 May

Event	Election	Working days before poll (deadline if not midnight)	Date
Last time to alter the register due to clerical error or court appeal	All	0 (9pm)	9pm on Thursday 3 May
Delivery of return as to election expenses (parish council elections only)	Parish council	Not later than 28 calendar days after the date of the election	Thursday 31 May
Delivery of return as to election expenses	All, excluding parish council	Not later than 35 calendar days after the date the election result is declared	If result is declared on Thursday 3 May: Thursday 7 June If result is declared on Friday 4 May: Friday 8 June
Sending postal vote identifier rejection notices	All	Within 3 calendar months beginning with the date of the poll	By Thursday 2 August

Non-Executive Report of the: GP Committee 8th February 2018	 TOWER HAMLETS
Report of: Zena Cooke, Corporate Director Resources	Classification: Unrestricted
Localism Act 2011 – Pay Policy Statement 2018/19	

Originating Officer(s)	Heather Daley, Divisional Director HR and Transformation
Wards affected	All wards

Summary

Under Section 38(1) of the Localism Act 2011, the Council is required to adopt a pay policy statement for each financial year.

The Council's first pay policy statement was adopted for 2012/13 and subsequent pay policy statements were agreed for each of the subsequent years, with the latest being for 2017/18 (attached as Appendix 2). A statement for 2018/19 (a draft attached as Appendix 1) should be approved and adopted by 31 March 2018 to enable it to be published as soon as is practical in the new financial year.

The Local Government Transparency Code 2015 (attached as Appendix 3) includes further guidance regarding the calculation of the pay multiple, which forms part of the pay policy statement. No further supplementary guidance has been published in relation to the 2018/19 pay policy statement and the latest Local Government Transparency Code was published in 2015.

Should guidance or an updated Code be published after the 2018/19 pay policy has been considered by the GP Committee and/or Council, which requires minor amendments to be made to the pay policy statement, it is proposed that the GP Committee delegate the authority to make such amendments to the Chief Executive after consultation with the Divisional Director (HR and Transformation), the Chair of the GP Committee and the Monitoring Officer. Should any fundamental changes be required, the pay policy statement will be sent back to the GP Committee for consideration.

The draft 2018/19 pay policy statement at Appendix 1 is for consideration by the GP Committee. The proposed statement has to be approved and adopted by the end of March 2018. The meeting of Council at which the statement will be considered for adoption will be 21 March 2018.

The pay policy statement sets out the Council's current policies and practice in relation to pay for all parts of the workforce, with the exception of school based

employees. Any changes to the way in which staff are remunerated would need to be dealt with as outlined in section 5 – Legal comments.

Recommendations:

The Committee is recommended to:

1. Consider the draft pay policy statement (Appendix 1), proposing any changes to be made and, subject to such changes, recommend that Full Council agrees the draft statement; and
2. Agree that if any minor changes to the 2018/19 pay policy statement are required as a result of future government guidance or an updated Local Government Transparency Code, these amendments be delegated to the Chief Executive, after consultation with the Divisional Director (HR and Transformation), the Chair of the GP Committee and the Monitoring Officer. Should any fundamental changes be required, then the pay policy statement will be sent back to the GP Committee for consideration.

1. REASONS FOR THE DECISIONS

- 1.1 The 'Code of Recommended Practice for Local Authorities on Data Transparency' sets out key principles for local authorities in creating greater transparency through the publication of data. Supplementary guidance, 'Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act', was published on 20 February 2013.
- 1.2 The Localism Act 2011 brings together the strands of increasing accountability, transparency and fairness, with regards to pay. The provisions of the legislation required Local Authorities to adopt and publish a pay policy statement for 2011/12 and for each subsequent financial year. Statements must be approved by Council and have regard to the guidance published by the Secretary of State. Authorities will be constrained by their policy statement when making determination on senior officer pay, although the statement may be amended at any time by further resolution of Council.

2. ALTERNATIVE OPTIONS

- 2.1 As the publication of a pay policy statement and the nature of its content is a legislative requirement, there are no alternative options.

3. DETAILS OF REPORT

- 3.1 The pay policy statement must set out the authority's policies for the financial year relating to the remuneration of its officers. This must include:
 - A policy on the level and elements of remuneration for each chief officer
 - A policy on the remuneration of lowest paid employees (together with a definition of 'lowest paid employees' and reasons for adopting that definition)
 - A policy on the relationship between the remuneration of chief officers and the remainder of the workforce
 - A policy on other specific aspects of chief officers' remuneration (remuneration on recruitment, increases and additions to remuneration, use of PRP and bonuses, and the approach to termination payments).
- 3.2 Additionally, the Council must have regard to other statutory guidance or recommendations e.g. relating to pay multiples, but it should be noted that the statutory guidance emphasises that each LA has the autonomy to take its own decisions on pay and pay policies.
- 3.3 The draft pay policy statement takes into account Local Government Association (LGA)/Association of Local Authority Chief Executives (ALACE) guidance issued to local authority Chief Executives 'Localism Act: Pay Policy Statement Guidance for Local Authority Chief Executives' and the statement details the council's current arrangements; using the definitions contained in

the Act and associated guidance. The Act also requires the Council to have regard to statutory guidance entitled 'Openness and accountability in local pay' under the Transparency Agenda. The original guidance was published in 2012, with updated guidance published in February 2013, which stated that the pay policy statement should set out the council's position in relation to appointments to posts with salary packages over £100,000 and redundancy packages over the same amount.

- 3.4 The Localism Act defines senior executives, and in this statement they are the Chief Executive, Directors, the Monitoring Officer and Divisional Directors.
- 3.5 The draft statement refers to information already published by the Council in relation to senior salary data to meet with the requirements of the Government's transparency agenda. In addition, the Local Government Transparency Code 2015 also covers the way in which the pay multiple included in the pay policy should be calculated. Should any minor changes to the 2018/19 pay policy statement be required as a result of the publication of an updated Code, these amendments could be made by the Chief Executive, after consultation with the Divisional Director (HR and Transformation), the Chair of the GP Committee and the Monitoring Officer. Should any fundamental changes be required, the pay policy statement will be sent back to the GP Committee for consideration.

Pay Multiple

- 3.6 There is a requirement to publish a ratio, or pay multiple. There are a variety of ways to approach this, but the Hutton Review of Fair Pay in the Public Sector (2011) supported the publication of the ratio of the council's highest paid employee (the Chief Executive) to that of its median earner (i.e. the mid-point between the highest and lowest salaries). This multiple is quoted in the draft statement. The ratio last year was 1:6.1 and this year is 1:5.97.
- 3.7 For the 2014/15 pay policy statement, an additional ratio demonstrating the relationship between the Council's highest paid employee (total salary package) and the lowest salary of the non-schools workforce was included. This ratio last year was 1:10.90 and this year is 1:11.19. This allows greater comparison with other boroughs that provide this ratio.
- 3.8 The Local Government Transparency Code 2015 states that the pay multiple is defined as the ratio between the highest paid taxable earnings for the given year (including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind) and the median earnings figure of the whole of the authority's workforce. If this definition is applied, the ratio is 1:5.97. (Please note that this figure will be updated in March, when a full tax year can be taken into consideration, to ensure it is accurate and up to date).
- 3.9 When considering the 2015-16 pay policy in January 2015, the HR Committee asked about schools and apprentices in relation to the pay multiples. For clarity, apprentices and schools' staff are not included in the pay multiple calculations. Apprentices are excluded due to the fact the multiples apply to

employees only. Schools can adopt their own pay policy and therefore their staff would be covered by these. The Pay Policy is clear that the pay multiples only apply to the non-schools workforce.

London Living Wage

- 3.10 The council is an accredited Living Wage Employer. This means that we adhere to the Living Wage Foundations accreditation statement, which states that “Employees based in London Boroughs (shall be paid) not less than the London Living Wage; and increase the amount which it pays to affected employees by the same amount as any increase to the London Living Wage, within 6 months of the date on which any increase in the London Living Wage is officially announced.”
- 3.11 The London Living Wage (LLW) increases annually and the latest rise was announced on 6th November 2017. The LLW rate increased from £9.75 to £10.20 per hour.
- 3.12 The Council has 6 months in which to apply the new LLW rates, i.e. by end of April 2018. It is proposed the new rate is introduced from 01 April 2017. Whilst the Council’s standard procurement documentation does not stipulate when contractors are required to apply the LLW, it is further proposed to align the increase for third party service providers with directly employed workers.
- 3.13 The lowest paid staff in the Council are currently paid at the lowest Spinal Column Point (SCP) above the LLW rate, which is SCP 7, £10.07 per hour (£18,384 per annum). SCP 8 is currently £10.27 per hour (£18,747 per annum). There has been no pay award agreed as yet for 2018, but given the recent history of nationally negotiated pay awards for NJC employees, it is likely that the national pay award for 2018 will be weighted towards the highest rise at the lowest end of the scale. Since an increase of only 1.3% on SCP 7 would take it above the LLW rate, it is suggested that:
- Changing the pay for the lowest paid staff, in terms of increasing them to the SCP 8, are not implemented pending the outcome the nationally negotiated pay award
 - If no agreement on the pay award has been reached by 01 April 2018, the salaries of the lowest paid staff are increased to the LLW rate of £10.20 per hour, with any back pay being paid as appropriate once the pay award has been agreed
 - Should lowest paid staff not receive a pay increase of 1.3% or more through the pay award, then they be moved to the lowest SCP above the LLW rate
 - Should lowest paid staff receive a pay increase of 1.3% or greater, then they will remain on their existing SCP 7, which would be the lowest SCP above the LLW
- 3.14 The approach outlined above would fit with the Council’s approach as set out in the Pay Policy statement, which is that:

“The Council will implement the increase to the London Living Wage on 1st April 2018 and as the London Living Wage rises in future years, the council will continue to increase pay levels for the lowest paid staff to ensure that they are paid the nearest scale point above the London Living Wage.”

- 3.15 In terms of the prospective cost of implementing the new LLW, it is likely that lower graded staff will receive a 1.3% pay award or greater and that the cost for implementing the LLW will be exactly the same as the percentage of the pay award, i.e. staff will remain on the same SCP (unless they are also due incremental progression) and receive the nationally agreed pay award.
- 3.16 If a lower than 1.3% pay award is agreed, it will be more expensive to implement because it would mean increasing pay from SCP 7 to SCP 8 (plus the national pay award for SCP 8).

2018/19 Pay Claim - National

- 3.17 The last NJC pay award covered 2016/17 to 2017/18. The award for both years was a headline one per cent, in addition to increasing the bottom pay points to take account of the new National Living Wage. Increases ranged from 6.6% at the bottom end of the spine to 1% from spinal column point (SCP) 18 upwards. In 2017/18, increases ranged from 3.4% at the bottom of the spine to 1% from SCP 18 upwards.
- 3.18 The pay deal included a commitment to review the 'Green Book' pay spine to meet the challenge of achieving the Government's target of a National Living Wage (NLW) equal to 60% of median earnings (forecast to be around £8.75 per hour in 2020). This resulted in formation of a technical working group of LGA officers and unions.
- 3.19 On 14 June 2017 the Trade Unions submitted a pay claim for 2018/19 of 5% on all pay points and deletion of the bottom of the NJC and London SCPs 6-9. The technical working group has been looking to devise a potential new national pay spine.
- 3.20 On 05 December 2017, an offer was made by the National Employers Side which covers the two years from 01 April 2018. It would mean a 2% wage rise next April for the majority of council staff currently earning more than £19,430, and a further 2% in April 2019. The proposal would give lower paid staff a higher wage rise of up to 16% over the two years.
- 3.21 The proposal also includes a revamp of National Joint Council pay scales.

2018/19 Pay Claim - London

- 3.22 The creation of a potential new national pay spine creates significant difficulties for London. The costs are likely to be greater by trying to replicate whatever might be agreed at national level and cost modelling shows that, over two years, the cumulative cost could be between 4%-7.5%. As a result, there is a potential London may have to determine its own pay arrangements for 2018 and beyond.
- 3.23 A Task and Finish Group (with Tower Hamlets representation) was established through London Councils to look at the implications for London (where the London Living Wage (LLW) raises further issues – and as a LLW Employer, this would impact on Tower Hamlets) and analyse potential pay spines and associated costs.
- 3.24 As a result, there are three likely scenarios for London: -
- 1) Replicate NJC arrangements – which would be fairly straightforward, since it follows the arrangement that has been in place since April 2000. Cost modelling shows, however, this is likely to cost London up to 3.5% more than any national deal.

2) Develop separate Outer and Inner London allowances that could be added to the NJC pay spine and do away with the London pay spines – the principles would be relatively easy to understand and would follow the nationally agreed pay deal. However, new longer pay scales and assimilation arrangements will change the pay and grading structures of London boroughs.

3) London could continue with its own pay spines and determine its own pay award based on relevant and appropriate principles of any pay award agreed at NJC level, e.g. the overall percentage increase agreed nationally - London could try and follow the spirit of the national pay award increases, within an affordability framework.

- 3.25 The Council's paybill for the last financial year was £118,892,558 (excluding on costs). A 5% increase on all SCPs would add £5,944,627 to the paybill, taking it to £124,837,185. Please note this is an approximation and is likely to be lower as not all staff are employed on NJC terms and conditions, though if 5% were to be agreed for NJC staff, it is likely a similar claim would be made for other staff. There would be additional costs associated with the removal of SCPs 6-9.
- 3.26 The determination of any national pay award is a matter for the national employers' side. The issue for London employers is the manner in which any final pay agreement is translated into the London context.
- 3.27 In terms of next steps, the London position in terms of objectives in translating any nationally agreed deal to London needs to be confirmed by the Employers side of Greater London Provincial Council (GLPC), which is likely to meet in early 2018.
- 3.28 Given the announcement that the public sector pay cap is going to be 'flexible' from now on, the changes that need to be made to the National and London pay spines identified above, and the National Employers Side pay offer, it is likely that any pay award for 2018/19 for London will be a minimum of 2%, though again it is likely to be bottom loaded, with a new pay spine for 2019 and any cost increases are proposed to come from Councils existing budgets.

Non-permanent Staffing Resources

- 3.29 It is proposed to insert a new section in to the 2018/19 Pay Policy that covers the Council's approach to the engagement of non-permanent staffing resources (see section 12 of the Pay Policy 2018/19).
- 3.30 The inclusion of the principles that underpin the way in which such resources will be engaged supports a more transparent approach and is in keeping with the Council's refreshed core values.
- 3.31 The suggested rates in the table under section 12 of the Pay Policy 2018/19 reflect the rates previously paid for workers at this level of the organisation and could, in exceptional cases, be used in conjunction with market

supplements should a suitable candidate be unable to be secured based on the rates alone.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 The MTFs includes a provision of £3.1m in 2018/19 to cover increases in employee costs as a result of pay inflation and changes in the London Living Wage (LLW).

4.2 The recommendations within this report are not expected to incur any additional financial commitment for the Council. However, the cost of any additional administrative responsibilities arising from these changes will need to be contained and managed within existing resources.

5. COMMENTS OF THE CHIEF LEGAL OFFICER

5.1 The main legal considerations regarding the pay policy requirements are set out in the body of the report.

5.2 Any changes to pay scales or pay awards are dealt with through collective bargaining and will not require contractual amendments as these are already accounted for in current terms and conditions however any changes to the way in which staff are remunerated would need to be dealt with by consultation and an agreed contract variation or the offer of new contractual terms through re-engagement following the Council's agreed employment processes.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 An equality analysis will be carried out on the draft policy statement, but it should be noted that the statement describes existing policies and practice rather than proposing new ones. Should there be amendments, further advice on the impact will be given.

7. BEST VALUE (BV) IMPLICATIONS

7.1 This report sets out the council's pay policy for 2018/19, which is required by law. It ensures that employees receive an appropriate salary for the work they undertake and that the council's approach to pay is set out clearly.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no implications.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The draft statement describes existing policies and practice. Any risks, e.g. from proposing changes in the future to pay and benefits, would be assessed at the time.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no implications.
-

Linked Reports, Appendices and Background Documents

Linked Report(s)

None

Appendices

Appendix 1 – Draft Pay Policy Statement 2018/19

Appendix 2 – Pay Policy Statement 2017/18

Appendix 3 – Local Government Transparency Code 2015

Local Government Act, 1972 Section 100D (As amended) list of “Background Papers” used in the preparation of this report

- Localism Act 2011
- LGA / ALACE - ‘Localism Act: Pay Policy Statement Guidance for Local Authority Chief Executives’
- DCLG - Openness and Accountability in Local Pay: guidance under section 40 of the Localism Act
- DCLG - ‘Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011’ Supplementary Guidance
- Communities and Local Government - The Code of Recommended Practice for Local Authorities on Data Transparency

Officer contact details for documents:

Heather Daley, Divisional Director HR and Transformation 020 7364 4922

**London Borough of Tower Hamlets
Pay Policy statement 1 April 2018 – 31 March 2019**

1 Introduction

- 1.1 The Localism Act 2011 requires Local Authorities to produce a pay policy statement every financial year. This requirement is part of the Government's drive towards public sector transparency.
- 1.2 The Pay Policy Statement sets out the Council's current policies and practice in relation to pay for all parts of the workforce. The statement excludes school based employees. The Statement is made available on the Council's website, which also includes separately published salary information for senior managers as part of the Government's Transparency Code.

2 Scope

- 2.1 The policy addresses the requirements of the Localism Act and addresses key areas of pay and remuneration.
- 2.2 The Localism Act defines senior executives, and in this statement they are the Chief Executive/Head of Paid Service, Directors and the Monitoring Officer (who make up the Corporate Leadership Team) in addition to Directors and Divisional Directors.

3 Pay and grading structure

- 3.1 The majority of employees' pay and conditions of service are agreed nationally either via the National Joint Council (NJC) for Local Government Services, or the Joint National Council (JNC) for Chief Officers, with regional or local variations.
- 3.2 The Council also employs some staff on Soulbury conditions of service, some on conditions determined by the Joint National Council for Youth and Community Workers, some staff covered by the School Teachers Pay and Conditions Document and some staff on locally agreed terms and conditions for Lecturers and Tutors.
- 3.3 There are also a number of staff who have retained their existing terms and conditions following TUPE transfers into the organisation.
- 3.4 It is the practice of the Council to seek the views of local trade unions on pay related matters, recognising that elements are settled within a national framework.

- 3.5 The Council uses national pay scales up to grade LPO8, and determines the appropriate grade for each job in accordance with the Greater London Provincial Council (GLPC) job evaluation scheme.
- 3.6 Above LPO8, local grades are in place for senior staff as follows:
- LPO9 - evaluated under a local variation to the GLPC job evaluation Scheme
 - Chief Officers, Deputy Chief Officers (Divisional Directors and senior executives) and Key Chief Officers - evaluated under the Joint Negotiating Committee for Chief Officers job evaluation scheme
- 3.7 The Council signed a Single Status agreement in April 2008 with trade unions. This brought former manual grades into the GLPC job evaluation scheme, and replaced spot points with narrow grade bands. One of the key aims of the agreement was to eliminate potential pay inequality from previous pay structures and ensure that new pay structures are free from discrimination.
- 3.8 New and changed jobs are evaluated using the relevant job evaluation scheme, with the appropriate grade being determined using a range of factors.
- 3.9 The scale point on which an individual is appointed to the post is normally the lowest of the grade but will depend on skills and experience.

4 How the Council's leadership team is structured

- 4.1 The Council's Corporate Leadership Team is led by the Chief Executive/Head of Paid Service, supported by a number of Chief Officers reporting to the Chief Executive/Head of Paid Service. All statutory roles are at this level of the organisation, with the exception of the Director of Public Health.
- 4.2 Divisional Directors (Deputy Chief Officers) in each Directorate report to a member of the Corporate Leadership Team.

5 Senior Executive remuneration

- 5.1 Pay for senior executives who are members of the Corporate Leadership Team is made up of three elements:
- Basic pay (defined by a locally agreed grade)
 - London weighting allowance
 - Travel allowance payment
- 5.2 In addition, Returning Officer fees are payable to the Chief Executive in respect of elections or referenda where fees are not funded by the

Council. This means that no fees will be paid for local elections or referenda which are funded by the Council but, the Returning Officer will receive fees for all elections and referenda externally funded.

5.3 Divisional Directors (Deputy Chief Officers) receive basic pay (defined by a locally agreed grade).

5.4 Senior salary data is published on the Council's website as part of the Government's transparency agenda. For details, please see (add link)

6 Senior appointments

6.1 All salary packages for posts at Chief Officer or Deputy Chief Officer level are in line with locally agreed pay scales.

7 Lowest paid employees

7.1 The Council's lowest paid London based employees are those who are paid on the lowest scale point above the level of London Living Wage.

7.2 The Council's lowest paid non London based employees are those who are paid on the lowest scale point above the level of National Living Wage.

7.3 The Council's Apprentices are paid at least the London Living Wage rate.

7.4 The Council will implement the increase to the London Living Wage on 01 April 2018 and as the London Living Wage rises in future years, the council will continue to increase pay levels for the lowest paid staff to ensure that they are paid the nearest scale point above the London Living Wage.

8 National pay bargaining

8.1 Annual pay increases across the Council's grades are set through the process of national pay bargaining which the Council subscribes to.

8.2 The Council contributes to the negotiation process by providing an employer view through the annual Local Government Employers' regional pay briefings. The employers' side then negotiate with trade unions at a national level.

8.3 National pay rates are set using a number of factors, including:

- The sector's ability to pay
- Movement in market rates
- Inflation levels
- Other pay awards
- The Government's policy position regarding public sector pay

9 Incremental progression

- 9.1 Incremental progression is on an annual basis for those staff who are not at the top of their grade. As per national conditions of service, progression is automatic for all staff (subject to general satisfactory performance) except Divisional Directors and Chief Officers who have to demonstrate satisfactory performance through a formal annual appraisal before being awarded incremental progression.

10 Additional payments and allowances

- 10.1 A range of allowances and payments are paid as appropriate to the nature and requirement of specific posts, groups of posts and working patterns. These include car and travel allowances, overtime, standby, weekend and night work, shift and call-out payments.
- 10.2 Acting up and honoraria payments are made to individual staff as appropriate using clear criteria, and where a clear business need is identified.
- 10.3 The Council has a staff relocation package, available to new entrants to the Council's employment, but subject to tight eligibility criteria.
- 10.4 The Council also has the ability to pay market supplements for recruitment and retention purposes, where there is a strong business case and appropriate criteria are met.
- 10.5 The Council does not operate a performance related pay scheme or bonus scheme.

11 Pensions

- 11.1 All employees (with the exceptions set out below) of the Council up to 75 years of age and who have a contract of more than 3 months' duration are entitled to join the Local Government Pension Scheme (LGPS). Decisions on delegated provisions are agreed by the Pensions Committee. The LGPS is a contributory scheme, whereby the employee contributes from their salary. The level of contribution is determined by whole time salary and contribution levels are set by Government who then advise the employer.
- 11.2 All employees of the Council from 18 to 75 years of age and who are employed on Teacher, Youth Work or Tutor/Lecturer terms and conditions are entitled to join the Teachers' Pension Scheme. The Teachers' Pension Scheme is a contributory scheme, whereby the employee contributes from their salary and contribution levels are set by Government.

12 Non-permanent staffing resources

- 12.1 To ensure flexibility in delivering services, the Council supplements its employee workforce with workers who are not Council employees or on the Council payroll. This non-permanent resource includes consultants and interims, procured through approved third party providers or the Council's agency contract.
- 12.2 In managing its non-permanent staffing resource, the Council seeks to ensure that: the Council and the wider public sector achieve value for money; tax and national insurance liabilities are managed appropriately; and contractual relationships between the Council, workers and third parties are properly reflected. In this regard, it is the Council's policy not to engage directly with self-employed individuals, or wholly owned one person limited companies in all but the rarest of exceptions. Where such arrangements are used, the Council seeks to limit them to a maximum duration of 24 months.
- 12.3 Where it is necessary to engage a worker, it will usually be on a rate that is comparable with the grade for the post, where there is a clear comparator. Where more senior workers are engaged, the remuneration paid to the individual will generally fall within the following rates. The higher rates of pay, compared to those paid to directly employed staff, are in recompense of interims and consultants not receiving all of the same terms and conditions of employment, most notably regarding leave, pension, redundancy and notice.

Grade of post	Day rate range (payable to the individual)
Head of Service (LP09)	£400-525
Divisional Director	£525-775
Corporate Director	£775-900
Chief Executive	£1200-1500

13 Compensation for loss of office

13.1 Financial terms for redundancy

The Council has a policy linked to its policy for Handling Organisational Change which sets out the terms for redundancy and early termination of staff (subject to qualifying criteria), which apply to Chief Officers and to all staff. In certain circumstances, individuals may also qualify for early release of their pension.

13.2 Redundancy packages

When it is proposed to delete a post at Chief Officer, Key Chief Officer or Deputy Chief Officer level, a report is submitted to the Council's General Purposes Committee for consideration. If the proposal will

result in a postholder receiving a severance package, the costs of such a package are included in the report.

13.3 *Ill health*

Where termination of employment arises from ill health, payments will be made in accordance with the contract of employment. In certain circumstances, individuals may also qualify for early release of their pension.

13.4 *Negotiated exits – settlements*

If it is determined that a negotiated settlement is appropriate for a senior executive in circumstances which do not amount to a dismissal, the Divisional Director (Human Resources and Transformation) will deal with the detail, and the Council's Chief Executive/Head of Paid Service after consultation with the Monitoring Officer (or in circumstances where it is not appropriate for one or other to be involved, the Chief Financial Officer) will consider whether the terms of the offer constitute value for money and are appropriate, fair and reasonable in the circumstances, and the proposed settlement shall then be subject to the agreement of the General Purposes Committee.

13.5 *Re-employment following redundancy/early retirement*

Any member of staff who has left the Council by reason of redundancy or early retirement and received a severance payment is required to have a gap before reemployment. The gap should be at least 1 year after the date of termination for staff who left due to compulsory redundancy or a gap of at least 2 years after the date of termination for staff who left due to voluntary redundancy before they can return, either as a directly employed member of staff, an agency worker or a consultant. This does not prevent them from working in Tower Hamlets Schools during this period.

13.5.1 To allow for exceptional circumstances, when it might be necessary to reemploy someone sooner than set out above, a Director, in conjunction with the Divisional Director HR and Transformation, and after consultation with the Chair of the General Purposes Committee, has authority to waive the 1 or 2 year requirement (as appropriate), provided there is justification.

13.5.2 Any employee or office holder who earns above the threshold set out in the Repayment of Public Sector Exit Payments Regulations 2016, will be required to repay in full or part (as set out in the Regulations), to the employer who made the payment, any exit payment they receive should they return to any part of the public sector (see the Regulations for a full list), either on or off payroll, within 12 months, once the Regulations are operable. This requirement can only be waived in exceptional circumstances and by a decision of Full Council.

14 Pay multiples / comparisons

- 14.1 The Council's pay and grading structures reflect a wide range of job requirements and levels of responsibility across the organisation, with pay and grading being determined by the Council's job evaluation schemes.
- 14.2 The pay ratio demonstrating the relationship between the Council's highest paid employee (total salary package) and the median (mid-point between the highest and lowest) salary position of the non-schools workforce is 1:5.97.
- 14.3 The pay ratio demonstrating the relationship between the Council's highest paid employee (total salary package) and the lowest salary of the non-schools workforce is 1:11.19.
- 14.4 The Council will have regard to its pay ratios and keep them under review, seeking to balance the following:
- Ensuring appropriate reward mechanisms which value knowledge, skills and experience at a senior level, and ensure that the Council can recruit and retain the best talent
 - Addressing its commitment to matching the London Living Wage for our lowest paid staff, and encouraging the developmental progression for staff in the lowest graded roles.

15 Equality issues

- 15.1 The policy elements described in this report derive from national terms and conditions and bargaining, or local discretion. The Council has a keen regard for equality issues and should any changes be made to the pay policy in the future, proposals would go through an Equality Analysis. One of the key aims of Single Status agreement was to eliminate potential pay inequality from previous pay structures and ensure that new pay structures are free from discrimination.

16 Review

- 16.1 The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. The Council's next Statement is scheduled to be for 2019/20 and will be submitted to Full Council for approval by 31 March 2019.
- 16.2 Should changes to the Pay Policy be contemplated that would result in an amended statement being published in the year that it applies, these would be subject to a detailed consultation process before an appropriate recommendation was made to Full Council.

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**London Borough of Tower Hamlets
Pay Policy statement 1 April 2017 – 31 March 2018**

1 Introduction

The Localism Act 2011 requires Local Authorities to produce a pay policy statement every financial year. This requirement is part of the Government's drive towards public sector transparency.

The Pay Policy Statement sets out the Council's current policies and practice in relation to pay for all parts of the workforce. The statement excludes school based employees. The Statement is made available on the Council's website, which also includes separately published salary information for senior managers as part of the Government's Transparency Code.

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The policy addresses the requirements of the Localism Act and addresses key areas of pay and remuneration.

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The Council also employs some staff on Soulbury conditions of service, some on conditions determined by the Joint National Council for Youth and Community Workers, some staff covered by the School Teachers Pay and Conditions Document and some staff on locally agreed terms and conditions for Lecturers and Tutors.

There are also a number of staff who have retained their existing terms and conditions following TUPE transfers into the organisation.

It is the practice of the Council to seek the views of local trade unions on pay related matters, recognising that elements are settled within a national framework.

The Council uses national pay scales up to grade LPO8, and determines the

appropriate grade for each job in accordance with the Greater London Provincial Council (GLPC) job evaluation scheme.

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- LP09 - evaluated under a local variation to the GLPC job evaluation Scheme
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The Council signed a Single Status agreement in April 2008 with trade unions.

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The Council's Corporate Management Team is led by the Chief Executive/Head of Paid Service, supported by a number of Chief Officers reporting to the Chief Executive/Head of Paid Service. All statutory roles are at this level of the organisation, with the exception of the Director of Public Health.

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All salary packages for posts at Chief Officer or Deputy Chief Officer level are in line with locally agreed pay scales.

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Any employee or office holder who earns above the threshold set out in the Repayment of Public Sector Exit Payments Regulations 2016, will be required to repay in full or part (as set out in the Regulations), to the employer who made the payment, any exit payment they receive should they return to any part of the public sector (see the Regulations for a full list), either on or off

payroll, within 12 months, once the Regulations are operable. This requirement can only be waived in exceptional circumstances and by a decision of Full Council.

13 Pay multiples / comparisons

The Council's pay and grading structures reflect a wide range of job requirements and levels of responsibility across the organisation, with pay and grading being determined by the Council's job evaluation schemes.

The pay ratio demonstrating the relationship between the Council's highest paid employee (total salary package) and the median (mid-point between the highest and lowest) salary position of the non-schools workforce is 1:6.1.

The pay ratio demonstrating the relationship between the Council's highest paid employee (total salary package) and the lowest salary of the non-schools workforce is 1:10.9.

The Council will have regard to its pay ratios and keep them under review, seeking to balance the following:

- Ensuring appropriate reward mechanisms which value knowledge, skills and experience at a senior level, and ensure that the Council can recruit and retain the best talent
- Addressing its commitment to matching the London Living Wage for our lowest paid staff, and encouraging the developmental progression for staff in the lowest graded roles.

14 Equality issues

The policy elements described in this report derive from national terms and conditions and bargaining, or local discretion. The Council has a keen regard for equality issues and should any changes be made to the pay policy in the future, proposals would go through an Equality Analysis. One of the key aims of Single Status agreement was to eliminate potential pay inequality from previous pay structures and ensure that new pay structures are free from discrimination.

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Should changes to pay policy be contemplated that would result in an amended statement being published in the year that it applies, these would be subject to a detailed consultation process before an appropriate recommendation was made to Full Council.



Department for
Communities and
Local Government

Local Government Transparency Code 2015



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Part 1: Introduction

Policy context

1. This Code is issued to meet the Government's desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services. Transparency is the foundation of local accountability and the key that gives people the tools and information they need to enable them to play a bigger role in society. The availability of data can also open new markets for local business, the voluntary and community sectors and social enterprises to run services or manage public assets.
2. 'Data' means the objective, factual data, on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery. This should be the basis for publication of information on the discharge of local authority functions.
3. Analysis by Deloitte¹ for the Shakespeare Review of Public Sector Information estimates the economic benefits of public sector information in the United Kingdom as £1.8 billion, with social benefits amounting to £5 billion. The study highlights the significant potential benefits from the publication of public data. And, local authorities and local people want to see published open data:
 - 80 per cent of those responding to a transparency survey² by the Local Government Association in September 2012 cited external accountability as a benefit, with 56 per cent citing better local decision making and democracy as a benefit
 - a survey of 800 members of Bedford's Citizens Panel³ showed that 64 per cent of respondents thought it was very important that the council makes data available to the public and the public were most interested in seeing data made available about council spending and budgets (66 per cent)
 - research by Ipsos MORI⁴ found that the more citizens feel informed, the more they tend to be satisfied with public services and their local authorities.

¹ "Market Assessment of Public Sector Information", Deloitte, May 2013, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/198905/bis-13-743-market-assessment-of-public-sector-information.pdf

² "Local Government Transparency Survey 2012", LGA, December 2012, http://www.local.gov.uk/documents/10180/11541/Local_Government_Transparency_Survey_2012.pdf/dd4c24ed-20ba-4feb-b6eb-fea21e4af049

³ "Citizens Panel Summer 2011 Survey Results Data Transparency" Bedford Borough Council, August 2011 (unpublished)

⁴ "What do people want, need and expect from public services?", Ipsos MORI, 2010, http://www.ipsos-mori.com/DownloadPublication/1345_sri_what_do_people_want_need_and_expect_from_public_services_110310.pdf

4. Therefore, the Government believes that in principle all data held and managed by local authorities should be made available to local people unless there are specific sensitivities (eg. protecting vulnerable people or commercial and operational considerations) to doing so. It encourages local authorities to see data as a valuable resource not only to themselves, but also their partners and local people.
5. Three principles have guided the development of this Code:
 - **demand led** – there are growing expectations that new technologies and publication of data should support transparency and accountability. It is vital that public bodies recognise the value to the public of the data they hold, understand what they hold, what their communities want and then release it in a way that allows the public, developers and the media to use it
 - **open** – provision of public data should become integral to local authority engagement with local people so that it drives accountability to them. Its availability should be promoted and publicised so that residents know how to access it and how it can be used. Presentation should be helpful and accessible to local people and other interested persons, and
 - **timely** – the timeliness of making public data available is often of vital importance. It should be made public as soon as possible following production even if it is not accompanied with detailed analysis.
6. This Code ensures local people can now see and access data covering (annex A summarises the publication requirements specified in this Code):
 - **how money is spent** – for example, all spending transactions over £500, all Government Procurement Card spending and contracts valued over £5,000
 - **use of assets** – ensuring that local people are able to scrutinise how well their local authority manages its assets⁵. For example, self-financing for council housing – introduced in April 2012 – gave each local authority a level of debt it could support based on the valuation of its housing stock. This Code gives local people the information they need to ask questions about how their authority is managing its housing stock to ensure it is put to best use, including considering whether higher value, vacant properties could be used to fund the building of new affordable homes and so reduce waiting lists. The requirement in paragraphs 38 to 41 builds on existing Housing Revenue Account practices⁶
 - **decision making** – how decisions are taken and who is taking them, including how much senior staff are paid, and
 - **issues important to local people** – for example, parking and the amount spent by an authority subsidising trade union activity.

⁵ Nationally, local authorities' estate (all forms of land and buildings) is estimated to be worth about £220 billion.

⁶ The Housing Revenue Account (Accounting Practices) Directions 2011 require that local authorities' annual statement of accounts include disclosure of the total balance sheet value of the land, houses and other property and the vacant possession value of dwellings within the authority's Housing Revenue Account, <https://www.gov.uk/government/publications/the-housing-revenue-account-directions-2011>.

7. Local authorities are encouraged to consider the responses the Government received⁷ to its consultation and look to go further than this Code by publishing some of the data proposed by respondents, in line with the principle that all data held and managed by local authorities should be made open and available to local people unless there are specific sensitivities to doing so.
8. Fraud can thrive where decisions are not open to scrutiny and details of spending, contracts and service provision are hidden from view. Greater transparency, and the provisions in this Code, can help combat fraud. Local authorities should also use a risk management approach with strong internal control arrangements to reduce the risk of any payment fraud as a result of publishing public data. Local authorities should refer to the Chartered Institute of Public Finance and Accountancy Code of Practice on Managing the Risk of Fraud and Corruption⁸. Annex B provides further information on combating fraud.

Application

9. This Code is issued by the Secretary of State for Communities and Local Government in exercise of his powers under section 2 of the Local Government, Planning and Land Act 1980 (“the Act”) to issue a Code of Recommended Practice (the Code) as to the publication of information by local authorities about the discharge of their functions and other matters which he considers to be related. It is issued following consultation in accordance with section 3(11) of the Act.
10. The Code does not replace or supersede the existing legal framework for access to and re-use of public sector information provided by the:
 - Freedom of Information Act 2000 (as amended by the Protection of Freedoms Act 2012)
 - Environmental Information Regulations 2004
 - Re-use of Public Sector Information Regulations 2005
 - Infrastructure for Spatial Information in the European Community (INSPIRE) Regulations 2009, and
 - sections 25 and 26 of the Local Audit and Accountability Act 2014⁹ which provide rights for persons to inspect a local authority’s accounting records and supporting documentation, and to make copies of them.
11. This Code does not apply to Police and Crime Commissioners, for whom a separate transparency framework applies.

⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/266815/Transparency_Code_Government_Response.pdf (see paragraph 37)

⁸ <http://www.cipfa.org/services/counter-fraud-centre/code-of-practice>

⁹ See the Accounts and Audit Regulations 2015 (S.I. 2014/234) for details of when and how those rights may be exercised.

12. This Code only applies to local authorities in relation to descriptions of information or data where that type of local authority undertakes the particular function to which the information or data relates.

13. The Code applies in England only.

Definitions

14. In this Code:

“local authority” means:

- a county council in England
- a district council
- a parish council which has gross annual income or expenditure (whichever is the higher) exceeding £200,000
- a London borough council
- the Common Council of the City of London in its capacity as a local authority
- the Council of the Isles of Scilly
- a National Park authority for a National Park in England
- the Broads Authority
- the Greater London Authority so far as it exercises its functions through the Mayor
- the London Fire and Emergency Planning Authority
- Transport for London
- a fire and rescue authority (constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies, and a metropolitan county fire and rescue authority)
- a joint authority established by Part IV of the Local Government Act 1985 (fire and rescue services and transport)
- a joint waste authority, i.e. an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007
- an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009
- a combined authority established under section 103 of that Act
- a waste disposal authority, i.e. an authority established under section 10 of the Local Government Act 1985, and
- an integrated transport authority for an integrated transport area in England.

“a social enterprise”¹⁰ means a business that trades for a social and/or environmental purpose and is a business which:

- aims to generate its income by selling goods and services, rather than through grants and donations
- is set up to specifically make a difference, and
- reinvests the profits it makes for the purpose of its social mission.

“a small or medium sized enterprise” means an undertaking which has fewer than 250 employees.

“voluntary and community sector organisations” means a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives.

Data protection

15. The Government believes that local transparency can be implemented in a way that complies with the Data Protection Act 1998. Where local authorities are disclosing information which potentially engages the Data Protection Act 1998, they must ensure that the publication of that information is compliant with the provisions of that Act. The Data Protection Act 1998 does not restrict or inhibit information being published about councillors or senior local authority officers because of the legitimate public interest in the scrutiny of such senior individuals and decision makers. The Data Protection Act 1998 also does not automatically prohibit information being published naming the suppliers with whom the authority has contracts, including sole traders, because of the public interest in accountability and transparency in the spending of public money.
16. For other situations where information held by local authorities contains public data which cannot be disclosed in a Data Protection Act compliant manner, the Information Commissioner’s Office has published guidance on anonymisation of datasets, enabling publication of data which can yield insights to support public service improvement, whilst safeguarding individuals’ privacy¹¹.
17. To ensure that published valuation information for social housing assets (see paragraphs 38 to 41) is not disclosive of individual properties, authorities are required to publish their valuation data at postal sector level, i.e. full ‘outbound’ code (first part of the postcode) and first digit of the ‘inbound’ code (second part of the postcode). This provides an average cell size of 2,500 households, which should be large enough to prevent identification of individual dwellings. However, in particular areas where the postcode sector gives a number of households below 2,500 the postcode level should be set higher, that is at postcode district level (e.g. PO1 ***).

¹⁰ <https://www.gov.uk/set-up-a-social-enterprise>

¹¹ http://ico.org.uk/for_organisations/data_protection/topic_guides/anonymisation

18. Local authorities should also make the following adjustment prior to publishing social housing valuation data in order to mitigate the possibility of identifying individual properties:

- Step 1 – for any given postcode sector where the number of occupied social housing properties in any valuation bands is less than a threshold of '10', authorities should merge that particular cell with the next lowest valuation band, and so on until the resultant merged cells contain at least '10' occupied social housing properties. However, if continued repetition of step 1 leads to the number of valuation bands applied to that postcode sector falling below the proposed minimum threshold of valuation bands as set out in paragraph 17, authorities should then apply step 2.
- Step 2 – authorities should merge the original (non-merged) valuation data for the relevant postcode sector with the valuation data with any adjoining postcode sectors which show the lowest number of socially rented properties. Then apply Step 1.

Licences

19. When using postcode data (for example, in connection with paragraphs 35 to 41), local authorities will need to assess their current licence arrangement with the Royal Mail with regards to the terms of use of the Postcode Address File (PAF).

Commercial confidentiality

20. The Government has not seen any evidence that publishing details about contracts entered into by local authorities would prejudice procurement exercises or the interests of commercial organisations, or breach commercial confidentiality unless specific confidentiality clauses are included in contracts. Local authorities should expect to publish details of contracts newly entered into – commercial confidentiality should not, in itself, be a reason for local authorities to not follow the provisions of this Code. Therefore, local authorities should consider inserting clauses in new contracts allowing for the disclosure of data in compliance with this Code.

Exclusions and exemptions

21. Authorities should ensure that they do not contravene the provisions of sections 100A, 100B or 100F of the Local Government Act 1972.
22. Where information would otherwise fall within one of the exemptions from disclosure, for instance, under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Infrastructure for Spatial Information in the European Community (INSPIRE) Regulations 2009 or fall within Schedule 12A to the Local Government Act 1972 then it is at the discretion of the local authority whether or not to rely on that exemption or publish the data. Local authorities should start from the presumption of openness and disclosure of information, and not rely on exemptions to withhold information unless absolutely necessary.

Timeliness and errors

23. Data should be as accurate as possible at first publication. While errors may occur, the publication of information should not be unduly delayed to rectify mistakes. This concerns errors in data accuracy. The best way to achieve this is by having robust information management processes in place.
24. Where errors in data are discovered, or files are changed for other reasons (such as omissions), local authorities should publish revised information making it clear where and how there has been an amendment. Metadata on data.gov.uk should be amended accordingly.

Further guidance and support

25. The Local Government Association has published guidance¹² on transparency (eg. technical guidance notes, best practice examples and case studies) to help local authorities comply with this Code.

¹² <http://www.local.gov.uk/practitioners-guides-to-publishing-data>

Part 2: Information which must be published

Part 2.1: Information to be published quarterly

26. Data covered by this section includes:

- expenditure exceeding £500 (see paragraphs 28 and 29)
- Government Procurement Card transactions (paragraph 30), and
- procurement information (see paragraphs 31 and 32).

27. The data and information referred to in this Part (2.1) must be:

- first published within a period of three months from the date on which the local authority last published that data under the Local Government Transparency Code 2014¹³ and not later than one month after the quarter to which the data and information is applicable
- published quarterly thereafter and on each occasion not later than one month after the quarter to which the data and information is applicable.

Expenditure exceeding £500

28. Local authorities must publish details of each individual item of expenditure that exceeds £500¹⁴. This includes items of expenditure¹⁵, consistent with Local Government Association guidance¹⁶, such as:

- individual invoices
- grant payments
- expense payments
- payments for goods and services
- grants
- grant in aid
- rent
- credit notes over £500, and
- transactions with other public bodies.

¹³ Under the Local Government Transparency Code 2014, local authorities were required to publish this data on the first occasion, not later than 31 December 2014 and quarterly thereafter.

¹⁴ The threshold should be, where possible, the net amount excluding recoverable Value Added Tax.

¹⁵ Salary payments to staff normally employed by the local authority should not be included. However, local authorities should publish details of payments to individual contractors (e.g. individuals from consultancy firms, employment agencies, direct personal contracts, personal service companies etc) either here or under contract information.

¹⁶ <http://www.local.gov.uk/practitioners-guides-to-publishing-data>

29. For each individual item of expenditure the following information must be published:

- date the expenditure was incurred
- local authority department which incurred the expenditure
- beneficiary
- summary of the purpose of the expenditure¹⁷
- amount¹⁸
- Value Added Tax that cannot be recovered, and
- merchant category (eg. computers, software etc).

Government Procurement Card transactions

30. Local authorities must publish details of every transaction on a Government Procurement Card. For each transaction, the following details must be published:

- date of the transaction
- local authority department which incurred the expenditure
- beneficiary
- amount¹⁹
- Value Added Tax that cannot be recovered
- summary of the purpose of the expenditure, and
- merchant category (eg. computers, software etc).

¹⁷ This could be the descriptor that local authorities use in their accounting system providing it gives a clear sense of why the expenditure was incurred or what it purchased or secured for the local authority.

¹⁸ Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

¹⁹ Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

Procurement information

31. Local authorities must publish details of every invitation to tender for contracts to provide goods and/or services²⁰ with a value that exceeds £5,000^{21, 22}. For each invitation, the following details must be published:

- reference number
- title
- description of the goods and/or services sought
- start, end and review dates, and
- local authority department responsible.

32. Local authorities must also publish details of any contract²³, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000²⁴. For each contract, the following details must be published:

- reference number
- title of agreement
- local authority department responsible
- description of the goods and/or services being provided
- supplier name and details
- sum to be paid over the length of the contract or the estimated annual spending or budget for the contract²⁵
- Value Added Tax that cannot be recovered
- start, end and review dates
- whether or not the contract was the result of an invitation to quote or a published invitation to tender, and
- whether or not the supplier is a small or medium sized enterprise and/or a voluntary or community sector organisation and where it is, provide the relevant registration number²⁶.

²⁰ This includes contracts for staff who are employed via consultancy firms or similar agencies.

²¹ The threshold should be, where possible, the net amount excluding recoverable Value Added Tax.

²² Tenders for framework agreements should be included, even though there may be no initial value.

²³ This includes contracts for staff who are employed via consultancy firms or similar agencies.

²⁴ The threshold should be, where possible, the net amount excluding recoverable Value Added Tax.

²⁵ Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

²⁶ For example, this might be the company or charity registration number.

Part 2.2: Information to be published annually

33. Data covered by this section includes:

- local authority land (see paragraphs 35 to 37)
- social housing assets (see paragraphs 38 to 41)
- grants to voluntary, community and social enterprise organisations (see paragraphs 42 and 43)
- organisation chart (see paragraph 44)
- trade union facility time (see paragraph 45)
- parking account (see paragraph 46)
- parking spaces (see paragraph 47)
- senior salaries (see paragraphs 48 and 49)
- constitution (see paragraph 50)
- pay multiple (see paragraphs 51 and 52), and
- fraud (see paragraph 53).

34. With the exception of data relating to social housing assets (paragraphs 38 to 41), the data and information in this Part (2.2) must be:

- first published within a period of one year from the date on which the local authority last published that data under the Local Government Transparency Code 2014²⁷ and not later than one month after the year to which the data and information is applicable
- published annually thereafter and on each occasion not later than one month²⁸ after the year to which the data and information is applicable.

The data on social housing assets (see paragraphs 38 to 41) must be published:

- on the first occasion, not later than 1 September 2015 (based on the most up to date valuation data available at the time of publishing the information), then
- in April 2016, and
- every April thereafter.

²⁷ Under the Local Government Transparency Code 2014, local authorities were required to publish this data on the first occasion, not later than 2 February 2015 and annual thereafter.

²⁸ In relation to parking account data, where the local authority's annual accounts have not been finalised, the authority should publish estimates within one month after the year to which the data is applicable and subsequently publish final figures as soon as the authority's accounts are finalised.

Local authority land

35. Local authorities must publish details of all land and building assets including:

- all service and office properties occupied or controlled by user bodies, both freehold and leasehold
- any properties occupied or run under Private Finance Initiative contracts
- all other properties they own or use, for example, hostels, laboratories, investment properties and depots
- garages unless rented as part of a housing tenancy agreement
- surplus, sublet or vacant properties
- undeveloped land
- serviced or temporary offices where contractual or actual occupation exceeds three months, and
- all future commitments, for example under an agreement for lease, from when the contractual commitment is made.

Information about the following land and building assets are to be excluded from publication:

- rent free properties provided by traders (such as information booths in public places or ports)
- operational railways and canals
- operational public highways (but any adjoining land not subject to public rights should be included)
- assets of national security, and
- information deemed inappropriate for public access as a result of data protection and/or disclosure controls (eg. such as refuge houses).

36. For the purposes of this dataset about local authority land (paragraphs 35 to 37), details about social housing should not be published. However, information about the value of social housing stock contained in a local authority's Housing Revenue Account does need to be published for the social housing asset value dataset (paragraphs 38 to 41).

37. For each land or building asset, the following information must be published together in one place:

- Unique Property Reference Number²⁹
- Unique asset identity - the local reference identifier used by the local body, sometimes known as local name or building block. There should be one entry per asset or user/owner (eg. on one site there could be several buildings or in one building there could be several users floors/rooms etc – where this is the case, each of these will have a separate asset identity). This must include the original reference number from the data source plus authority code
- name of the building/land or both
- street number or numbers - any sets of 2 or more numbers should be separated with the ‘-’ symbol (eg. 10-15 London Road)
- street name – this is the postal road address³⁰
- post town
- United Kingdom postcode
- map reference – local authorities may use either Ordnance Survey or ISO 6709 systems to identify the location of an asset, but must make clear which is being used. Where an Ordnance Survey mapping system is used (the grid system) then assets will be identified using Eastings before Northings. Where geocoding in accordance with ISO 6709 is being used to identify the centre point of the asset location then that reference must indicate its ISO coordinates
- whether the local authority owns the freehold or a lease for the asset and for whichever category applies, the local authority must list all the characteristics that apply from the options given below:

for freehold assets:

- occupied by the local authority
- ground leasehold
- leasehold
- licence
- vacant (for vacant properties, local authorities should not publish the map reference or full address details, they should only publish the first part of the postcode³¹).

²⁹ The Unique Property Reference Number (UPRN) is a unique twelve digit number assigned to every unit of land and property recorded by local government, this is a statutory obligation. The UPRN uniquely and definitively identifies every addressable location in the country. The numbers originate from Geo-Place (an OS and LGA joint venture).

³⁰ Local authorities should use the official postal address. Exceptionally, where this is not available, local authorities should use the address they hold for the asset.

³¹ The first part of the postcode, or Outward Code, refers to the area and the district only, http://www.postcodeaddressfile.co.uk/products/postcodes/postcodes_explained.htm

for leasehold assets:

- occupied by the local authority
- ground leasehold
- sub leasehold
- licence.

for other assets:

- free text description eg. rights of way, access etc³².
- whether or not the asset is land only (i.e. without permanent buildings) or it is land with a permanent building.

Social housing asset value

38. Local authorities must publish details of the value of social housing stock that is held in their Housing Revenue Account³³.

39. The following social housing stock data must be published:

- valuation data to be listed at postal sector level³⁴ (e.g. PO1 1**), without indicating individual dwelling values, and ensuring that data is not capable of being made disclosive of individual properties, in line with disclosure protocols set out in paragraphs 15 to 18
- valuation data for the dwellings using both Existing Use Value for Social Housing and market value (valued in accordance with guidance³⁵) as at 1 April. This should be based on the authority's most up to date valuation data at the time of the publication of the information
- an explanation of the difference between the tenanted sale value of dwellings within the Housing Revenue Account and their market sale value, and assurance that the publication of this information is not intended to suggest that tenancies should end to realise the market value of properties.

³² Where a local authority feels unable to verify rights of way information, for example, it should add a short narrative explaining why it is unable to identify and verify the information.

³³ All local housing authorities who hold housing stock are required to account for all income and expenditure in relation to that stock in a separate account which is called the Housing Revenue Account.

³⁴ The first part of the postcode, or Outward Code (which refers only to the area and the district only), and first digit of the second part of the postcode, or Inward Code (the number identifies the sector in the postal district). http://www.postcodeaddressfile.co.uk/products/postcodes/postcodes_explained.htm

³⁵ *Guidance for Valuers on Stock Valuation for Resource Accounting 2010* published by the Secretary of State for Communities and Local Government in January 2011, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5939/1825886.pdf

40. The valuation data and information referred to in paragraph 39 must be published in the following format:

- for each postal sector level, the valuation data should be classified within set bands of value. Authorities must set their valuation bands within the general parameters set out in the table below, in light of the local characteristics of the housing market in their area, in order to ensure that valuation data published by all authorities is consistent and clear to understand:

Valuation Band Range	Intervening bands value
< £50,000 -£99,999	6 Bands of £10,000
£100,000 - £299,999	10 Bands of £20,000
£300,000 - £499,999	4 Bands of £50,000
£500,000 - £999,999	5 Bands of £100,000
£1,000,000 – £2,999,999>	5 Bands of £500,000

- authorities should ensure that any band should only include values that fall within the band parameters (i.e. not give a top value band). If that is the case, the lowest and highest band should be further disaggregated
- authorities should bear in mind that it is likely that the numbers of properties in the lowest and highest bands will be low, leading to potential disclosure problems. The protocol to address this issue is set out in paragraphs 15 to 18
- for each postal sector level, within the set band of value, the data should indicate:
 - the total number of dwellings
 - the aggregate value of the dwellings and their mean value, using both Existing Use Value for Social Housing and market value, and
 - the percentage of the dwellings that are occupied and the percentage that are vacant
- authorities must publish the valuation data for both tenanted and vacant dwellings.

41. An example of how the data specified in paragraphs 39 and 40 could be presented is included at annex C.

Grants to voluntary, community and social enterprise organisations

42. Local authorities must publish details of all grants to voluntary, community and social enterprise organisations. This can be achieved by either:

- tagging and hence specifically identifying transactions which relate to voluntary, community and social enterprise organisations within published data on expenditure over £500 or published procurement information, or
- by publishing a separate list or register.

43. For each identified grant, the following information must be published as a minimum:

- date the grant was awarded
- time period for which the grant has been given
- local authority department which awarded the grant
- beneficiary
- beneficiary's registration number³⁶
- summary of the purpose of the grant, and
- amount.

Organisation chart

44. Local authorities must publish an organisation chart covering staff in the top three levels of the organisation³⁷. The following information must be included for each member of staff included in the chart:

- grade
- job title
- local authority department and team
- whether permanent or temporary staff
- contact details
- salary in £5,000 brackets, consistent with the details published under paragraph 48, and
- salary ceiling (the maximum salary for the grade).

Trade union facility time

45. Local authorities must publish the following information on trade union facility time:

- total number (absolute number and full time equivalent) of staff who are union representatives (e.g. general, learning and health and safety representatives)
- total number (absolute number and full time equivalent) of union representatives who devote at least 50 per cent of their time to union duties
- names of all trade unions represented in the local authority
- a basic estimate of spending on unions (calculated as the number of full time equivalent days spent on union duties by authority staff that spent the majority of their time on union duties multiplied by the average salary), and
- a basic estimate of spending on unions as a percentage of the total pay bill (calculated as the number of full time equivalent days spent on union duties by authority staff that spent the majority of their time on union duties multiplied by the average salary divided by the total pay bill).

³⁶ For example, this might be the company or charity registration number.

³⁷ This should exclude staff whose salary does not exceed £50,000.

Parking account

46. Local authorities must publish on their website, or place a link on their website to this data if published elsewhere:

- a breakdown of income and expenditure on the authority's parking account^{38, 39}. The breakdown of income must include details of revenue collected from on-street parking, off-street parking and Penalty Charge Notices, and
- a breakdown of how the authority has spent a surplus on its parking account^{38,40}.

Parking spaces

47. Local authorities must publish the number of marked out controlled on and off-street parking spaces within their area, or an estimate of the number of spaces where controlled parking space is not marked out in individual parking bays or spaces.

Senior salaries

48. Local authorities are already required to publish, under the Accounts and Audit Regulations 2015 (Statutory Instrument 2015/234)⁴¹:

- the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000
- details of remuneration and job title of certain senior employees whose salary is at least £50,000, and
- employees whose salaries are £150,000 or more must also be identified by name.

49. In addition to this requirement, local authorities must place a link on their website to these published data or place the data itself on their website, together with a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) and details of bonuses and 'benefits-in-kind', for all employees whose salary exceeds £50,000. The key differences between the requirements under this Code and the Regulations referred to above is the addition of a list of responsibilities, the inclusion of bonus details for all senior employees whose salary exceeds £50,000 and publication of the data on the authority's website.

³⁸ A parking account kept under section 55 of the Road Traffic Regulation Act 1984 as modified by Regulation 25 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

³⁹ Local authorities should also have regard to both statutory guidance, *The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions*, <http://assets.dft.gov.uk/publications/tma-part-6-cpe-statutory-guidance/betterprkstatutoryguid.pdf>, and non-statutory operational guidance, *Operational Guidance to Local Authorities: Parking Policy and Enforcement*, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212559/parkinginforcepolicy.pdf

⁴⁰ Section 55 (as amended) of the Road Traffic Regulation Act 1984 sets out how local authorities should use a surplus on their parking account. Local authorities should breakdown how they have spent a surplus on their parking account within the categories set out in section 55.

⁴¹ For the accounting year 2014-15, the Accounts and Audit (England) Regulations 2011 (Statutory Instrument 2011/817) remain applicable.

Constitution

50. Local authorities are already required to make their Constitution available for inspection at their offices under section 9P of the Local Government Act 2000. Local authorities must also, under this Code, publish their Constitution on their website.

Pay multiple

51. Section 38 of the Localism Act 2011 requires local authorities to produce Pay Policy Statements, which should include the authority's policy on pay dispersion – the relationship between remuneration of chief officers and the remuneration of other staff. Guidance produced under section 40 of that Act⁴², recommends that the pay multiple is included in these statements as a way of illustrating the authority's approach to pay dispersion.

52. Local authorities must, under this Code, publish the pay multiple on their website, defined as the ratio between the highest paid taxable earnings for the given year (including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind) and the median earnings figure of the whole of the authority's workforce. The measure must:

- cover all elements of remuneration that can be valued (eg. all taxable earnings for the given year, including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind)
- use the median earnings figure as the denominator, which should be that of all employees of the local authority on a fixed date each year, coinciding with reporting at the end of the financial year, and
- exclude changes in pension benefits, which due to their variety and complexity cannot be accurately included in a pay multiple disclosure.

⁴² Openness and accountability in local pay: Guidance under Section 40 of the Localism Act (February 2012), https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5956/2091042.pdf

Fraud

53. Local authorities must publish the following information about their counter fraud work⁴³:

- number of occasions they use powers under the Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014⁴⁴, or similar powers⁴⁵
- total number (absolute and full time equivalent) of employees undertaking investigations and prosecutions of fraud
- total number (absolute and full time equivalent) of professionally accredited counter fraud specialists
- total amount spent by the authority on the investigation and prosecution of fraud, and
- total number of fraud cases investigated.

Part 2.3: Information to be published once only

Waste contracts

54. Local authorities must publish details of their existing waste collection contracts, in line with the details contained in paragraph 32. Local authorities must publish this information at the same time as they first publish quarterly procurement information under paragraphs 27, 31 and 32 of this Code.

Part 2.4: Method of publication

55. Public data should be published in a format and under a licence that allows open re-use, including for commercial and research activities, in order to maximise value to the public. The most recent Open Government Licence published by the National Archives should be used as the recommended standard. Where any copyright or data ownership concerns exist with public data these should be made clear. Data covered by Part 2 of this Code must be published in open and machine-readable formats (further information about machine-readable formats can be found in Part 3.2).

⁴³ The definition of fraud is as set out by the Audit Commission in *Protecting the Public Purse*.

⁴⁴ S.I. 2014/899.

⁴⁵ For example, the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 gives local authorities the power to require information from listed bodies, during the investigation of fraud connected with an application for or award of a reduction under a council tax reduction scheme: <http://www.legislation.gov.uk/ukSI/2013/501/contents/made>

Part 3: Information recommended for publication

56. Part 2 of this Code set out details of the minimum data that local authorities must publish. The Government believes that in principle all data held and managed by local authorities should be made available to local people unless there are specific sensitivities to doing so. Therefore, it encourages local authorities to go much further in publishing the data they hold, recognising the benefits of sharing that data for local people, more effective service delivery and better policy making. Part 3 of this Code sets out details of data that the Government recommends local authorities publish.

Part 3.1: Information recommended for publication

57. Data covered by this section includes:

- expenditure data (see paragraph 58)
- procurement information (see paragraphs 59 and 60)
- local authority land (see paragraph 61 and 62)
- parking spaces (see paragraphs 63 and 64)
- organisation chart (see paragraph 65)
- grants to voluntary, community and social enterprise organisations (see paragraphs 66 and 67), and
- fraud (see paragraph 68).

Expenditure data

58. It is recommended that local authorities go further than the minimum publication requirements set out in Part 2 and:

- publish information on a monthly instead of quarterly basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication)
- publish details of all transactions that exceed £250 instead of £500. For each transaction the details that should be published remain as in paragraph 29
- publish all transactions on all corporate credit cards, charge cards and procurements, including those that are not a Government Procurement Card. For each transaction the details that should be published remain as set out in paragraph 30
- publish the total amount spent on remuneration over the period being reported on, and
- classify expenditure using the Chartered Institute of Public Finance and Accountancy Service Reporting Code of Practice to enable comparability between local authorities.

Procurement information

59. It is recommended that local authorities place on Contracts Finder⁴⁶, as well as any other local portal, every invitation to tender or invitation to quote for contracts to provide goods and/or services with a value that exceeds £10,000. For each invitation, the details that should be published are the same as those set out in paragraph 31.

60. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish:

- information on a monthly instead of quarterly basis, or ideally, as soon as it is generated and therefore becomes available (commonly known as 'real-time' publication)
- every invitation to tender for contracts to provide goods and/or services with a value that exceeds £500 instead of £5,000. The details that should be published are the same as those set out in paragraph 31
- details of invitations to quote where there has not been a formal invitation to tender. The details that should be published are the same as those set out in paragraph 31
- all contracts in their entirety where the value of the contract exceeds £5,000⁴⁷
- company registration number at Companies House
- details of invitations to tender or invitations to quote that are likely to be issued in the next twelve months. The details that should be published are the same as those set out in paragraph 31
- details of the geographical (eg. by ward) coverage of contracts entered into by the local authority
- details of performance against contractual key performance indicators, and
- information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, Charity or Charitable Incorporated Organisation, Community Interest Company, Industrial and Provident Society, Housing Association, etc).

Local authority land

61. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish information on a monthly instead of annual basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication). It is also recommended that local authorities should publish all the information possible on Electronic Property Information Mapping Service.

⁴⁶ Documentation for all procurements valued at over £10,000 is stored on Contracts Finder for public viewing as part of government's transparency commitment. <https://online.contractsfinder.businesslink.gov.uk/>

⁴⁷ Where a contract runs into several hundreds of pages or more, a local authority should publish a summary of the contract or sections of the contract, if this would be more helpful to local people and businesses.

62. It is further recommended that local authorities also go further than the minimum publication requirements set out in paragraph 37 by publishing, alongside them in one place, the following information:

- size of the asset measured in Gross Internal Area (m²) for buildings or hectares for land, in accordance with the Royal Institute of Chartered Surveyors Code of Measuring Practice. The Gross Internal Area is the area of a building measured to the internal face of the perimeter walls at each floor level. Local authorities using Net Internal Area (m²) should convert measurements to Gross Internal Area using appropriate conversion factors⁴⁸ and state the conversion factor used
- services offered from the asset using the services listed in the Effective Services Delivery government service function list <http://doc.esd.org.uk/FunctionList/1.00.html> (listing up to five main services)
- reason for holding asset such as, it is occupied by the local authority or it is providing a service on the authority's behalf, it is an investment property, it supports economic development (eg. provision of small businesses or incubator space), it is surplus to the authority's requirements, it is awaiting development, it is under construction, it provides infrastructure or it is a community asset
- whether or not the asset is either one which is an asset in the authority's ownership that is listed under Part 5 Chapter 3 of the Localism Act 2011 (assets of community value) and/or an asset which the authority is actively seeking to transfer to the community
- total building operation (revenue) costs as defined in the corporate value for money indicators for public services⁴⁹
- required maintenance - the cost to bring the property from its present state up to the state reasonably required by the authority to deliver the service and/or to meet statutory or contract obligations and maintain it at that standard. This should exclude improvement projects but include works necessary to comply with new legislation (eg. asbestos and legionella)
- functional suitability rating using the scale:
 - good – performing well and operating efficiently (supports the needs of staff and the delivery of services)
 - satisfactory – performing well but with minor problems (generally supports the needs of staff and the delivery of services)
 - poor – showing major problems and/or not operating optimally (impedes the performance of staff and/or the delivery of services)
 - unsuitable – does not support or actually impedes the delivery of services
- energy performance rating as stated on the Display Energy Certificate under the Energy Performance of Buildings (England and Wales) Regulations 2012 (as amended).

⁴⁸ Local authorities are not expected to re-measure buildings. Research undertaken for the Scottish Government offers one method of converting Net Internal Area to Gross Internal Area and can be found at: <http://www.scotland.gov.uk/Resource/Doc/217736/0121532.pdf>

⁴⁹ <http://www.nao.org.uk/wp-content/uploads/2013/02/2010-11-Estates-Management.pdf> (See page 17).

Parking spaces

63. It is recommended that local authorities should publish the number of:

- free parking spaces available in the local authority's area and which are provided directly by the local authority, and
- parking spaces where charges apply that are available in the local authority's area and which are provided directly by the local authority.

64. Where parking space is not marked out in individual parking bays or spaces, local authorities should estimate the number of spaces available for the two categories in paragraph 63.

Organisation chart

65. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish:

- charts including all employees of the local authority whose salary exceeds £50,000
- the salary band for each employee included in the chart(s), and
- information about current vacant posts, or signpost vacancies that are going to be advertised in the future.

Grants to voluntary, community and social enterprise organisations

66. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish information on a monthly instead of annual basis where payments are made more frequently than a single annual payment, or ideally, as soon as the data becomes available and therefore known to the authority (commonly known as 'real-time' publication).

67. It is further recommended that local authorities publish information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association, etc).

Fraud

68. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish:

- total number of cases of irregularity investigated
- total number of occasions on which a) fraud and b) irregularity was identified
- total monetary value of a) the fraud and b) the irregularity that was detected, and
- total monetary value of a) the fraud and b) the irregularity that was recovered.

Part 3.2: Method of publication

69. The Government endorses the five step journey to a fully open format:

- | | |
|------------|---|
| One star | Available on the web (whatever format) but with an open license |
| Two star | As for one star plus available as machine-readable structured data (eg. Excel instead of an image scan of a table) |
| Three star | As for two star plus use a non-proprietary format (eg. CSV and XML) |
| Four star | All of the above plus use open standards from the World Wide Web Consortium (such as RDF and SPARQL ²¹) |
| Five star | All the above plus links an organisation's data to others' data to provide context |

70. The Government recommends that local authorities publish data in three star formats where this is suitable and appropriate⁵⁰, alongside open and machine-readable format, within six months of this Code being issued.

Shehla Husain
A Senior Civil Servant in the Department for Communities and Local Government

Department for Communities and Local Government
27 February 2015

⁵⁰ Statistical data, lists etc should be capable of being published in this format but others (eg. organisation charts) may be more difficult.

Annex A: Table summarising all information to be published

Information title	Information which must be published	Information recommended for publication
<p>Expenditure exceeding £500</p>	<p>Quarterly publication</p> <p>Publish details of each individual item of expenditure that exceeds £500, including items of expenditure, consistent with Local Government Association guidance, such as:</p> <ul style="list-style-type: none"> • individual invoices • grant payments • expense payments • payments for goods and services • grants • grant in aid • rent • credit notes over £500 • transactions with other public bodies. <p>For each individual item of expenditure the following information must be published:</p> <ul style="list-style-type: none"> • date the expenditure was incurred • local authority department which incurred the expenditure • beneficiary • summary of the purpose of the expenditure • amount • Value Added Tax that cannot be recovered • merchant category (eg. computers, software etc). 	<ul style="list-style-type: none"> • Publish information on a monthly instead of quarterly basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as ‘real-time’ publication). • Publish details of all transactions that exceed £250 instead of £500. For each transaction the details that should be published remain as set out in paragraph 29. • publish the total amount spent on remuneration over the period being reported on. • classify purpose of expenditure using the Chartered Institute of Public Finance and Accountancy Service Reporting Code of Practice to enable comparability between local authorities.

Information title	Information which must be published	Information recommended for publication
Government Procurement Card transactions	<p>Quarterly publication</p> <p>Publish details of every transaction on a Government Procurement Card. For each transaction, the following details must be published:</p> <ul style="list-style-type: none"> • date of the transaction • local authority department which incurred the expenditure • beneficiary • amount • Value Added Tax that cannot be recovered • summary of the purpose of the expenditure • merchant category (eg. computers, software etc). 	<ul style="list-style-type: none"> • Publish all transactions on all corporate credit cards, charge cards and procurements, including those that are not a Government Procurement Card. For each transaction the details that should be published remain as set out in paragraph 30.
Procurement information	<p>Quarterly publication</p> <p>Publish details of every invitation to tender for contracts to provide goods and/or services with a value that exceeds £5,000. For each invitation, the following details must be published:</p> <ul style="list-style-type: none"> • reference number • title • description of the goods and/or services sought • start, end and review dates • local authority department responsible. <p>Quarterly publication</p> <p>Publish details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000. For each contract, the following details must be published:</p> <ul style="list-style-type: none"> • reference number • title of agreement • local authority department responsible 	<p>Place on Contracts Finder, as well as any other local portal, every invitation to tender or invitation to quote for contracts to provide goods and/or services with a value that exceeds £10,000.</p> <p>Publish:</p> <ul style="list-style-type: none"> • information on a monthly instead of quarterly basis, or ideally, as soon as it is generated and therefore becomes available (commonly known as ‘real-time’ publication) • every invitation to tender for contracts to provide goods and/or services with a value that exceeds £500 instead of £5,000 • details of invitations to quote where there has not been a formal invitation to tender • all contracts in their entirety where the value of the contract exceeds £5,000

Information title	Information which must be published	Information recommended for publication
	<ul style="list-style-type: none"> • description of the goods and/or services being provided • supplier name and details • sum to be paid over the length of the contract or the estimated annual spending or budget for the contract • Value Added Tax that cannot be recovered • start, end and review dates • whether or not the contract was the result of an invitation to quote or a published invitation to tender • whether or not the supplier is a small or medium sized enterprise and/or a voluntary or community sector organisation and where it is, provide the relevant registration number. 	<ul style="list-style-type: none"> • company registration number at Companies House • details of invitations to tender or invitations to quote that are likely to be issued in the next twelve months • details of the geographical (eg. by ward) coverage of contracts entered into by the local authority • details of performance against contractual key performance indicators • information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association, etc).
Local authority land	<p>Annual publication</p> <p>Publish details of all land and building assets including:</p> <ul style="list-style-type: none"> • all service and office properties occupied or controlled by user bodies, both freehold and leasehold • any properties occupied or run under Private Finance Initiative contracts • all other properties they own or use, for example, hostels, laboratories, investment properties and depots • garages unless rented as part of a housing tenancy agreement • surplus, sublet or vacant properties • undeveloped land • serviced or temporary offices where contractual or actual occupation exceeds three months • all future commitments, for example under an agreement for lease, from when the contractual commitment is made. 	<p>Publish information on a monthly instead of annual basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication). It is also recommended that local authorities should publish all the information possible on Electronic Property Information Mapping Service.</p> <p>Publish the following additional information:</p> <ul style="list-style-type: none"> • the size of the asset measured in Gross Internal Area (m²) for buildings or hectares for land, in accordance with the Royal Institute of Chartered Surveyors Code of Measuring Practice. The Gross Internal Area is the area of a building measured to the internal face of the perimeter walls at

Information title	Information which must be published	Information recommended for publication
	<p>However, information about the following land and building assets are to be excluded from publication:</p> <ul style="list-style-type: none"> • rent free properties provided by traders (such as information booths in public places or ports) • operational railways and canals • operational public highways (but any adjoining land not subject to public rights should be included) • assets of national security • information deemed inappropriate for public access as a result of data protection and/or disclosure controls (eg. such as refuge houses). <p>Information on social housing is also excluded from this specific dataset.</p> <p>For each land or building asset, the following information must be published together in one place:</p> <ul style="list-style-type: none"> • Unique Property Reference Number • Unique asset identity - the local reference identifier used by the local body, sometimes known as local name or building block. There should be one entry per asset or user/owner (eg. on one site there could be several buildings or in one building there could be several users, floors/rooms etc – where this is the case, each of these will have a separate asset identity). This must include the original reference number from the data source plus authority code • name of the building/land or both • street number or numbers - any sets of 2 or more numbers should be separated with the '-' symbol (eg. 10-15 London Road) • street name – this is the postal road address • post town 	<p>each floor level. Local authorities using Net Internal Area (m²) should convert measurements to Gross Internal Area using appropriate conversion factors and state the conversion factor used</p> <ul style="list-style-type: none"> • the services offered from the asset, using the services listed in the Effective Services Delivery government service function list http://doc.esd.org.uk/FunctionList/1.00.html (listing up to five main services) • the reason for holding asset such as, it is occupied by the local authority or it is providing a service in its behalf, it is an investment property, it supports economic development (eg. provision of small businesses or incubator space), it is surplus to the authority's requirements, it is awaiting development, it is under construction, it provides infrastructure or it is a community asset • whether or not the asset is either one which is an asset in the authority's ownership that is listed under Part 5 Chapter 3 of the Localism Act 2011 (assets of community value) and/or an asset where the authority is actively seeking transfer to the community • total building operation (revenue) costs as defined in the corporate value for money indicators for public services

Information title	Information which must be published	Information recommended for publication
	<ul style="list-style-type: none"> • United Kingdom postcode • map reference – local authorities may use either Ordnance Survey or ISO6709 systems to identify the location of an asset, but must make clear which is being used. Where an Ordnance Survey mapping system is used (the grid system) then assets will be identified using Eastings before Northings. Where geocoding in accordance with ISO 6709 is being used to identify the centre point of the asset location then that reference must indicate its ISO coordinates • whether the local authority owns the freehold or a lease for the asset and for whichever category applies, the local authority must list all the characteristics that apply from the options given below: <ul style="list-style-type: none"> <i>for freehold assets:</i> <ul style="list-style-type: none"> ○ occupied by the local authority ○ ground leasehold ○ leasehold ○ licence ○ vacant (for vacant properties, local authorities should not publish the full address details and should only publish the first part of the postcode) <i>for leasehold assets:</i> <ul style="list-style-type: none"> ○ occupied by the local authority ○ ground leasehold ○ sub leasehold ○ licence <i>for other assets:</i> <ul style="list-style-type: none"> ○ free text description eg. rights of way, access etc. • whether or not the asset is land only (without permanent buildings) or it is land with a permanent building. 	<ul style="list-style-type: none"> • required maintenance - the cost to bring the property from its present state up to the state reasonably required by the authority to deliver the service and/or to meet statutory or contract obligations and maintain it at that standard. This should exclude improvement projects but include works necessary to comply with new legislation (eg. asbestos and legionella) • functional suitability rating using the scale: <ul style="list-style-type: none"> ○ good – performing well and operating efficiently (supports the needs of staff and the delivery of services) ○ satisfactory – performing well but with minor problems (generally supports the needs of staff and the delivery of services) ○ poor – showing major problems and/or not operating optimally (impedes the performance of staff and/or the delivery of services) ○ unsuitable – does not support or actually impedes the delivery of services • energy performance rating as stated on the Display Energy Certificate under the Energy Performance of Buildings (England and Wales) Regulations 2012 (as amended).

Information title	Information which must be published	Information recommended for publication
Social housing asset value	<p>Annual publication</p> <p>Publish details on the value of social housing assets within local authorities' Housing Revenue Account.</p> <p>Information to be published using the specified value bands and postal sector:</p> <ul style="list-style-type: none"> • total number of homes • the aggregate value and mean value of the dwellings for both existing use value (social housing) and market value, and • percentage of homes that are vacant and that are tenanted. <p>Information to be published at a general level:</p> <ul style="list-style-type: none"> • an explanation of the difference between the tenanted sale value of homes within the Housing Revenue Account and their market sale value, and • an assurance that the publication of this information is not intended to suggest that tenancies should end to realise the market value of properties. <p>Other residential tenanted properties that the authority may hold within their General Fund are excluded from this specific dataset, as is information on other building assets or land that local authorities hold within their Housing Revenue Account.</p>	
Grants to voluntary, community and social enterprise organisations	<p>Annual publication</p> <p>Publish details of all grants to voluntary, community and social enterprise organisations. This can be achieved by either:</p> <ul style="list-style-type: none"> • tagging and hence specifically identifying transactions which relate to voluntary, community and social enterprise organisations within published data on expenditure over £500 or published procurement information, or • by publishing a separate list or register. 	<ul style="list-style-type: none"> • Publish information on a monthly instead of annual basis where payments are made more frequently than a single annual payment, or ideally, as soon as the data becomes available and therefore known to the authority (commonly known as 'real-time' publication).

Information title	Information which must be published	Information recommended for publication
	<p>For each identified grant, the following information must be published as a minimum:</p> <ul style="list-style-type: none"> • date the grant was awarded • time period for which the grant has been given • local authority department which awarded the grant • beneficiary • beneficiary's registration number • summary of the purpose of the grant • amount 	<ul style="list-style-type: none"> • information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association etc).
Organisation chart	<p>Annual publication</p> <p>Publish an organisation chart covering staff in the top three levels of the organisation. The following information must be included for each member of staff included in the chart:</p> <ul style="list-style-type: none"> • grade • job title • local authority department and team • whether permanent or temporary staff • contact details • salary in £5,000 brackets, consistent with the details published for Senior Salaries • salary ceiling (the maximum salary for the grade). 	<p>Local authorities should publish:</p> <ul style="list-style-type: none"> • charts including all employees in the local authority whose salary exceeds £50,000 • the salary band for each employee included in the chart(s) • information about current vacant posts, or signpost vacancies that are going to be advertised in the future.
Trade union facility time	<p>Annual publication</p> <p>Publish the following information:</p> <ul style="list-style-type: none"> • total number (absolute number and full time equivalent) of staff who are union representatives (including general, learning and health and safety representatives) • total number (absolute number and full time equivalent) of union representatives who devote at least 50 per cent of their time to union duties • names of all trade unions represented in the local authority 	

Information title	Information which must be published	Information recommended for publication
	<ul style="list-style-type: none"> • a basic estimate of spending on unions (calculated as the number of full time equivalent days spent on union duties multiplied by the average salary), and • a basic estimate of spending on unions as a percentage of the total pay bill (calculated as the number of full time equivalent days spent on union duties multiplied by the average salary divided by the total pay bill). 	
Parking account	<p>Annual publication Publish on their website, or place a link on their website to this data published elsewhere:</p> <ul style="list-style-type: none"> • a breakdown of income and expenditure on the authority's parking account. The breakdown of income must include details of revenue collected from on-street parking, off-street parking and Penalty Charge Notices • a breakdown of how the authority has spent a surplus on its parking account. 	
Parking spaces	<p>Annual publication Publish the number of marked out controlled on and off-street parking spaces within their area, or an estimate of the number of spaces where controlled parking space is not marked out in individual parking bays or spaces.</p>	<p>Local authorities should publish the number of:</p> <ul style="list-style-type: none"> • free parking spaces available in the local authority's area and which are provided directly by the local authority, and • parking spaces where charges apply that are available in the local authority's area and which are provided directly by the local authority. <p>Where parking space is not marked out in individual parking bays or spaces, local authorities should estimate the number of spaces available for the two categories.</p>

Information title	Information which must be published	Information recommended for publication
Senior salaries	<p>Annual publication</p> <p>Local authorities must place a link on their website to the following data or must place the data itself on their website:</p> <ul style="list-style-type: none"> • the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000 • details of remuneration and job title of certain senior employees whose salary is at least £50,000 • employees whose salaries are £150,000 or more must also be identified by name. • a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) and details of bonuses and 'benefits in kind', for all employees whose salary exceeds £50,000. 	
Constitution	<p>Annual publication</p> <p>Local authorities must publish their Constitution on their website.</p>	
Pay multiple	<p>Annual publication</p> <p>Publish the pay multiple on their website defined as the ratio between the highest taxable earnings for the given year (including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind) and the median earnings figure of the whole of the authority's workforce. The measure must:</p> <ul style="list-style-type: none"> • cover all elements of remuneration that can be valued (eg. all taxable earnings for the given year, including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind) • use the median earnings figure as the denominator, which should be that of all employees of the local authority on a fixed date each year, coinciding with reporting at the end of the financial year • exclude changes in pension benefits, which due to their variety and complexity cannot be accurately included in a pay multiple disclosure. 	

Information title	Information which must be published	Information recommended for publication
Fraud	Annual publication Publish the following information: <ul style="list-style-type: none"> • number of occasions they use powers under the Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014, or similar powers • total number (absolute and full time equivalent) of employees undertaking investigations and prosecutions of fraud • total number (absolute and full time equivalent) of professionally accredited counter fraud specialists • total amount spent by the authority on the investigation and prosecution of fraud • total number of fraud cases investigated. 	Local authorities should publish: <ul style="list-style-type: none"> • total number of cases of irregularity investigated • total number of occasions on which a) fraud and b) irregularity was identified • total monetary value of a) the fraud and b) the irregularity that was detected, and • total monetary value of a) the fraud and b) the irregularity that was recovered.
Waste contracts	One-off publication Local authorities must publish details of their existing waste collection contracts, in line with the details contained in paragraphs 32 of the Code, at the point they first publish quarterly contract information under Part 2 of this Code.	

Annex B: Detecting and preventing fraud

Tackling fraud is an integral part of ensuring that tax-payers money is used to protect resources for frontline services. The cost of fraud to local government is estimated at £2.1 billion a year. This is money that can be better used to support the delivery of front line services and make savings for local tax payers.

A culture of transparency should strengthen counter-fraud controls. The Code makes it clear that fraud can thrive where decisions are not open to scrutiny and details of spending, contracts and service provision are hidden from view. Greater transparency, and the provisions in this Code, can help combat fraud.

Sources of support to tackle fraud include:

Fighting Fraud Locally, The Local Government Fraud Strategy

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118508/strategy-document.pdf), was drafted by the National Fraud Authority and CIPFA (the Chartered Institute of Public Finance and Accountancy). The document calls for the adoption of a tougher approach to tackle fraud against local authorities. The strategy is part of a wider collaboration on counter fraud and is the local authority contribution to the national fraud strategy – *Fighting Fraud Together* (<https://www.gov.uk/government/publications/nfa-fighting-fraud-together>) which encompasses both the public and private sectors response to fraud in the UK.

Local authorities should use a risk management approach with strong internal control arrangements to reduce the risk of any payment fraud as a result of publishing public data. Local authorities should refer to the *Chartered Institute of Public Finance and Accountancy Code of Practice on Managing the Risk of Fraud and Corruption* (<http://www.cipfa.org/services/counter-fraud-centre/code-of-practice>). The document sets out a step by step toolkit to tackling fraud: identifying and understanding your fraud risks and potential exposure to fraud loss; assessing current resilience to fraud; evaluating the organisation's ability to respond to potential or identified fraud; and developing a strategy. Developing an anti-fraud culture is an important part of improving resilience; the benefits of improving resilience to fraud include reduced exposure to fraud and an organisation that is better able to identify attempted frauds or vulnerabilities.

The National Fraud Authority have produced a guide on procurement fraud, *Procurement Fraud in the Public Sector*, (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118460/procurement-fraud-public-sector.pdf) which deals with the whole process, from bidding during the pre-contract award phase through to false invoicing in the post-contract award phase.

There are some specific steps local authorities can take to prevent procurement fraud. These might include:

- only accepting requests for changes to supplier standing data in writing

- seeking confirmation from the supplier that the requested changes are genuine, using contact details held on the vendor data file or from previous and legitimate correspondence; and not contacting the supplier via contact details provided on the letter requesting the changes
- ensuring that there is segregation of duties between those who authorise changes and those who make them
- only authorising changes when all appropriate checks have been carried out with legitimate suppliers and only making the changes when the proper authorisations to do so have been given
- maintaining a suitable audit trail to ensure that a history of all transactions and changes is kept
- producing reports of all changes made to supplier standing data and checking that the changes were valid and properly authorised before any payments are made
- carrying out standard checks on invoices before making any payments, and
- regularly verifying the correctness of standing data with suppliers.

Annex C: Social housing asset data to be published

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Postal Sector	Valuation Band Range	Intervening bands	Dwellings value				Tenure status		
			Total number social housing dwellings	EUV-SH Values		Market Values		% occupied dwellings	% vacant dwellings
				Total	Average	Total	Average		
PO1 1**	<£50,000 - £99,999	<£50,000							
		£50,000 - £59,999							
		£60,000 - £69,999							
		£70,000 - £79,999							
		£80,000 - £89,999							
		£90,000 - £99,999							
	£100,000 - £299,999	£100,000 - £119,999							
		£120,000 - £139,999							
		£140,000 - £159,999							
		£160,000 - £179,999							
		£180,000 - £199,999							
		£200,000 - £219,999							
		£220,000 - £239,999							
		£240,000 - £259,999							
		£260,000 - £279,999							
		£280,000 - £299,999							
	£300,000 - £499,999	£300,000 - £349,999							
		£350,000 - £399,999							
		£400,000 - £449,999							
		£450,000 - £499,999							
	£500,000 - £999,999	£500,000 - £599,999							
		£600,000 - £699,999							
		£700,000 - £799,999							
		£800,000 - £899,999							
		£900,000 - £999,999							
	£1m - £2,999,999>	£1,000,000 - £1,499,999							
		£1,500,000 - £1,999,999							
		£2,000,000 - £2,499,999							
		£2,500,000 - £2,999,999							
		£3,000,000>							

<p>Non-Executive Report of the:</p> <p>General Purposes Committee</p> <p>8th February 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance</p>	<p>Classification: Unrestricted</p>
<p>Members' Induction</p>	

Originating Officer(s)	Beverley McKenzie, Head of Members' Support
Wards affected	(All Wards);

Summary

This report outlines the proposed Member Induction Programme for new and returning Members following the May 2018 Council elections. This is an indicative programme and additional work is being undertaken to consult directorate leadership teams.

Recommendations:

The General Purposes Committee is asked to:

1. Agree the proposed indicative Member Induction Programme for 2018 as set out in Appendix A.
2. Nominate a link Member from each political group to liaise as necessary regarding member input to the induction programme.
3. Note the work under way in relation to developing the broader package of support services and the Learning and Development Programme for Members.

1. REASONS FOR THE DECISIONS

- 1.1 Member learning and development is provided to enhance knowledge of the Council and ensure that Members receive up to date information on services and are equipped with the training required to undertake their role as a Member.
- 1.2 Based on previous experience it is highly likely that a number of new Members will be elected at the Council elections in May 2018. It is important to consider how new and returning Members can be best supported through effective induction, learning and development activities and ongoing support services, to prepare for and undertake their role and responsibilities.

2. ALTERNATIVE OPTIONS

- 2.1 Members could choose not to develop an induction programme or seek a third party to provide development activities.

3. DETAILS OF REPORT

Learning and Development

- 3.1 The proposed programme has been developed considering the core activities that the Member will undertake, with a focus on developing the skills to enable their self-sufficiency to fulfil their responsibilities. It comprises a series of Learning and Development sessions together with administrative support. See Appendix A for complete indicative framework.
- 3.2 Feedback from Members on the 2014 induction process suggests that the initial sessions should not be overcomplicated but should focus on practical issues – i.e. key headline information about Member roles, how the authority is organised, key contact numbers that Members will require for immediate use and skills training around casework, members' enquiries etc. to equip Members to face the immediate demands of constituents.
- 3.3 To ensure that the Member Induction Programme is effectively focussed, the work will be led and co-ordinated by the Head of Members' Support and the Council Leadership Team, or representative to inform and deliver the programme.
- 3.4 The existing role description for a Member has been refreshed and is attached in Appendix B. The core activities include:
 - Representing residents
 - Community leadership
 - Developing Council policy – Executive/Overview & Scrutiny
 - Planning and Regulation – Committee membership
 - Adhering to the Code of Conduct
- 3.5 The Local Government Association (LGA) have a range of workbooks and e-learning modules that will be made available to support the induction process

and continuous development of Members. Workbooks will be made available to new members via the Members' Hub (see 3.11 below).

- 3.6 Where appropriate, experienced Members may be asked to participate in parts of the induction programme and/or a 'buddy' system with a new Member in their political group, led by their own parties.
- 3.7 To assess the effectiveness of the induction programme Members will be asked to provide feedback and evaluate each session individually. On completion of the programme an overall evaluation of the learning and development framework and administration and housekeeping arrangements will be carried out.
- 3.8 For ongoing training, all e-learning modules rolled out to Council officers will be made available to members.
- 3.9 A dedicated budget of £15K has been established to support the Member learning and development for 2017/18. All induction costs will be met through this budget.

Members' Support

- 3.10 General administrative support will be delivered as part of the open afternoon and overall induction.
- 3.11 Members will be provided with a welcome letter from the Chief Executive following the declaration of appointment. This will contain relevant information regarding the induction programme and include a link to the "Members' Hub". The Members' hub is a web page that is being developed to replace the traditional Members' Handbook. This will provide relevant information to Members about the Council and its' services.

DBS Checks

- 3.12 Following executive and committee appointments, DBS checks will be undertaken for all Members as they are likely to be engaged in specific activities relating to work with children and vulnerable adults.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The cost of developing and delivering the induction programme will be met from the existing £15k budget referred to in 3.9 above. There are no other financial commitments arising from agreeing the recommendations within this report.

5. LEGAL COMMENTS

- 5.1 Section 27(1) of the Localism Act 2011 Act provides that the Council must promote and maintain high standards of conduct by Members and Co-opted Members of the authority. In discharging this duty the Council is required by section 27(2) of the 2011 Act to adopt a Code of Conduct which applies to all

Members and Co-opted Members when acting in an official capacity. The indicative Member Induction Programme will assist the authority in discharging this statutory responsibility.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Support for elected Members through the learning and development opportunities takes full account of the needs of Members, including diversity and inclusion.
- 6.2 The programme ensures that Members are equipped to address One Tower Hamlets considerations in their role as Community Leaders.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The Member learning and development programme builds on the feedback from the Best Value Improvement Board and ensures that essential elements such as ethics and probity training are included as required sessions.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no specific SAGE implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Effective training and development provides a foundation for Members in the fulfilment of their role. Development is particularly important to mitigate risk following elections as newly elected Members are likely to have a steeper learning curve.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no specific implications for crime and disorder arising from this report.

Linked Reports, Appendices and Background Documents

Linked Report

- none

Appendices

- Appendix A – Member Induction Framework
- Appendix B – Member Role Description

Local Government Act, 1972 Section 100D (As amended) List of “Background Papers” used in the preparation of this report

- None

Officer contact details for documents:

- Beverley McKenzie, 020 7364 4872

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Proposed Member Induction Framework

Date	Module	Session topic and content	Type of session	Session to include: <i>INDICATIVE ONLY – Directorates to confirm content...</i>	Attendance	Suggested Responsibility
		Signing of Acceptance of Office done at count or open afternoon		Constitutional Responsibilities Code of Conduct – forwarded to all candidates ***need welcome letter, key dates and contacts	Mandatory	Governance Directorate
Weds, 9 May 2018 2-6 pm	1a	Open Afternoon – Support to Members	Drop-in session	<ul style="list-style-type: none"> Signing of the register (if not done at count) Meeting the CST (Councillor Support Team and Committee Team. Team members to assist Member in online completion of enrolments) Member to access PC in Mulberry place and complete necessary documentation, including declaration of interests, payroll enrolment, photographs, website information, ID cards, ICT Code of conduct, parking permit applications, ico registration... Demonstration of Members' hub. Brief introduction to casework and Members' portal, managing members' enquiries and complaints protocol Members' Surgery – personal discussion re venues and personal safety and review the protocol Tour of Town Hall (as applicable) Distributing ICT kit – Ipads to be loaded with Members hub, ICW shortcut, key documents (possible – tbc) Provide list of training and agree which ones they attend, i.e. choose date option for required sessions 	Mandatory (all NEW members)	Governance Directorate
Weds, 9 May 2018 6:30 pm	1b	Setting the Scene at Tower Hamlets -Meeting the CLT -Monitoring Officer key messages -Directorate Highlights- role, achievements, challenges & priorities	Presentation / open evening	<ul style="list-style-type: none"> Elected Members and the Community Leadership role. Core Values, priorities and the story of Tower Hamlets Member behaviour – intro (more detail at ethics session) Decision making and the Council calendar – Local Government/Council Governance arrangements, i.e. Executive/Non-Executive split & respective responsibilities, the elected Mayoral system How the council works (not in detail), its functions and those of other agencies (PCT, Home Office etc) 	Mandatory	CLT / Directorates

Date	Module	Session topic and content	Type of session	Session to include: <i>INDICATIVE ONLY – Directorates to confirm content...</i>	Attendance	Suggested Responsibility
		<i>Directorate / Partners - showcases exhibitions or small group discussion???</i>		<ul style="list-style-type: none"> • Successes, challenges and the financial outlook • Key contact numbers for priority service areas (e.g., Homelessness, Noise Nuisance etc) and coping strategies for urgent cases 		
Weds, 9 May 2018 - 8:30 pm	1c	Welcome Reception	reception	<ul style="list-style-type: none"> • Informal networking opportunity with Corporate Directors and Divisional Directors. 	Members encouraged	Governance Directorate (Member Support)
Thurs 10 May 2018- 12:30pm- 2:00pm	2	Governance	Interactive -small group sessions (repeated, so Members can rotate through all 3)	<ul style="list-style-type: none"> • How democracy works: <ul style="list-style-type: none"> ○ Decision Making process in LBTH ○ Mayoral Model – how it works ○ Intro to the Constitution 	Mandatory (for new Members)	Corporate Governance Directorate (Committee Services)
Tues, 15th May 2018 / 6:30 pm Repeat Thurs, 17th May	3a	ICT Training and pick up (assuming there will be an ICT issue – TBC)	Interactive	<ul style="list-style-type: none"> • Issuing equipment • ICT Security and internet policies • Use of Council E-mail address and systems • Bespoke training depending on ability/knowledge • Intro to Members' Portal / VDI • Intro to paperless meetings • how to get 'help' 	Mandatory (for new Members) Presented over two evenings	Governance Directorate (Member Support & Committee Services) Resources Directorate (ICT)
	3b	Casework (assuming implementation of Members portal – TBC)	Interactive workshop (IT hands-on if possible)	<ul style="list-style-type: none"> • Information Security • Members' Rights to information/"need to know" and responsibilities re confidentiality • Overview of Access to Information, GDPR/DPA, Freedom of Information Act • A session to introduce and guide Members through the casework management system for member's enquiries and demonstrate the Members portal. • How to frame questions 	Recommended for all Members	Governance Directorate (Information Governance and Members' Support)
Weds, 16th May	4a	Ethics and Probity	Seminar	This practical and interactive session introduces Members to the Tower Hamlets code of conduct that guides and	Mandatory (for all Members)	Governance Directorate

Date	Module	Session topic and content	Type of session	Session to include: <i>INDICATIVE ONLY – Directorates to confirm content...</i>	Attendance	Suggested Responsibility
2018 6:30-9 pm		(Code of Conduct)		protects Members in their role It would cover <ul style="list-style-type: none"> • Legal context & ethical framework • Introduction to the Constitution and Code of Conduct/Member conduct, corporate responsibility/risk management/Member Officer Protocol • The role of standards advisory committee and the impact on members • DPI /G&H • Complaints and Investigations • Role of representatives on outside organisations • Procurement (code of conduct issues) • Working effectively with officers 		(Legal Services / Committee Services)
Weds, 16th May 2018 6:30-9 pm	4b	The Council Meeting	Mock session	Practical and interactive session going through the decision making process and the effective running of the Council meeting	All Members	Governance Directorate (Legal Services / Committee Services)
Tues, 22nd May 2018 6:30	5	Corporate Parenting and Safeguarding Children	Seminar	<ul style="list-style-type: none"> • Corporate Parenting • Child protection • Children safeguarding issues 	Mandatory (for all Members)	Children's Services Directorate
Thurs 24th May 2018 6:30	6	Licensing Committee	Seminar	<ul style="list-style-type: none"> • Licensing best practice and Code of Conduct • The licensing act • The gambling act • Licensing hearings 	Mandatory (for all members and deputy members of the Licensing Committee)	Governance Directorate (Legal Services / Committee Services)
Tues 29th May 2018	7	Chairing Skills	Interactive workshop	<ul style="list-style-type: none"> • This session is for those members who are going to be chairing meetings. It will be run by an external provider with a history of working with Members. It will cover: <ul style="list-style-type: none"> • Why effective chairing is important • In-between meetings – the bigger picture • The key roles of the chair 	Mandatory (for: -Speaker -all Committee Chairs)	Governance Directorate

Date	Module	Session topic and content	Type of session	Session to include: <i>INDICATIVE ONLY – Directorates to confirm content...</i>	Attendance	Suggested Responsibility
				<ul style="list-style-type: none"> • Creating a presence in the room • Handling conflict • Effective communication 		
Weds, 30th May 2018 6:30-8:30pm	8	Media and Communications	Workshop	<p>This session will inform members about the role of the media in local government and how Members can deal with the local press and Tower Hamlets' communications and press office. It will also provide guidance on how we communicate with different communities in Tower Hamlets. It would cover</p> <ul style="list-style-type: none"> • Role of media in local government • How to respond to requests from the press • The role of communications and the press office in Tower Hamlets • Our EastEnd and Communicating with Tower Hamlets' communities • How Tower Hamlets' corporate communications can help you in your role • How to use Social Media • Questions and answers 	Recommended for all Members	Governance Directorate External - tbc
Thurs 31st May 2018 6:30 pm	9	Development / Strategic Development Committee	Seminar	<ul style="list-style-type: none"> • Planning: Principles and best practice; • Code of Conduct; • probity 	Mandatory (for all Members and Deputy Members of Planning Committee)	Governance Directorate (Legal Services / Committee Services)
Tues 19th Jun 2018 tbc		New Councillor's Welcome Reception		<ul style="list-style-type: none"> • give members an opportunity to network with other newly elected councillors • learn about the pan-London local government scene; • speakers from London Councils, the London Assembly and the City of London Corporation. • The Mayor of London will also be invited. 	Opportunity for new Councillors	(External)
Tues 26th June 2018 6:30	10	Public Health	Seminar	<ul style="list-style-type: none"> • Delivering public health in Tower Hamlets 	Recommended for all Members	HAC Directorate (Public Health)
Weds 4th July	11	Effective Scrutiny	Workshop	In addition to the more technical aspects of the function, this session will cover the growing importance and impact	Mandatory (for all O&S)	Governance Directorate

Date	Module	Session topic and content	Type of session	Session to include: <i>INDICATIVE ONLY – Directorates to confirm content...</i>	Attendance	Suggested Responsibility
2018 6:30				scrutiny has and will continue to have beyond the town hall and on communities and services as a whole. It would cover: <ul style="list-style-type: none"> • The role of scrutiny, arrangements at LBTH, skills, etc. • What is scrutiny and how it works in Tower Hamlets • An opportunity for members to raise possible areas for scrutiny for inclusion in 2018/19 work programmes. • How to interpret data • Effective questioning • Following the corporate thread – strategy-> plan -> KPIs 	Members Recommended for all Members ** to include all co-opted Members)	(SPP, Committee Services)
Mon 16 th Jul 2018 6:30 pm	12	An Introduction to Safeguarding Vulnerable Adults		<ul style="list-style-type: none"> • Adults safeguarding issues 	Mandatory (for all Members)	HAC Directorate
Thurs 19 th July 2018 6:30 pm	13	Risk, Control & Fraud and Audit Committee	Seminar	This session will provide an overview of the mechanisms in place to support and monitor good governance at Tower Hamlets and how Members could interact with these. It also covers how to mitigate risk and key role audit plays in the council. It would cover: <ul style="list-style-type: none"> • Governance framework • Risk management and Tower Hamlets • Implications • Internal audit • Anti-fraud • Whistleblowing 	Mandatory (for all Members)	Resources Directorate (Audit) Governance Directorate (Legal Services)
TBA	14	Personal Development Plans	One to one sessions	Establish a system for every member to have a Personal Development Plan. This will allow members to highlight their areas of expertise, indicate where they would like further training and experience, monitor progress and longer term have an evidence base of work undertaken, which can be used to communicate with residents.	Recommended for All Members	Governance Directorate (Members' Support)

Other Training

		Modern.gov	Workshop	Using the app		Governance Directorate (Committee Team)
		Speed Reading	Seminar			External
		Social Media	Workshop	How to Do's and Don't's		Governance Directorate
		ICT	eLearning	Word? Outlook?		Governance Directorate
		Unconscious Bias	Seminar???			Governance Directorate (Legal Team)
		Housing Options	briefing	Lettings, homelessness, THH/RPs		Place Directorate
		Benefits	briefing	Universal credit, housing benefit, council tax reduction, free school meals, school clothing grant, TH Educational Maintenance allowance, discretionary housing Changes in circumstances Appeals		Resources Directorate
		Local Government Finance	Seminar			Resources Directorate

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The responsibilities and activities outlined are expected from all Councillors. The means through which they are realised will vary in different member roles as set out in the 'duties' section overleaf.

Post Title: **Councillor**

Responsible to: **All people who live and work in Tower Hamlets, with a particular duty to ward residents; and respective political group leaders.**


Responsible for: **Leadership of the community within the London Borough of Tower Hamlets and contribution to the Tower Hamlets Partnership**

Purpose:	To improve the quality of life for everyone living and working in Tower Hamlets by providing local leadership to the Council and Partnership through championing the views, issues, concerns and needs of local people. Working in collaboration with other councillors, partners and residents to deliver the vision of the Tower Hamlets Community Plan
Responsibilities:	1 Represent local constituents as a member of the London Borough of Tower Hamlets – campaigning with integrity and commitment on behalf of local residents.
	2 Promote the themes of the Tower Hamlets Community Plan and the Core Values of the Council
	3 Engage enthusiastically with people living and working in Tower Hamlets in order to learn, understand and act upon issues of concern developing a Council agenda in response.
	4 Develop partnerships inside the council and with external organisations – in doing so mediate fairly between people with conflicting needs.
	5 Maintain the highest standards of conduct and ethics, abiding at all times by the Council's Code of Conduct for Members.
	6 Actively promote community cohesion and equal opportunities in all activities and duties undertaken as a councillor
Activities:	1 Respond to enquiries and representations of local people in a fair and impartial manner
	2 Develop networks in the Council and with external partners to improve information sharing and local knowledge.
	3 Attend and contribute to Council and Partnership meetings. By following protocol, balancing public needs and local policy.
	4 Contribute through a variety of forums to the Council's shared vision for Tower Hamlets.
	5 Participate in training and development opportunities identified to improve skills, knowledge and ability to be a community leader, including ethical standards and Members' Code of Conduct training.

<p>Duties:</p>	<p>Community Representative – all councillors, for their local area, have a duty to:</p> <ul style="list-style-type: none"> ▪ Speak and act for their communities and neighbourhoods; ▪ Be accessible to the whole of their electorate, listening to and representing the views of other community advocates; ▪ Provide community leadership and promote cohesion; ▪ Foster good working relationships between service providers and communities; ▪ Hold regular ward surgeries and take action in response to enquiries; ▪ Be accessible to constituents having a published contact telephone number and a postal address; ▪ Lead and mediate on issues of concern within their ward; ▪ Encourage and develop relationships to make people in the partnership valued, trusted and included, recognising people from different backgrounds. Empowering others to take responsibility.
	<p>Executive Members – create a shared council vision by establishing strategic policies, prioritising actions and managing performance through:</p> <ul style="list-style-type: none"> ▪ Establishing and developing partnerships with external bodies to improve local well-being - involving stakeholders in policy formulation; ▪ Working with the Corporate Leadership Team to develop and implement portfolio strategies; ▪ Communicating a shared Council vision to local people, providing clear direction and promoting understanding; ▪ Encouraging scrutiny responding positively to feedback, challenge and ideas; ▪ Take collective responsibility for decisions taken by the Executive.
	<p>Overview and Scrutiny Members – challenge proactively and seek opportunities to enhance the quality of life for local people by:</p> <ul style="list-style-type: none"> ▪ Attending and contributing to Overview and Scrutiny, Health Scrutiny Panel meeting, informal scrutiny working groups and challenge sessions; ▪ Being objective, rigorous and resilient in challenging policy, decisions and people; ▪ Enhancing the performance monitoring arrangements of the Council and Partnership; ▪ Engaging with external service providers, community organisations and local people to reflect wider concerns and issues; ▪ Examining good practice from other authorities and making rigorous evidenced based recommendations.

	<p>Committee Members – members sit on a number of committees the Council is responsible for, for example licensing and development committees. It is the duty of members to discharge these functions and in doing so:</p> <ul style="list-style-type: none"> ▪ Participate in learning and development interventions to support their role on licensing, planning, appeals and appointments Committees; ▪ Evaluate arguments according to evidence, making independent and impartial judgements; ▪ Follow legal process and protocols, balancing public needs and local policy; ▪ Monitor performance and intervene to ensure progress, seeking feedback on own performance.
	<p>External Bodies – councillors who are appointed to external bodies by the council will report back as necessary on their activities as members of such bodies. They will also:</p> <ul style="list-style-type: none"> ▪ Attend meetings of the bodies to which they are appointed - giving apologies when unable to attend; ▪ Uphold the highest standards of ethical probity whilst representing the Council

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Non-Executive Report of the: General Purposes Committee 8 February 2018	
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Review of external appointments - Phase 2	

Originating Officer(s)	Matthew Mannion, Committee Services Manager and Joel West, Senior Committee Officer
Wards affected	(All Wards);

Summary

Further to the initial consideration at the October 2017 meeting, the Committee is invited to consider further detail on each of the outside bodies and to make recommendations to the Mayor on how the current list of outside bodies could be amended or refined to ensure having representation on outside bodies is meeting the Council's objectives.

Recommendations:

The General Purposes Committee is recommended to:

1. Consider the further information concerning the current outside bodies included at Appendix A.
2. Recommend to the Mayor that the Council should no longer nominate representatives to the 12 outside bodies listed as 'Recommend discontinue nominations' in Table 1 of Appendix A.
3. Make any final comments/recommendations about the appropriateness of Council appointments to any outside body for the Mayor's consideration; and
4. Note the revised Guidance for Members Representing the Council on Outside Bodies at Appendix B.

1. REASONS FOR THE DECISIONS

- 1.1 The Council has delegated the function of making appointments to outside bodies, where the activities of those outside bodies relate to Council functions, to the General Purposes Committee.
- 1.2 The Mayor has asked the Committee if it would consent to carry out a review of the organisations and the process for outside body appointments for both executive and Council functions.
- 1.3 At the October 2017 meeting, the Committee made initial observations and comments on the range of outside bodies and asked for further information to inform Phase 2 of the review.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee could refuse the Mayor's request to conduct a review of outside bodies.
- 2.2 The Committee could request further information as it feels necessary on any/all of the outside bodies prior to forming its final recommendations.

3. DETAILS OF REPORT

- 3.1 At the October 2017 meeting, the Committee considered a Phase 1 report on the review of outside bodies. It asked that outside bodies be asked to provide the Council with updated information on their purpose, status and operating structure to inform a Phase 2 of the review, which will seek to develop a picture of the skills and accountabilities needed of appointees to each outside body. The Committee was also informed that the Council has in the past provided guidance for Members representing the Council on outside bodies and that the guidance was being reviewed.
- 3.2 Since the Phase 1 report, the following actions have been completed:
 - i. Outside Bodies have been contacted and asked to provide more details on their purpose, status and operating structure.
 - ii. Officers from Council Directorates have been asked to comment on how they feel each outside body contributes to the Council's objectives and the risks, if any, of not having Council representatives on each.
 - iii. All Councillors have been invited to offer comments on how they feel each outside body contributes to the Council's priorities or the general wellbeing of the Borough and whether it is appropriate for the council to continue to appoint representatives to each.
 - iv. Officers have reviewed and updated the guidance for persons representing the Council on outside bodies.
- 3.3 Information obtained as a result of (i) – (iii) above has been included in Appendix A. The Committee is asked to consider this information and make any comments/recommendations about the appropriateness of Council appointments to each body for the Mayor's consideration.

- 3.4 Some outside bodies did not respond to requests to supply the Council with updated information. This is reflected in Appendix A.
- 3.5 In light of the information obtained, this review recommends that the Committee recommends to the Mayor that Council nominations to 12 current outside bodies are discontinued. These are as noted in Table 1 in Appendix A and have been proposed as in each case either a) or b) below applies. The Committee is asked to give particular consideration to these bodies.
- a)
- i. Officers from service areas have advised they feel there is low, or no risk to the Council choosing not to nominate representatives or have indicated they are unaware of the outside body and the work it does; and
 - ii. no Member comments had been received in support of continuing nominations to the outside body at the time this report was finalised (any comments received subsequently will be reported to the meeting).
- b) The Council has received confirmation that the outside body is no longer operational.
- 3.6 Several outside bodies have been omitted from the review and therefore do not appear in Appendix A. They include London Councils and London Legacy Development Corporation bodies (as was requested by the Mayor) and those bodies owned/controlled by the Council, including the housing delivery companies recently established by the Council.
- 3.7 The updated Guidance for Councillors, Officers and Individuals Appointed or Nominated by the Council to Outside Bodies is included as Appendix B. This guidance will be provided to Members, officers and other individuals who are nominated by the Mayor/Council to represent the Council on outside bodies and will be included in future versions of the Members' Handbook.
- 3.8 In October 2017, the Committee also asked that Phase 2 of the review would develop a picture of the skills and accountabilities needed for each outside body, so they may be matched with potential nominees when future decisions on appointments are made. Information provided on skills and accountabilities by outside bodies is also included in Appendix 1 for the Committee's information and will be made available to the Mayor as and when nominations fall to be made (as reported in Phase 1, the Mayor makes nominations to outside bodies where the activities of the outside body relate to *executive functions* and this includes almost all current outside body appointments).

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The report concerns Council representation, through the appointment of Council members and Officers, on the boards of external organisations within the borough. There are no direct financial commitments arising from the contents of this report.

5. LEGAL COMMENTS

- 5.1 Pursuant to Part 3.2.2 of the Constitution, the appointment and removal of Councillors and others to outside bodies is an Executive decision when the appointment relates to executive functions. Where it is non-executive then that function is delegated to General Purposes Committee as per Part 3.3.1(8) of the Constitution.
- 5.2 There are 3 types of external bodies:
- Formal joint Committees or joint working groups set up with other authorities. Councillors and/or officers serve on them as Council Members or officers;
 - Advisory or consultative bodies and appointees have a representative function rather than an executive one. The purpose of the appointment is to speak on behalf of the Council and represent the Council's interests; and
 - Bodies that are independent outside bodies and the appointees are placed there to act as Trustees, members of the Management Committee, officer of a Company, or some similar role. In such cases, the Councillor and/or officer is not there to act as Council representative but to use their judgement in the best interests of the outside body. In most cases, while acting on the outside body, the Councillor and/or officer will be under a positive legal duty to act in its best interests rather than those of the Council.
- 5.3 Due to the differing roles on external bodies, appointments should be time limited and regularly reviewed to ensure that the correct person has been appointed. Where the Councillor and/or officer's role is representative and speaking on behalf of the Council then it is important that there is regular feedback from the Council representative attending to ensure that the Council's interests are being best represented.
- 5.4 To assist Members and officers sitting on outside bodies such as companies, charities and unincorporated associations updated Guidance has been prepared by Legal Services and which is at Appendix B. This guidance is specific to appointments to bodies that are independent and is not intended to apply to outside bodies where the appointee may legitimately promote the Council's own interests, e.g. at meetings of London Councils.
- 5.5 In its consideration of this Report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). There is some information in the report relevant to these considerations in paragraph 6 below.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The appointment of representatives to outside bodies enables the Council to strengthen links with the community. The appointment of representatives also contributes to the Council's leadership role in the community.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Clarifying procedures and roles for the outside body appointment process should improve efficiency by maximising the limited Member and officer capacity to support outside appointments. By ensuring the Council focusses its efforts on outside bodies that support its objectives, this review should increase the effectiveness of the Council's outside body appointments.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 It is not considered that there are any environmental implications.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Participating in the work of outside bodies in an effective, consistent and structured way reduces potential risk to the Council's reputation.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no crime and disorder reductions implications.

Linked Reports, Appendices and Background Documents

Linked Report

Review of external appointments – Phase 1. General Purposes Committee 12 October 2017.

Appendices

- Appendix A – Details of Outside Bodies
- Appendix B – Guidance for Persons Representing the Council on Outside Bodies.

Local Government Act, 1972 Section 100D (As amended) List of “Background Papers” used in the preparation of this report

- Returned ‘Outside Bodies Details forms’ (from those outside bodies listed in Appendix A, except where indicated).

Officer contact details for documents:

- Joel West, Senior Committee Officer 020 7364 4207.

INFORMATION OBTAINED ON THE COUNCIL'S CURRENT OUTSIDE BODIES

Part 1: Summary table of outside bodies (Table 1, pages 2 - 5)

Part 2: Details of outside bodies (pages 6 - 59)

Table 1: Summary of outside bodies included in review *Details are provided in the details section of this appendix at page references shown.

Organisation	Page *	Response received from Org?*	Recommendation*	Officer comments received?*	No. of Nominees Permitted	Nomination type and requirements	Current Council Nominee(s) and subs
Action for Bow	6	Yes			1	Appts to the Management Board of Trustees. Member only.	Councillor Marc Francis
Billingsgate Market Consultative Advisory Committee	7	Yes	Recommend discontinue nominations.	Yes	2	Members or officers	Councillor Peter Golds, Councillor Clare Harrison
Bromley by Bow Centre	8	No		Yes	1	Member or officer	Councillor Rachael Saunders
Create London	9	No		Yes	1	Member only.	Councillor Denise Jones
Cultural Industries Development Agency	10	No	Recommend discontinue nominations.	Yes	1	Member only.	Currently vacant or subject to review
Davenant Centre	11	Yes		Yes	2	Apps to Board of Directors. Members or officers	Mr Andy Scott, Ms Jackie Odunoye
Docklands Sailing and Water Sports Centre	13	Yes	Recommend discontinue nominations.	Yes	1	To Board of Trustees. Can be Member, officer or lay member. +1 deputy	Councillor Dave Chesterton
East End Community Foundation	14	No		Yes	1	Member only.	Currently vacant or subject to review
East End Homes Board	15	Yes			2	Appts to Board. Can be Member, officer or lay members	Mr Motin Uz-Zaman, Councillor John Pierce

Organisation	Page *	Response received from Org?*	Recommendation*	Officer comments received?*	No. of Nominees Permitted	Nomination type and requirements	Current Council Nominee(s) and subs
East London & The City University Mental Health NHS Trust (East London NHS Foundation Trust)	16	Yes			1	Members, officers or lay persons	Councillor Denise Jones
East London Nursing Society Trust	18	See details	Recommend discontinue nominations.	Yes	3	Members, officers or lay persons	Councillor Denise Jones
English Heritage - Historic Environment Champion	19	No		Yes	1		Councillor Amina Ali
Greater London Enterprise	20	No	Recommend discontinue nominations.	Yes	2		Currently vacant or subject to review
Green Candle Dance Company	21	Yes	Recommend discontinue nominations.	Yes	1	Board of Trustees. Member + 1 deputy	Currently vacant or subject to review
Greenwich & Docklands Festival	23	Yes		Yes	1		Councillor Amina Ali
Jagonari Women's Education & Resource Centre	24	No		Yes	1		Currently vacant or subject to review
Lee Valley Regional Park Authority	25	Yes		Yes	1	+ 1 Deputy. Members. Daytime meetings. Appts to Management Board but could also be to committees.	Councillor Dave Chesterton, Councillor Denise Jones
LHC (London Housing Consortium)	27	Yes			2	To LHC Board. 1 must be Executive Member, other can be non-Exec Member +1 deputy.	Councillor Rachel Blake, Councillor Joshua Peck
London Road Safety Council (formerly London Accident Prevention Council)	28	Yes			3	2 Member/1 Officer.	Currently vacant or subject to review

Organisation	Page *	Response received from Org?*	Recommendation*	Officer comments received?*	No. of Nominees Permitted	Nomination type and requirements	Current Council Nominee(s) and subs
London City Airport Consultative Committee	29	Yes			1	+ 1 Deputy. Member only.	Amina Ali, Councillor Clare Harrisson
London Youth Games Ltd	30	No		Yes	1	+1 Deputy	Councillor Amina Ali
Merchant Navy Welfare Board	31	No	Recommend discontinue nominations.	Yes	1		Councillor Amina Ali
Mudchute Association (Park and Farm)	32	No	Recommend discontinue nominations.	Yes	1		Currently vacant or subject to review
Norton Folgate Almshouse Charities	33	Yes			3	Can be Member, Officer or lay persons	Mr Dean Jones
Ocean Regeneration Trust Board	34	Yes		Yes	2	Member only.	Councillor Sabina Akhtar, Councillor Ayas Miah
Reserve Forces and Cadets Association for Greater London	36	Yes			1	+1 Deputy; Member only.	Councillor Peter Golds
Ricardo Community Foundation (St Clements Hospital)	38	Yes	Recommend discontinue nominations.	Yes	1	Appts to Board. Member or officer.	Councillor Rachael Saunders
Rich Mix Cultural Foundation	39	Yes		Yes	2	Member only. Nominations to Board of Trustees.	Councillor Abdul Mukit MBE, Councillor Candida Ronald
Spitalfields Market Community Trust	41	No		Yes	3	Member only.	Currently vacant or subject to review
St.Paul's Way School Foundation Trust - Member Authorised Representative	42	No			1		Councillor Rachel Blake
Stepney Relief in Need Charity	43	Yes		Yes	3	Can be Member, Officer or lay persons.	Councillor Sabina Akhtar, Councillor Ayas Miah

Organisation	Page *	Response received from Org?*	Recommendation*	Officer comments received?*	No. of Nominees Permitted	Nomination type and requirements	Current Council Nominee(s) and subs
The Henderson Charity	44	No	Recommend discontinue nominations.	Yes	1		Currently vacant or subject to review
Tower Hamlets and Canary Wharf Further Education Trust	45	No		Yes	2		Councillor Rachel Blake, Ms Christine McInnes
Tower Hamlets Community Housing	47	Yes		Yes	2	Appts to Board. Members, officers or lay persons. Will become Directors and Trustees of THCH.	Councillor Abdul Mukit MBE
Tower Hamlets Community Transport	49	Yes			1	Member only.	Councillor Ayas Miah
Tower Hamlets Education Partnership Advisory Council	50	Yes			1	Member only.	Councillor Amy Whitelock Gibbs
Tower Hamlets Sports Council	52	See details		Yes	7	Member only.	Currently vacant or subject to review
Tower Project	52	Yes		Yes	1	To Management Cttee. Member only.	Councillor Rachel Blake
V & A Museum of Childhood	53	Yes		Yes	1	To Museum Committee. Member only.	Councillor Clare Harrisson, Councillor Denise Jones
Whitechapel Art Gallery	55	Yes		Yes	1	Board of Trustees. Member only.	Councillor Danny Hassell
Women's Environmental Network	57	Yes	Recommend discontinue nominations.	Yes	1	Nominee to Board of Trustees. Must be Member.	Councillor Shiria Khatun
Women's Library Council	59	No	Recommend discontinue nominations.	Yes	1	Member only.	Currently vacant or subject to review

ACTION FOR BOW

Summary of activities and aims

Action for Bow has summarised its principal functions or objectives as:

Action for Bow makes grants to appropriate organisations for them to provide services that will assist and enhance the economic, social and environmental development of Bow East and Bow West wards.

The body feels it contributes to the wellbeing of the borough in the following ways:

Grants are given to support a wide range of beneficial activities including education and training, employment opportunities, healthy living and activities for residents of all ages.

Notes on nominees

Action for Bow has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of the needs of Bow residents and the ability to assess the ability of applicants for grants to assist to meet these needs.

Councillor feedback

A Councillor has reported they understand Action for Bow distributes small grants in Bow and feel that a member representative should continue.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

BILLINGSGATE MARKET CONSULTATIVE ADVISORY COMMITTEE

Summary of activities and aims

The City of London Corporation (of which this outside body is a committee) has informed the Council that the Billingsgate Market Consultative Advisory Committee is no longer operational.

Councillor feedback

Councillors have not made any specific comments about Billingsgate Market Consultative Advisory Committee.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

A prosperous community

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

*Officers have had no engagement form this Committee.
Suggests minimal impact risk.*

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

BROMLEY BY BOW CENTRE

Summary of activities and aims

Bromley by Bow Centre has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

The Bromley by Bow Centre is an innovative community organisation in east London, working in one of the most deprived boroughs in the UK. Supporting families, young people and adults of all ages to learn new skills, improve their health and wellbeing, find employment and develop the confidence to achieve their goals and transform their lives.

Notes on nominees

Bromley by Bow Centre has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

A Councillor has reported that they understand that Bromley By Bow Centre is a community centre and service provider in Bow and they feel that a Council Member representative should continue.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Under the strategic outcome "Residents in good quality, well paid jobs" is the action "Improve the quality and availability of skills training and ESOL provision, and better coordinate the provision of both third sector and private sector employment support"

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

The Bromley-by-Bow Centre a significant provider of employment and skills services to local residents, in addition to their health offer and community regeneration agenda. Not having Council representation on this body could limit the our ability to ensure our strategies are aligned and work programmes are not duplicating functions

CREATE LONDON

Summary of activities and aims

Create London has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

Create exists to explore the ways artists can contribute to the lives of people in cities, primarily focused in east London, We help artists to connect more closely with communities through an ambitious programme of projects.

Notes on nominees

Create London has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about Create London.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

This organisation supports the Council's strategic priority to "create and maintain a vibrant and successful place", and the outcomes around growing a local offer of activities

Officers have not offered any specific comments on the risks of not having Council representatives on this outside body.

CULTURAL INDUSTRIES DEVELOPMENT AGENCY

Summary of activities and aims

Cultural Industries Development Agency has not responded to the Council's request to provide updated information. The Council has received a return to sender notification from the Post Office, so it appears likely the body is no longer operational in the borough.

Councillor feedback

Councillors have not offered any specific comments about Cultural Industries Development Agency.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

a prosperous community

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

With the continuing work across Fish Island, Hackney Wick and the emerging Creative Enterprise Zone, TH has various options to engage with and develop the creative economy agenda. Suggests minimal impact risk.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

DAVENANT CENTRE

Summary of activities and aims

Davenant Centre has summarised its principal functions or objectives as:

To promote the benefit of those living or working in Tower Hamlets, and utilization of the building for such ends, the advancement of education and work training, recreation, and advice and assistance.

The body feels it contributes to the wellbeing of the borough in the following ways:

The Davenant Centre provides accommodation to voluntary and community organisations which make an important contribution to supporting local groups and individuals with particular needs, in four buildings which it owns, located close to Whitechapel Station. The Davenant Centre is keen to work with the council to identify opportunities to deliver its wider objects, particularly where synergies may exist with the Council's aims for promoting education/training, employment and enterprise.

Notes on nominees

Davenant Centre has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Essential attributes are strong links into and knowledge of the local community and a good working knowledge of the Council's key services and major initiatives as they relate to community and economic development in the western wards would be helpful. Other useful skills include expertise in financial management, legal knowledge, corporate governance, organisation and management, or community and youth work and education.

Councillor feedback

Councillors have not offered any specific comments about Davenant Centre.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Promotes reduction in drug offending and mis-use. (a healthy and supportive community)

Provides space for Bangladeshi Childcare centre (a safe and cohesive community) Historic asset in the Borough (a great place to live)

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

The council has a financial stake in the organisation. Any decline could result in financial loss to the council. It is therefore recommended the Council continues to nominate representatives.

DOCKLANDS SAILING AND WATER SPORTS CENTRE

Summary of activities and aims

Docklands Sailing and Water Sports Centre has summarised its principal functions or objectives as:

To provide or assist in the provision of facilities for any water related recreation activities at the Docklands Sailing Centre, Millwall Dock and elsewhere in the United Kingdom for the public benefit in the interests of social welfare with the object of improving the conditions of life of persons of all ages living in London who have need of such facilities.

Notes on nominees

Docklands Sailing and Water Sports Centre has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Planning and Development Committee knowledge. Business development. Volunteer management. Knowledge of social enterprise operation.

Councillor feedback

Councillors have not offered any specific comments about Docklands Sailing and Water Sports Centre.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

While this organisation makes a contribution to the skill levels, and health of its users, it does not readily fit within the Council's priority outcomes any more than other local sporting institutions that the Council does not have representation on, and as such, other forms of engagement beside having an appointed member of its Governance structure should be appropriate.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

EAST END COMMUNITY FOUNDATION

Summary of activities and aims

East End Community Foundation has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

East End Community Foundation is a unique partnership of businesses, charities and public bodies dedicated to improving opportunities for people living in London's East End. We fund grass roots organisations, directly deliver projects and work with local businesses to raise educational achievement, enhance employability and increase social cohesion.

Notes on nominees

East End Community Foundation has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about East End Community Foundation.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

A prosperous community.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

Risk of loss of opportunity to influence funding options and delivery alignment with Council priorities following funding awards to the organisation. Some reputational risk for non engagement.

EAST END HOMES BOARD

Summary of activities and aims

East End Homes Board has summarised its principal functions or objectives as:

Eastend Homes is a Housing Association providing new affordable homes for local people and management of approximately 3,700 tenanted and leaseholder homes on estates across Tower Hamlets.

The body feels it contributes to the wellbeing of the borough in the following ways:

The provision of good housing services and the building of new homes for local people in housing need.

Notes on nominees

East End Homes Board has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Council nominees to East End Homes Board must demonstrate support and commitment to the ethos, work and strategies of East End Homes.

Councillor feedback

A Councillor has reported that they understand East End Homes is a Local Housing Association and they feel that a Council Member representative should continue.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

EAST LONDON & THE CITY UNIVERSITY MENTAL HEALTH NHS TRUST (EAST LONDON NHS FOUNDATION TRUST)

Summary of activities and aims

East London & The City University Mental Health NHS Trust (East London NHS Foundation Trust) has summarised its principal functions or objectives as:

ELFT provides a wide range of community and inpatient services to children, young people, adults of working age, older adults and forensic services to the City of London, Hackney, Newham, Tower Hamlets, Bedfordshire and Luton.

The body feels it contributes to the wellbeing of the borough in the following ways:

ELFT provides in-patient and community mental health services in Tower Hamlets

Notes on nominees

East London & The City University Mental Health NHS Trust (East London NHS Foundation Trust) has suggested it would be desirable for nominees to it to have the following knowledge or skills:

The Council has an important role to:

- Advise the Trust's Board of Directors on how the Trust can meet the needs of members and local communities;*
- Be involved in the strategic and forward plans for the Trust;*
- Act as guardians to ensure the Trust complies with its obligations; and*
- Act as a link between the Trust and local communities.*

In addition to representing their organisation on the Council, we hope that appointed governors will provide a perspective of the wider health community and be a knowledgeable source for other governors to develop a better understanding of the environment in which the Trust operates.

Councillor feedback

Councillors have not offered any specific comments about East London & The City University Mental Health NHS Trust (East London NHS Foundation Trust).

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

EAST LONDON NURSING SOCIETY TRUST

Summary of activities and aims

East London Nursing Society Trust has not responded to the Council's request to provide updated information, but has been in touch. The representatives of the body have reported some dissatisfaction with what they feel to be insufficient attendance from nominated Council representatives. They have declined the opportunity to provide more detailed information on their activities and aims, citing in part, a lack of capacity.

Notes on nominees

East London Nursing Society Trust has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about East London Nursing Society Trust.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

The Council understands that this organisation is a grant making body to the "poor sick", with an annual income of around £11,500 (averaged over the past five years). Historically, the Council has had two Members on this committee Link to Priority One: Gaps in inequality have reduced and diversity is embraced/mitigating the impact on welfare reform to our most vulnerable residents (Tower Hamlets Strategic plan 2016-19)

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

Low risk.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

HISTORIC ENGLAND (FORMERLY ENGLISH HERITAGE) - HISTORIC ENVIRONMENT CHAMPION

Summary of activities and aims

English Heritage has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

English Heritage exists to protect and promote England's spectacular historic environment and ensure that its past is researched and understood.

Officers from the Place Directorate have advised this body is now known as 'Historic England'.

Notes on nominees

English Heritage/Historic England has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about English Heritage/Historic England.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Protection of the borough's Built Environment Heritage and represent the boroughs rich history and special places.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

The Council should remain informed of the debates surrounding the historic environment as it has over 2000 listed buildings and 58 conservation areas within its boundary. Many of the areas are household names and resonate as special with local people.

GREATER LONDON ENTERPRISE

Summary of activities and aims

Greater London Enterprise has not responded to the Council's request to provide updated information. The Council understands this body may now be called 'Newable' and have contacted the body to ask whether its aims and activities have changed from what it currently has on file, which is:

GLE is one of the most active and creative supporters of small businesses, working to create jobs, encourage enterprise and equip SMEs with the expertise and resources to compete.

Notes on nominees

Greater London Enterprise has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

A Councillors has reported that whilst they were nominated to Greater London Enterprise they did not receive invitations to meetings or papers.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

A prosperous community.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

Regional organisation promoting small business start up and growth. Continuous engagement and partnership working exists and therefore withdrawal of senior representation would have minimal impact risk.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

GREEN CANDLE DANCE COMPANY

Summary of activities and aims

Green Candle Dance Company has summarised its principal functions or objectives as:

Green Candle is a dance company, known for its work involving both young and older people with and without disabilities. Our main objective is to provide dance experiences to those with least access to it, within both educational and community settings, regardless of age or ability.

The body feels it contributes to the wellbeing of the borough in the following ways:

We believe everyone has the right to express and enjoy themselves through dance.

From its base in East London for over 30 years, Green Candle Dance Company has been bringing the experience of dance to all ages, abilities and stages of life.

We are leaders in delivering dance performances, workshops, projects and sessions in community and health care settings.

We challenge the conventional boundaries of dance by engaging participants and audiences from traditionally excluded communities.

Notes on nominees

Green Candle Dance Company has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of education or health-related matters or dance.

Councillor feedback

A Councillor has reported that they understand the Green Candle Dance Company is a very small dance company which does some really interesting work in the borough, mainly with older people; and that whilst the body is funded through the grants programme, they see no reason why there should be a Council nominee on their board. Their opinion is that the level of investment doesn't warrant this.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

While this organisation makes a contribution to the skill levels, and health of its users, it does not readily fit within the Council's priority outcomes any more than other local sporting institutions that the Council does not have representation on, and as such, other forms of engagement beside having an appointed member of its Governance structure should be appropriate.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

GREENWICH & DOCKLANDS FESTIVAL

Summary of activities and aims

Greenwich & Docklands Festival has summarised its principal functions or objectives as:

Greenwich+Docklands Festivals is one of the UK's most ambitious and prolific outdoor arts organisations in the UK. Committed to transforming communities through free outdoor arts, we set out to attract and engage with large, diverse audiences through ground-breaking live performance in surprising and everyday public spaces.

The body feels it contributes to the wellbeing of the borough in the following ways:

The high impact arts events which Greenwich+Docklands Festivals presents in the Borough of Tower Hamlets contribute to its vibrancy and success by generating a special sense of community cohesion. Remarkable shared moments that reclaim the streets as safe and enjoyable places for people of all ages to come together enhance the Borough's appeal as a great place to live and visit.

Notes on nominees

Greenwich & Docklands Festival has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about Greenwich & Docklands Festival.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

JAGONARI WOMEN'S EDUCATION & RESOURCE CENTRE

Summary of activities and aims

Jagonari Women's Education & Resource Centre has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

Jagonari Women's Educational Resource Centre is a community centre situated in the heart of Whitechapel; the centre is largely used by women, families and children to access core services in respect of adult learning, training & employment, health & wellbeing, crèche and nursery, women ahead.

Notes on nominees

Jagonari Women's Education & Resource Centre has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not made any substantial comments about Jagonari Women's Education & Resource Centre, but have suggested that the body may no longer be in operation.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Under the strategic outcome "Residents in good quality, well paid jobs" is the action "Improve the quality and availability of skills training and ESOL provision, and better coordinate the provision of both third sector and private sector employment support"

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

This organisation provides services that align to the Council's strategic agenda, and as such, ongoing Board representation enables the Council to coordinate and grow the local offer. Discontinuing Council representation would reduce the Council's direct involvement in an institution that shares our agenda.

LEE VALLEY REGIONAL PARK AUTHORITY

Summary of activities and aims

Lee Valley Regional Park Authority has summarised its principal functions or objectives as:

Lee Valley Regional Park Authority will lead the delivery of a world class leisure destination through a range of private and public sector partnerships whilst maximising value for money for the taxpayers of London, Essex and Herts.

The body feels it contributes to the wellbeing of the borough in the following ways:

Lee Valley Regional Park Authority contributes to achievement of Priority Outcome 2 (Creating and maintaining a vibrant and successful place - an improved local environment) by assisting with Key Deliverable 4 (Implement the Council's Biodiversity Strategy and deliver year 3 of the action plan to protect and enhance the borough's biodiversity) by active management of its green spaces (East India Dock Basin) within the borough.

The body has also asked that the Committee notes the following:

The 28 Members of this Authority are made by virtue of the Lee Valley Regional Park Act 1966. There is a statutory requirement for Tower Hamlets Council to appoint 1 Member to this Authority.

Notes on nominees

Lee Valley Regional Park Authority has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Able to participate collectively in the development of policy direction, strategic thinking and innovation within the Authority, through the development of management policy, business plans and participation in the activities of the Authority's committee structure. To be an ambassador for the Authority promoting its activities and ambition within the LB of Tower Hamlets and beyond.

Councillor feedback

Councillors have not offered any specific comments about Lee Valley Regional Park Authority.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Under the strategic outcome 'an improved local environment' there is the action 'developmental pressure through the preparation of a new Local Plan and provide effective local infrastructure, services and facilities'

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

The Open Spaces Strategy (2017), and Indoor Sports Facilities Strategy (2017) confirm that Tower Hamlets has an under-supply of green space and sports facilities. The Lea Valley is critical to meeting demand for sports facilities and open space, despite being just outside the Borough. Therefore from a planning and community infrastructure perspective, a loss of representation would limit the Council's ability to leverage facilities and spaces in the Lea Valley for Tower Hamlets residents.

LHC (LONDON HOUSING CONSORTIUM)

Summary of activities and aims

LHC (London Housing Consortium) has summarised its principal functions or objectives as:

LHC is a leading provider of free to use Framework Agreements used by Local Authorities, social landlords and other public sector bodies to procure works, products and services for the construction, refurbishment and maintenance of social housing and public buildings.

The body feels it contributes to the wellbeing of the borough in the following ways:

- 1. Influencing the future direction of LHC, including the identification of new products and services which could be beneficial to the Council*
- 2. An attendance fee for Board meetings;*
- 3. Increased learning of procurement practices and technical know-how for use by Council officers in carrying out its own procurement programmes.*

Notes on nominees

LHC (London Housing Consortium) has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of social housing sector and an interest in LHCs activities.

Councillor feedback

Councillors have indicated that they feel the Council's representation on this body should be reconsidered, including giving consideration to whether a senior officer could attend instead of a Councillor (at present this is not possible as LHC's governance arrangements only allow for Councillor reps). Councillors also understand that the Council does not commission the services of London Housing Consortium and therefore question whether it should nominate representatives to it.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

LONDON ROAD SAFETY COUNCIL (FORMERLY LONDON ACCIDENT PREVENTION COUNCIL)

Summary of activities and aims

London Road Safety Council (formerly London Accident Prevention Council) has summarised its principal functions or objectives as:

To work with all London local authorities to reduce road casualties in Greater London through sharing of ideas, experiences and to promote collaborative working.

The body feels it contributes to the wellbeing of the borough in the following ways:

By improving the quality of life and wellbeing of residents and visitors by making roads safer for all. Increasing knowledge of Elected Members so they can be more effective on this matter.

Notes on nominees

London Road Safety Council (formerly London Accident Prevention Council) has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Ideally the Cabinet Member and deputy with responsibilities for highways or health. However, an interest in road safety is a welcome criteria, since we provide training for elected members through online resources.

Councillor feedback

Councillors have not offered any specific comments about London Road Safety Council/London Accident Prevention Council.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

LONDON CITY AIRPORT CONSULTATIVE COMMITTEE

Summary of activities and aims

London City Airport Consultative Committee has summarised its principal functions or objectives as:

The London City Airport Consultative Committee provides an effective forum for the discussion of all matters concerning the development or operation of the Airport, which have an impact on the users of the Airport and on people living and working in the surrounding area.

For full TORs see <http://lcacc.org/constitution/>

The body feels it contributes to the wellbeing of the borough in the following ways:

The LCACC's role is to provide a positive, inclusive and interactive forum for discussion on all matters concerning the development or operation of the Airport which have an impact on the users of the airport and on people living and working in the surrounding area, including residents of Tower Hamlets. The LCACC monitors noise complaints, environmental impacts, and development plans.

Notes on nominees

London City Airport Consultative Committee has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of the effects of the airport on the local area, including noise, environment, transport and planning aspects.

Councillor feedback

Councillors have not offered any specific comments about London City Airport Consultative Committee.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

LONDON YOUTH GAMES LTD

Summary of activities and aims

London Youth Games Ltd has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

The London Youth Games are managed by London Youth Games (LYG) Foundation, a registered charity set up in 1986. Borough teams have competed on an annual basis for the Jubilee Trophy and the event has grown into Europe's largest annual youth sports event.

Notes on nominees

London Youth Games Ltd has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about London Youth Games Ltd.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

This organisation's work is aligned to the Council's physical activity and sport agenda as well as the agenda to reduce crime and anti social behaviour. Local Board representation is currently provided by the Chair of the Wapping Hockey Club.

MERCHANT NAVY WELFARE BOARD

Summary of activities and aims

Merchant Navy Welfare Board has not responded to the Council's request to provide updated information. The Council has received a return to sender notification from the Post Office, so it appears likely the body is no longer operational in the borough.

Councillor feedback

Councillors have not offered any specific comments about Merchant Navy Welfare Board.

Officer analysis

Unknown: Officers are not aware of the work this outside body does and therefore have not been able to suggest how it might contribute to the Council's priorities or identify any risks to the Council should it choose not to nominate representatives to it.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

MUDCHUTE ASSOCIATION (PARK AND FARM)

Summary of activities and aims

Mudchute Association (Park and Farm) has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

Mudchute farm and park is a 32 acre site which is open to the public with views across London. In partnership with the London Borough of Tower Hamlets we preserve the open space and make it available for events, community groups or just your simple family picnic.

Notes on nominees

Mudchute Association (Park and Farm) has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about Mudchute Association (Park and Farm).

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

While this organisation makes a contribution to the skill levels, and health of its users, it does not readily fit within the Council's priority outcomes any more than other local sporting institutions, and as such, other forms of engagement beside having an appointed member of its Governance structure should be appropriate.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

NORTON FOLGATE ALMSHOUSE CHARITIES

Summary of activities and aims

Norton Folgate Almshouse Charities has summarised its principal functions or objectives as:

To provide social housing accommodation for local people in need of help.

The body feels it contributes to the wellbeing of the borough in the following ways:

By providing social housing accommodation for local people in need of help.

Notes on nominees

Norton Folgate Almshouse Charities has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Varies depending on the skills held by existing trustees but including:

- housing*
- law*
- finance*
- governance*
- pastoral support*
- development and architecture.*

Councillor feedback

A Councillors has reported they feel the Council should continue to nominate to Norton Folgate Almshouse Charities, but have noted that the nominee doesn't have to be a Councillor.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

OCEAN REGENERATION TRUST BOARD

Summary of activities and aims

Ocean Regeneration Trust Board has summarised its principal functions or objectives as:

To develop the capacity and skills of the members of socially and disadvantaged communities in such a way that they are better able to identify and help meet their needs and to participate more fully in society, in particular (but not limited to) in the area of the Ocean Estate in the London Borough of Tower Hamlets.

The body feels it contributes to the wellbeing of the borough in the following ways:

*Facilitating joint working between Ocean RSLs and TRAs (Improved local environment)
ORT Community Grants support community and voluntary activities and fill gaps in local provision (Communities engaged, resilient and cohesive)
Delivering services to disadvantaged women from the local community to help them towards social and economic independence through community building, personal development and support, skills training and progression into work (Residents into good quality, well-paid jobs)*

Notes on nominees

Ocean Regeneration Trust Board has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of the Ocean Estate and the potential of local residents and the challenges they face.

Councillor feedback

A Councillor has reported that they feel that Council should continue to nominate to Ocean Regeneration Trust Board, but that they feel it may be appropriate to nominate a senior officer (at present this is not possible as the Trust's governance arrangements only allow for Councillor reps).

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Ocean Regeneration Trust was created in May 2008. It was established to own assets and receive income generated from the Ocean Regeneration Scheme for the benefit of the local community. ORT are currently in a successful partnership with City Gateway, running the Stepney Life Centre. The Centre addresses a need in the community focussing and designing women only services in literacy/numeracy, ESoL, apprenticeships, ICT, etc. The Trust run an annual community grants programme which reflects the Council's strategic priorities. They support short term projects – up to £5k – that cover school projects, local organisations delivering employment, welfare and money management advice, older people/environment projects (gardening), young person's ICT project and other varied and targeted projects that cover all ages and ethnicities in the Ocean area.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

Council representation on the Trust ensures transparency, it also encourages closer working relations between Trustees and officers. Council representation provides stability and overview of the Trust to the Council .

RESERVE FORCES AND CADETS ASSOCIATION FOR GREATER LONDON

Summary of activities and aims

Reserve Forces and Cadets Association for Greater London has summarised its principal functions or objectives as:

To be an enduring and essential pillar in the delivery of support for the wellbeing of the Reserves & Cadets and, through our effectiveness and our position in the regions, to be the independent body that represents their interests and promotes understanding between the Armed Forces and civil society.

The body feels it contributes to the wellbeing of the borough in the following ways:

- *We promote the interests of the Armed Forces.*
- *We champion the volunteer ethos both within and outside the Services.*
- *We are apolitical.*
- *We are independent (of the MOD and the chains of command) and autonomous (of each other); but, through our collegiate behaviour, we have national responsibility, influence and recognition.*
- *We support the work of third sector organisations which also contribute to the well-being of Service personnel and veterans.*

Notes on nominees

Reserve Forces and Cadets Association for Greater London has suggested it would be desirable for nominees to it to have the following knowledge or skills:

The appointment of a Representative Councillor affords both direct access and a quick link between the RFCA and the local authority. There are many shared aims and objectives (e.g. youth policy, environmental issues and support to local employers) that can be more easily addressed by means of this connection. Perhaps best described as an 'intelligent customer', the Representative Councillor acts as an observer who is not required to take part in any decision-making but whose expertise and local knowledge can offer a useful (and sometimes vital) contribution to the business of the Association.

Councillor feedback

Councillors have not offered any specific comments about Reserve Forces and Cadets Association for Greater London.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

RICARDO COMMUNITY FOUNDATION (ST CLEMENTS HOSPITAL)

Summary of activities and aims

Ricardo Community Foundation (St Clements Hospital) has summarised its principal functions or objectives as:

The Ricardo Community foundation will own the freehold at St Clements Hospital and therefore be entitled to the annual ground rent income. This income is to be used for charitable purposes for the London Borough of Tower Hamlets.

Notes on nominees

Ricardo Community Foundation (St Clements Hospital) has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of the London Borough of Tower Hamlets.

Councillor feedback

Councillors have not offered any specific comments about Ricardo Community Foundation (St Clements Hospital).

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Officers have limited information on this body, but understand it aims to "helps general public/mankind", offers grants to individuals, organisations and buildings/open space. Last submitted dormant accounts. Set up in 2015. Based in Uxbridge with no obvious link to Tower Hamlets.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

No risk.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

RICH MIX CULTURAL FOUNDATION

Summary of activities and aims

Rich Mix Cultural Foundation has summarised its principal functions or objectives as:

To advance the education of the public in the history of cultural diversity of migrant communities and their contributions to economic and cultural life; to advance the education of the public in art and culture of all types; to work towards the elimination of racial discrimination and to promote equality.

The body feels it contributes to the wellbeing of the borough in the following ways:

Principally, in three ways. Through presenting a diverse international programme of film, music and performance. Through a programme of learning and participation benefiting schools, students and learners across the borough. And by acting as a resource, and providing space and support for, local artists, creative businesses and communities

Notes on nominees

Rich Mix Cultural Foundation has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of creative and cultural sectors. Knowledge of the successful operation and management of a charity or creative business. Strategic and business planning skills.

Councillor feedback

A Councillor has made the following comments about Rich Mix Cultural Foundation:

The Council has made a substantial investment in this organisation and I think should continue to have nomination rights. Currently there are two Council nominations to the board and this could be reduced to one. The main reason to have a Tower Hamlets representative is to ensure that the organisation continues to provide a diverse programme reflecting the make-up of the population in Tower Hamlets, continues to work with schools in the borough and provides employment opportunities for residents in the borough.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Under the strategic outcome 'communities are engaged, resilient and cohesive' is the action 'establish a new collaborative relationship with the voluntary and community sector to deliver priority outcomes and build strong communities'

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

There are three Councillors on the Board of the Rich Mix Cultural Foundation [note: only two Councillors are nominated by the Council; one attends in a personal capacity]. The risks of reducing the representation may not be significant as the Council would still retain a steer on governance decisions relating to the Rich Mix's offer.

SPITALFIELDS MARKET COMMUNITY TRUST

Summary of activities and aims

Spitalfields Market Community Trust has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

Spitalfields Market Community Trust is a charity which works towards helping and raising money for charitable causes.

Notes on nominees

Spitalfields Market Community Trust has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about Spitalfields Market Community Trust.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

*A prosperous community
A safe and cohesive community*

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

Risk of loss of opportunity to influence funding options and delivery alignment with Council priorities. Charitable Trust has significant influence in the local area and lack of engagement would create reputational damage for the Council, particularly at a time when the area around Petticoat Lane, Middlesex Street, Liverpool Street Station and linkages to street markets and Brick Lane is prominent in work with Corporation of London and Spitalfields partners.

ST.PAUL'S WAY SCHOOL FOUNDATION TRUST

Summary of activities and aims

St.Paul's Way School Foundation Trust has not responded to the Council's request to provide updated information.

Notes on nominees

St.Paul's Way School Foundation Trust has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

A Councillor has reported that they feel that members should continue to be nominated to St.Paul's Way School Foundation Trust.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

STEPNEY RELIEF IN NEED CHARITY

Summary of activities and aims

Stepney Relief in Need Charity has described its activities and how it feels it contributes to the wellbeing of the borough as:

The trustees are only able to consider grants to applicants who live in the old metropolitan Borough of Stepney. Application forms must be completed and grants are normally made for white goods, beds, bed linen etc but cannot be used to pay loans, outstanding rent, council tax, utility bills etc.

Notes on nominees

Stepney Relief in Need Charity has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Someone who knows the Stepney area and has an understanding of benefits available to individuals and needs of individuals.

Councillor feedback

Councillors have not offered any specific comments about Stepney Relief in Need Charity. The Charity has recently written to the Council and is seeking a meeting with the Mayor.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Unknown: Officers are not aware of the work this outside body does and therefore have not been able to suggest how it might contribute to the Council's priorities or identify any risks to the Council should it choose not to nominate representatives to it.

THE HENDERSON CHARITY

Summary of activities and aims

The Henderson Charity has not responded to the Council's request to provide updated information. The Council has received a return to sender notification from the Post Office, so it appears likely the body is no longer operational in the borough.

Councillor feedback

Councillors have not offered any specific comments about The Henderson Charity.

Officer analysis

Unknown: Officers are not aware of the work this outside body does and therefore have not been able to suggest how it might contribute to the Council's priorities or identify any risks to the Council should it choose not to nominate representatives to it.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

TOWER HAMLETS AND CANARY WHARF FURTHER EDUCATION TRUST

Summary of activities and aims

Tower Hamlets and Canary Wharf Further Education Trust has not responded to the Council's request to provide updated information.

The information the Council currently has on file is:

The Tower Hamlets and Canary Wharf Further Education Trust exists to promote the advancement of further, higher and postgraduate education and vocational training among Tower Hamlets residents, with an emphasis on supporting vocational courses that lead to employment.

Notes on nominees

Tower Hamlets and Canary Wharf Further Education Trust has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

A Councillor has suggested that it may be appropriate for the Council to nominate a senior officer instead of Councillors (note: current nominees are one Councillor and one officer).

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

This organisation supports the Council's strategic priorities around improving the skills and employment rates of Tower Hamlets residents.

Under the strategic outcome "Residents in good quality, well paid jobs" is the action "Improve the quality and availability of skills training and ESOL provision, and better coordinate the provision of both third sector and private sector employment support"

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

As this organisation is a disperser of grants to persons over 16 who need financial support with education and training, and was launched by the Council and Canary Wharf Limited

in 1990, it is important for the Council to retain an attractive role in its governance

TOWER HAMLETS COMMUNITY HOUSING

Summary of activities and aims

Tower Hamlets Community Housing has summarised its principal functions or objectives as:

To provide good quality housing and services for residents in Tower Hamlets.

The body feels it contributes to the wellbeing of the borough in the following ways:

THCH provides over 3,000 homes of which about 2,000 are rented at social rent. THCH also owns and manages 7 community centres from where a wide range of activities of benefit to the community are provided. THCH plans to build more homes locally for people in housing need.

Notes on nominees

Tower Hamlets Community Housing has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Housing specific or business related skills, for example, in finance, audit (internal or external), property development or management, legal, health and safety, community development or a breadth of local knowledge that would help further THCH's objectives.

Tower Hamlets Community Housing has also asked the Council to note that its governance arrangements, including Council nominee number will be changed following the introduction of The Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017 from May 2018.

Councillor feedback

A Councillor has reported that they understand Tower Hamlets Community Housing is a Local Housing Association and they feel that a Council Member representative should continue.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

THCH now operate in areas outside the Borough.

Officers have not offered any specific comments on the risks of not having Council representatives on this outside body.

TOWER HAMLETS COMMUNITY TRANSPORT

Summary of activities and aims

Tower Hamlets Community Transport has summarised its principal functions or objectives as:

We provide transport resources for Third Sector organisations working to support the needs of disadvantaged residents living in the London borough of Tower Hamlets

The body feels it contributes to the wellbeing of the borough in the following ways:

We provide a fleet of 16 wheelchair accessible small buses that enable disadvantaged residents to engage in social and recreational activities. Additionally the vehicles provide support for Third Sector Social Care organisations to transport their clients from home to Day Centres.

Notes on nominees

Tower Hamlets Community Transport has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of transport issues, legal or financial skills.

Tower Hamlets Community Transport has also asked the Council to note that, whilst it currently requires Member nomination, it would consider whether an officer or lay person may now be appropriate.

Councillor feedback

Councillors have not offered any specific comments about Tower Hamlets Community Transport.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

TOWER HAMLETS EDUCATION PARTNERSHIP ADVISORY COUNCIL

Summary of activities and aims

Tower Hamlets Education Partnership Advisory Council has summarised its principal functions or objectives as:

The Tower Hamlets Education Partnership was established by school leaders to deliver high quality school improvement to all Tower Hamlets schools. Our schools operate as a family to support, challenge and encourage each other in their determination to do the very best for every child.

The body feels it contributes to the wellbeing of the borough in the following ways:

*Our Vision is to:
Build on the existing local culture of collaborative working on school improvement.
Create and sustain an environment in which all the borough's children and young people experience the best possible educational opportunities, outcomes and life chances.
Model our shared values of aspiration, trust and support, equality and inclusion, transparency and accountability.
Improve outcomes in partner schools and accelerate progress for those who are still not achieving as they should.*

Notes on nominees

Tower Hamlets Education Partnership Advisory Council has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Representatives are expected to have a commitment to the Partnership's vision and a willingness to model and support our values of aspiration, trust and support, equality and inclusion, transparency and accountability.

Councillor feedback

Councillors have not offered any specific comments about Tower Hamlets Education Partnership Advisory Council.

Officer analysis

Officers have not offered any specific comments on how this outside body contributes to the Council's priorities or the risks of not having Council representatives on it.

TOWER HAMLETS SPORTS COUNCIL

Summary of activities and aims

Officers from the Council's Sport & Physical Activity Team have advised that, due to capacity issues, meetings of the Tower Hamlets Sports Council are on hold until further notice, but have provided some background information on the Sports Council below.

Councillor feedback

Councillors have not offered any specific comments about Tower Hamlets Sports Council.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

The Council is preparing a Physical Activity and Sport Strategy to guide the Council's work with partners to improve rates of physical activity among Tower Hamlets residents. A key element of this strategic work is to co-produce programmes of activity to engage more residents in activities that will help them be healthier and live longer.

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

The resources available to the Council to deliver the outcomes of a refreshed Physical Activity and Sport Strategy are constrained. This requires the Council to leverage capacity within the sport and physical activity sector to achieve the strategic aim of reaching the inactive. Not having representation on this body would limit the Council's ability to influence and ultimately co-produce programmes to achieve these outcomes.

TOWER PROJECT

Summary of activities and aims

Tower Project has summarised its principal functions or objectives as:

The Tower Project is a community based voluntary sector organisation and award winning leading service provider for children and adults with a learning disability, sensory disability, autism, physical disability or health related condition.

The body feels it contributes to the wellbeing of the borough in the following ways:

The Tower Project is the leading provider of disability services in the London Borough of Tower Hamlets.

Notes on nominees

Tower Project has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of disability, education and social care.

Councillor feedback

A councillor has reported that they feel Members should continue to be nominated to Tower Project.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

This is a provider of commissioned services for us. I would say that this relationship is more appropriately managed through a formal contractual monitoring and lead commissioner arrangement and that there is no impact of stopping the current arrangements (but its not clear what they are.)

Tower Project are also key members of the LD partnership board and the sub groups.

Officers have not offered any specific comments on the risks of not having Council representatives on this outside body.

V & A MUSEUM OF CHILDHOOD

Summary of activities and aims

V & A Museum of Childhood has summarised its principal functions or objectives as:

To encourage everyone to explore the themes of childhood past and present and develop an appreciation of creative design through our inspirational collections and programmes. The Museum is part of the V&A, housing the national childhood collection. The galleries are designed to show the collections in a way which i

The body feels it contributes to the wellbeing of the borough in the following ways:

Welcoming over 400,000 visitors through its doors every year, the V&A Museum of Childhood in London's Bethnal Green which houses the Victoria and Albert Museum's collection of childhood-related objects and artefacts, spanning the 1600s to the present day. The museum has a range of special exhibition's and displays, plus events and daily activities for families. The Museum runs a variety of free activities every day including storytelling, arts and crafts, tours and treasure hunt.

Notes on nominees

V & A Museum of Childhood has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Experience of working in or with the cultural/heritage sector.

Councillor feedback

Councillors have not offered any specific comments about V & A Museum of Childhood.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Under the strategic outcome "Children get the best start in life and young people realise their potential" is the action "Improve educational aspiration and attainment"

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

The V&A Museum of Childhood is an important cultural and educational institution in the borough. Any loss of representation could limit the Council's ability to leverage the benefits of this outstanding community asset for local residents.

WHITECHAPEL ART GALLERY

Summary of activities and aims

Whitechapel Art Gallery has summarised its principal functions or objectives as:

We bring together artists and audiences to give everyone a direct experience of art. For over a century the Gallery has premiered world-class artists. It is a touchstone for contemporary art internationally and plays a central role in London's cultural landscape. The Gallery is open all year round, and there is always something free to see.

The body feels it contributes to the wellbeing of the borough in the following ways:

The Gallery is one of the Borough's greatest cultural assets, attracting almost 300,000 visitors from across the country and internationally, helping to build a prosperous local economy. 42,000 Tower Hamlets residents visit each year and we work in partnership with some 22 local community groups, helping to build a safe and cohesive community. Our cohort of local 5 to 21 year olds acts as cultural ambassadors in some of the toughest areas of the Borough to engage children in creativity.

Notes on nominees

Whitechapel Art Gallery has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Knowledge of the subsidised arts sector.

Councillor feedback

Councillors have not offered any specific comments about Whitechapel Art Gallery.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

This organisation supports the Council's strategic priority to "create and maintain a vibrant and successful place", and the outcomes around growing a local offer of activities

Officers have not offered any specific comments on the risks of not having Council representatives on this outside body.

WOMEN'S ENVIRONMENTAL NETWORK

Summary of activities and aims

Women's Environmental Network has summarised its principal functions or objectives as:

WEN champions and supports local nature based projects helping people take better care of their own health and the planet. We support people come together and grow healthy organic food, improve health and wellbeing, build a sense of community across cultures, protect vital green spaces and reconnect urban communities with nature.

The body feels it contributes to the wellbeing of the borough in the following ways:

WEN run the Tower Hamlets Food Growing Network supporting community gardening and health and wellbeing projects. Four popular seasonal gatherings link local projects with global efforts and health and social care providers. We support projects contribute to local wellbeing through promotion, training, and resources. We lobby and advocate on behalf of important local green spaces that are a vital health resource and help the council achieve its strategy

Notes on nominees

Women's Environmental Network has suggested it would be desirable for nominees to it to have the following knowledge or skills:

Interest in green spaces, food growing and raising women's voices, especially amplifying BAME voices in decision making. Interest in green spaces, food growing and raising women's voices, especially amplifying BAME voices in decision making.

WEN has asked the Council to note that it would very much like to have an active Councillor representative.

Councillor feedback

Councillors have not offered any specific comments about Women's Environmental Network.

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Very limited

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

None.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

WOMEN'S LIBRARY COUNCIL

Summary of activities and aims

Women's Library Council has recently informed the Council that due to new governance structures, it no longer requires representatives from LBTH.

Notes on nominees

Women's Library Council has not informed the Council of any specific knowledge or skills that nominees should possess.

Councillor feedback

Councillors have not offered any specific comments about Women's Library Council:

Officer analysis

Officers feel this outside body contributes to the following Council priorities and/or contributes in the following way:

Very limited

Officers have offered the following comments on the risks of not having Council representatives on this outside body:

None.

In light of the information obtained and summarised above, this review proposes that Council nominations to this outside body are discontinued.

**LONDON BOROUGH OF TOWER
HAMLETS**

**PROTOCOL
FOR COUNCILLORS, OFFICERS AND
INDIVIDUALS
APPOINTED OR NOMINATED BY
THE COUNCIL
TO OUTSIDE BODIES**

DRAFT

1. Introduction

- 1.1 This document sets out guidance for elected Councillors, Officers and other individuals who are not elected Councillors or Officers, who are appointed or nominated by the Council to serve on outside bodies such as companies, charities and unincorporated associations. It is not intended to apply to representatives who may legitimately promote the Council's own interests, for example at meetings of London Councils.
- 1.2 The Council has nomination/appointment rights to a wide range of outside bodies (e.g. voluntary organisations, foundations, trusts, boards of management, central and local authority organisations).
- 1.3 The Council values its links with these bodies and appreciates the time and service Councillors, Officers and other individuals devote to the wider community by participating in their work.

2. General

- 2.1 Authority to nominate or appoint Councillors, Officers and other individuals to serve on outside bodies rests with the Mayor in respect of Executive functions and to General Purposes Committee in respect of non-Executive functions. All nominations to outside bodies are published on the Council's website.
- 2.2 Any such Councillor, Officer or individual serving on an outside body has a responsibility to commit to the task, attend meetings and support the work of the organisation. Some organisations have rules about attendance (e.g. missing a number of consecutive meetings may lead to loss of the place on the body). It is therefore for Councillors etc. to understand the extent of the commitment before seeking or agreeing to an appointment to an outside body.
- 2.3 Service on an outside body requires the nominated or appointed person to:
 - act according to the rules, constitution and framework of the outside body;
 - make independent and personal judgements in line with the duty of care to the outside body;
 - report back to the Council and lead member or relevant committee as requested or as necessary;
 - behave ethically, and follow the Council's Member of Officer Codes of Conduct, as appropriate **unless this conflicts with other obligations to which the outside body is subject**;
 - take an active and informed role in the management of the outside body's affairs;

- ensure the Council's Register of Interests is updated to include reference to his/her representational role on the outside body.
- 2.4 Service on an outside body generally means that the Councillor, Officer or other individual cannot represent the Council's interests. For example, if the service is as a trustee or a company director the appointee has a legal responsibility to act in the interests of the outside body only, as opposed to the interests of the Council or any other organisation. This could lead to conflicts of interest (including a conflict of loyalty) between the role as a Councillor, Officer or appointed/nominated individual and the role on an outside body.
- 2.5 When any matter arises within the Council that relates to an outside body on which a Councillor, Officer or other nominated/appointed individual sits, a conflict of interest may arise. For Councillors, or other nominated/appointed individual serving on Council Committees, an interest may arise which must be declared and recorded on the Councillor or individual's Register of Interests. Whether or not the interest is a disclosable pecuniary or other registrable non-pecuniary interest under the Code of Conduct for Members will depend on all the circumstances, including whether a member of the public would reasonably consider it is likely to affect the Member's ability to act in the public interest. Independent or co-opted persons serving on Council Committees are also expected to comply with the Members' Code of Conduct and therefore, should any of those persons also be nominated or appointed by the Council to an outside body, the same principles on managing conflicts shall apply to them as to elected Councillor. Councillors and any relevant individual should refer to the Code of Conduct, any relevant Guidance which the Council has published, and can seek further advice from the Monitoring Officer. Officers will need to seek advice from their Corporate Director as to how best to deal with such a conflict and must have regard to the Officers' Code of Conduct. Conversely, when any matter arises within the outside body on which a Councillor, Officer or nominated/appointed individual sits that relates to the Council, a conflict of interest may also arise and should be managed in accordance with that outside body's rules and processes for dealing with conflicts of interest.
- 2.6 Subject to any other duties and responsibilities Councillors, Officers and nominated/appointed individuals owe in respect of their service to the outside body (for example the duty of confidentiality), those persons should:
- (i) provide an annual update on the work of the outside body, and
 - (ii) provide any information relevant to any application from the outside body for funding from the Council to the General Purposes Committee.
- 2.7 For general advice on any aspect of their service, Councillors, or other nominated/appointed individuals, should contact the Members' Service Team.

3. Legal Advice

- 3.1 A guide to the law as it affects Councillors, Officers and individuals serving on outside bodies is attached as **Appendix A**. The guide covers the range of different outside bodies and, therefore, those seeking guidance can refer to the relevant section.

DRAFT

APPENDIX A

SERVICE ON OUTSIDE BODIES A GUIDE TO THE LAW

This advice is for Councillors and Officers who are appointed or nominated by the Council to outside bodies whether as a company director, trustee of a charity or representative on a management committee. It sets out some of the most important responsibilities and requirements relating to service on the outside body. More than one set of provisions may apply (for example, if a company limited by guarantee is also a charity). It is not meant to be a comprehensive guide. If Councillors or Officers have queries then they should consult the Monitoring Officer.

For the purposes of this Guide, all references to a “Councillor” includes all elected Councillors, and any other individual nominated or appointed by the Council to an outside body.

General

1. There are some general provisions which apply to Councillors and Officers who act in the role of company director, charity trustee, or on the committee of management of an unincorporated voluntary organisation.
2. Councillors are under a duty to exercise independent judgement in the interest of the organisation in which they are involved. Whilst it is recognised that Councillors and Officers may have a commitment to representing the Council on an outside body, they must be aware that it is their responsibility to decide what view to take on any question before that organisation. Where a Councillor or Officer is participating in an outside organisation in a representative capacity, s/he must declare that fact to the organisation. There may be a fine line to tread between his/her duty to the organisation and to the Council.
3. The Councillor or Officer in acting as a director/trustee or member of a management committee of an outside body must act in the interests of that organisation. A mandate from the Council to vote one way or the other would put the Councillor or Officer in breach of the duty to that organisation. It is permissible to take account of the Council’s wishes, but not to vote simply in accordance with them. **The overriding duty when considering an item before the outside body is to act in accordance with the interests of that organisation.**
4. Councillors and Officers must ensure that the organisation is properly managed in accordance with the law and the organisation’s own governing document. They must also ensure that avoidable loss is not incurred in managing the organisation. They cannot avoid these responsibilities by not reading the papers or failing to ask for appropriate reports. They will be expected to seek professional advice where appropriate.

5. An individual may not be appointed or nominated as a charity trustee or director if s/he is disqualified from taking up this position. Eligibility requirements are set out in Appendix B.

COMPANIES

General

6. On incorporation, a company becomes a separate legal entity which can hold property in its own right, enter into contracts and sue and be sued in its own name. The company is distinct from its members and officers. In the case of a limited liability company, the liability of members of the company is limited to the amount they paid or agreed to pay when they joined the company.
7. Companies limited by shares are those that have a share capital. Each member holds shares and receives a share in the profits made by the company according to the value of the shares held. Shares can be sold. Companies limited by guarantee are those where there is no shareholding. Instead each member agrees that in the event of the company being wound up they will pay a certain amount. This may be as little as £1. This form of company is the most usual in the public and voluntary sector particularly where charitable status is sought.
8. The management of a company is generally the responsibility of a board of directors. The powers of the directors are usually set out in the company's Articles of Association (the rules each company has to govern its internal management). Sometimes, even though a company has been incorporated, the directors may be referred to as members of the committee of management, governors or even trustees. However, this does not change their status as directors. Conversely, sometimes officials are called directors but they are not members of the board. Again, their status will not be affected. Directors are those who are appointed by the company to act in that capacity.

Directors' Duties

9. A director is an agent of the company. His/her prime duties are as follows:

(1) Duty to act within powers

Directors are required to act in accordance with the company's constitution and only exercise powers for the purposes for which they are conferred. This means they must stay within the constraints of the objects clause, if there is one, and must observe the other terms of the Articles of Association.

(2) Duty to promote the success of the company

A director must act in a way that s/he considers, in good faith, would be most likely to promote the success of the company for the benefit of the company's members as a whole. Where the purposes of the company include things other than the benefit of the members, for example where the company is a charity, working to achieve these things will amount to working for the success of the company.

(3) Duty exercise independent judgement

A director is under a duty to exercise independent judgement. This means that they must not be unduly influenced by the wishes or instructions of others, though it is permissible for them to take account of the interests of the third party which they represent. In such a case the director must disclose that position and tread a fine line between the interests of the company and the party represented (in this case the Council). The director cannot vote and speak simply in accordance with the Council mandate. To do so would be a breach of duty.

(4) Duty to exercise reasonable care, skill and diligence

A director must exercise the care, skill and diligence which would be exercised by a reasonably diligent person with both the general knowledge, skill and experience that the director actually has, and that to be expected of a person carrying out his/her functions in relation to the company. In effect a director must meet the higher of the two requirements. A director is not deemed to be an expert, but is expected to obtain expert advice if necessary.

(5) Duty to avoid conflicts of interest

A director must avoid a situation where s/he will have, or may have, an interest that conflicts with the interests of the company. There may be actual or potential conflicts between the interests of the Council and the interests of the company. In such circumstances the Councillor or Officer should notify the Council and the company and, if appropriate, take no further part in the determination of the matter giving rise to the interest. For example, this could occur where the Council was considering making a grant to the company, or determining a permission, licence or consent in relation to the company. In extreme cases, if such conflicts regularly arise, it may be necessary for the Councillor or Officer to resign either from the company or from the Council.

(6) Duty not to accept benefits from third parties

A director must not accept a benefit from a third party conferred by reason of his being a director or his doing (or not doing) anything as a director. However, the duty is not infringed if the acceptance of the benefit cannot reasonably be regarded as likely to give rise to a conflict of interest. Acceptance of a benefit may also be authorised by the members or, in some cases, by the board.

(7) Duty to declare interest in proposed transaction or arrangement

A director must declare a direct or indirect interest in a proposed transaction or arrangement with the company that s/he is (or should be) aware of. No disclosure is necessary if the other directors are (or should be) aware of the interest, or if it cannot reasonably be regarded as likely to give rise to a conflict of interest. The interest of a person connected to the director, for example a family member, must be disclosed. Whether the director is then allowed to vote will depend on the Articles of Association.

(8) Duty to ensure compliance with the Companies Acts

Directors are under an obligation to see that various information is filed at Companies House. They also have a duty to prepare and file the company's accounts, and to maintain certain statutory books and registers. Failure to do so may incur fines and persistent default can lead to disqualification as a director.

Directors' Liabilities

10. Directors may be liable in the following circumstances:
 - (1) The remedies available against a director for a breach of the duties set out at paragraphs 9(1-3) and 9(5-7) above include damages, accounting for profits made, restitution of property and injunctive relief. In practice damages are by far the most common remedy. Damages are the only remedy for a breach of the duty set out at paragraph 9(4).
 - (2) The company's name must clearly be shown on its business stationery. The company number, place of registration and registered office address must be shown on business letters, order forms (including equivalent emails) and any company website. If any of the directors' names are shown then they must all appear. Non-compliance is an offence and the directors and company officers can be fined.
 - (3) If a director knows or ought to know that there is no reasonable prospect of the company avoiding liquidation, a Court may require that director to contribute to the company's assets on liquidation if the company continues to trade. This is known as wrongful trading. No such order will be made if the Court is satisfied that the director took all reasonable steps to minimise the loss to the creditors. However, liability can be incurred through failing to act. If a director has concerns about the company's financial position he/she would be well advised to inform the other directors and seek advice from the company auditors. He/she should try to ensure that further debts are not incurred.
 - (4) A director will also be liable if to his/her knowledge the company carries on business with intent to defraud creditors or any other person, or for any other fraudulent purpose. Fraudulent trading can lead to disqualification from acting as a director. It is also a criminal offence and can lead to a fine or imprisonment.
 - (5) All cheques and similar documents which purport to be signed on behalf of the company must bear the company name. Where they do not, the director signing on behalf of the company may be liable to a fine and may also be liable to the payee if the company fails to honour the cheque. It is, therefore, wise for directors to make sure that all documents they sign on behalf of the company state very clearly that they act as agent for the company, (e.g. Director, for and on behalf of).
 - (6) A third party who enters into a contract on the assumption that a director

has power to bind the company, may be able to claim damages against the director if it subsequently transpires that the director had no such power. Directors would be well advised to ensure that contracts are approved by the board and that the authority to enter into any contract has been properly delegated before signing it.

- (7) Though company liability ceases on dissolution, the liability of the directors (if any) may still be enforced after dissolution.

Indemnities and Insurance

11. The following arrangements apply:

(1) Directors cannot be indemnified by the company against liability arising out of negligence, default, breach of duty or breach of trust in relation to the company. However, the company's Articles of Association may allow for directors to be indemnified by the company against liability to a third party, although this must not extend to payment of a criminal fine, a financial penalty payable to a regulatory authority, or liabilities incurred in certain legal proceedings where the director is unsuccessful. Please note that it is lawful for companies to purchase insurance to protect their directors against claims of negligence, breach of duty, breach of trust and default. Directors may, therefore, wish to consider maintaining such insurance. For professional directors (accountants, solicitors, etc.) providing specialist knowledge and expertise, professional indemnity insurance may be available at a cost.

(2) The first recourse would be to ensure that the company provides insurance. The Council may provide indemnities for Councillors or Officers when appointing them to act as directors, and has insurance to cover any losses which they may suffer through acting conscientiously as a director, although the cover only.

Local Authorities (Companies) Order 1995

12. This Order sets out rules concerning local authorities' involvement in "regulated companies" which are subject to extensive controls. "Regulated companies" are so defined if they are controlled or influenced by the local authority. These are at present relatively rare, but one such example is London Councils Limited. Members and Officers can obtain further information on the additional rules affecting such companies upon request.

CHARITIES

General

13. To be a charity an organisation must operate for one of the following charitable purposes and be able to demonstrate that its aims are for the public benefit:

- the prevention or relief of poverty;
 - the advancement of education;
 - the advancement of religion;
 - the advancement of health or the saving of lives;
 - the advancement of citizenship or community development;
 - the advancement of the arts, culture, heritage or science;
 - the advancement of amateur sport;
 - the advancement of human rights, conflict resolution or reconciliation or the promotion of religious or racial harmony or equality and diversity;
 - the advancement of environmental protection or improvement;
 - the relief of those in need, by reason of youth, age, ill-health, disability, financial hardship or other disadvantages;
 - the advancement of animal welfare;
 - the promotion of the efficiency of the armed forces of the Crown or of the police, fire and rescue services or ambulance services;
 - other purposes recognised as charitable under existing law and any new purposes which are similar to another prescribed purpose.
14. A charitable organisation must operate for the public benefit and have exclusively charitable purposes. An organisation that operates for political purposes does not qualify for charitable status.
14. To register as a charity the organisation must submit its governing document (constitution or rules, trust deed, or Memorandum and Articles of Association – depending on whether it is an unincorporated association, trust or limited company) plus any other required documents to the Charity Commissioners for approval. If they are satisfied that the organisation is charitable it will be registered as such.
15. Those who are responsible for the control and administration of a charity are referred to as charity trustees, and will have those obligations even where the charity has the legal form of a company limited by guarantee. Trustees of a charity retain personal liability, and can only delegate to the extent that the governing document authorises them so to do.
16. Specific guidance for those serving on charitable organisations is available from the Charity Commission.

Trustees' Duties

17. Trustees have the following duties:
- (1) Trustees must take care to act in accordance with the governing document and to protect the charity's assets. They are also responsible for compliance with the Charities Acts, (and as relevant the Trustee Acts) and should note the particular requirements of the applicable Acts in respect of land transactions.

- (2) Trustees must ensure the charity is carrying out its purposes for the public benefit, must always act in the charity's best interests and act with reasonable care and skill.
- (3) Generally speaking, trustees must not profit from their position. They cannot receive remuneration or any other personal benefit without the sanction of the Charity Commission. They must also perform their duty with the standard of care which an ordinary, prudent business person would show. Higher standards are required of professionals, and in relation to investment matters.
- (4) Trustees must ensure that the information relating to the charity and trustees is registered with the Charity Commissioners and that annual accounts, reports and returns are completed and sent where this is required.
- (5) If charitable income exceeds £10,000, the letters, advertisements, cheques etc. must bear a statement that the organisation is a registered charity.
- (6) Trustees are under a duty to ensure compliance with all relevant legislation and other regulators (if any) which govern the activities of the charity.
- (7) Trustees have a duty of care to their charity if they work with vulnerable groups including children and will need to take the necessary steps to safeguard and take responsibility for them.

Trustees' Personal Liability

18. If in doubt, always consult the Charity Commission. A trustee who does so can avoid personal liability for breach of trust if he/she acts in accordance with the advice given.
19. Liabilities may arise in the following ways:
 - (1) Generally, a trustee incurs personal liability if he/she:
 - acts outside the scope of the governing document
 - falls below the required standard of care
 - acts otherwise than in the best interests of the charity, in a way which causes loss to the charity
 - makes a personal profit from the charity's assets.
 - (2) In such circumstances the trustee will incur personal liability for losses incurred and/or for personal gain.
 - (3) Trustees can be personally liable to third parties because, unlike a company, a trust or unincorporated association has no separate identity from the trustees. The governing document will normally provide for trustees to be given an indemnity from the charity's assets, provided they act properly in incurring the liability. Trustees remain personally liable for their own acts and defaults once they have retired. If they have entered

into any ongoing contracts on behalf of the charity they should seek an indemnity from their successors. If the charity is a company, the trustees will be protected from liabilities incurred in the day-to-day running of the charity in the normal course, but will be personally liable if they commit a breach of trust (see (1) above).

- (4) Trustees may be liable to fines if they do not comply with the duty to make returns etc.

Indemnities

20. An indemnity can be given from the charity's assets provided the trustee has acted properly and within his/her powers. Trustees may take out insurance to protect themselves against personal liability but not for criminal acts, fraud etc. The premiums can be paid out of the charitable funds so long as there is no express prohibition in the governing document, the trustees observe their duty of care, the insurance is in the best interests of the charity and the cost is reasonable.

COMMITTEES OF MANAGEMENT

Unincorporated Associations

21. Groups which are not trusts or limited companies are "unincorporated associations". The rules governing the association's members' duties and liabilities will be set out in a constitution, which is an agreement between the members as to how the organisation will operate. Usually the constitution will provide for a management committee to be responsible for the everyday running of the organisation. An unincorporated association may be charitable and may register as a charity.
22. Property will have to be held by individuals, and contracts entered into 'on behalf of' unincorporated associations, as they have no separate legal identity from their members.

Duties

23. Broadly, those who are elected or appointed to the association's Management Committee must act within the constitution, and must take reasonable care in exercising their powers and will have the responsibility for holding property and entering into contracts for the association.

Liabilities

24. The following liabilities may arise:
- (1) Generally, the Management Committee members are liable for the acts of the organisation, but are entitled to an indemnity from the funds of the organisation if they have acted properly. If there are not enough funds, the Committee members are personally liable for the shortfall.
- (2) If one person is appointed by the constitution to act as the agent of the organisation for certain purposes, then that person acts as the agent of all

the members, who have joint and several liability for the agent's actions.

- (3) Members of the committee of management will have personal liability if they act outside the authority given to them or if they do not comply with statute e.g. the payment of employees' tax etc.

Indemnities

25. Members will be entitled to an indemnity if they act in accordance with the constitution and are not at fault. It is possible to obtain insurance but if the organisation is to pay the premium it must be permitted by the constitution.

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APPENDIX B

Eligibility to serve on Outside Bodies Trustee	Director
<p>Prospective Trustees must meet the following eligibility requirements before any appointments can be made. They must:</p> <ul style="list-style-type: none"> • Be at least 18 years old or at least 16 years old if the charity is also a Company or Charitable Incorporated Organisation (CIO). • Have no unspent conviction for an offence involving dishonesty or deception. • Not be declared bankrupt or be subject to bankruptcy restrictions, an interim order or have an individual voluntary agreement (IVA) with creditors. • Not be disqualified from being a company director. • Not been removed as a trustee by either the charity commission, the Scottish charity regulator or the High Court due to misconduct or mismanagement. • Not be disqualified from being a trustee by an order of the Charity Commission under section 181A of the Charities Act 2011 	<p>Prospective Directors must meet the following eligibility requirements before any appointments can be made. They must:</p> <ul style="list-style-type: none"> • Be at least 16 years old for the appointment to the Outside Body to take effect (section 157 Companies Act 2006). • Not be subject to a bankruptcy restrictions order or undertaking, or a debt relief restrictions order or undertaking. • Not be subject to an order made under section 429(2)(b) of the Insolvency Act 1986 (disabilities on revocation of administration order against an individual). • be convicted of an indictable offence (whether on indictment or summarily) in connection with the promotion, formation, management, liquidation or striking off of a company, with the receivership of a company's property or with them being an administrative receiver of a company (section 2, Company Directors Disqualification Act 1986).