

<p><b>Cabinet – 27 June 2017</b></p> <p><b>Council – 19 July 2017</b></p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Graham White, Acting Corporate Director, Governance &amp; Interim Monitoring Officer</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Clear Up Project Final Report</b></p>	

<b>Lead Member</b>	<b>Mayor John Biggs</b>
<b>Originating Officer(s)</b>	Graham White
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	No
<b>Community Plan Theme</b>	<b>A fair and prosperous community</b>

## **1. Executive Summary**

- 1.1 This report is submitted to both Cabinet and Council to present the final report of the Clear Up Project, the details of which are contained in the report of the Independent Programme Manager attached at Appendix 1. The findings of the Clear Up Board upon the 66 complaints received are contained in a spreadsheet appended to the Programme Manager's report at Annex A. The report and the spreadsheet are exactly as submitted by the Programme Manager; no amendments have been made by Officers.
- 1.2 The Monitoring Officer has carefully considered the report and, in particular, Annex A and where further action is required by the Council and has allocated that action to various Corporate Directors and Divisional Directors. Attached at Appendix 2 is a further spreadsheet setting out these allocations as well as appropriate comments where no action is to be taken.
- 1.3 In accordance with the policy of openness and transparency the report of the Clear Up Project and details of subsequent actions by the Council are published and in the public domain.

## **2. Recommendations:**

- 2.1 The Cabinet and Council are recommended to note the report.

### **3. REASONS FOR THE DECISIONS**

- 3.1 The Council has stated publicly that it would publish the final report of the Clear Up Project and this is the opportunity to do so.

### **4. ALTERNATIVE OPTIONS**

- 4.1 The Council could choose not to publish but as the Council has stated that it is committed to publishing the final report of the Clear Up Project then the option of not doing so would be inappropriate.

### **5. DETAILS OF REPORT**

- 5.1 The Clear Up Project was launched in September 2016, and included a nominations window that closed on 8 December 2016. A total of 66 allegations were received during this period.
- 5.2 Since the New Year the independent project team has been considering each of the allegations: reporting progress and making recommendations regularly to the Clear Up Board comprising the Chief Executive, Monitoring Officer, Corporate Director, Resources and a lead Commissioner (Chris Allison).
- 5.3 The Clear Up Board considered the final investigation reports and the draft final report at the final Board meeting on 27 March 2017. Following that meeting the report was amended to include the Board's decisions upon the final investigation reports and was finalised and is attached at Appendix 1.
- 5.4 As stated at the onset of the Clear Up Project, the Final Report and schedule was to be considered by Members and placed in the public domain. This will be achieved by way of reference to both Cabinet on 27 June 2017 and Council on 19 July 2017 respectively.
- 5.5 Following receipt of the Clear Up Project report the Monitoring Officer has carefully considered the report and, in particular, Annex A and where further action is required by the Council and has allocated that action to various Corporate Directors and Divisional Directors. Attached at Appendix 2 is a further spreadsheet setting out those allocations as well as appropriate comments where no action is to be taken. Relevant officers will notify the Monitoring Officer of actions taken and when a matter has been completed.
- 5.6 The Corporate Leadership Team will monitor progress every other month until all the matters have been completed. Quarterly reports on progress will be submitted to the Overview and Scrutiny Committee and if required to Cabinet. The Standards Advisory Committee will also receive regular reports as its terms of reference include: "To receive periodic reports on the Council's Ethical Governance arrangements, on whistle blowing arrangements and

complaints". The matters raised during the Clear Up Project go across both Ethical Governance and Whistleblowing.

## **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 The cost of the project was £121,786 and has been met from the Council's corporate contingency budget provision.

## **7. LEGAL COMMENTS**

- 7.1 The Clear-Up Team was established to conduct a review of any unconsidered or inadequately considered allegations of improper Council decision making or impropriety in the discharge of Council functions which took place between October 2010 and June 2016. The Team considered allegations submitted during a three (3) month window from 8 September 2016 to 8 December 2016.

- 7.2 The governance of the Clear-Up Team has been overseen by the Clear-Up Board consisting of:

- Three Statutory Officers of the Council (Chief Executive (Chair), Section 151 Officer and Monitoring Officer.
- One DCLG Commissioner (Chris Allison)

- 7.3 As the Monitoring Officer has been a member of the Clear-Up Board, he has ensured that any recommendations are neither unlawful nor give rise to maladministration.

- 7.4 There are no immediate legal implications arising at this time and the Monitoring Officer will be monitoring actions taken and when a matter has been completed to ensure that all appropriate lawful steps are taken to comply with the recommendations.

## **8. ONE TOWER HAMLETS CONSIDERATIONS**

- 8.1 The Clear Up Project is a continuation of the Council's improvement to its organisational culture. It demonstrates a commitment to put the concerns of employees and local people first and for fair and transparent decision making and which contributes to the delivery of One Tower Hamlets priorities and objectives.

## **9. BEST VALUE (BV) IMPLICATIONS**

- 9.1 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty.

- 9.2 By virtue of Directions made by the Secretary of State on 17 March 2015 the Council was required to draw up and agree with the Commissioners a strategy and action plan for securing the Authority's compliance with the best value duty. Part of that plan included a recommendation that the Council set up a Clear-Up Team to ensure that any historic unconsidered allegations of improper Council decision making or impropriety in the discharge of Council functions are properly investigated and determined. A natural consequence of the investigation and determination is to consider the findings and implement recommendations so as to continue to demonstrate the Council continued commitment to the best value duty.
- 9.3 Pursuant to the Direction of 28 March 2017 progress upon this matter will be included in the quarterly reports to the Secretary of State upon the Best Value Action Plan and Best and Best Value Improvement Plan.

## **10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 10.1 None.

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 Ensuring a culture whereby persons feel empowered to raise concerns is an important part of risk management and should reduce risks.

## **12. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 12.1 Ensuring a culture whereby persons feel empowered to raise concerns when there is a reasonable belief (and it is in the public interest) that a criminal offence or a miscarriage of justice is likely to occur and which involves the Council should assist in reducing crime.

## **13. SAFEGUARDING IMPLICATIONS**

- 13.1 Safeguarding is a term which is broader than 'child protection' and relates to the action taken to promote the welfare of children and protect them from harm. Safeguarding is everyone's responsibility. Safeguarding is defined in Working together to safeguard children 2013 as:
- protecting children from maltreatment
  - preventing impairment of children's health and development
  - ensuring that children grow up in circumstances consistent with the provision of safe and effective care and
  - taking action to enable all children to have the best outcomes

- 5.2 Where the findings and recommendations of the Clear Up Project relate to issues of Safeguarding these have been referred to the Corporate Director, Children's Services for consideration and action.
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- NONE.

### **Appendices**

- Appendix 1 – Final Report of the Clear Up Board including Annex A
- Appendix 2 – Spreadsheets showing Clear Up Project Responses and notes of actions to be taken and the Monitoring Officer Response to Clear Up Project Annex A

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- NONE

### **Officer contact details for documents:**

N/A