

<b>Cabinet</b>  3 <sup>rd</sup> November 2015	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Melanie Clay, Corporate Director for Law, Probity and Governance	<b>Classification:</b> Unrestricted
<b>Transparency Protocol: A Transparent Mayor, an Open Council</b>	

<b>Lead Member</b>	<b>John Biggs, Mayor of Tower Hamlets</b>
<b>Originating Officer(s)</b>	Ellie Kuper Thomas, Senior Strategy, Policy and Performance Officer / Louise Russell, Service Head, Corporate Strategy and Equality
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	Yes
<b>Community Plan Theme</b>	<b>One Tower Hamlets</b>

### **Executive Summary**

The Transparency Protocol, attached in appendix 1, provides a starting point for what a transparent and open Council and Mayor could look like and what actions need to be put in place to achieve these proposals.

The protocol provides an overview of actions the council currently undertakes to promote transparency, further actions which have been put in place and suggests longer term actions to promote transparency.

The Transparency Protocol provides a starting point for the work the Council is undertaking on this agenda. This work will be further developed through the work being undertaken by the Overview and Scrutiny Committee through their Transparency Commission.

### **Recommendations:**

The Mayor in Cabinet is recommended to:

1. Agree the principles and action plan contained in the Transparency Protocol, contained in appendix 1 of this report.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The Mayor's manifesto commitments, now incorporated into the Council's Strategic Plan and agreed by Cabinet in July 2015, included a commitment to increasing transparency of the Council and Mayor. This was detailed through a range of commitments, including attending Overview and Scrutiny meetings, answering public questions, and setting up Public Meetings across the borough. The Transparency Protocol sets out the framework for the delivery of these commitments.
- 1.2 In addition, following the Best Value Inspection, undertaken during 2014, the Council was issued with directions from central government and Commissioners were appointed to support the Council in their successful completion. One of the areas for improvement was organisational culture. The actions contained in the Transparency Protocol, by increasing transparency and the ability of members to better scrutinise the executive, will play an important role in improving the organisational culture.
- 1.3 The Governance Review Group, a cross party working group, is currently developing an action plan reflecting the following objectives:
- To enable agile, lawful and effective decision-making.
  - To increase transparency of decision-making.
  - To enhance the prior scrutiny of decision-making.
  - To increase the effectiveness of audit of delivery of outcomes.
  - To make effective use of available councillor time.
  - To ensure understanding of the council's constitution in relation to those matters that are Executive Functions' and those that are reserved for 'Full Council'
- The timely agreement of the Transparency Protocol actions can feed into the development and completion of these areas of work.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Mayor in Cabinet could choose not to adopt a Transparency Protocol.
- 2.2 Alternatively the Mayor in Cabinet could choose to only undertake some of the actions outlined in the Transparency Protocol.
- 2.3 Neither of the above options are recommended as this would reduce the Council's focus and public commitment to delivering further transparency and organisation change.

## **3. DETAILS OF REPORT**

- 3.1 The Transparency Protocol provides an overview of actions the Council currently undertakes to promote transparency and actions the current Mayor has put in place to improve transparency.
- 3.2 In addition a further set of longer term actions are proposed.
- 3.3 The purpose of the Transparency Protocol is to ensure that residents and members will be informed, involved and empowered to scrutinise and hold the

Mayor and Cabinet to account. The Protocol will increase the transparency around decision making; the Mayor's activities and priorities; procurement, contracts and grants and budgets and expenditure. This will be undertaken through communications; data publication; participation, responsiveness and consultation and the Council's democratic processes.

- 3.4 The Transparency Protocol provides the framework for the work the Council will undertake on this agenda. This work will be further developed through the work being undertaken by the Overview and Scrutiny Committee through their Transparency Commission and by the Governance Review Group.
- 3.5 The Transparency Protocol is attached in appendix 1.

#### **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 [Financial implications to be prepared by Directorate Finance Manager and agreed with Corporate Finance]

#### **5. LEGAL COMMENTS**

- 5.1 Local authorities are encouraged to be transparent and open in their decision-making and business dealings generally. Legislation provides a minimum level of publication through the Local Government Acts 1972 and 2000, the Localism Act 2011 and a variety of attendance regulations. The Council has always met the statutory requirements.
- 5.2 The Council has discretion to go beyond the statutory minimum in the interests of developing its transparency and openness and the proposals in this report and the accompanying protocol are all matters within their discretion.
- 5.3 There are no immediate legal implications arising from this report.

#### **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 One of the key elements of the One Tower Hamlets vision is to support community engagement and leadership. By increasing levels of transparency and opportunities for public involvement to scrutinise decision making, the Protocol and the actions it contains, will support the aims of the One Tower Hamlets vision.

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

- 7.1 The Transparency Protocol contributes to the Council's requirements, under the Central Government directions and the Best Value plan, to improve the Council's culture. By enhancing resident and member scrutiny the Transparency Protocol will also enhance the Council's effectiveness in delivering services and policy.

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

8.1 There are no sustainable action for a greener environment implications resulting from this report

## **9. RISK MANAGEMENT IMPLICATIONS**

9.1 Improving transparency, through the actions identified in this report, will increase public trust in decision making and improve the scrutiny of decision making, reducing risks around policy and service effectiveness.

9.2 Increasing transparency, through the publication of more data, could increase risks around data protection, confidentiality and commercial sensitivity. The Council's data protection and information governance procedures will mitigate this risk through the provision of guidelines and advice on the proper publication of data.

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

10.1 There are no crime and disorder reduction implications resulting from this report.

## **11. SAFEGUARDING IMPLICATIONS**

11.1 Whilst the actions in this report are designed to increase transparency of decision making and information in the Council, this will always be within the boundaries of the Data Protection Act and the Council's duty to protect residents' data, including around safeguarding duties.

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### **Linked Reports, Appendices and Background Documents**

- Appendix 1: Transparency Protocol

#### **Linked Report**

- NONE

#### **Appendices**

- NONE

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

- NONE

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

N/A