

## **Appendix 1**

### **Transparency protocol:**

#### **A Transparent Mayor, an Open Council**

##### **1. INTRODUCTION**

In the Mayor 2015 election, I campaigned on a pledge to lead the borough in an open and transparent way. Following my election I have requested the development of a Transparency Protocol to enable me to put this pledge into action.

This paper provides a starting point for what a transparent and open Council and Mayor might look like and what actions need to be put in place to achieve these proposals. It includes more detail on the pledges I made in my manifesto which were designed to increase transparency. These include my commitment to answer questions from the public and councillors at every full Council meeting; to attend Overview and Scrutiny meetings as invited and to set up Public Meetings across the borough. It also makes new suggestions, as I want to be ambitious in this regard, to maximise the transparency of the Council, ensuring we become a leading borough in this field.

The Council is emerging from a turbulent past few years which have had an impact on the trust residents have in the work of the Council. National scrutiny has been focussed on the Council, highlighting areas for improvement and creating an opportunity to make changes. Most importantly, it has demonstrated a need for organisational culture change: away from a protective and defensive approach to one which recognises the importance of openness and engagement, and embraces the opportunities this will bring about.

Having undertaken reviews into Transparency at the GLA, it is my view that it is not only important to be transparent through the publication of decisions or information and data, but also to provide a rationale and explanation for the decisions made. The benefits of this approach are manifold, but have even greater importance in the face of the difficult decisions which will soon be facing the Council. As the national policy of austerity continues and the Council develops ways to respond, it is vital that residents are informed about the decisions made, the reasons behind them, and are involved in developing options and providing feedback.

The purpose behind this transparency initiative is for residents to be informed, able to influence decision making, especially where they are affected, and are empowered to hold the Mayor and Cabinet to account.

Councillors, both those on the Overview and Scrutiny Committee and all non-executive members, play an important role in scrutinising decision making and improving policy making, within the Council. They must be supported, through the provision of timely information and officer time, to ensure they can undertake this role effectively.

Moving towards a more transparent Council will involve a whole host of new actions which will affect the way we communicate with residents, engage and consult with residents and undertake decision making.

This is an important issue for the Council and I am extremely pleased that the Overview and Scrutiny Committee has established a Transparency Commission to look at this issue. The actions contained in this report do only provide the starting point for the work the Council needs to undertake on this agenda and I look forward to receiving their recommendations and trust this document will help to inform their deliberations and final report.

With the above considerations in mind, I have laid out the following principles, which I hope demonstrate my commitment to governing in a transparent way which will help create a culture shift to a more transparent Council.

**As Mayor, I will personally:**

- as a default, take all decisions in public through Cabinet, and where this is not possible, a clear reason will be provided to explain why;
- be open to public, scrutiny and opposition questions at all public decision making forums, which will be answered by the Mayor and/or Cabinet Member;
- create more opportunities, through public meetings, for residents to ask questions and raise concerns.

**As Mayor, I will lead an organisation, which:**

- involves residents and Councillors in consultation at the earliest possible point in any policy or decision making process;
- as a default, make information available to the public and all Councillors in a timely and easily accessible format;
- actively communicates with residents and responds to queries positively.

This paper outlines what activities the Council already has in place to promote transparency and provides an overview of further actions I have put in place, and am proposing to put in place, to further this agenda and promote culture change across the organisation.

**Mayor John Biggs**

## **2. AIMS AND OBJECTIVES:**

In order to fulfil the principles established by the Mayor to further embed transparency into the culture of the Council, the following aims and objectives have been devised for the Transparency Protocol. The focus for these aims and objectives are the areas of Council activity which are Mayor and Executive functions; areas of greatest public interest and those areas which can promote and enhance transparency.

### **The Public and Members will be:**

Informed

Involved

Empowered to scrutinise and hold the Mayor and Cabinet to account

### **About:**

Decision Making – What and Why

The Mayor's Activities and Priorities

Procurement, Contracts and Grants

Budgets and Expenditure

The Council's Performance

### **Through:**

Communications

Data Publication (Information Governance)

Council's Democratic Processes (Full Council, Cabinet, Overview & Scrutiny)

Participation, Responsiveness and Consultation

### **3. BACKGROUND:**

Across these four key areas: Communications; Data Publication; Participation, Responsiveness and Consultation and the Council's Democratic Processes, the Council already undertakes a range of activities to keep residents informed, engaged and able to hold the Mayor and Councillors to account. The following provides an overview of these activities.

#### **3.1. Communications:**

The Council currently uses a print version of East End Life, social media and proactive media releases to local and national press to advise residents on the Mayor's activities and priorities, upcoming consultations and decision making.

This is supplemented by additional communications directly undertaken by the Mayor including interviews, columns in the Wharf, East London Advertiser and East End Life.

There has also been a tradition of an annual Mayoral Report which outlines key activities and performance (published in East End Life).

#### **3.2. Publication (Information Governance):**

The Council has a dedicated section of the Council's website where it publishes the information it currently has a duty to publish under the Statutory Requirement under Local Government Transparency Requirements (2015). This includes:

- Council spend over £500
- Spend on Procurement Cards
- Invitations to Tender
- Contracts above £25k
- Land and Assets in Local Authority ownership, including Social Housing Assets
- Grants
- Organisational Chart (of top three tiers)
- Trade Union Facility Time
- Parking account and spaces
- Senior Salaries (numbers earning over £50,000 and their responsibilities; names of those earning over £150,000)
- The Constitution
- The pay multiple
- Fraud
- Publications Scheme

The Council also has in place systems to respond to freedom of information requests in line with the relevant legislation. These responses are all published on the Council's website.

The Council also currently publishes quarterly information on the Council's budget and performance monitoring, through the Cabinet process.

### 3.3. Participation, Responsiveness and Consultation:

The Council currently has several different routes to help residents contact the council about a personal query or complaint. The corporate complaints service, member's surgeries and the member enquiry system.

Each service is currently responsible for running consultations on any service changes or in accordance with legislative requirements. In addition there is a cross cutting consultation, Your Borough Your Voice, which asks residents views on the budget and the future of service delivery.

The annual residents' survey provides the Council with regular feedback from residents about services in the borough. Whilst not in-depth feedback, it does allow tracking of key indicators and themes over time, and enables some comparison with other London Boroughs.

To enable more in-depth consultation with residents, the Council consults regularly with a series of themed groups. These include:

- Tower Hamlets Safer Neighbourhood Board (SNB) which ensures communities are more closely involved in problem solving and crime prevention in Tower Hamlets.
- Healthwatch Tower Hamlets, whose purpose is to bring residents and users voice to health and social care commissioners and providers.
- There is also a series of equalities forums: the Interfaith Forum, an LGBT Community forum, New Residents and Refugee Forum and Older People's Reference Group, and Local Voice (disabled residents' forum).

Alongside the themed groups, the Council developed a programme of Community Champions Co-ordinators and Ward Forums which supported actions within ward areas by bringing residents and service providers together, developing community led solutions, supporting active citizenship and improving cohesion within the locality. The latest round of decision making and community budgeting has come to an end and these community engagement mechanisms are being reviewed to see if a better method of localised consultation can be devised.

### 3.4. Council's Democratic Processes:

The following processes are put in place to enable Council decision making to be transparent and enable scrutiny and questioning from non-executive members and the public.

**Mayor's Decisions:** Whilst for reasons of urgency these are the only decisions not made in public, key decisions do have to be listed on the forward plan. The decisions are also then published on the website.

Cabinet: Most Mayoral decisions are made at Cabinet meetings which are public and webcast. Decisions are listed on the forward plan before the meeting and the agenda, reports and background papers must be published before the meeting. Decisions and full minutes are published. Public questions are allowed at chair's discretion; questions are required in advance and must be on subject of reports being considered. All reports considered at Cabinet are considered the night before at the Overview and Scrutiny Committee. The Chair of Overview and Scrutiny is provided with an opportunity to ask the Committee's questions on the reports. There is also an opportunity for the Mayor to give a short address to the Cabinet.

The following rules apply to publication around decision making. For key decisions (which involve major spending, or savings, or which have a significant impact on the local community) 28 clear days' notice must be provided via the Forward Plan or an Individual Mayoral Decision Notice. General Exception Notice is required for decisions taken between 5 and 28 clear days. Special Urgency must be agreed with the Chair of Overview and Scrutiny. The agenda and papers must be published five working days in advance. Some papers are exempt from publication as they contain personal, commercial or otherwise sensitive information.

The above executive functions are scrutinised by the Overview and Scrutiny Committee. This meeting is held in public. The Committee undertakes three main roles:

- to undertake scrutiny on upcoming decisions
- to call in decisions already made to prompt reconsideration
- to undertake in-depth scrutiny spotlight sessions and reports on policy areas.

Full Council: Full Council meetings are held in public and webcast. Decisions are listed on the forward plan and the agenda, reports and background papers must be published before the meeting. Decisions and full minutes are also published. There is an opportunity for the Mayor to give a short address to the Council. There are dedicated slots for petitions, public and member questions. These have to be received in advance and any questions which do not receive an answer in the meeting will receive a written answer.

#### **4. NEW ACTIONS IN PLACE TO PROMOTE TRANSPARENCY:**

The processes outline above, properly implemented, show that the Council takes transparency seriously and has in place a range of activities designed to promote transparency across these four areas: Communications; Data Publication; Participation, Responsiveness and Consultation and the Council's Democratic Processes. But more can be done to make the Council transparent and enable residents to be engaged and empowered.

Since the election of Mayor John Biggs in June 2015, the Mayor has already made key changes to increase the level of transparency of his own actions and those of Council. These are detailed below:

#### 4.1. Communications:

- The Opposition Group Leaders now have a monthly column each in East End Life.

#### 4.2. Participation, Responsiveness and Consultation:

- The Mayor has committed to responding to all non-vexatious correspondence within 10 working days, either directly or via the Member's Enquiry process.
- The Mayor holds a weekly surgery which all residents are able to attend, by appointment.

#### 4.3. The Council's Democratic Processes:

- The Mayor has committed to attending, and has attended, all Overview and Scrutiny meetings he has been invited to.
- The Mayor publishes all Individual Mayoral Decisions in the Cabinet papers which follows the decision, as well as on the Council's website
- The nature of the Cabinet meeting has been altered to allow for further scrutiny by non-executive members, with Group Leaders invited to speak and ask questions on agenda items.
- The Mayor is reducing the number of exempt papers produced in the decision making process. The Mayor and Cabinet Members actively challenge their use during the successive stages of report preparations.
- The Mayor provides a written Mayoral report to Full Council on the Mayor's activities over the preceding two months, including key decisions made and the Mayor's diary.
- The Mayor has also committed to sharing the answering of petitions, public and member questions in Full Council with Cabinet Members.

### **5. FURTHER ACTIONS TO PROMOTE TRANSPARENCY:**

In addition to the actions listed above, which have already increased the transparency of the Mayor and the Council, a further set of longer term actions are proposed.

These will:

- Move the Council beyond the Local Government Transparency requirements;

- Benefit from emerging best practice and new legal freedoms regarding transparency;
- Fulfil the Mayor's Manifesto commitments regarding transparency, including establishing a Housing Scrutiny Committee involving residents and setting up public meetings across the borough;
- Improve the transparency of decision making, in a way which provides both the publication of decisions and an explanation for the decisions made;
- Improve the public understanding of how well the Council is performing;
- Improve decision making through the early incorporation of resident consultation and scrutiny involvement.

These actions are provided in the table below, along with details of how they will be progressed and the action deadlines. Many of these actions will be taken forward through a range of strategies and plans which are currently under development.

The Mayor is looking forward to receiving the recommendations of the Transparency Commission, will give full consideration to these recommendations and will produce a further action plan after receipt of the Overview and Scrutiny recommendations.

Action	Progress to Date	Next Steps	Lead	Deadline
<b>Communications</b>				
Investigate how to broaden the use of social media into democratic meetings including Cabinet and Full Council. This could include welcoming public filming and tweeting or introducing a council meeting hashtag.	Initial discussions held with Communications about tweeting decisions from Cabinet meetings. The public are already able to film all our formal meetings.	To be incorporated into the Communications Review and the Community Engagement Strategy	Louise Russell / Matthew Mannion	January 2016
Develop approaches for residents interested in particular topics, for example, planning, licencing, community safety or in particular areas (wards/ LAPS), to be alerted about decision making or consultations taking place about their area of interest.	Communications are developing 10-15 'tags' or keywords that can be used to attach to all reports to allow us to highlight topics on the website and get people to sign up to alerts on particular tags.	To be incorporated into the Communications Review and the Community Engagement Strategy	Louise Russell	March 2016

Action	Progress to Date	Next Steps	Lead	Deadline
<b>Data Publication</b>				
Explore the feasibility of publishing spend and contracts under a lower threshold		Through existing information governance processes	Ruth Dowden	Review Spend and contracts by December 2015 and institute publication by April 2016
Explore the feasibility of publishing the names of all officers at Service Head level and above.		Through existing information governance processes	Ruth Dowden / Simon Kilbey	Review options with the Corporate Management Team by December 2015 and institute publication by April 2016
Engage with residents on what areas of performance are of most importance to them and produce an easy to read performance scorecard for publication		To be explored in the next Annual Residents Survey and produced as part of the year end Annual Report.	Louise Russell	May 2016

Action	Progress to Date	Next Steps	Lead	Deadline
Explore the possibility of requiring developers to publish Planning Viability Assessments, which have previously been restricted due to commercial sensitivity.	The Council is already part of the Inter-Borough Viability Working Group, with 20 other London local authorities and are developing a Viability Protocol to standardise a number of key viability parameters and clarify the approach towards transparency of viability appraisals.	Legal advice is being sought on possible adoption processes.	Owen Whalley	September 2016
Review procurement thresholds and channel all contract expenditure over £5,000 through the Council's e-tendering system. Publish detailed summary of all new contracts as part of the Transparency Code.		To be incorporated into the refresh of the Procurement Strategy	Zamil Ahmed	May 2016
Review the way in which the Council publishes contracts			Melanie Clay	September 2016

Action	Progress to Date	Next Steps	Lead	Deadline
<b>Participation, Responsiveness and Consultation</b>				
Develop a series of both formal and informal 'Meet the Mayor' events. These will include the Mayor attending events or markets and high streets in the borough so that residents can have the opportunity to quickly raise issues and concerns; the Mayor undertaking a series of structured visits to organisations which would reach across equalities groups, wards and interests; and a formal set of Question Times, where the public can ask the Mayor (and Cabinet and / or Heads of Partner organisations) questions. These will all be timetabled in advance and advertised (where appropriate) for wider public attendance.		To be incorporated into the Community Engagement Strategy and trialled during the consultation on this year's budget	Louise Russell	January 2016

Action	Progress to Date	Next Steps	Lead	Deadline
Develop a new localised consultation mechanism		To be incorporated into the Community Engagement Strategy	Louise Russell	April 2016
Explore options to involve residents in Housing Scrutiny		To be undertaken through a refresh of the borough wide resident scrutiny panel and to explore with Tower Hamlets Homes and the RPs working in the borough how resident scrutiny can be improved.	Jackie Odunoye	April 2016
Develop an improved consultation process for policy development and service change, to improve decision making.		To be incorporated into the Community Engagement Strategy	Louise Russell	March 2016

Action	Progress to Date	Next Steps	Lead	Deadline
<b>Council's Democratic Processes</b>				
Improve awareness of Council meetings through the targeted use of social media, or through email contact lists to interested residents, businesses and organisations.	People can already sign up to receive alerts when agendas to particular meetings are published (or when issues relating to their wards are published).	To be incorporated into the Communications Review and Community Engagement Strategy	Matthew Mannion	Complete review by March 2016
Adapt the Individual Mayoral Decision report template to include a reason for their use, such as demonstrable urgency.		To be adapted for the next Individual Mayoral Decision	Matthew Mannion	Immediate
Review the current decision making process to improve the speed and transparency of the Council's decision making			Melanie Clay	March 2016

Action	Progress to Date	Next Steps	Lead	Deadline
Develop and promote new guidelines on the use of Exempt Papers and their availability to non-executive members.		To be presented to the Governance Review Working Group <i>[Any changes to the current rules will require amendments to the Constitution]</i>	Melanie Clay	January 2016
Work with Overview and Scrutiny Committee to develop target information response times, to better enable their scrutiny function			Louise Russell / Melanie Clay	December 2015
Ensure major policies and strategies are discussed with Overview and Scrutiny Committee in advance to improve the use of pre-decision scrutiny, enabling the committee to help question and shape policy during its development, rather than the night before Cabinet.	This process has been developed for budget scrutiny, which does involve pre-decision scrutiny sessions.		Louise Russell / Melanie Clay	December 2015