



Meeting of the

# STANDARDS COMMITTEE

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Tuesday, 11 April 2006 at 7.00 p.m.

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## A G E N D A

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### VENUE

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

Members:	Deputies (if any):
Chair: Mr Patrick O'Connor Vice-Chair:(none)	
Mr Satnam Bains Ms Suzette Barry Councillor Betheline Chattopadhyay Sister Christine Frost Mr Muhammad Habibur Rahman Councillor Marian Williams	(none)
<b>[Note: The quorum for this body is 3 Members, of whom one must be an independent Member].</b>	

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Tim Hogan, Democratic Services, Tel: 020 7364 4850, E-mail: [tim.hogan@towerhamlets.gov.uk](mailto:tim.hogan@towerhamlets.gov.uk)

# LONDON BOROUGH OF TOWER HAMLETS

## STANDARDS COMMITTEE

Tuesday, 11 April 2006

7.00 p.m.

### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### 2. DECLARATIONS OF INTEREST

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.

#### Note from the Chief Executive

In accordance with the Council's Code of Conduct, Members must declare any **personal interests** they have in any item on the agenda or as they arise during the course of the meeting. Members must orally indicate to which item their interest relates. If a Member has a personal interest he/she must also consider whether or not that interest is a **prejudicial personal interest** and take the necessary action. When considering whether or not they have a declarable interest, Members should consult pages 181 to 184 of the Council's Constitution. Please note that all Members present at a Committee meeting (in whatever capacity) are required to declare any personal or prejudicial interests.

A **personal interest** is, generally, one that would affect a Member (either directly or through a connection with a relevant person or organisation) more than other people in London, in respect of the item of business under consideration at the meeting. If a member of the public, knowing all the relevant facts, would view a Member's personal interest in the item under consideration as so substantial that it would appear likely to prejudice the Member's judgement of the public interest, then the Member has a **prejudicial personal interest**.

#### Consequences:

- If a Member has a **personal interest**: he/she must declare the interest but can stay, speak and vote.
- If the Member has **prejudicial personal interest**: he/she must declare the interest, cannot speak or vote on the item and must leave the room.

When declaring an interest, Members are requested to specify the nature of the interest, the particular agenda item to which the interest relates and to also specify whether the interest is of a personal or personal and prejudicial nature. This procedure is designed to assist the public's understanding of the meeting and is also designed to enable a full entry to be made in the Statutory Register of Interests which is kept by the Head of Democratic Renewal and Engagement on behalf of the Monitoring Officer.

PAGE  
NUMBER      WARD(S)  
AFFECTED

### 3. MINUTES

To confirm as a correct record of the proceedings: **1 - 8**

- the minutes of the ordinary meeting of the Standards Committee held on 17<sup>th</sup> January, 2006;
- the minutes of the extraordinary meeting of the Standards Committee held on 21<sup>st</sup> February, 2006.

<b>4.</b>	<b>STANDARDS COMMITTEE - ROLE AND FUNCTION</b>	<b>9 - 10</b>	<b>All Wards</b>
<b>5.</b>	<b>REPORTS FOR CONSIDERATION</b>		
<b>5 .1</b>	<b>Local Code of Corporate Governance</b>	<b>11 - 34</b>	<b>All Wards</b>
<b>5 .2</b>	<b>Members' Timesheets and Attendance at Committees/Panels</b>	<b>35 - 52</b>	<b>All Wards</b>
<b>5 .3</b>	<b>Member Induction Programme</b>	<b>53 - 66</b>	<b>All Wards</b>
<b>5 .4</b>	<b>Anti Fraud and Corruption Strategy</b>	<b>67 - 100</b>	<b>All Wards</b>
<b>6.</b>	<b>ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT</b>		

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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STANDARDS COMMITTEE**

**HELD AT 7.00 P.M. ON TUESDAY, 17 JANUARY 2006**

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

**Members Present:**

Mr Satnam Bains (Chair)

Ms Suzette Barry (Independent Member)  
Councillor Betheline Chattopadhyay  
Sister Christine Frost (Independent Member)  
Councillor Marian Williams

(none)

**Other Councillors Present:**

(none)

**Officers Present:**

Isabella Freeman	– (Assistant Chief Executive [Legal])
Mark Norman	– Former Monitoring Officer
Steve Wiggett	– Member Learning and Development Officer
Alan Ingram	– (Democratic Services)

**1. APOLOGIES FOR ABSENCE**

Apologies were submitted on behalf of Mr. Patrick O'Connor, Chair of the Committee. In his absence, it was:-

**RESOLVED**

That Mr. Satnam Bains be appointed Chair for this meeting of the Standards Committee.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**3. MINUTES**

**RESOLVED**

That the Section One Minutes of the meeting of the Standards Committee held on 24<sup>th</sup> November, 2005 be confirmed as a correct record of the proceedings and the Chair be authorised to sign them accordingly.

#### **4. STANDARDS COMMITTEE - ROLE AND FUNCTION**

Noted.

#### **5. REPORTS FOR CONSIDERATION**

##### **5.1 MEMBERS' TIMESHEETS AND ATTENDANCE AT COMMITTEES/PANELS**

Mr. Norman presented the report in the absence of Peter Sass, who had left the service of the Council, and indicated that he would convey any concerns raised by Members to the new Interim Head of Democratic Renewal and Engagement, Tim Revell. He also introduced Isabella Freeman, the newly appointed Assistant Chief Executive (Legal Services) and Monitoring Officer.

Mr. Norman added that updated information had been tabled giving further details of Members' monthly diary returns and attendances at Scrutiny working groups/panels. He indicated that submission of returns was improving, which reflected the efforts of the political groups and the influence of this Committee.

Members raised queries on the following matters, to which Mr. Norman responded:

- Two Members seemed to have completed diary sheets for a six month period all at once, instead of on a monthly basis. This cast doubt on the accuracy of the information provided due to possible errors in recollection.
- Members should be strongly encouraged to fill in their monthly timesheets to give a more complete picture of the hours they spent on a range of activities.
- Non-attendance details were not included on records for scrutiny working groups/panels.
- Attendances at Local Area Partnership (LAP) meetings tended to be varied, with particular concerns raised about apparently low attendances at LAP 4 and LAP 7. In addition, there were instances where Members from other localities attended LAP meetings which were not in their Wards, which had implications for local people accessing their own local Councillors.

After further discussion of the report, it was:-

#### **RESOLVED**

That the Interim Head of Democratic Renewal and Engagement be asked to address the following areas of concern:

- (i) The tendency of some Members to complete their diary sheet returns in batches, rather than monthly (Appendix 2 of the report) and particularly two Members who seemed to have submitted six months' worth of forms at one time.
- (ii) Review the quality of information provided in Members' timesheets (Appendix 1 of the report) to ensure Councillors are giving details of their time spent in undertaking the range of activities shown on the form. This should be reviewed for the next meeting of the Committee to be held on 11<sup>th</sup> April, 2006.
- (iii) Appendix 3 of the report should be amended to include information regarding non-attendance, as well as attendance, at scrutiny working groups/panels and LAP meetings.
- (iv) Particular attention should be given to determine whether there may be reasons for the apparently fewer Members attending LAP 4 and LAP 7 meetings.

## **5.2 ANALYSIS OF MEMBERS' ETHICAL STANDARDS SELF-ASSESSMENT QUESTIONNAIRE RESPONSES OCTOBER 2005**

Mr. Wiggett introduced the report, which provided an analysis of the findings of the Ethical Standards Self-Assessment Questionnaire exercise completed by all Members during September and October 2005.

He explained that the purpose of the information which had been obtained was to ensure that, after the local elections in May 2006, all Members would have access to appropriate training on ethical issues and other mandatory subjects. There was to be an ongoing programme of seminars throughout the year and the Members' intranet would be put to better use.

Mr. Wiggett replied to questions on matters of detail put by Members regarding: availability of training to existing, as well as new, Councillors; the number of Members who had attended training courses on declarations of interest; and the mandatory nature of ethical training.

### **RESOLVED**

That the report be noted.

## **6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

With the agreement of the Chair, Mr. Ingram stated that an extraordinary meeting of the Committee was required to consider the Members' Code of Conduct and the suggested date was 21<sup>st</sup> February, 2006. Mr. Norman added that the Council's Constitution was currently under review and this would affect the Members' Code, which consequently required input from the Standards Committee. The Constitution had to be put before Council on 1<sup>st</sup>

March, meaning that an extraordinary meeting of the Committee was required before then.

All present (with the exception of Councillor Williams) indicated that they could attend a meeting on the suggested date.

**RESOLVED**

That an extraordinary meeting of the Standards Committee be convened on Tuesday, 21<sup>st</sup> February, 2006 at 7.00 p.m.

The Chair then thanked all for their attendance and declared the meeting closed.

The meeting ended at 7.35 p.m.

Chair, Mr Satnam Bains  
Standards Committee



**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE EXTRAORDINARY STANDARDS COMMITTEE**

**HELD AT 7.00 P.M. ON TUESDAY, 21 FEBRUARY 2006**

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

**Members Present:**

Mr Satnam Bains (Independent Member)  
Ms Suzette Barry (Independent Member)  
Councillor Betheline Chattopadhyay

**Other Councillors Present:**

(none)

**Officers Present:**

Isabella Freeman – Assistant Chief Executive [Legal]  
Alan Ingram – Democratic Services Officer

**1. APOLOGIES FOR ABSENCE**

Apologies were submitted on behalf of Mr. Patrick O'Connor, Chair of the Committee, and Sister Christine Frost. In the absence of the Chair, it was:-

**RESOLVED**

That Mr. Satnam Bains be appointed Chair for this meeting of the Standards Committee.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**3. MINUTES**

**RESOLVED**

That consideration of the Section One Minutes of the meeting of the Standards Committee held on 17<sup>th</sup> January, 2006 be deferred until the next scheduled meeting of the Committee.

#### 4. STANDARDS COMMITTEE - ROLE AND FUNCTION

Noted.

#### 5. REPORTS FOR CONSIDERATION

##### 5.1 MEMBERS' CODE OF CONDUCT

Ms Freeman introduced her report concerning the responsibilities of the Committee for advising full Council on the proposed revisions to the Codes and Protocols contained in Part 5 of the Council's Constitution, which was being put forward for review at the meeting of the Council to be held on 1 March, 2006.

In response to queries from Members, Ms Freeman commented that:

- Views were required on ethical issues that had arisen due to a mixture of changes in case law, regulations and the development of best practice.
- The format and wording of the Member/Officer Protocol had been tailored to comply with the Council's Constitution as a whole.
- Members needed to use personal discretion if they were offered gifts or hospitality but Ms Freeman would be available to offer advice on this subject in her capacity as Monitoring Officer.

Members expressed satisfaction that the proposed changes to the Council's Constitution would enable the Independent Chair of the Committee to address Council meetings directly, in order to present any report referred by the Committee which had implications for ethical governance.

The Chair **Moved** and it was:-

#### **RESOLVED**

- (i) That full Council be recommended to include the additional wording, as set out in paragraph 4.1 of the report now submitted, in section 4 of the Code of Conduct for Members.
- (ii) That full Council be recommended to include a new Section 6 in the Licensing Code of Conduct, as set out in paragraph 4.2 of the report now submitted.
- (iii) That full Council be recommended to adopt the revised Member/Officer Protocol, as detailed in paragraphs 4.3 and 4.4 of the report now submitted and attached as Appendix A thereto.

**6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

No further business was submitted.

The Chair then thanked all for their attendance and declared the meeting closed.

The meeting ended at 7.20pm

Chair, Satnam Bains  
Standards Committee

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## AGENDA ITEM 4

### LONDON BOROUGH OF TOWER HAMLETS

#### STANDARDS COMMITTEE – ROLES AND FUNCTIONS

The Standards Committee has the following roles and functions.

- (a) promoting and maintaining high standards of conduct by Councillors, co-opted Members, church, other faith and parent governor representatives;
- (b) assisting the Councillors, co-opted Members and church, other faith and parent governor representatives to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring the operation of the Members' Code of Conduct;
- (e) advising, training (or arranging to train) Councillors, co-opted Members and church, other faith and governor representatives on matters relating to the Members' Code of Conduct;
- (f) granting dispensations to Councillors, co-opted Members, church, other faith and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
- (g) dealing with any reports from a case tribunal or interim case tribunal and any report from the Monitoring Officer on any matter which is referred by an Ethical Standards Officer to the Monitoring Officer;
- (h) advising the Council on other Codes and Protocols forming the Authority's ethical framework;
- (i) to consider arrangements for the appointment of Independent Members to the Committee;
- (j) ensuring the Authority operates within a robust corporate governance framework; and
- (k) to consider any report referred to it by the Cabinet or any other Committee where there are implications for ethical standards and report back as appropriate.

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# Agenda Item 5.1

Committee: <b>STANDARDS COMMITTEE</b>	Date: <b>11 April 2006</b>	Classification: <b>UNRESTRICTED</b>	Report No.	Agenda Item No.
Report Of: <b>ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)</b>  Originating Officer: <b>Isabella Freeman</b>		Title: <b>LOCAL CODE OF CORPORATE GOVERNANCE</b>  Wards Affected: <b>All</b>		

## 1. SUMMARY

- 1.1 This report outlines details relating to the adoption of a Local Code of Corporate Governance.

## 2. RECOMMENDATION

- 2.1 That the Committee note the content of this report.

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LOCAL GOVERNMENT ACT 2000 (SECTION 97)  
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background paper"

Tick if copy  
supplied for  
register

If not supplied,  
and telephone  
number of holder

Standards Committee File

Mark Norman  
020 7364 4845

### **3. BACKGROUND**

- 3.1 The Council is continuing to develop and improve its approach to corporate and ethical governance issues. Corporate governance is the system by which local authorities direct and control their functions and relate to their communities. This will include decision-making processes at all levels within the Council, community engagement and partnership activities, procurement procedures and Member/Officer conduct, roles and responsibilities.
- 3.2 The principles which underpin corporate governance are:
- Openness and inclusivity
  - Integrity
  - Accountability.
- 3.3 On an annual basis, officers map the Council's arrangements for corporate governance against a framework of good practice produced jointly in 2003 by the Chartered Institute of Public Finance & Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE).
- 3.4 The framework (which is included in Appendix 1) contains the following five dimensions against which corporate governance arrangements have been reviewed annually since 2003:
- Community focus
  - Service delivery arrangements
  - Structures and processes
  - Risk management and internal control
  - Standards of conduct

### **4. LOCAL CODE OF CORPORATE GOVERNANCE**

- 4.1 In the summer of last year when considering a report on the Statement of Internal Control in relation to the 2004/2005 accounts, the Council's Corporate Management Team agreed to support the proposal to produce a Local Code of Corporate Governance based on the CIPFA/SOLACE framework.
- 4.2 Whilst this has become common practice in a number of authorities, the approach taken has differed from council to council. In essence, whilst all authorities have sought to adopt a statement of general principles, the review of corporate governance arrangements against each of the five dimensions contained in the



framework has been presented in various ways. Also, the framework itself is now being reviewed by CIPFA and SOLACE.

- 4.3 The Local Code of Corporate Governance attached at Appendix 1 therefore comprises a succinct statement of general principles with an appendix that contains the most recent evaluation (completed in March 2006) of the Council's corporate governance arrangements against the current CIPFA/SOLACE framework. Once CIPFA and SOLACE have issued revised guidance, this approach will be reviewed to ensure maximum clarity for all interested parties, including in particular the local community and partner organisations.
- 4.4 The Local Code of Corporate Governance was endorsed by the Audit Panel on 20 March 2006 and the matter is also being referred to this Committee for information as compliance with specific elements of the CIPFA/SOLACE framework (in particular Dimension 5 – Standards of Conduct) has implications for ethical governance within the Council.
- 4.5 In terms of the most recent evaluation of the Council's corporate governance arrangements, the Committee will note from Appendix 1 that the assessment against the framework continues to demonstrate the Authority's compliance with the five dimensions.
- 4.6 In addition, a number of items have been identified as requiring possible future action. These include matters likely to be required by legislation, such as implementation of a new National Code of Conduct for Employees, regular programmed reviews, for example the annual review of the Constitution and improvement measures like further developing the Member/Officer Protocol.
- 4.7 These items will be incorporated into service plans and the Strategic Plan as appropriate and will be the subject of further reports to this Committee where they fall within the Committee's terms of reference.

## **5. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 5.1 There are no immediate financial implications arising out of this report.

## **6. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 6.1 This report has been prepared by the Assistant Chief Executive (Legal Services) who is also the Council's Monitoring Officer and incorporates legal comments.

**7. RISK MANAGEMENT IMPLICATIONS**

- 7.1 Good corporate governance arrangements are essential to the operation and reputation of the Authority. A Local Code of Corporate Governance and continued compliance with the CIPFA/SOLACE framework will ensure that the Council's arrangements are robust and improved where necessary.

**8. EQUALITIES CONSIDERATIONS**

- 8.1 High standards of ethical conduct and open transparent governance arrangements underpin compliance with the Council's policies and procedures relating to equalities.

**9. ANTI POVERTY IMPLICATIONS**

- 9.1 There are no specific anti-poverty implications arising out of this report.

**10. SAGE IMPLICATIONS**

- 10.1 This report has no immediate implications for the Council's policy of strategic action for a greener environment.

## Local Code of Corporate Governance

1. Corporate governance is the way in which local authorities direct and control their functions and relate to their communities. Good corporate governance underpins public confidence in elected Members and officers. Councils with good corporate governance arrangements will be trusted by their citizens and partner organisations and have the capacity to provide high quality services, delivering improvements where necessary.

2. This document identifies how Tower Hamlets Council maintains and reviews its corporate governance arrangements which are designed to ensure that the Council operates in an open and accountable manner, demonstrating high standards of conduct.

3. The Council evaluates its systems and processes against a framework produced jointly by the Chartered Institute of Public Finance & Accountancy and the Society of Local Authority Chief Executives. The framework identifies the following five key aspects or dimensions relating to corporate governance:

- **Community Focus**
- **Service Delivery**
- **Structures and Processes**
- **Risk Management and Internal Control**
- **Standards of Conduct**

4. The Council assesses its corporate governance arrangements annually in each of the five dimensions. The most recent evaluation was completed in March 2006 and is attached as Appendix A. This sets out in detail what steps the Council has taken to address the five key aspects of corporate governance identified above. The assessment is completed each year as part of the Authority's arrangements for meeting the statutory requirement to produce and publish a Statement of Internal Control which is signed by the Leader of the Council and the Chief Executive.

In achieving high standards of governance, the Council also recognises the need for effective leadership and a clear strategic vision. This is expressed through the Council's leadership role in the borough's Local Strategic Partnership, the Tower Hamlets Partnership, and the development of its Community Plan and linked Local Area Agreement.

The Community Plan seeks to make Tower Hamlets, by 2010:

**A Better Place for Living Safely** – reducing crime and antisocial behaviour, making people feel safer and creating a more secure and cleaner environment.

**A Better Place for Living Well** – improving housing, health and social care and promoting healthy living.

**A Better Place for Creating and Sharing Prosperity** – bringing investment into the borough and ensuring that all our residents and businesses are in a position to benefit from and contribute to growing economic prosperity.

**A Better Place for Learning, Achievement and Leisure** – raising educational aspirations, expectations and achievements, providing the widest range of arts and leisure opportunities for all and celebrating the rich cultural diversity of our communities.

**A Better Place for Excellent Public Services** – improving public services to make sure they are responsive to local needs, represent good value for money and encourage the engagement of local people and the promotion of strong communities.

The Council's contribution to these goals is set out in the Council's Strategic Plan, the priorities for which are as follows:

<b>Community Plan Theme</b>	<b>Priority Outcomes for 2006 – 2011</b> <i>(Revised March 2006 and to be confirmed by Cabinet in June 2006)</i>
Living Safely	1. A cleaner, greener, safer Tower Hamlets
Living Well	2. Decent homes in decent neighbourhoods 3. Healthier communities 4. Improved outcomes for vulnerable children and adults
Creating and sharing prosperity	5. Securing sustainable communities 6. Increased local employment
Learning, Achievement and Leisure	7. Increased educational attainment 8. Increased participation in sporting, leisure and cultural activities
Excellent Public Services	9. Efficient and effective services 10. Locally focused services empowering local people 11. Stronger and more cohesive communities 12. Improved equality of opportunity

These priorities are, in turn, reflected in service and team plans that are monitored and evaluated through the Council's performance management framework.

**March 2006**

**TOWER HAMLETS LOCAL CODE OF CORPORATE GOVERNANCE**

**APPENDIX A**

**EVALUATION OF THE COUNCIL'S DELIVERY AGAINST THE RESPONSIBILITIES FOR:**

- **COMMUNITY FOCUS**
- **SERVICE DELIVERY**
- **STRUCTURES AND PROCESSES**
- **RISK MANAGEMENT AND INTERNAL CONTROL**
- **STANDARDS OF CONDUCT**

**DIMENSION 1 – COMMUNITY FOCUS**

Through carrying out their general and specific duties and responsibilities and in exerting wider influence, local authorities should:

- work for and with their communities
- exercise leadership in their local communities where appropriate
- undertake an ‘ambassadorial’ role to promote the well being of their area where appropriate

through maintaining effective arrangements:

- 1 for explicit **accountability** to stakeholders for the authority’s performance and its **effectiveness** in the delivery of services and the sustainable use of resources
- 2 to demonstrate **integrity** in the authority’s dealings in building effective relationships and partnerships with other public agencies and the private/voluntary sectors
- 3 to demonstrate **openness** in all their dealings
- 4 to demonstrate **inclusivity** by communicating and engaging with all sections of the community to encourage active participation
- 5 to develop and articulate a clear and **up to date** vision and corporate strategy in Response to community needs.

**To discharge the responsibilities in respect of Community Focus the Council will:**

(a) publish on a timely basis an annual report presenting an objective, understandable account of the authority’s:

- activities and achievements
- financial position and performance.

The reports should include statements:

- explaining the authority’s responsibility for the financial statements
- confirming that the authority complies with relevant standards and codes of corporate governance
- on the effectiveness of the authority’s system for risk management and internal control

**Demonstrations of Compliance:**

- Annual Statement of Accounts
- Strategic Plan (including Best Value Performance Plan)
- Council Tax Leaflet
- Annual Scrutiny Reports
- Community Plan Annual Review
- Our Achievements Leaflets
- Statements of Assurance published with the Accounts

**Items for possible future Action**

<p>(b)publish on a timely basis a performance plan presenting an objective, balanced and understandable account and assessment of the authority's</p> <ul style="list-style-type: none"> <li>• Current performance in service delivery</li> <li>• Plans to maintain and improve service quality</li> </ul>	<p>Annual Statement on the System of Internal Control</p>
<p>(c)put in place proper arrangements for the independent review of the financial and operational reporting processes</p>	<p>Annual publication of the Strategic Plan / Best Value Performance Plan</p> <p>Community Plan / Neighbourhood Renewal Monitoring Reports</p> <p>Service Plans</p> <p><b>Audit</b></p> <p>Annual Audit Letter and other Audit Reports</p> <p>Internal Audit Work Plan</p> <p>Audit Panel</p> <p><b>Scrutiny</b></p> <p>Overview and Scrutiny Committee function</p> <p>Individual Scrutiny Reviews</p> <p>Public Inspection of Accounts Process</p>
<p>(d)put in place proper arrangements designed to encourage individuals and groups from all sections of the community to engage with, contribute to and participate in the work of the authority and put in place appropriate monitoring processes to ensure that they continue to work in practice</p>	<p>Consultation Framework</p> <p>Tower Hamlets Partnership including CPAGs (Community Plan Action Groups) and LAPs (Local Area Partnerships)</p> <p>LAP Action Plans</p> <p>Overview &amp; Scrutiny Committee</p> <p>Various Stakeholders / Consultation Forums'</p> <p>Third Sector Strategy</p>

	<p>Calendar of public consultation</p> <p>Consultation Compact</p> <p>New Residents' Panel established in June 2004</p> <p>Annual Residents' Survey</p> <p>Tenants' Compact</p> <p>Equalities Standard Disability Standard</p> <p>Stonewall Diversity Index</p> <p>Workforce to Reflect the Community strategy and performance published</p> <p>East End Life</p> <p>Council Web Site</p>	<p>Implement manual records policy and investigate the business case for corporate Electronic Document Records Management System</p>
<p>(e)make an explicit commitment to openness in all of their dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so, and by their actions and communications deliver an account against that commitment</p>	<p>Council Constitution</p> <p>Freedom of Information Publication Scheme</p> <p>Records management retention policy</p> <p>Public Access to Accounts Process</p> <p>Partnership Communication Protocol</p> <p>Partnership Bulletin</p> <p>Agendas and minutes of all Council meetings held in public are placed on the Council website</p> <p>School Organisation Plan</p> <p>Caldicott Out-turn and Action Plan</p> <p>Social Services Access to Client Records Procedure</p>	



<p>(f) establish clear channels of communications with all sections of their community and other stakeholders, and put in place proper monitoring arrangements to ensure that they operate effectively in practice</p>	<p>Beacon Status for Community Cohesion, Promoting Racial Equality and Supporting Social Care Workers Residents' Panel Council wide IIP Accreditation External Communications Strategy East End Life Council Web Site Youth Web Site Consultation Framework Tenants Compact Housing Annual Report Youth Partnership</p>
<p>(g) ensure that a vision for their local communities and their strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated</p>	<p>Community Plan, including Neighbourhood Renewal Strategy Local Area Agreement Strategic Plan/ Best Value Performance Plan Local Development Framework ICT Strategy Service Plans Local Area Action Plans Statutory Plans which form part of the Council's Policy Framework (e.g. Community Care Plan)</p>

## DIMENSION 2 - SERVICE DELIVERY ARRANGEMENTS

A local authority should ensure that continuous improvement is sought, agreed policies are implemented and decisions carried out by maintaining arrangements which:

- Discharge their **accountability** for service delivery at a local level
- ensure **effectiveness** through setting targets and measuring performance
- demonstrate **integrity** in dealings with service users and developing partnerships to ensure the 'right' provision of services locally
- demonstrate **openness and inclusivity** through consulting with key stakeholders including service users
- are flexible so that they can be kept **up to date** and be adapted to accommodate change and meet user wishes.

**To discharge the responsibilities in respect of Service Delivery the Council will:**

(a) set standards and targets for performance in the delivery of services on a sustainable basis and with reference to equalities' policies

**Demonstrations of Compliance:**

Community Plan / Neighbourhood Renewal Strategy  
 Strategic Plan/ Best Value Performance Plan  
 Local Area Agreement (LAA)  
 Local Public Service Agreement (LPSA)  
 The Budget  
 Education Development Plan  
 Tower Hamlets Index  
 Equalities Action Plan Access Strategy  
 Equalities Standard Level 5  
 Best Value Reviews  
 Charter Mark – Homelessness Services

**Items for possible future Action**

Roll out EFQM (European Foundation for Quality Management Model) across the Council  
 Roll out Charter Mark Programme for Council Services  
 Implement new Strategic Plan 2006-11 with annual reviews in the usual way  
 Implement and further develop LAA

	<p>Lexcel Accreditation - Legal Services</p> <p>Beacon Status – Community Cohesion Supporting Social Care Workers Promoting Racial Equality</p> <p>Commissioning Framework</p> <p>Procurement Strategy</p> <p>Workforce to Reflect the Community - Progress Reports</p> <p>EFQM Pilots</p>	
<p>(b) put in place sound systems for providing management information for performance measurement purposes</p>	<p>Tower Hamlets Index</p> <p>Human Resources Information Unit established and Resourcelink development programme in place</p> <p>Reports to CMT Performance Management Framework</p> <p>Risk Management Review Process</p>	<p>Complete implementation of Performance Management Software</p> <p>Implement Local Information System</p>
<p>(c) monitor and report performance against agreed standards and targets and develop comprehensive and understandable performance plans</p>	<p>Overview and Scrutiny Committee</p> <p>Strategic Plan Annual Report / Best Value Performance Plan</p> <p>Tower Hamlets Index Monitoring Reports</p> <p>Community Plan / Neighbourhood Renewal Strategy</p> <p>Budget Monitoring Procedures</p> <p>6 Monthly Monitoring of Equalities Action Plan</p> <p>Audit Commission Report on BVPI</p>	<p>Strengthen information and performance management across the Partnership to ensure delivery of LAA and LPSA</p> <p>Develop a procurement forward plan</p>

	Community Plan and Strategic Plan – 6 Monthly Monitoring Reports	
(d) put in place arrangements to allocate resources according to priorities	<p>Community Plan / Neighbourhood Renewal Strategy</p> <p>Strategic Plan</p> <p>Team Plans and Team Planning Guidance</p> <p>Service Plans</p> <p>E-government Strategy</p> <p>Capital Strategy</p> <p>Budget Process</p> <p>- Medium Term Financial Strategy</p> <p>Asset Management Strategy</p> <p>Procurement Strategy</p> <p>Accommodation Strategy</p> <p>Housing Revenue Account Business Plan</p> <p>Efficiency Board</p> <p>Housing Investment Plan</p>	Deliver targets for efficiency savings
(e) foster effective relationships and partnerships with other public sector agencies and the private and voluntary sectors, and consider outsourcing where it is efficient and effective to do so, in delivering services to meet the needs of the local community, and put in place processes to ensure that they operate effectively in practice	<p>Community Plan / Neighbourhood Renewal Strategy</p> <p>Adherence to good employment practices</p> <p>Tower Hamlets Partnership</p> <p>Procurement Strategy</p>	<p>Review Procurement Strategy and procedures, simplify process and embed best practice</p> <p>Participate in Local Area Pathfinder programme in partnership with Treasury</p>

	<p>Children's Trust arrangements</p> <p>Social Service Protocols - Joint Commissioning</p> <p>Third Sector commissioning framework</p> <p>Third Sector Compact</p> <p>Commissioning of Youth Service</p> <p>PFI Programme</p>	<p>Embed Trust in Tower Hamlets Partnership</p> <p>Establish Council wide contract for the procurement of agency, interim and temporary staff</p>
<p>(f) respond positively to the findings and recommendations of external auditors and statutory inspectors and put in place arrangements for the effective implementation of agreed actions</p>	<p>Audit Panel</p> <p>Annual Audit Letter and other Audit Reports</p> <p>Best Value and other Inspectorate Reports</p> <p>Strategic Plan Annual Report / Best Value Performance Plan</p> <p>Best Value Service Improvement Plans</p>	<p>Review Audit Panel arrangements against CIPFA guidance</p>

### DIMENSION 3 - STRUCTURES AND PROCESSES

A local authority needs to establish effective political and managerial structures and processes to govern decision-making and the exercise of authority within the organisation. A local authority should maintain arrangements to:

- define roles and responsibilities of members and officers to ensure **accountability**, clarity and ordering of the authority's business
- ensure that there is proper scrutiny and review of all aspects of performance and **effectiveness**
- demonstrate **integrity** by ensuring a proper balance of power and authority
- document clearly such structures and processes and to ensure that they are communicated and understood, to demonstrate **openness and inclusivity**
- ensure such structures and processes are kept **up to date** and adapted to accommodate change

#### To discharge the responsibilities in respect of Structures and Processes the Council will

##### Balance of Power and Authority

(a) put in place clearly documented protocols governing relationships between members and officers

(b) ensure that the relative roles and responsibilities of executive and other members and members generally and senior officers are clearly defined

##### Roles and Responsibilities – Members

(c) ensure that Members meet on a formal basis regularly to set the strategic direction of the authority and to monitor service delivery

(d) develop and maintain a scheme of delegated or reserved powers, which should include a formal schedule of those matters specifically reserved for the collective decision of the authority

#### Demonstrations of Compliance

Code of Conduct for Members  
Employees' Code of Conduct  
Member/Officer Protocol  
Planning Code of Conduct  
Licensing Code of Conduct

Constitution:  
Code of Conduct for Members  
Employees' Code of Conduct  
Member/Officer Protocol  
Planning Code of Conduct  
Licensing Code of Conduct  
Annual review of the Constitution  
Member learning & Development Strategy Programme

Forward Plan, Corporate Calendar

Performance management framework document

Constitution

#### Items for possible future Action

Implement National Code of Conduct for local authority employees when issued by ODPM

Review and further develop Member/Officer Protocol

Annual review of the Constitution

Directorate management schemes to be published on the Intranet and Council website

<p>(e) put in place clearly documented and understood management processes for policy development, implementation and review and for decision making, monitoring and control, and reporting, and formal procedural and financial regulations to govern the conduct of the authority's business</p>	<p>Introduction to Corporate Strategic Plan Performance Management framework Constitution Financial Regulations</p>	
<p>(f) put in place arrangements to ensure that members are properly trained for their roles and have access to all such relevant information, advice and resource as necessary to enable them to carry out their role effectively</p>	<p>Member Development Policy Member Development Programme Member Activity Portfolio</p>	
<p>(g) ensure that the role of the executive member(s) is/are formally defined in writing, to include responsibility for providing effective strategic leadership to the authority and for ensuring that the authority successfully discharges its overall responsibilities for the activities of the organisation as a whole</p>	<p>Constitution Cabinet Portfolios</p>	<p>Review and further develop Member/Officer Protocol Review Member Job Descriptions</p>
<p>(h) ensure that the roles and responsibilities of all members of the local authority, together with the terms of their remuneration and its review, should be defined clearly in writing</p>	<p>Constitution Members' Allowances Scheme</p>	<p>Annual review of Members' Allowances Scheme</p>
<p><b>Roles and Responsibilities - Officers</b>  (i) ensure that a chief executive or equivalent should be made responsible to the authority for all aspects of operational management</p>	<p>Constitution Scheme of Management Chief Executive's Job description/person Specification Chief Executive's Annual PDR Performance management Framework</p>	<p>Implementation of single status and equal pay reviews  Directorate management schemes to be published on the Intranet and Council website</p>
<p>(j) ensure that a senior officer is made responsible to the authority for ensuring that appropriate advice is given to it on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control</p>	<p>Director of Resources Job Description/Person Specification Statement of Section 151 responsibilities Statement of Internal Control</p>	

	<p>Statutory reports</p> <p>Annual Budget setting and monitoring documentation</p> <p>Audit Commission Reports</p>	
(k) ensure that a senior officer is made responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations and other relevant statements of good practice are complied with	<p>Monitoring Officer/Assistant Chief Executive (Legal Services) job description/person specification</p> <p>Constitution</p> <p>Statutory reports</p>	
(l) ensure that the roles and responsibilities of all senior officers, together with the terms of their remuneration and its review, are defined clearly in writing	<p>Job descriptions/person specifications (Directors and Service Heads)</p> <p>Constitution – Statutory and Proper Officers</p> <p>Pay and conditions of service</p> <p>Staff Handbook</p> <p>Performance Development Review</p>	
(m) adopt clear protocols and codes of conduct to ensure that the implications for supporting community partnership leadership for the whole council are acknowledged and resolved	<p>Tower Hamlets Partnership</p> <p>Partnership Protocol</p> <p>Third Sector Strategy</p> <p>LAA</p>	<p>Implement National Code of Conduct for local authority employees when issued by ODPM</p>



**DIMENSION 4 - RISK MANAGEMENT AND INTERNAL CONTROL**

An authority needs to establish and maintain a systematic strategy, framework and processes for managing risk. Together these arrangements should:

- include making public statements to stakeholders on the authority's risk management strategy, process and framework to demonstrate **accountability**
  - include mechanisms for monitoring and reviewing **effectiveness** against agreed standards and targets and the operation of controls in practice
  - demonstrate **integrity** by being based on robust systems for identifying, profiling, controlling and monitoring all significant strategic and operational risks
  - display **openness and inclusivity** by involving all those associated with planning and delivering services, including partners
- include mechanisms to ensure that the risk management and control process is monitored for continuing compliance to ensure that changes in circumstances are accommodated and it remains **up to date**.

**To discharge the responsibilities in respect of Risk Management and Internal Control the Council will:**

(a) develop and maintain robust systems for identifying and evaluating all significant risks which involve the pro-active participation of all those associated with planning and delivering services

**Demonstrations of Compliance**

Risk Management Policy  
 Corporate Projects Risk Register  
 Directorates Risk Registers  
 All Cabinet reports contain a risk assessment section.  
 Corporate & strategic risks reviewed quarterly by Risk Champions, CMT and Audit Panel  
 Audit Commission Annual Audit Letter  
 Medium Term Financial Strategy  
 Annual Budget Process  
 Member and Manager training provided

**Items for possible future Action**

Implement a structured programme and project management methodology

<p>(b) put in place effective risk management systems, including systems of internal control and an internal audit function. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice and need to ensure that public funds are properly safeguarded and are used economically, efficiently and effectively, and in accordance with the statutory and other authorities that govern their use</p>	<p>Internal Audit Function in partnership with Deloitte's</p> <p>Internal Annual Audit Report</p> <p>Regular reporting and monitoring of the Internal Audit Plan</p> <p>Business Continuity Plan</p> <p>Civil Contingencies Plan</p> <p>Tower Hamlets Index</p> <p>Regular Risk Register reports to CMT &amp; Audit Panel</p> <p>Council Procedure Rules and Financial Regulations</p> <p>Audit Commission Reports</p> <ul style="list-style-type: none"> <li>• Final Accounts,</li> <li>• Core Process Review</li> <li>• Interim Audit</li> </ul> <p>Comprehensive Budget Monitoring Systems</p> <p>Clearly defined Capital expenditure guidelines</p> <p>Performance Management</p> <p>Council wide IIP</p> <p>Risk Booklet Produced</p> <p>Final Accounts process accelerated to 30 June annually</p>	<p>Develop supplementary guidance on partnership risk</p> <p>Improve arrangements for business continuity</p> <p>Conduct an annual review of Financial Regulations</p>
<p>(c) ensure that services are delivered by trained and experienced people</p>	<p>Job descriptions and Person specifications Workforce Strategy and Development Plan Staff Training plans integral to PDR</p>	

	<p>Risk Management Training Plan Corporate Training Plan IIP Corporate Recruitment and Retention Strategy Workforce to Reflect the Community Strategy Disability Employment Strategy Corporate Learning &amp; Development Brochure People Development Group</p>	
(d) put in place effective arrangements for an objective review of risk management and internal control, including internal audit	<p>Audit Panel quarterly risk review Monitoring the Annual Audit Letter Head of Audit Services provides an independent opinion on the effectiveness of the systems of Internal Financial Control Directorate Risk registers reported to DMT and CMT Directorate Risk Champions.</p>	
(e) maintain an objective and professional relationship with their external auditors and statutory inspectors	<p>Inspectorate Reports Annual Audit Letter and other Audit Reports Role of Audit Panel has been strengthened</p>	
(f) publish on a timely basis, within the annual report, an objective, balanced and understandable statement and assessment of the authority's risk management and internal control mechanisms and their effectiveness in practice.	<p>Annual Statement of Accounts includes statements on the System of internal control and Internal Audit</p>	

## DIMENSION 5 - STANDARDS OF CONDUCT

The openness, integrity and accountability of individuals within a local authority is the cornerstone of effective corporate governance. The reputation of the authority depends on the standards of behaviour of everyone in it, whether members, employees or agents contracted to it.

Therefore members and senior officers of a local authority will need to:

- exercise leadership by conducting themselves as role models for others within the authority to follow
  - define standards of personal behaviour that are expected from members and staff and all those involved in service delivery and put in place arrangements to ensure:
1. **accountability** through establishing systems for investigating breaches and disciplinary problems, and taking actions where appropriate, including arrangements for redress
  2. **effectiveness** in practice through monitoring their compliance
  3. that objectivity and impartiality are maintained in all relationships to demonstrate **integrity**
  4. that such standards are documented and clearly understood to display **openness and inclusivity** and are reviewed on a regular basis to ensure that they are kept **up to date**.

**To discharge the responsibilities in respect of Standards of Conduct the Council will**

(a) develop and adopt formal codes of conduct defining the standards of personal behaviour, to which individual members, officers, and agents of the authority should be required to subscribe and put in place appropriate systems and processes to ensure that they are complied with

**Demonstrations of Compliance:**

Revised Constitution implemented March 2006, to introduce best practice, including:

- Updated Member/Officer Protocol
- Improved Procedure Rules
- Revised Licensing Code of Conduct

Member Officer Protocol for Representation on Outside Bodies

Anti Fraud & Corruption Policy

Complaints Procedure

Performance Management System

BSI Accreditation for Complaints Service

**Items for Possible Future Action**

Implement National Code of Conduct for local authority employees when issued by ODPM

Review and further develop the Member/Officer Protocol.

	IIP Monitoring Officer Staff Handbook	
<p>(b) put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice</p>	<p>Council Constitution includes:</p> <ul style="list-style-type: none"> <li>• Members' Code of Conduct</li> <li>• Member/Officer Protocol</li> <li>• Planning Code of Conduct</li> <li>• Licensing code of conduct</li> <li>• Employees' code of Conduct</li> </ul> <p>Member Officer Protocol for Representation on Outside Bodies</p> <p>Anti Fraud &amp; Corruption Policy Financial Regulations</p> <p>Monitoring Officer</p> <p>Internal Audit</p> <p>Staff Handbook</p> <p>Members Bulletin</p> <p>Managers Briefing</p> <p>Staff Meetings Framework</p>	<p>Implement National Code of Conduct for local authority employees when issued by ODPM</p> <p>Review and further develop the Member/Officer Protocol</p>
<p>(c) put in place arrangements to ensure that their procedures and operations are designed in conformity with appropriate ethical standards, and to monitor their continuing compliance in practice</p>	<p>Standards Committee</p> <p>Monitoring Officer</p> <p>Ethical Standards Self Assessment</p>	<p>Repeat Ethical Standards Self Assessment</p>

	Internal Audit	
(d) put in place arrangements for whistle blowing to which staff and all those contracting with the council have access	Anti Fraud and Corruption Policy Housing Benefit Fraud Hotline Confidential Staff Hotline	Review Procurement Procedures to include whistle blowing requirements in contracts with external contractors

# Agenda Item 5.2

Committee <b>STANDARDS</b>	Date 11 <sup>th</sup> April 2006	Classification UNRESTRICTED	Report No.	Agenda Item No.
Report of Interim Head of Democratic Renewal & Engagement  Originating Officer(s):  Tim Revell	Title  <b>MEMBERS' TIMESHEETS AND ATTENDANCE AT COMMITTEES/PANELS</b>  Wards affected ALL			

## 1. **SUMMARY**

- 1.1 This report updates the Committee with regard to the issue of Members' timesheets and the associated issue of attendance at meetings and follows on from a report considered by the Committee at its January, 2006 meeting.

## 2. **RECOMMENDATION**

That the Committee:

- 2.1 Note the current position with regard to the submission of Members' timesheets and attendance at formal meetings, since the last meeting; and
- 2.2 Agree to receive a further report at its next meeting on 18<sup>th</sup> July, 2006 providing up to date information with regard to the completion of timesheets and attendance at formal meetings.

## 3. **BACKGROUND**

- 3.1 The Local Government Act, 2000 introduced a new system of modernised local government, which had the broad aim of making Councils more effective, transparent, accountable and democratic. The new system, which came into force in Tower Hamlets in May, 2002, provided for a clear separation between the executive role and the overview and scrutiny function within local authorities. This separation of functions involved changing and developing roles for councillors.

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### LOCAL GOVERNMENT ACT, 2000 (SECTION 97) LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background paper"

Name and telephone number  
of holder and address where  
open to inspection

Reports by the Independent Panel on the  
Remuneration of Councillors in London

Tim Revell 020 7364 4204  
Town Hall, Mulberry Place,  
5 Clove Crescent, London,  
E14 2BG

- 3.2 Against this background, the 2000 Act also made provision for a new Members' Allowances regime. This required local authorities to establish and maintain an Independent Remuneration Panel. The local authority would need to have regard to the views of this Panel before fixing or changing its Members' Allowances Scheme. In London, an Independent Remuneration Panel set up by the Association of London Government, advises London Borough Councils on their Allowances Schemes.
- 3.3 In its first report, the Independent Remuneration Panel for London looked at the issue of allowances in the context of tasks and responsibilities which they believed were the essential remit of a councillor. In proposing a basic allowance to apply to all councillors, they assumed a "contribution" of 40 hours per month on top of a "voluntary commitment" of 20 hours for every member. Members undertaking specific additional responsibilities such as Chairs or Cabinet members would be paid a Special Responsibility Allowance in addition to the Basic Allowance.
- 3.4 The Independent Remuneration Panel has now produced three reports and in each one it has emphasised the need for an accountable and transparent allowance scheme so that ultimately the public can see how the Basic Allowance is justified.
- 3.5 In order to build on the recommendations of the Independent Remuneration Panel, the former Policy and Implementation Committee agreed in April, 2002 that the then diary sheets should be replaced by members' timesheets with an expectation that members would devote at least 60 hours each month to their Council duties. The Committee further agreed that members' timesheets should be made available both in existing public register format and also on the Council's website. The Committee also asked the Standards Committee to monitor the completion of timesheets but this has since been relaxed on the advice of the District Auditor.
- 3.6 The timesheet originally introduced did not present well on the web, required members to present more information than was strictly needed and was labour intensive to get on the web. As a result a new timesheet, designed to overcome these problems, was introduced in January, 2004. An example is attached at Appendix 1. Those members wishing to see it live can find it by clicking "Your Council" on the left hand side of the home page of the Council's website and then clicking "Meet your Councillor". The visitor is then given a list of all Councillors. If you click on the Councillor of your choice, you will be presented with information on ward represented, committee appointments, surgeries and timesheets.
- 3.7 At the Council meeting on 4<sup>th</sup> March, 2004, a Notice of Motion was tabled criticising the poor performance of some members in submitting timesheets. In his reply, the Leader urged all councillors to submit their timesheets as promptly as possible. He also asked the then Interim Head of Democratic Renewal and Engagement to write to councillors reminding them of their obligations. This Committee has received a report at each one of its meeting since April, 2004, detailing the attendance of Members at Council and other formal meetings and also the position with regard to the submission of Members' timesheets. The Monitoring Officer has also written to Members advising them of the possible risk of a report being made to the Standards Board, should they fail to attend meetings or submit timesheets.
- 3.8 During the latter part of last year, a significant improvement in the submission of Members' timesheets became evident, as a result of hard work by political groups and by officers, together with the high profile given to the issue by this Committee. At the time of the meeting of this Committee in July, 2005, only 5 Members (10%) were more than 2



months behind with their timesheets, compared to 16 Members (31%) in April, 2004. In addition, a reminder letter was issued in the name of the Chair, notifying Members who were three months or more in arrears with their timesheets that early submission is required.

#### **4. CURRENT POSITION**

##### **Timesheets**

- 4.1 Since the Standards Committee meeting in January, further work has been done by both officers and the political groups, to achieve an improvement in the submission of timesheets. The current position (as at 31<sup>st</sup> March, 2006), as indicated on the attached schedule (Appendix 2), shows that 5 Members (10%) are more than two full months behind with their timesheets, which is a better position compared to January, 2006. Work will continue and an updated appendix will be tabled at the meeting. There are now no Members who have not submitted any timesheets for a year, compared to 5 Members in July, 2004.
- 4.2 Work on the existing format of the Members' timesheet has continued and a new level of detail is now available.

##### **Attendance**

- 4.3 Associated with the return of timesheets and the publicly accountable performance of Councillors, is the issue of attendance at meetings. The chart at Appendix 3 shows the attendance of Councillors at meetings during the 2005/06 Municipal Year.
- 4.4 Members will note the schedule has been revised to address the concerns of the Committee previously, notably that:-
- a) The meetings measured reflect those in the revised Constitution;
  - b) Meetings of the Local Area Partnerships (LAPs) are now included, although it should be noted that not all relevant LAP Members are appointed to the Steering Groups, although all are invited;
  - c) The percentage column has been removed, as this could be misleading;
  - d) There is now a "health warning" on the schedule, to indicate some of these issues and the inappropriateness of comparison; and
  - e) Meetings of all current Scrutiny Panels are now included.
- 4.5 The Appendix shows that the overall situation is satisfactory.

#### **5. CONCLUSIONS**

- 5.1 In the first instance, responsibility for ensuring submission of timesheets and attendance at meetings is an issue for individual Members and party political groups to address. However, there may come a time when the Standards Committee may need to act.
- 5.2 In the case of the timesheets, the former Policy and Implementation Committee resolved that all councillors should complete timesheets. Transparency and the accountability of

councillors to the public for the Basic and Special Responsibility allowances that they receive is a central plank of the new legislation and the Independent Remuneration Panel's recommendations on allowances. Staff in the Members' Support Team are available to help councillors complete timesheets and there seems no reason why any councillor need get into considerable arrears.

- 5.3 Similarly, while there is no legal requirement compelling a councillor to attend a meeting (the law simply says that if a councillor fails to attend a meeting of which he or she is a member over a period of six months, that councillor shall cease to be a member of the local authority), it is difficult to see how a councillor can discharge their obligations to their constituents unless they are regular in their attendance at meetings.
- 5.4 The combination of action already taken in this regard, as explained in the report, has effected an improvement in the overall situation. It is suggested that the Committee should note the improvement and receive a further report at its next meeting on this matter.

## **6. OBSERVATIONS OF THE CHIEF FINANCIAL OFFICER**

- 6.1 The Head of Democratic Renewal and Engagement is exploring solutions to enable a full input into the new timesheet system. Any costs arising from this exercise will need to be contained within the Democratic Renewal and Engagement budget for 2005/06.

## **7. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)**

- 7.1 The Committee is being asked to note the overall improvement in the submission of timesheets and attendance at Committees/Panels, since the last meeting. The Committee is also asked to note that a further report on the matter will be submitted to the next meeting.
- 7.2 The Relevant Authorities (General Principles) Order 2001 details principles which are to govern the conduct of Members of relevant authorities in England and police authorities in Wales. The Schedule sets out a number of general principles, including the principle that Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities.
- 7.3 The Local Authorities (Model Code of Conduct) (England) Order 2001 sets out the conduct which is expected of Members and co-opted members of authorities which are operating executive arrangements. Schedule 1 to the Order sets out the Code, which is mandatory.
- 7.4 The Order contains a number of general obligations, which include the provision that a Member "must not in his official capacity, or any other circumstance, conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute."
- 7.5 All Members have been advised by letter that a persistent and unjustifiable failure to complete timesheets may well bring the Council into disrepute and constitute a breach of the Members' Code of Conduct, giving rise to a complaint by a member of the public to the Standards Board for England.

8. **EQUAL OPPORTUNITY CONSIDERATIONS**

8.1 There are no specific equal opportunity considerations arising from the proposals in this report.

9. **ANTI-POVERTY IMPLICATIONS**

9.1 There are no specific anti-poverty issues arising from the proposals in this report.

10. **RISK MANAGEMENT IMPLICATIONS**

10.1 There are no risk management implications.

11. **SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

11.1 There is no action arising from this report.

**MEMBERS TIMESHEET**

<b>MEMBERS NAME:</b>	
<b>MONTH:</b>	
<b>NUMBER OF SURGERIES HELD:</b>	
<b>NUMBER OF CASES:</b>	
<b>HOLIDAY AND ANNUAL LEAVE:</b>	
<b>SICK:</b>	
<b>COUNCIL MEETINGS ATTENDED</b>	<b>TIME SPENT</b>
<b>EXTERNAL BODIES MEETINGS</b>	<b>TIME SPENT</b>
<b>OTHER</b>	<b>TIME SPENT</b>
<i><b>(Please enter total time spent on any of the following – you do not need to enter the number of meetings)</b></i>	
Chair's Pre Agenda Meetings	
Citizenship Ceremony	
Civic Receptions	
Community Events	
Conferences	
Corporate Parenting Steering Group	
Group Meetings	
Holiday/s	
LAB Meetings	
Learning, Achievement & Leisure (CPAG)	
Living Well (CPAG)	
Local Area Partnership (LAP)	
Mayoral Engagements	
Meeting with Council Officer/s	
Meeting with Councillor/s	
Meeting with other organisations	
Members Training Sessions/Seminar	
MP/MEP/Minster -Meetings	
NDC Meetings	
Olympic Bid	
Paperwork, Reading & Telephone Calls	
School Governors Meeting	
Site Visits	
Tenants/Residents Meeting	
Time Spent on Casework	
Time Spent at Surgery	
Working Party	

**PLEASE RETURN COMPLETED TIMESHEET TO MOIRA LEWIS, MAYORAL & MEMBERS' SERVICES MANAGER**

**LONDON BOROUGH OF TOWER HAMLETS****MEMBERS MONTHLY DIARY SHEETS – SUMMARY OF RETURNS MADE 2005/06**

Councillor	JNE	JLY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	
Abbas	4	4	4	4	4	4	4	4	4	4			
Ahmed, A M O	4	4	4	4	4	4	4	4	4	4			
Ahmed, M. U	4	4	4	4	4	4	4	4					
Ahmed, R.	4	4	4	4	4	4	4	4	4				
Ahmed, R. U.	4	4	4	4	4	4	4	4	4				
Alexander, L	4	4	4	4	4	4	4	4	4				
Amos, A	4	4	4	4	4	4	4	4	4				
Asad, A	4	4	4	4	4	4	4	4	4	4			
Brooks, R	4	4	4	4	4	4	4	4	4				
Chatopadhyay	4	4	4	4	4	4	4						
Chowdhury, J	4	4	4	4	4	4	4						
Duffey, B	4	4	4	4									
Edgar, D	4	4	4	4	4	4	4	4	4				
Gardiner, J	4	4	4	4	4	4	4	4	4				
Gipson, R	4	4	4	4	4	4	4	4	4				
Griffiths, J	4	4	4	4									
Haque, S	4	4	4	4	4	4	4	4	4	4			
Islam, S	4	4	4	4	4	4	4	4					
Jones, D	4	4	4	4	4	4	4	4	4	4			
Keith, M	4	4	4	4	4	4	4	4	4				
Khan, A. R	4	4	4	4	4	4	4	4	4				
Khan, K. R.	4	4	4	4	4	4	4						
Ludlow, J.	4	4	4	4	4	4	4	4	4				
Mainwaring, J	4	4	4	4	4	4	4						
Matin, A.	4	4	4	4	4	4	4						
McCollum, N	4		4	4									
McGregor, A.	4	4	4	4	4	4	4						
Miah, F.	4	4	4	4	4	4	4						
Morton, K.	4	4	4	4	4	4	4						
Mortuza, M. G.	4	4	4	4	4	4	4	4					
Murshid, K.	4	4	4	4									
O'Flaherty, T.	4	4	4	4	4	4	4	4	4				
Phelps, H.	4	4	4	4	4	4	4	4					
Rahman, Ak	4	4	4	4	4	4	4						
Rahman, At	4	4	4	4									
Rahman, H.	4	4	4	4	4	4	4	4	4				
Rahman, L.	4	4	4	4	4	4	4						
Rahman, O	4	4	4	4	4	4	4						
Rew, M	4	4	4	4	4	4	4						
Rouse, S	4	4	4	4	4	4	4	4	4				
Salique, A.	4	4	4	4	4	4	4						
Sanderson, J.	4	4	4	4	4	4	4						
Sardar, A. A.	4	4	4	4	4	4	4	4	4				
Sharpe, J.	4	4	4	4	4	4	4	4					
Shukur, A.	4	4	4	4	4	4	4	4	4				
Son, B.	4	4	4	4	4	4	4						
Uddin, M. S.	4	4	4	4	4	4	4	4	4				
Ullah, D.	4	4	4	4	4	4	4	4	4				
Ullah, S.	4	4	4	4	4	4	4	4	4				
Uz-Zaman, M	4	4	4	4	4	4	4	4	4				
Williams, M.	4	4	4	4	4	4	4	4					

\*As at 2pm on 31<sup>st</sup> March, 2006

**MEMBERS' ATTENDANCE -25<sup>TH</sup> MAY, 2005 – 31<sup>ST</sup> MARCH, 2006**

**APPENDIX 3**

	Council	Cabinet	Dev Cttee	Licensing Cttee	O & S Panel	Health Scrutiny Panel	Standards Cttee	Pensions & Accounts Cttee	Olympics Dev Cttee	Personnel Cttee	Appeals Cttee	Appnts Cttee	General Purposes Cttee	Strategic Dev Cttee	Licensing Sub-Cttee	Appnts Sub-Cttee
<b>Total Held</b>	5	9	14	9	8	3	4	0	0	2	13	2	2	5	26	2
Abbas	5			6						2		2	0		2**	
O.Ahmed	4	7														
M.U.Ahmed	5										10	2				1
R.U.Ahmed	4		12										2	4		
Rajib Ahmed	3			4						2					6**	
Alexander	4				7							0				
Amos	5			7	8										9**	
Asad	4	9														1
Brooks	5	9														
Chattopadhyay	5					1	3			2	9					
Chowdhury	5															
Duffey	0			7											9**	
Edgar	5	8														
Gardiner	5	9														
Gipson	3		9	6											9**	
Griffiths	5															
Haque	5	9														1
Islam	5										3					
Jones	5	9														1
Keith	5	9														2
A.R.Khan	5					3										
K.R.Khan	4		8		6	3										
Ludlow	5											2		4		1

**QUALIFYING NOTES:**

1. This schedule denotes the attendance of Members at Council, Cabinet and the Standing Committees of the Council only and does not include ad-hoc advisory panels that some Members serve on.
2. Care should be taken in calculating the attendance of members in percentage terms, as, for instance, not all Members of the Appeals Committee would be summoned to serve on every Appeal.
3. With regard to Local Area Partnership meetings, not all relevant Ward Members are nominated to serve on the relevant LAP Steering Group, even though they would all be invited.
4. Some Members are appointed to more Standing Committees/Panels than others, therefore making a precise comparison of attendance between Members often inappropriate because of opportunity.
5. Members sometimes attend meetings in a substitute capacity for their colleagues.

\*\* Part of pool of Members to sit on Licensing Sub-Committees

Scheduled Licensing Committee meetings that were inquorate but Members still attended (and shown above):  
23.2.06 – Cllrs Gipson, Williams

Scheduled Licensing Sub-Committee meetings that were inquorate but Members still attended (and shown above):

- 10.1.06 – Cllrs Son, Duffey
- 21.2.06 – Cllrs Son, Uz-Zaman

**MEMBERS' ATTENDANCE – 25<sup>TH</sup> MAY, 2005 – 31<sup>ST</sup> MARCH, 2006**

**APPENDIX 3**

	Council	Cabinet	Dev Cttee	Licensing Cttee	O & S Cttee	Health Scrutiny Panel	Standards Cttee	Pensions & Accounts Cttee	Olympics Dev Cttee	Personnel Cttee	Appeals Cttee	Appnts Cttee	General Purposes Cttee	Strategic Dev Cttee	Licensing Sub-Cttee	Appnts Sub-Cttee
	5	9	14	9	8	3	4	0	0	2	13	2	2	5	26	2
<b>Total Held</b>																
Mainwaring	5															
Matin	5										4			3		
McCollum	2										1					
McGregor	4		7										2			
Miah	3			3											1**	
Morton	4			5		1									3**	
Mortuza	3		10													
Murshid	4															
O'Flaherty	3					2				2						1
Phelps	4															
Ak. Rahman	4		7													
At. Rahman	5			2											6**	
H Rahman	3			4		1				2		1			1**	
U Rahman	5			2							0					
Qo Rahman	5					3										
Crouse	5				6											
Rew	5		12													
Salique	5			5										3*		
Sanderson	3												2			
Sardar	5				6											
Sharpe	5		11		6									3*		
Shukur	5	8														
Son	5			4											12**	
M.S.Uddin	5	9														
D Ullah	5															
S Ullah	5		11		5											
M Uz-Zaman	5		4	7	8		3				9	1			2**	11**
M Williams	3															

**QUALIFYING NOTES:**

1. This schedule denotes the attendance of Members at Council, Cabinet and the Standing Committees of the Council only and does not include ad-hoc advisory panels that some Members serve on.
2. Care should be taken in calculating the attendance of members in percentage terms, as, for instance, not all Members of the Appeals Committee would be summoned to serve on every Appeal.
3. With regard to Local Area Partnership meetings, not all relevant Ward Members are nominated to serve on the relevant LAP Steering Group, even though they would all be invited.
4. Some Members are appointed to more Standing Committees/Panels than others, therefore making a precise comparison of attendance between Members often inappropriate because of opportunity.
5. Members sometimes attend meetings in a substitute capacity for their colleagues.

\* Councillor Sharpe and Councillor Rew appointed to Strategic Development in September, 2005

\*\* Part of pool of Members to sit on Licensing Sub-Committees Scheduled Licensing Committee meetings that were inquorate but Members still attended (and shown above): 23.2.06 – Cllrs Gipson, Williams

Scheduled Licensing Sub-Committee meetings that were inquorate but Members still attended (and shown above): 10.1.06 – Cllrs Son, Duffey and 21.2.06 – Cllrs Son, Uz-Zaman



**ATTENDANCE AT SCRUTINY WORKING GROUPS/PANELS - 2005/06  
(25<sup>TH</sup> MAY – 31<sup>ST</sup> MARCH, 2006)**

**Scrutiny Challenge Session**

<b>Date</b>	<b>Membership</b>	<b>Attended</b>	<b>Non-Attendance by</b>
12 <sup>th</sup> September, 2005 - Planning Obligations	Cllr J. Griffiths Cllr J. Ludlow Cllr M. A. Salique Cllr J. Sharpe Cllr B. Son Cllr M. Uz-Zaman	Cllr J. Griffiths Cllr J. Ludlow Cllr M. A. Salique Cllr J. Sharpe Cllr B. Son Cllr M. Uz-Zaman  Also in attendance: Cllr A. Amos Cllr R. Gipson Cllr J. Mainwaring Cllr L. Rahman Cllr A. Sardar	-
13 <sup>th</sup> February, 2006 - Barker Review	Cllr A. Amos Cllr J. Griffith Cllr J. Ludlow Cllr M. A. Salique Cllr J. Sharpe Cllr B. Son Cllr M. Uz-Zaman	Cllr A. Amos Cllr J. Sharpe	Cllr J. Griffith Cllr J. Ludlow Cllr M. A. Salique Cllr B. Son Cllr M. Uz-Zaman

**Scrutiny Challenge Session**

<b>Date</b>	<b>Membership</b>	<b>Attended</b>	<b>Non-Attendance by</b>
17 <sup>th</sup> November, 2005 - Standing Advisory Council on Religious Education	Cllr L. Alexander Cllr K. R. Khan Cllr A. McGregor Cllr A. A. Sardar	Cllr L. Alexander Cllr K. R. Khan Cllr A. McGregor Cllr A. A. Sardar	-
24 <sup>th</sup> November, 2005 – Older People's Commissioning Strategy	Cllr M. U. Ahmed Cllr R. Gipson Cllr K. R. Khan Cllr S. Ullah Cllr M. Williams	Cllr M. U. Ahmed Cllr R. Gipson Cllr K. R. Khan Cllr S. Ullah Cllr M. Williams  Also in attendance: Cllr A. Amos Cllr J. Ludlow	-

## A Partnership for Success – Role of Members in the THP

Date	Membership	Attended	Non-Attendance by
28 <sup>th</sup> September, 2005	Cllr F. Miah Cllr D. Ullah Cllr M. Williams	Cllr F. Miah Cllr D. Ullah Cllr M. Williams	-
30 <sup>th</sup> November, 2005	Cllr J. Griffiths Cllr M. Williams	Cllr J. Griffiths Cllr M. Williams  Also in attendance: Cllr J. Ludlow	-
19 <sup>th</sup> December, 2005	Also in attendance:	Cllr J. Griffiths Cllr D. Ullah Cllr M. Williams	-

## Health Scrutiny Panel

Date	Membership	Attended	Non-Attendance by
3 <sup>rd</sup> October, 2005 – Annual Health Check ELCMHT	Cllr A. R. Khan	Cllr A. R. Khan	-
15 <sup>th</sup> March, 2006 – Healthy Lifestyles Session	Cllr B. Chattopadhyay Cllr A. R. Khan Cllr J. Mainwaring Cllr A. McGregor Cllr K. Morton Cllr T. O’Flaherty Cllr O. Rahman	Cllr J. Mainwaring	Cllr B. Chattopadhyay Cllr A. R. Khan Cllr A. McGregor Cllr K. Morton Cllr T. O’Flaherty Cllr O. Rahman

### Domestic Violence Working Group

Date	Membership	Attended	Non-Attendance by
16 <sup>th</sup> February, 2006	Cllr A. A. Sardar Cllr B. Chattopadhyay Cllr K. Morton Cllr T. O'Flaherty Cllr H. Phelps Cllr M. Salique	Cllr A. A. Sardar Cllr B. Chattopadhyay Cllr K. Morton Cllr T. O'Flaherty Cllr H. Phelps Cllr M. Salique  Also in attendance: Cllr L. Alexander	-
1 <sup>st</sup> March, 2006	Cllr A. A. Sardar	Cllr A. A. Sardar  Also in attendance: Cllr L. Alexander	-
2 <sup>nd</sup> March, 2006	Cllr A. A. Sardar Cllr B. Chattopadhyay Cllr K. Morton Cllr T. O'Flaherty Cllr H. Phelps Cllr M. Salique	Cllr A. A. Sardar	Cllr B. Chattopadhyay Cllr K. Morton Cllr T. O'Flaherty Cllr H. Phelps Cllr M. Salique

### School Exclusions Working Group

Date	Membership	Attended	Non-Attendance by
31 <sup>st</sup> January, 2006	Cllr L. Alexander Cllr A. R. Khan Cllr F. Miah Cllr M. G. Mortuza Cllr M. Salique	Cllr L. Alexander Cllr F. Miah Cllr M. Salique	Cllr A. R. Khan Cllr M. G. Mortuza
2 <sup>nd</sup> March, 2006	Cllr L. Alexander Cllr A. R. Khan Cllr F. Miah Cllr M. G. Mortuza Cllr M. Salique	Cllr L. Alexander Cllr M. G. Mortuza	Cllr A. R. Khan Cllr F. Miah Cllr M. Salique

## Scrutiny Showcase

<b>Date</b>	<b>Membership</b>	<b>Attended</b>	<b>Non-Attendance by</b>
6 <sup>th</sup> February, 2006	All Members of the Council invited	Cllr L. Alexander Cllr A. Amos Cllr A. R. Khan Cllr A. A. Sardar Cllr J. Sharpe Cllr S. Ullah	45 Members did not attend.

## ATTENDANCE AT LAP STEERING GROUP MEETINGS – 2005/06

LAP 1

Date	*Membership	Attended	Non- Attendance
6 <sup>th</sup> September, 2005	Cllr R. U. Ahmed Cllr L. Alexander Cllr J. Griffiths	Cllr L. Alexander Cllr R. Ahmed Cllr J. Griffiths Cllr A. R. Khan	-
28 <sup>th</sup> November, 2005	Cllr R. U. Ahmed Cllr L. Alexander Cllr J. Griffiths	Cllr R. Ahmed Cllr L. Alexander Cllr J. Griffiths Cllr A. R. Khan	-
5 <sup>th</sup> January, 2006	Cllr R. U. Ahmed Cllr L. Alexander Cllr J. Griffiths	Cllr L. Alexander Cllr J. Griffiths	Cllr R. U. Ahmed
14 <sup>th</sup> March, 2006	Cllr R. U. Ahmed Cllr L. Alexander Cllr J. Griffiths	Cllr R. U. Ahmed Cllr L. Alexander Cllr J. Griffiths	

LAP 2

Date	*Membership	Attended	Non-Attendance
26th May, 2005	Cllr S. Islam Cllr M. G. Mortuza	Cllr S. Islam Cllr M. G. Mortuza	-
13th September, 2005	Cllr S. Islam Cllr M. G. Mortuza	Cllr J. Griffiths Cllr S. Islam	Cllr M. G. Mortuza
8th December, 2005	Cllr S. Islam Cllr M. G. Mortuza	Cllr S. Islam Cllr M. G. Mortuza Cllr S. Ullah	-
12th January, 2006	Cllr S. Islam Cllr M. G. Mortuza	Cllr S. Islam Cllr M. G. Mortuza Cllr S. Ullah	-
28th March, 2006	Cllr S. Islam Cllr M. G. Mortuza	Cllr H. Abbas Cllr M. G. Mortuza Cllr L. Rahman	Cllr S. Islam

\* Membership – Information received from Partnership Support Section – Other Members are also invited along to the meetings.

### LAP 3

Date	*Membership	Attended	Non-Attendance
12 <sup>th</sup> July, 2005	Cllr S. Uddin Cllr D. Ullah	Cllr F. Miah Cllr O. Rahman Cllr D. Ullah	Cllr S. Uddin
6 <sup>th</sup> September, 2005	Cllr S. Uddin Cllr D. Ullah	Cllr F. Miah Cllr O. Rahman Cllr S. Uddin	Cllr D. Ullah
1 <sup>st</sup> November, 2005	Cllr S. Uddin Cllr D. Ullah	Cllr D. Ullah	Cllr S. Uddin
17 <sup>th</sup> January, 2006	Cllr S. Uddin Cllr D. Ullah	Cllr S. Uddin Cllr D. Ullah	-
14 <sup>th</sup> March, 2006	Cllr S. Uddin Cllr D. Ullah	Cllr A. Asad Cllr D. Ullah	Cllr S. Uddin

### LAP 4

Date	*Membership	Attended	Non-Attendance
14 <sup>th</sup> June, 2005	Cllr R. Brooks Cllr S. Haque Cllr D. Jones	Cllr M. Ahmed Cllr S. Haque Cllr D. Jones	Cllr R. Brooks
19 <sup>th</sup> July, 2005	Cllr R. Brooks Cllr S. Haque Cllr D. Jones	Cllr D. Jones	Cllr R. Brooks Cllr S. Haque
20 <sup>th</sup> September, 2005	Cllr R. Brooks Cllr S. Haque Cllr D. Jones	Cllr D. Jones Cllr A. Shukur	Cllr R. Brooks Cllr S. Haque
8 <sup>th</sup> November, 2005	Cllr R. Brooks Cllr S. Haque Cllr D. Jones	Cllr D. Jones Cllr A. Shukur	Cllr R. Brooks Cllr S. Haque
31 <sup>st</sup> January, 2006	Cllr R. Brooks Cllr S. Haque Cllr D. Jones	Cllr D. Jones	Cllr R. Brooks Cllr S. Haque
7 <sup>th</sup> March, 2006	Cllr R. Brooks Cllr S. Haque Cllr D. Jones	<i>Meeting cancelled due to Members and Officers being stuck in traffic</i>	-

\* Membership – Information received from Partnership Support Section – Other Members are also invited along to the meetings.

**LAP 5**

<b>Date</b>	<b>*Membership</b>	<b>Attended</b>	<b>Non-Attendance</b>
12 <sup>th</sup> July, 2005	Cllr R. Gipson Cllr J. Ludlow Cllr M. Rew Cllr M. Williams	Cllr R. Gipson Cllr M. Rew Cllr M. Williams	Cllr J. Ludlow
26 <sup>th</sup> September, 2005	Cllr R. Gipson Cllr J. Ludlow Cllr M. Rew Cllr M. Williams	Cllr R. Gipson Cllr J. Ludlow Cllr M. Rew Cllr M. Williams	-
19 <sup>th</sup> November, 2005	Cllr R. Gipson Cllr J. Ludlow Cllr M. Rew Cllr M. Williams	Cllr R. Gipson Cllr J. Ludlow Cllr M. Williams	Cllr M. Rew
6 <sup>th</sup> February, 2006	Cllr R. Gipson Cllr J. Ludlow Cllr M. Rew Cllr M. Williams	Cllr. R. Gipson Cllr J. Ludlow Cllr M. Williams	Cllr M. Rew

**LAP 6**

<b>Date</b>	<b>Membership</b>	<b>Attended</b>	<b>Non-Attendance</b>
28 <sup>th</sup> June, 2005	Cllr D. Edgar Cllr M. Uz-Zaman	Cllr K. Khan Cllr H. Rahman Cllr A. Salique Cllr A. Sardar Cllr M. Uz-Zaman	Cllr D. Edgar
14 <sup>th</sup> September, 2005	Cllr D. Edgar Cllr M. Uz-Zaman	Cllr D. Edgar Cllr H. Rahman Cllr A. Sardar Cllr M. Uz-Zaman	-
14 <sup>th</sup> December, 2005	Cllr D. Edgar Cllr M. Uz-Zaman	Cllr D. Edgar Cllr M. Uz-Zaman	-
21 <sup>st</sup> February, 2006	Cllr D. Edgar Cllr M. Uz-Zaman	None present	Cllr D. Edgar Cllr M. Uz-Zaman

\* Membership – Information received from Partnership Support Section – Other Members are also invited along to the meetings.

## LAP 7

<b>Date</b>	<b>*Membership</b>	<b>Attended</b>	<b>Non-Attendance</b>
20 <sup>th</sup> July, 2005	No fixed membership	Cllr O. Ahmed Cllr K. Morton	
9 <sup>th</sup> November, 2005	No fixed membership	Cllr K. Morton	
18 <sup>th</sup> January, 2006	No fixed membership	Cllr J. Gardiner Cllr K. Morton	
22 <sup>nd</sup> March, 2006	No fixed membership	Cllr A. McGregor	

## LAP 8

<b>Date</b>	<b>*Membership</b>	<b>Attended</b>	<b>Non-Attendance</b>
19 <sup>th</sup> July, 2005	No fixed membership	Cllr A. Amos Cllr B. Chattopadhyay Cllr J. Mainwaring Cllr S. Rouse Cllr J. Sharpe Cllr B. Son	
22 <sup>nd</sup> November, 2005	No fixed membership	Cllr A. Amos Cllr J. Mainwaring Cllr J. Sharpe Cllr B. Son	
24 <sup>th</sup> January, 2006	No fixed membership	Cllr A. Amos Cllr J. Mainwaring Cllr J. Sharpe Cllr B. Son	
28 <sup>th</sup> March, 2006	No fixed membership	Cllr A. Amos Cllr J. Mainwaring Cllr S. Rouse Cllr J. Sharpe Cllr B. Son	

\* Membership – Information received from Partnership Support Section – Other Members are also invited along to the meetings.



# Agenda Item 5.3

Committee <b>STANDARDS COMMITTEE</b>	Date <b>11<sup>th</sup> April 2006</b>	Classification <b>UNRESTRICTED</b>	Report No.	Agenda Item No.
Report of <b>Sara Williams, Adviser to Chief Executive</b>  Originating Officer(s): <b>Steve Wiggett, Member Learning and Development: 020 7364 4374</b>	Title: <b>Member Induction Programme 2006</b>  Wards affected N/A			

## 1. SUMMARY

- 1.1 This report provides details of the Council's Member Induction Programme 2006, including the induction learning and development framework and Member role specification.

## 2.0 RECOMMENDATIONS

- 2.1 Standards Committee is asked to consider and comment on the Member Induction Programme particularly in respect of:
- the ethics and standards mandatory component of the induction framework;
  - the Members' Code of Conduct and ethical standards content of the Member role description;
  - the proposals for ensuring that Members participate in all mandatory learning activities

### **3.0 BACKGROUND**

- 3.1 After this year's local election in May a number of new Councillors will be elected. It is important to consider how new and re-elected Members can be supported through effective induction to prepare for and undertake their role and responsibilities.
- 3.2 Member induction is highlighted in the Member Learning and Development Policy, which sets out that the Council will ensure that all new Members have access to an effective programme of induction designed to meet their individual needs.
- 3.3 The proposed induction programme and draft Member role description (see Appendix 2) take into account the comments of the Leader's Advisory Board. It also reflects the feedback received from the Member Learning and Development Working Group (a cross-party group chaired by the Deputy Leader) who have a key role to play in ensuring that Member induction is successful.
- 3.4 The programme includes the induction learning and development framework (see Appendix 1) and a schedule for administrative and housekeeping support (see Appendix 4).

### **4.0 MEMBER INDUCTION PROGRAMME- INDUCTION LEARNING AND DEVELOPMENT FRAMEWORK**

- 4.1 The Member Induction Programme for 2006 is underpinned by the Member Performance and Development Framework and proposed Member Role Description (see Appendix 2). The Performance and Development Framework and Role Description are based on the achievement of the following core activities:

- Representing constituents;
- Community leadership;
- Representing the Council; and
- Constitutional responsibilities

The Member Activity Portfolio will be used to plan and record Members' core activities and to identify and review individual Member learning and development. During June 2006, Members will have the opportunity to identify their individual learning and development needs and preferred learning approach through discussion with relevant officers.

4.2 To help new and re-elected Members undertake their core activities the following induction learning and development framework is proposed:

<b>Induction Learning and Development Framework</b>	
<b>Module 1</b> Getting (re) started	<b>Module 5</b> What Councillors do to help improve services
<b>Module 2</b> Ethics and Standards	<b>Module 6</b> What Councillors do- being a partner
<b>Module 3</b> What Councillors do in their local areas	<b>Module 7</b> What Councillors do- digging deeper
<b>Module 4</b> What Councillors do at the Town Hall	<b>Module 8</b> Being a good community leader

- 4.3 Initially, the key aspects of each module will be delivered as introductory learning sessions during May and June 2006. Additional workshops, which will further expand upon the modular content, will be rolled out from the end of June through to November 2006.
- 4.4 Ideally, Members will participate in all modules. However, there is a clear expectation that Members will complete modules 1, 2, 3 and 4. To ensure that Members have the support and knowledge to maintain the highest standards of conduct Module 2 is mandatory and all Members are required to attend.
- 4.5 In addition to the above, a series of mandatory learning and development events (see Appendix 3) have been arranged. These learning events will cater for Members who are appointed to the Development, Strategic Development and Olympic Development Committees and the Licensing, Appeals and Appointments Committees.
- 4.6 Members' attendance at all learning sessions will be strictly monitored and reported to Party Groups, the Standards Committee and recorded on Members' individual learning and development records. Member attendance at necessary training should also be a matter of public record and post election there will be a discussion with political groups on how this is made public.
- 4.7 To assess the effectiveness of the induction programme Members will be asked to provide feedback in order to validate and evaluate each module individually. On completion of the induction programme an overall evaluation of the induction learning and development framework and administrative arrangements will be carried out.

- 4.8 As well as the Council's induction programme, newly elected and returning Members will also be able to take advantage of a London-wide programme of support. This programme is being developed by the Association of London Government (ALG) in partnership with the Improvement and Development Agency (I&DeA) and the Local Government Information Unit (LGIU). The ALG summit for newly elected London Members has been confirmed for Saturday 17<sup>th</sup> June 2006.
- 4.9 A team of officers will support the delivery of the induction programme with the Assistant Chief Executive (Legal), leading on the Ethics and Standards module. External trainers will be used as necessary and experienced Members could be asked to lead on sessions, or introduce parts of the induction programme.

## **5.0 ADMINISTRATION AND HOUSEKEEPING**

5.1 Effective administration and housekeeping are a vital part of Member induction. To ensure that new and re-elected Members are able to effectively take up their role and responsibilities, the following administrative and housekeeping arrangements will be put into place:

- Declaration of Acceptance of Office
- Declarations of Interest
- Issue of Constitution (Code of Conduct for Members)
- Members' allowances
- Members' timesheets
- Identification passes
- Photographs for Member web-sites
- Allocation of permits
- Selection and issue of IT equipment
- Member web-pages
- Broadband- arrangements for installation and familiarisation
- Mobile telephones / PDA's
- Business cards
- Contact and publicity details

5.2 To facilitate the above a draft timetable has been drawn up (see Appendix 4) including responsible officers and teams.

## **6.0 CONCLUSIONS**

6.1 The Member Induction Programme 2006 reflects the Council's ongoing commitment to providing effective learning and development for all newly elected and re-elected Members.

6.2 Ethics and standards are key features of the programme and the Member role description and these are incorporated to ensure that all Members:

- maintain the highest standards of conduct and ethics;
- do not bring the Council into disrepute;
- promote equality of opportunity;
- treat others with respect and not compromise officer impartiality;
- report breaches of the Members' Code of Conduct;
- respect confidentiality; and
- declare personal and prejudicial interests

## **7.0 OBSERVATIONS OF THE CHIEF FINANCIAL OFFICER**

7.1 The cost of the proposed Member Induction Programme 2006 will be contained within the 2006/7 Member learning and development budget.

## **8.0 CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)**

8.1 The proposed Member Induction Programme fulfils the statutory requirement for training for Members involved in planning and the constitutional requirements regarding Members involved in appointments, licensing and other quasi-judicial functions.

8.2 Additionally, it is important that Members have an appreciation of the legal context in which the Council operates together with an understanding of their own responsibilities and accountabilities. Compliance with the Council's ethical framework is an integral component of an efficient and effective authority which affords a high priority to the democratic conduct of its business. These elements all feature prominently in the programme.

## **9.0 EQUAL OPPORTUNITIES CONSIDERATIONS**

9.1 In order for the Council to deliver its equalities commitments it is vital for Members to have access to effective learning and development, which will enable them to be clear about their role, reflecting the Council's commitment to equalities in all they do.

9.2 The induction process will therefore encompass both national and local equalities policies and set out how services incorporate them. The process will also aim to meet the diverse needs of Members themselves.

## **10.0 ANTI-POVERTY IMPLICATIONS**

10.1 The arrangements for supporting Members, plus the Members' Allowances Scheme are designed to make being a Councillor accessible to all regardless of income level.

## **11.0 RISK MANAGEMENT IMPLICATIONS**

11.1 It is important that new and re-elected Members have the opportunity to participate in an effective induction programme, which provides them with the support and knowledge to:

- carry out their responsibilities for the local community; and
- protect the interests and reputation of the Council

### **LOCAL GOVERNMENT ACT, 2000 (SECTION 97) LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"  
MEMBER INDUCTION PROGRAMME 2006

Name and telephone number  
of holder and address where  
open to inspection

## Appendix 1: Draft Member Induction Framework

Induction element – Overview	Designed for	Timescale
<p><b>1. Getting (re) started</b></p> <ul style="list-style-type: none"> <li>• The importance of being an elected member</li> <li>• Understanding local government</li> <li>• How the council works</li> <li>• The Community and Strategic Plans</li> <li>• The role (job description, your ward, surgeries and casework, external bodies, allowances)</li> <li>• Member learning and development</li> <li>• Directorate Showcase</li> </ul>	All Members	<p>Introductory session</p> <p>Wednesday 10<sup>th</sup> May 2006</p>
<p><b>2. Ethics and Standards</b></p> <ul style="list-style-type: none"> <li>• Legislative context</li> <li>• Equality and diversity</li> <li>• Standards Board and Standards Committee</li> <li>• Council's Code of Conduct</li> <li>• personal and prejudicial interests</li> <li>• complaints and investigations</li> </ul>	All Members	<p>Introductory session</p> <p>Tuesday 23<sup>rd</sup> May 2006</p>
<p><b>3. What councillors do (1) – in the ward (Ward/ LAP based induction)</b></p> <ul style="list-style-type: none"> <li>• Ward data report and other facts about your ward</li> <li>• Surgeries</li> <li>• LAPs- meeting key people (e.g. Head of Safer Neighbourhood Team)</li> <li>• Members enquiries</li> </ul>	All Members	Date to be advised
<p><b>4. What councillors do (2) – at the Town Hall</b></p> <ul style="list-style-type: none"> <li>• Council meetings</li> <li>• The Executive</li> <li>• Overview and Scrutiny</li> <li>• Quasi-judicial panels</li> <li>• Other duties, including the role of councillors on RSL boards</li> <li>• Committee, legal and other support</li> </ul>	All Members	<p>Introductory session</p> <p>Date to be advised</p>

<p><b>5. What councillors do (3) – To help improve services</b></p> <ul style="list-style-type: none"> <li>• What services does the council provide</li> <li>• CPA</li> <li>• Tower Hamlets Index and other monitoring plans</li> <li>• Equalities Action Plan</li> <li>• Performance management/monitoring</li> <li>• Best value</li> <li>• Support services</li> </ul>	All Members	Introductory session Date to be advised
<p><b>6. What councillors do (4) – Being a partner</b></p> <ul style="list-style-type: none"> <li>• Community Plan</li> <li>• Tower Hamlets Partnership</li> <li>• Local Area Agreements</li> <li>• Partnership Team</li> </ul>	All Members	Introductory session Date to be advised
<p><b>7. What councillors do – digging deeper</b></p> <p>Four workshops which explain each aspect of the role in more detail</p>	All newly elected Members	Series of sessions Dates to be advised
<p><b>8. Member Learning and Development Conference - Being a good Community Leader</b></p> <ul style="list-style-type: none"> <li>• What skills do you have?</li> <li>• What skills do you need to develop?</li> <li>• What's the right balance between skills and knowledge training?</li> <li>• Moving forward Learning and Development</li> <li>• Activity portfolio</li> <li>• London Member Development Charter</li> </ul>	All Members	Saturday 10 <sup>th</sup> June 2006



*Appendix 2: Draft Member Role Description*

**ROLE DESCRIPTION**

The responsibilities and activities outlined are expected from all Councillors. The means through which they are realised is provided in the duties section with councillors undertaking different duties.

**Post Title:** Councillor

**Responsible to:** - all people who live and work in Tower Hamlets; and  
- their political group leader

**Responsible for:** The political leadership of the London Borough of Tower Hamlets and contribution to the Tower Hamlets Partnership

<b>Purpose:</b>	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.  To work in collaboration with other councillors, partners and residents to deliver the vision of the Tower Hamlets Community Plan
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<b>Responsibilities:</b>	<b>1</b> Represent local constituents as a member of the London Borough of Tower Hamlets – campaigning with integrity and commitment on behalf of others.
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	<b>2</b> 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.
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	<b>3</b> Develop partnerships inside the council and with external organisations – in doing so mediating fairly between people with conflicting needs.
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	<b>4</b> Maintain the highest standards of conduct and ethics, abiding by the Constitution and the Tower Hamlets Partnerships' Charter.
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	<b>5</b> Actively promote equal opportunities in all activities and duties undertaken as a councillor
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<b>Activities:</b>	<b>1</b> Respond to enquiries and representations of local people in a fair and impartial manner
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	<b>2</b> Develop networks in the Council and with external partners to improve information sharing and local knowledge.
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	<b>3</b> Attend, contribute and chair effectively Council and Partnership meetings. By following: protocol, balancing public needs and local policy.
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	<b>4</b> Contribute through different policy making forums to the Council's shared vision for Tower Hamlets.
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	<b>5</b> Annually complete the Member Activity Portfolio and participate in training and development opportunities identified to improve skills, knowledge and ability to be a community leader, including mandatory training on ethical standards and Members Code of Conduct.
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<p><b>Duties:</b></p>	<p><b>Community Champions</b> – all councillors in being champions for their local area have a duty to:</p> <ul style="list-style-type: none"> <li>▪ Speak and act for their communities and neighbourhoods;</li> <li>▪ Be accessible to the whole of their electorate, listening to and representing the views of other community advocates; and</li> <li>▪ Foster good working relationships between service providers and communities.</li> </ul> <p>This involves:</p> <ul style="list-style-type: none"> <li>▪ Holding regular ward surgeries and taking action in response to enquiries;</li> <li>▪ Being accessible to constituents having a member website, a contact telephone number and a postal address;</li> <li>▪ Attending LAP and LAP Steering Group and other Partnership meetings to which they are invited;</li> <li>▪ Leading and mediating between issues of concern within their LAP;</li> <li>▪ Encouraging and developing relationships to make people in the partnership valued, trusted and included, recognising people from different backgrounds and empowering others to take responsibility.</li> </ul>
	<p><b>Executive Members</b> – create a shared council vision by establishing strategic policies, prioritising actions and managing performance through:</p> <ul style="list-style-type: none"> <li>▪ Establishing and developing partnerships with external bodies to improve local well-being - involving stakeholders in policy formulation;</li> <li>▪ Working with the Corporate Management Team to develop and implement Council strategies;</li> <li>▪ Communicating a shared Council vision to local people, providing clear direction and promoting understanding;</li> <li>▪ Encouraging scrutiny by responding positively to feedback and challenging and ideas;</li> <li>▪ Take collective responsibility for decisions taken by the Executive.</li> </ul>
	<p><b>Overview and Scrutiny Members</b> – <i>challenge and proactively seek opportunities to enhance the quality of life for local people by:</i></p> <ul style="list-style-type: none"> <li>▪ Attending and contributing to Overview and Scrutiny, Health Scrutiny Panel meeting, informal scrutiny working groups and challenge sessions;</li> <li>▪ Being objective, rigorous and resilient in challenging policy, decisions and people;</li> <li>▪ Enhancing the performance monitoring arrangements of the Council and Partnership;</li> <li>▪ Engaging with external service providers, community organisations and local people to reflect wider concerns and issues;</li> <li>▪ Examining good practice from other authorities and making rigorous evidenced based recommendations.</li> </ul>

	<p><b>Committee Members</b> – 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"> <li>▪ Participate in learning and development interventions to support their role on licensing, planning, appeals and appointments Committees;</li> <li>▪ Evaluate arguments according to evidence, making independent and impartial judgements;</li> <li>▪ Follow legal process and protocols, balancing public needs and local policy;</li> <li>▪ Monitor performance and intervene to ensure progress, seeking feedback on own performance.</li> </ul>
	<p><b>External Bodies</b> – councillors who are appointed to external bodies by the council will regularly report to Council on their activities as members of such bodies. Councillors on such bodies will also:</p> <ul style="list-style-type: none"> <li>▪ Attend meetings of such bodies regularly - giving apologies when unable to attend;</li> <li>▪ Uphold the highest standards of ethical conduct whilst representing the Council</li> </ul>

### Appendix 3: Draft Mandatory Learning and Development

Area of mandatory learning and development	Designed for	Timescale
Planning underpinning and principles and best practice	All Members appointed to Development, Strategic Development and Olympic Development Committees	Wednesday 31 <sup>st</sup> May 2006
Planning – Council's Code of Conduct, Probity	All Members appointed to Development Committee	Monday 5 <sup>th</sup> June 2006
Licensing best practice and Code of Conduct	All Members appointed to Licensing Committee	Wednesday 7 <sup>th</sup> June 2006
Appeals procedure	All Members appointed to Appeals Committee	Thursday 8 <sup>th</sup> June 2006
Recruitment and selection	All Members appointed to Appointments Committee	Monday 26 <sup>th</sup> June 2006

\* Module 2 of the Member Induction Programme on Ethical Standards (see Appendix 1) is also mandatory.

**Appendix 4: Member Induction Programme 2006  
Administration and Housekeeping Draft Timetable**

<b>Area of administration / housekeeping</b>	<b>Responsible Officer / Team</b>	<b>Provisional dates / timescale (subject to agreement)</b>
Declarations of Acceptance of Office	Christine Gilbert, (Proper Officer) Chief Executive	<ul style="list-style-type: none"> <li>• Monday 8<sup>th</sup> May 2006</li> <li>• Tuesday 9<sup>th</sup> May 2006</li> <li>• Wednesday 10<sup>th</sup> May 2006</li> </ul>
Declarations of Interest	Tim Revell, Interim Head of Democratic Renewal and Engagement	Within 28 days of election
Constitution (Code of Conduct for Members)	Assistant Chief Executive, Legal	To be advised
Members' allowances Members' timesheets Identification pass Publicity photographs (for web-sites etc) Allocation of permits Mobile telephones Member web-pages Business cards	Members' Support Members' Support Members' Support Members' Support Members' Support Members' Support Members' Support Members' Support	Week commencing 8 <sup>th</sup> May 2006
ICT equipment and protocol	Members' Support & ICT	To be advised

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# Agenda Item 5.4

Report to: <b>STANDARDS COMMITTEE</b>	DATE <b>11 April 2006</b>	CLASSIFICATION <b>Confidential</b>	REPORT NO.	Agenda Item.
Report of: <b>Director of Resources</b>  Originating Officer(s)  <b>Head of Audit Services-Tony Qayum</b>	Title:  <b>ANTI FRAUD AND CORRUPTION STRATEGY</b>    Ward(s) Affected: N/A			

## 1. Summary

- 1.1 This report provides the Standards Committee with an update of the Anti Fraud and Corruption Strategy incorporating recent changes to legislation and responding to the Local Code of Corporate Governance.
- 1.2 It provides an overview of the arrangements for the prevention and detection of Fraud and Corruption within the Council and the strategy for dealing with identified breaches of procedures.
- 1.3 The report was endorsed by the Audit Panel on 20 March 2006.

## 2. Recommendations

Members of the Standards Committee are asked :-

- 2.1 To endorse the Anti-Fraud & Corruption Strategy.

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### LOCAL GOVERNMENT ACT, 2000 (SECTION 97)

#### LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

<i>Brief description of "background papers"</i>	<i>Tick if copy Supplied for Register</i>	<i>Name and telephone number of holder and address where open to inspection</i>
<i>Working Files – Internal Audit</i>		<i>Tony Qayum, Ext. 4773</i>

### **3. Introduction**

- 3.1 The current Fraud Response Plan was approved by the Audit Panel in March 2002, which advised staff on how to report and progress potential fraud.
- 3.2 The plan focused on the Whistleblowing procedure and went live on the Councils Intranet in September 2002.
- 3.3 Reports have been issued regularly to the Audit Panel on the effectiveness of the strategy since introduction, as part of the regular Annual Fraud report process and NFI updates.
- 3.4 There have been a number of recent legislative changes including the Proceeds of Crime Act and Money Laundering Regulations that have required the Fraud Response Plan to be brought up to date. It is proposed that the plan be reviewed annually to ensure that it remains relevant.
- 3.5 Additionally the Council is adopting a Local Code of Corporate Governance in response to the CIPFA/ SOLACE guidance and the Anti-Fraud and Corruption Strategy forms a part of this framework. The Local Code of Corporate Governance can be found elsewhere on the agenda.
- 3.6 It should be noted that the fundamentals of the Anti Fraud and Corruption Strategy and Fraud Response Plan have not changed.
- 3.7 The Strategy will be published on the Council's intranet and will be publicised through management team briefings, the Managers Briefing and articles in Pulling Together. The use of on-line training tools is currently being examined.

### **4. Anti Fraud and Corruption Strategy**

- 4.1 The Anti- Fraud and Corruption Strategy has been prepared in accordance with best practice and has been updated to reflect new legislation and guidance.
- 4.2 The revised Anti Fraud & Corruption Strategy is attached.



**5. Comments of the Chief Financial Officer**

5.1 These are contained within the main body of this report.

**6. Concurrent Report of the Chief Legal Officer**

6.1 There are no specific issues arising from this report.

**7 Equal Opportunity Considerations**

7.1 There are no specific Equal Opportunities issues arising from this report.

**8. Anti-Poverty Considerations**

8.1 There are no specific anti poverty issues arising from this report.

**9. Risk Management Implications**

9.1 These are contained within the main body of this report.

**10. Sustainable Action for a Greener Environment (SAGE)**

10.1 There are no specific SAGE implication

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## LONDON BOROUGH OF TOWER HAMLETS

### ANTI FRAUD AND CORRUPTION STRATEGY

#### 1. INTRODUCTION

- 1.1 The London Borough of Tower Hamlets has a revenue and capital budget of almost £1 billion and employs around 10,000 staff, inclusive of those employed within our schools. It works with an extensive number of partners including the third sector and private sector. The scale, complexity and profile of the Council puts it at significant risk of fraud and corruption, both from within & without.
- 1.2 We are committed to making sure that the opportunity for fraud and corruption is reduced to the lowest possible risk. Where there is the possibility of fraud, corruption and other problems, we will deal with it in a firm and controlled manner.
- 1.3 It is essential that the Council is able to prevent and detect fraud, thus ensuring that services are provided honestly and efficiently and Public funds are administered properly. The Anti Fraud and Corruption Strategy outlines the principles that the Council is committed to in preventing and reporting fraud and corruption. It should be noted that the scope of this document is concerned only with matters associated with potential cases of fraud and corruption and does not consider other matters of malpractice which are properly covered by other policies within the councils procedures.

#### Definitions of Fraud and Corruption

**Fraud** "The intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain."

**Corruption** "The offering, giving, soliciting or acceptance of an inducement or reward which may influence the actions of any person."

## 2. **BACKGROUND**

- 2.1 The Committee on Standards in Public Life, Chaired by Lord Nolan strengthened the need to have clear procedures for staff to raise concerns if they feel that malpractice has occurred.
- 2.2 The Council expects all of its staff, partners and Members to comply with the seven principals of public life in all of its activities. These are

### **Selflessness**

Holders of public office take decisions in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in their performance of the official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contract, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties to take steps to resolve any conflicts arising in a way that protects the public interest.

## **Leadership**

Holders of public office should promote and support these principles by leadership and example.

- 2.3 The council is committed to delivering an anti-fraud culture within the authority and among people and organisations that deal with it. It will attempt to raise the awareness of fraud, both within the authority, and in the community. It will encourage the reporting of suspected fraud and will take appropriate action when fraud, corruption or irregularity comes to light.
- 2.4 The strategy set out in this document covers the following areas:
- Legislative framework
  - The anti fraud environment
  - Preventing fraud and corruption
  - Detecting, investigating and recovery
  - Training and awareness

### **3. THE LEGISLATIVE FRAMEWORK**

- 3.1 Under the Local Government Act 1972 the Chief Financial Officer has a duty to ensure that there is an adequate process of Internal Audit to ensure the independent appraisal of the Councils systems of internal control, practices and systems. This requirement was further reinforced by the Accounts and Audit Regulations 2003.
- 3.2 There is now a requirement for the annual accounts to include a statement of internal control to be certified by the Chief Executive and Leader of the Council.
- 3.3 From time to time there will be a need to examine allegations and incidents that may have regard to fraud, corruption or financial malpractice.
- 3.4 In these circumstances the Council will ensure that any inquiry is legal, meets professional standards and that whistleblowers raising a genuine concern are afforded protection in accordance with the law.

#### **3.5 Relevant Legislation**

3.5.1 The following is an outline of some of the primary legislation that covers investigation of fraud and corruption :-

- The Theft Act 1968
- Social Security (Fraud) Act 1997
- Public Interest Disclosure Act 1998
- Audit Commission Act 1998
- Data Protection Act 1998
- Human Rights Act 1998
- Regulation of Investigatory Powers Act 2000
- Proceeds of Crime Act 2002
- Money Laundering Regulations 2003

3.5.2 Further information on a number of these can be found at **Appendix 1**.

#### **4. THE ANTI- FRAUD ENVIRONMENT**

4.1 We expect all people and organisations that are in any way associated with the Council to be honest and fair in their dealings with us, our clients and customers. We expect our members and employees to lead by example in these matters.

4.2 To support this we have a number of procedures and rules to make sure that our financial, working and organisational procedures are properly controlled. These are an important part of our internal control process, and it is important that all members and staff know about them.

The most important of these are as follows:

- Standing Orders
- Financial Regulations
- Code of Conduct for Employees
- Code of Conduct for Members
- Scheme of Delegation
- Risk Management Strategy and Local Code of Corporate Governance

4.3 Where regulations are breached the Council reserves the right to take formal action which may include ending their employment with the Council and civil and /or criminal proceedings being commenced.

4.4 In the case of elected members the Council's Monitoring Officer will be responsible for reporting matters to the appropriate authority.

4.5 We believe our members and employees have an important part to play in dealing with fraud and corruption and we will encourage our staff and members to report suspected fraud or corruption.

4.6 We will deal with all information fairly and confidentially. We will endeavour not to reveal the names of the people who gave us the information. Our **Fraud Response Plan (Appendix 2)** gives more advice on this issue.

4.7 We expect our Directors and Heads of Service to deal firmly and quickly with anyone who is responsible for fraud or corruption. The Chief Executive/Director of Resources in consultation with the Head of Audit Services may refer matters to the police if there is suspicion of any criminal activity having taken place.

4.8 The conduct of an investigation is a serious, expensive and disruptive business. Therefore where it is found that allegations are unfounded and vexatious or malicious, this will be taken very seriously and dealt with under the Council's disciplinary code.

## **5 PREVENTING FRAUD AND CORRUPTION**

5.1 The diversity and scope of the Councils business functions and services exposes the authority to the risk of fraud. We are committed to fighting fraud and corruption, whether attempted from inside or outside the authority. We will take appropriate action against the perpetrators. The council's strategy for fighting fraud and corruption is based four cornerstone principles as follows:

### **5.2 Anti fraud culture**

5.2.1 The council believes that the ongoing development of a culture of honesty and openness is a key element in tackling fraud. The council expects all elected members and employees to carry out their duties in accordance with appropriate legal requirements, internal codes of conduct including Human Resource Strategy guidance, procedures and regulations and to act at all times with honesty and probity in the discharge of their duties. The council expects that all outside individuals and organisations, including partners, suppliers, contractors and claimants will act towards the authority with honesty and integrity.

5.2.2 Where IT systems are being utilised all parties are required to comply with the requirements of the Data Protection Act 1998, Acceptable Use Policy and the Computer Misuse Act.

### **5.3 Internal Controls**

5.3.1 The council has in place a framework of controls and procedures to deter fraud from taking place and detect it when it does. It is the responsibility of all members and employees to work within this framework. These controls include codes of practice, schemes of delegation, standing orders and financial regulations and a risk management strategy.

### **5.4 Effective Action**

5.4.1 Corporate Directors and Service Heads will report all suspicions of fraud or corruption to the Head of Audit Services via the Chief Executive /Director of Resources. in their respective roles of Head of Paid Service and Section 151 Officer. If elected members are suspected then the Chief Executive/Monitoring Officer will co-ordinate the investigation. Following investigation, the appropriate action will be taken which may include disciplinary action, civil recovery and referral to the police.



## 6. **DETECTING, INVESTIGATING AND RECOVERY**

- 6.1 This section should be read with our **Fraud Response Plan (see Appendix 2)**, the **Whistleblowing Process (see Appendix 3)** and also our **Prosecution Policy (Appendix 4)**.
- 6.2 The Council has robust processes designed to reduce the risk of fraud and corruption These include regular management review of systems and procedures to ensure compliance with financial control, a risk based Internal Audit review cycle, Risk Management review process and governance guides including Hospitality procedures and declarations of interests.
- 6.3 Where appropriate and in accordance with the fraud response plan the Internal Audit Service will undertake formal investigations into fraud and corruption. The process utilised in undertaking and investigation are covered by established professional practice as prescribe by CIPFA and in compliance with the Councils Fraud Response Plan and legislative guidance.
- 6.4 All cases referred either by the Whistleblowing telephone line or via an internal referral are formally risk assessed by the Head of Audit Services and approval sought from the Head of Risk Management. Each case is then recorded for tracking on a database maintained by Internal Audit. It is important that transparency is maintained in all decision making and consequently there is a process verification and review of the basis elements of the enquiry throughout the audit/investigation process. (**see Appendix 5 for risk assessment process**)
- 6.5 It is important to note that the auditor receiving the complaint will not be the sole investigator of the enquiry, therefore ensuring the utmost independence is maintained during the currency of an investigation.

### 6. **Data Matching**

- 6.6.1 As a proactive commitment to the prevention and detection of fraud the Authority has actively participated in the National Fraud Initiative, which is a data matching exercise carried out by the Audit Commission under their powers within the Audit Commission Act 1998. This data match looks at wide variety of data sources and compares them to each other to identity potential fraud and irregularity. The potential fraud and irregularity areas include :-

- Benefits
- Payroll and Pensions
- Creditors
- Street Traders
- Insurance
- Private and Voluntary Adult Homes
- Child Minders

- Blue badge misuse
- 6.6.2 In addition data matching is also carried out with the Benefit Agency (Department of Works and Pensions) and the Inland Revenue under their own statutory powers.
- 6.6.3 Data matching is conducted within the requirements of the current Data Protection legislation, and the new Audit Commission protocols effective from 2006 and staff side consultation.
- 6.7 Housing or Council Tax Benefit Fraud**
- 6.7.1 This Service is managed by the Central Benefits Section within the Housing Directorate at Millharbour.
- 6.7.2** The framework for benefits related investigations and sanctions is contained within **Appendix 4**
- 6.7.3 Concerns regarding possible Housing or Council Tax Benefit Fraud, these can be reported using the Benefit Fraud Hotline on (0207 364 7443 – 24 hour answerphone service) or you can speak to a Benefit Investigator direct on 0207 364 7425 or 7426 or 7442
- 6.7.4** Other possible fraudulent activity include the following (**see Appendix 6 for more details**) :-
- Tenancy Fraud
  - Grants
  - Insurance Claims
  - Parking Permits including Blue Badge Scheme
  - Identity theft fraud
  - Protect yourself
  - Advance fee fraud

## **7 Training and Awareness**

- 7.1 All staff in the authority will be trained in fraud awareness and anti-fraud and corruption procedures, and this training will be reinforced regularly. It is the responsibility of chief officers to ensure that staff are properly trained. The Director of Resources will provide advice and assistance in the provision of training in fraud awareness to staff.
- 7.2 Future training will include :-
- Organised workshops as part of the sensitive investigation plan for 2006/7
  - Induction training to new staff to include fraud awareness
  - Departmental management team training
  - Regular interactive on-line alerts and training

## **8. Conclusion**

- 8.1 Tower Hamlets Council is committed to tackling fraud and corruption whenever it happens. Our ongoing response relies heavily on the principles included in this document.
- 8.2 We will continue to review our processes and procedures to ensure this strategy document remains effective following endorsement of the current approach by the Audit Panel and Standards Committee.

## APPENDIX 1

### **Some of the primary legislation that covers investigation of fraud and corruption**

#### **The Proceeds of Crime Act 2002**

The Proceeds of Crime Act 2002 and Money Laundering Regulations 2003 place some important obligations upon professional advisers from a wide range of sectors, including Tax advisers, Accountants, Auditors, Insolvency Practitioners and Legal advisers. Such professionals who carry on relevant business are required to fulfil a range of obligations to prevent money laundering. In particular they are required to report their knowledge or suspicion of money laundering to the National Criminal Intelligence Service (NCIS). This covers the proceeds of all crime including all acts of tax evasion and fraud.

At Tower Hamlets we have followed the guidance of CIPFA and the Head of Audit Services fulfils the role of Money Laundering reporting officer. There is a process and procedure for reporting concerns to the National Criminal Intelligence Service (NCIS) and Metropolitan Police via prescribed documentation. The areas most likely to be exposed to Money Laundering are physical cash, asset transactions and planning gain receipts.

***If you have a concern regarding this you have a duty to report your concern to the Head of Audit Services who will investigate the matter.***

#### **Regulation of Investigatory Powers Act 2000**

To demonstrate the Councils commitment to open/ transparent government it has adopted the Home Office guidelines and documentation for Directed Surveillance and Covert Human Intelligence Sources- Informants/ whistleblowers. This act was introduced in response to the Human Rights Act 1998 and the London Borough of Tower Hamlets is committed to maintaining its principles.

The Office of Surveillance Commissioners ('OSC') are tasked with carrying out regular inspections of Law Enforcement Agencies to ensure compliance with the Regulation of Investigatory Powers Act 2000 ('RIPA') in so far as directed surveillance and the use or conduct of a covert human intelligence source ('CHIS') is concerned. As part of that implementation, the OSC advise that Law Enforcement Agencies to develop a Corporate Policy. As the Council is classed as a Law Enforcement Agency and in order to follow the OSC's requirement as to a Corporate Policy, this Policy has been formulated and which came into effect from July 27<sup>th</sup> 2004.

Section 6(1) of the Human Rights Act 1998 provides that it is unlawful for a public authority to act in a way that is incompatible with a Convention right.

Article 8 of the European Convention of Human Rights provides:

*Everyone has the right to respect for his private and family life, his home and his correspondence.*

There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

RIPA was introduced to ensure that surveillance and certain other intelligence gathering complies with the European Convention of Human Rights. Specifically, Part II of RIPA provides a statutory framework that is compliant with the European Convention of Human Rights when using intrusive surveillance techniques and by introducing national standards that apply to the Police and other Law Enforcement Agencies.

### **The Public Interest Disclosure Act 1998**

The Public Interest Disclosure Act 1998, which came into force in 1999, provides whistleblowers with statutory protection against dismissal and victimisation. The Act applies to people at work raising genuine concerns about crime, civil offences, miscarriage of justice, and danger to health and safety or the environment. It applies whether or not the information is confidential and extends to malpractice overseas.

The Act distinguishes between **internal disclosures** (a disclosure in good faith to a manager or the employer is protected if the whistleblower has reasonable suspicion that the malpractice has occurred or is likely to occur), **regulatory disclosures** and **wider disclosures**. Regulatory disclosures can be made in good faith to prescribed bodies such as the Health and Safety Executive, the Inland Revenue and the Financial Services Authority.

Wider disclosures (e.g. to the police, the media, and MPs) are protected if, in addition to the tests for internal disclosures, they are reasonable in all the circumstances and they meet one of three conditions. Provided they are not made for personal gain these conditions are, that the whistleblower:

- reasonably believed he would be victimised if he raised the matter internally or with a prescribed regulator;
- reasonably believed a cover-up was likely and there was no prescribed regulator; or
- had already raised the matter internally or with a prescribed regulator.

For protection from victimisation to be afforded under the Public Interest Disclosure Act it is necessary in the first instance to consider the nature of the information revealed, and decide whether the disclosure is a 'qualifying disclosure' within Section 43(B) of the Employment Rights Act 1996.

The question is whether the worker concerned honestly believes that the information revealed tends to show that there has been, or is, or is likely to be a relevant failure - past, present or future.

The relevant failure may be:-

- (a) a criminal offence;
- (b) a failure to comply with any legal obligation;
- (c) a miscarriage of justice;
- (d) a danger to the health and safety of any person;

Extract from Internet Report prepared by 'Public Concern at Work'

## **APPENDIX 2**

# **London Borough of Tower Hamlets**

## **Fraud Response Plan**

As part of the Borough's Anti Fraud and Corruption Strategy, it is best practice to have a Fraud Response Plan in place. The plan offers staff direction and help in dealing with matters of suspected Fraud and Corruption indicating responsibilities, and sources for guidance.

### **Internal Audit**

The Internal Audit Service is usually the most appropriate unit to investigate suspected fraud. It is essential, therefore, that every case of suspected fraud is reported to Internal Audit.

The Director of Resources will advise and decide on how an inquiry will be progressed and, in conjunction with the Chief Executive, whether external agents such as the Police need to be informed.

Experienced Audit staff will be assigned to manage fraud and/or corruption investigations. Such investigations by Internal Audit will give due regard to Audit Commission Guidelines, Codes of Practice and relevant legislation.

At the conclusion of the investigation, management of the service concerned will be informed as to the outcome together with recommendations as to proposed action. The Planned Audit Team will ensure that all recommendations agreed are fully implemented following an actual follow-up audit within six months of the conclusion of the investigation. This will therefore inform the risk based audit approach and the local/corporate risk registers.

### **Reporting suspected Fraud and Corruption**

Staff are at the forefront in helping the authority to detect fraud. It is often members of staff who are the first to notice suspected cases of fraud and corruption.

The authority encourages staff to report issues concerning fraud or corruption. Financial Regulations and the Officers Code of Conduct require staff to raise their concerns where irregularity is suspected.

When the employee first uncovers a case of suspected fraud or corruption the action they initially take can often be vital to the success of any investigation that

ensues. It is essential that their actions be in line with the guidance given in this document.

Guidance on 'What to do' when you suspect fraud and/or corruption are given in the Sections headed 'Action by Employees' and that on 'Action by Managers'

NB. Your suspected fraud and/or corruption matter should be reported to one of the following :-

- Your Line Manager - (where appropriate)
- Your Head of Service- (where appropriate)
- Your Corporate Director- (where appropriate)
- The Head of Audit Services - Tony Qayum Ext. 4773
- Internal Audit - Anti Fraud Co-ordinator - Lino Messore Ext. 4774
- Head Risk Management - Richard Ellis Ext 0738
- Monitoring Officer - Isabella Freeman Ext 4800
- The Director of Resources - Martin Smith Ext 4700
- Via the Confidential Staff Whistleblowing Hotline on Freephone 0800 528 0294 (See Whistleblowing process – Appendix 3)

### **Action by employees**

Where fraud or corruption is suspected:

- Write down your concerns immediately
- Make a note of all relevant details e.g. telephone conversations, dates times, names, actions
- Any notes or evidence in their possession, which supports what is being reported, must be kept intact and placed in a secure location
- Report the matter immediately to either your line manager or your Head of Service. If this is not possible/or appropriate due to your concerns potentially about your own service or line manager, it can be reported to the Internal Audit Service (Tony Qayum Ext. 4773 or Lino Messore Ext. 4774). Alternatively, the Councils confidential Staff Whistleblowing telephone line can be used for this (0800 528 0294). Give that officer any notes you have made or any evidence that you have gathered
- Do not tell anybody else about your suspicions
- Be prepared to assist Internal Audit or any authorised body in any investigation
- Do not attempt to carry out an investigation yourself as this may jeopardise any future enquiry and compromise your evidence



- Please note that under no circumstances should a staff member speak to or write to representatives of the press, TV, radio or to another third party about a suspected fraud without the express authority of the Chief Executive.

It is paramount that officers do not act in a manner that may give rise to an action for slander or libel.

### **Action by Managers**

Where fraud or corruption is suspected:

- Listen to the concerns raised by staff and treat every reported case seriously, sensitively and confidentially. Never give members of staff the impression that their well-meaning concerns are being treated with anything other than the utmost seriousness
- All staff concerns should be given a fair hearing, along with reassurance that their report of such issues will not affect them adversely
- Attempt to gain as much information as possible from the member of staff reporting the concern. This should include any notes or evidence in their possession, which supports what is being reported. Such evidence must be kept intact and placed in a secure location
- Assess whether the suspicions may have some foundation before taking the matter further
- All suspected concerns involving suspected fraud and corruption must be reported in compliance with Financial Regulations to the Director of Resources or to the Head of Audit Services and give that officer any notes or evidence that has been gathered
- Be prepared to assist Internal Audit or any authorised body in any investigation
- Do not attempt to carry out any investigation.

## APPENDIX 3

# London Borough of Tower Hamlets

## Whistleblowing Process

The introduction of the Public Interest Disclosure Act 1998 (see appendix 1 for further information) has enhanced the need for an Anti Fraud culture to be present in all Public Service environments. This entails meaningful and accessible means for Staff, Members and Partners to raise concerns in confidence.

The cornerstone of an Anti-Fraud and Corruption Strategy is a Whistleblowing facility which would **enable staff, partners and Members** to raise concerns of a serious nature in confidence and with assurance that if the matters reported are well-founded they will be investigated without fear of comeback to the whistleblower

The Council launched a confidential Whistleblowing telephone line in September 2000 and has regularly publicised via articles in Pulling Together, the Councils Intranet and within the Authority's Corporate Governance arrangements, including the Authority's Financial Regulations

*"Do you have a genuine concern about Unlawful or improper conduct by Council officers or councillors" ?*

- If you do, we need to know about it
- You are not a snitch, if you raise a genuine concern you will be helping the council
- You will not be asked to prove your concern is true, only that it is honestly raised
- You must have a concern about unlawful conduct for example possible abuse of authority or dishonest activity
- Your concern should not be a grievance or complaint about services. These have different routes for redress
- You should not raise malicious or false concerns
- If you raise a genuine, but, unfounded concern, you will not be involved in any follow up action
- You can remain anonymous and be treated with strict confidence if you request

## **A Supplement not a Substitute – The Usual Channels for Complaint**

It is important to note that the Whistleblowing strategy is not intended to replace any of the complaint/concern mechanisms already in place at Tower Hamlets.

***Anyone, including elected members, staff, service users, partners and members of the Public are encouraged to raise genuine complaints or matters of concern with the Council through existing procedures.***

Where an appropriate avenue exists people should use it. The Whistleblowing procedure is designed to supplement, rather than replace the existing procedures wherever practicable. These channels are:

- ◆ The Councils Complaints Procedure
- ◆ The Grievance Procedure
- ◆ Line Management
- ◆ The Housing Benefit Fraud Hotline (0207 364 7443)
- ◆ The Social Services Complaint's Unit (0207 364 2143)
- ◆ The Audit Commission

## **Safeguards**

The Council recognises that a decision to “blow the Whistle” can be a difficult one to make. This may be influenced by the fear of reprisal from those who may have perpetrated the alleged malpractice or from the organisation as a whole.

**The Council will not tolerate any victimisation and will take appropriate action to protect any person who raises a concern in good faith, including any necessary disciplinary action.**

Wherever possible, the Council will protect the anonymity of any member of staff who raises a concern and who does not want his/her name to be disclosed.

However, this may not always be possible, as any investigation process may in itself reveal the source of information and a statement by the Whistleblower may be a necessary part of evidence, particularly if it is thought the matter may lead to a criminal prosecution.

The Council will protect individuals and the organisation from false, malicious and vexatious expressions of concern. If staff make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, individuals make malicious or vexatious allegations, disciplinary action may be considered and implemented.

The Council will do its best to protect an individual's identity when s/he raises a concern and does not want their name to be disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence. The Council will try to ensure that the negative impact of either a false or unfounded

allegation on any “accused” person is minimised. This entails acting with the strictest independence and professional confidentiality.

Anonymous concerns will be considered at the discretion of the Council.

In determining if action to investigate will take place, the Council will consider the following:-

- whether it is the Council’s business
- the credibility of the concern
- the seriousness of the issues raised
- the likelihood of obtaining the necessary information
- the experience of previous related reports

The following charts shows how to get your concerns investigated, and takes you through the agreed procedures on how each concern is dealt with to ensure transparency and that it is being treated seriously.

<ul style="list-style-type: none"> <li>• I think a fraud or unlawful act may have been committed</li> <li>• What should I do?</li> <li>• Who should I contact?</li> </ul>	<ul style="list-style-type: none"> <li>• Is it serious and well founded?</li> <li>• If Yes</li> <li>• You can raise your concerns in confidence on the Whistleblowing Hot Line (or write to Tony Qayum –Head of Audit Services – 5<sup>th</sup> Floor Mulberry Place)</li> </ul>
<ul style="list-style-type: none"> <li>• What will happen if I ring the Hotline</li> </ul>	<ul style="list-style-type: none"> <li>• You will be asked for details of your concern</li> </ul>
<ul style="list-style-type: none"> <li>• Will I have to give my name?</li> </ul>	<ul style="list-style-type: none"> <li>• NO - but your concern may be investigated more fully if you do</li> </ul>
<ul style="list-style-type: none"> <li>• So what will happen next?</li> </ul>	<ul style="list-style-type: none"> <li>• Your concern will be given a reference number. You can call in 10 days to check progress</li> </ul>
<ul style="list-style-type: none"> <li>• Who does anything about it?</li> </ul>	<ul style="list-style-type: none"> <li>• A Registration Officer will take details of your call, and a professional investigator will review and classify it.</li> <li>• A register of <u>all calls</u> will be kept, and the Registration Officer will report this to the Chief Executive</li> </ul>

	A final decision will be made and if appropriate an independent confidential investigation will be carried out
<ul style="list-style-type: none"> <li>• Won't it just be covered up?</li> </ul>	<ul style="list-style-type: none"> <li>• NO - there is independence between the Registration Officer and the Investigation Officer. The Investigation Officer is answerable to the Chief Executive, and the Chief Executive must ensure that justified action is reported back to the Registration Officer</li> <li>• An external registered body will independently audit the Registration and the Investigation of your concerns.</li> </ul>
<p><b><i>PLEASE CALL 0800 528 0294 if you have any concerns or would like further details of the process. Strict Confidentiality and Anonymity will be preserved if requested.</i></b></p>	

## **Appendix 4**

### **LONDON BOROUGH OF TOWER HAMLETS BENEFIT FRAUD ENFORCEMENT POLICY**

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#### **1) Background**

The Benefits service positively encourages the take up of Housing and Council Tax Benefit but acknowledges its responsibility to prevent and detect benefit fraud.

Benefit offences are taken seriously by the Authority and it is our aim to apply prosecutions and sanctions in cases where such action is deemed appropriate.

This policy is designed to provide a suitable framework to ensure a fair and consistent approach is applied for cases under consideration.

#### **2) Legislative framework**

The Authority has the power to prosecute offenders under Section 111A and 112 of the Social Security Administration Act 1992 which is generally the legislation most appropriate to benefit fraud offenders. However other legislation such as the Theft Act 1968 may be used where appropriate.

The Authority may apply sanctions in cases where prosecution is feasible, but is not the preferred option. The available sanctions are:

- Administrative Penalty – where a penalty fine of 30% of the fraudulently overpaid benefit can be applied. The offender has the right to refuse to accept the penalty but the Authority should then proceed with prosecution action on the case. Therefore the case must be of suitable quality for prosecution action from the outset.

The legislation pertaining to Administrative Penalties is contained within Section 115A of the Social Security Administration Act 1992 (as amended by Section 15 of the Social Security (Fraud) Act 1997).

- Formal Caution – an oral warning that is administered when a claimant has admitted to an offence. These are generally used in less serious cases where lower amounts of money are involved.

The caution is offered in cases where the claimant has admitted the offence, and he/she has a choice in whether to accept or decline the caution. If the caution is declined the Authority should proceed with prosecution action. An accepted caution is recorded on the Department of Work and Pensions Central database and the record is kept for 5 years. Prior to offering Formal Cautions or Administrative Penalties the Central

Database is checked. It would not be appropriate to issue more than one caution or penalty to an individual. If the check shows they have accepted a caution or penalty previously the Authority should proceed with prosecution action against that individual.

Both Administrative Penalties and Formal Cautions are offered in a special interview by an officer who has not dealt with the investigation of the case. The format of the interview is fully proceduralised by the Department of Work and Pensions (DWP) to ensure clarity, fairness and consistency.

### 3) **Prosecution**

Prosecutions on benefit fraud cases are generally facilitated by the Councils Legal Section, but they may also be taken by the DWP or the Police where necessary, according to circumstances.

### 4) **Suitability for Prosecution and Sanction Action**

Cases are scrutinised by the Investigations Manager for the suitability for prosecution or sanction action taking into account a number of factors.

Primarily evidence and the public interest test are applied before further additional details of the case are taken into account. Details of the considered criteria are given below:

#### A) ***Sufficiency of evidence***

- Is there enough evidence to provide a realistic prospect of conviction?
- Has the evidence been collected in an appropriate manner?
- Can the evidence be used in court?
- Is the evidence reliable?

#### B) ***Public interest test***

Generally it must be seen to be in the public interest to prosecute. Poor publicity surrounding an attempted prosecution can lead to criticism of the Authority. Factors to be taken into account should include:

- Whether there has been unnecessary delays in carrying out the investigation (i.e. unexplained lapses of time).
- Whether the offender has any serious mental or physical health problems.
- The age of the offender.
- Whether the person has voluntarily disclosed the offence before the investigation discovered the fraud.
- Whether a vulnerable person would be put at risk by a prosecution (i.e. an informant).

C) ***Additional factors of the case***

A key consideration in the decision whether to prosecute is the level of *dishonesty* involved in the fraud. An investigated case may result in a relatively large amount of overpaid benefit, but another with a lower amount of overpayment may present as more serious because of the level of knowledge and deception involved.

Other factors taken into consideration are:

- Whether there is evidence of a previous instance of benefit fraud.
- Where the offender was in a position of trust (e.g. employee or councillor).
- Where there is evidence of collusion (e.g. with landlord or employer)
- Where the person has declined an Administrative Penalty or Caution.
- Where Authorised Officer powers have been obstructed.
- Where there are errors or flaws in the benefit assessment process.

The facts of the case are provided by the investigating officer in summary form at the end of the investigation following a taped Interview under Caution and calculation (by the Benefit Office) of any resulting overpayment.

The Principal Investigation Officer heading the relevant team will evaluate the case and pass her/ his recommendations on to the Team Manager.

The Team Manager will consider all the available evidence and determine whether any further action will be appropriate on the case in terms of criminal prosecution action, Formal Caution or Administrative Penalty. The above mentioned points are taken into consideration as are any serious social or personal factors that may have come to light during the investigation. The amount of the benefit overpaid as a result of the perceived fraudulent activity is taken into consideration but is not a definitive measure of what action is to be taken on the case.

The Authority aims to facilitate prosecution action on all cases where there is suitable evidence and supporting criteria. The team has an officer dedicated to preparing the paperwork required and liaising with the Legal department to ensure optimum results are achieved when the case goes to court.



## APPENDIX 5

# London Borough of Tower Hamlets Internal Audit Service

## **Fraud Prevention – referrals**

### Preliminary Risk Assessment and Scoring

#### Perpetrator of the Fraud Referral

<b>Rating</b>	<b>Score</b>	<b>Perpetrator</b>
High	4	Councillors, Chief Officers (Officers earning £50K+, Contractors with Contracts over £1M, Third Sector over £500K
Med-High	3	Officers working in any finance area, particularly benefits, Council Tax, NNDR, Payroll Creditors, etc, Officers over £20K, Contractors£100K to £1M, Third Sector £100K to £500K
Med	2	Full Time Employees, Tenants, RTB applicants, Contractors £10K to £100K, Third Sector £10K to £100K
Low	1	Part Time Employee, minor contractors, Third Sector Under £10K

#### Value of Potential Loss and status

<b>Rating</b>	<b>Score</b>	<b>Value of Lost</b>
Very Significant	4	Benefit Frauds/overpayment over £2000, thefts losses over £500
Significant	3	Benefit Frauds/overpayment £50 to £2000, thefts losses £100to £500
Moderate	2	Benefit Frauds/overpayment £100-£500, thefts losses £10 to £100
In significant	1	Benefits Frauds Losses under £100, Theft under £10, possible mitigating circumstances

**Scoring Matrix (multiply perpetrator score by the potential value of loss score)**

Chart A

	Value of Loss				
Status/Impact of Perpetrator		In Significant	Moderate	Significant	Very Significant
	Low	1	2	3	4
	Med	2	4	6	8
	Med - High	3	6	9	12
	High	4	8	12	16

**Risk Assessment**

<b>Score result from <u>chart A</u></b>	<i>Rating</i>	<b>Action</b>
1-2	Low	No action by audit, other than await other agencies section to investigate as necessary and follow-up if required
3-4	Med	Advice appropriate management, and await other agencies or management investigations
6-8	Med/High	Investigate within 30 days and advise appropriate management
9-16	High	Initiate immediate initial investigations, collate evidence to enable secondary risk evaluation and follow-up accordingly

## APPENDIX 5

### Internal Audit Service

#### Fraud Prevention – referrals

#### Secondary Risk Assessment and Scoring

##### Significance of Loss

Score	Significance	Value of Loss
5	Significant	Loss over £500
2	Moderate	Minimum/moderate loss under £500
1	In significant	No Loss or minimal loss under £50

##### Impact of outcome

Score	Impact	Outcome
10	High	Fraud irregularity proven, external police action, or agency prosecution
5	Med	Minimal findings confirmed, some internal issues to resolve follow up
1	Low	No case to answer, allegations not proven

##### Scoring Matrix (multiply significance of loss score by the impact of outcome score)

##### Chart B

	Significance of Loss			
		In Significant	Moderate	Significant
Impact of Outcome	Low	1	2	5
	Med	5	10	25
	High	10	20	50

Revised Risk assessment

<b>Score result from <u>chart B</u></b>	<b>Rating</b>	<b>Action</b>
20-50	High	Follow –up all internal actions, including, disciplinaries, recoveries, advertising results etc..
5-10	Medium	Management to resolve outstanding issues
1-2	Low	No further Action, close file

**APPENDIX 5**

**Internal Audit**

**Reactive Anti Fraud Referrals  
Preliminary Risk Assessment**

Case Ref :	Date
Type of referral :	
File Name/key person/address :	
Summary of Key Issues	

	Risk Assessment	Score
Impact		
Significance		
	<u>Overall score</u>	
	<b><u>Risk Assessment</u></b>	

Action to be taken	
By whom	Date
Auditors Comments	
Auditor	Date
Manager Review/Comments	
Manager	Date

## **APPENDIX 6**

### **Other possible fraudulent activity**

Concerns on the following can be reported via the Whistleblowing hotline and will be referred to the appropriate Service Head for investigation and action as necessary.

#### **Tenancy Fraud**

The council has a limited number of houses available to let and lettings are prioritised according to housing needs. Tenancy fraud involves obtaining properties by deception (for example, individuals claiming to be homeless when they already own a property or are already living at an address), or continuing to claim to be living at a property when they have moved out and sublet it.

We have a duty to house certain vulnerable members of society (e.g. children), and are often forced to use bed and breakfast facilities due to a shortage of council housing. In addition, families or individuals on the housing waiting list are denied housing because people are using the council properties for profit or simply queue jumping. Fraudulently obtaining council housing or subletting for personal gain uses up precious resources that should be available to families in need.

#### **Third Sector Organisations/Grants**

The council awards several different grants to individuals and organisations in the borough. These range from house renovation grants to voluntary organisations providing services to the community. Grant fraud usually involves either making false claims in order to obtain a grant or providing false accounts of how the money is spent. The council works closely with voluntary groups and has processes in place for assessing corporate governance and anti fraud clauses in the letting of contracts. All third parties including contractors to the council can make use of the council's whistleblowing process.

#### **Insurance claims**

The Council receives bogus insurance claims, particularly related to trips and falls on the pavement. This is a serious problem, which drains resources away from repairing and improving the highways themselves.

#### **Parking permits including Blue Badge Scheme**

The council has designated many neighbourhoods as controlled parking zones, many requiring a parking permit which is only available to residents. Parking in certain areas of the borough is at a premium, which causes some motorists to use

fake permits, other residents' permits, or may fraudulently use a resident's address to obtain a permit from us. This kind of fraud reduces the availability of parking for residents and reduces the revenue to the council.

### **Identity theft/fraud**

Identity theft is the unlawful taking of another person's details without their permission. The information stolen can be used to obtain many financial services goods and other forms of identification i.e. passports and driving licenses. The information stolen can range from a copy of birth certificate to copies of discarded bank or credit card statements and utility bills.

Once the criminals have copies of someone's identity they can embark on criminal activity in your name with the knowledge that any follow up investigations will not lead to them. With your details they can obtain documents that are in essence real but contain false information thus making it difficult for organisations to know who they really are dealing with.

### **Protect yourself!**

Be careful with your personal information. If you receive a telephone call from a credit card company, bank or other retail company asking to confirm certain details about yourself decline them and ask to call them back preferably through a central switchboard. Also, do not reveal your personal details when using your mobile phone in a public place. When destroying personal correspondence such as bank and credit card statements consider a shredder or even burning them on the garden refuse. If you cannot do either then tear the papers up into very small pieces and place in the refuse bin with other waste products.

If you move address remember to inform all of the companies that send personal information to you in the post. Always consider re-directing your post with Royal Mail. If you fail to do this people moving in might have free access to your personal details and misappropriate them.

### **How do you know if are victim to this type of fraud?**

- Are you missing your regular monthly statements?
- Have you noticed charges to your accounts that are not yours?  
Remember to check all statements especially bank and credit card.
- Being contacted by a debt collection agency about outstanding payments for items or services that you have not ordered.

### **Protect yourself act quickly**

- Firstly do not ignore the problem it might not be you that has ordered some goods or opened an account but the debt falls to your name and address.
- Once blacklisted for credit it may take many years to fully recover the problem you might have difficulties in obtaining a mortgage or other bank credit.
- Contact your local Police and report the crime and ask for a crime reference number to quote to the companies that allege that you have opened an account with them.

Check out the Home Office identity theft website at [www.identity-theft.org.uk](http://www.identity-theft.org.uk) for more information

### **Advance fee fraud**

Advance fee fraud is a popular crime, which involves a myriad of schemes and scams - mail, faxed, and telephone promises designed to facilitate victims parting with money. They usually claim to be from a general or politician in a foreign country who has a large sum of money (millions of pounds), which they wish to get out of a country, and need help in getting it out with the promise of a substantial share of the cash in return. If you receive correspondence of this sort report it to the police. Remember, if it seems too good to be true, it probably is! For further crime prevention advice, visit the [BBC Crime Prevention website](#) or the [Home Office fraud prevention website](#)