
Standards Committee

TUESDAY, 10TH JUNE, 2008 at 19:30 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Diakides, Khan, Lister, Mallett, Reid, Whyte, Williams and Winskill

INDEPENDENT MEMBERS: Ms I. Francis, Mr R. Lovegrove, Ms C. Sykes, Ms A. Loyd

AGENDA

1. ELECTION OF CHAIR AND DEPUTY CHAIR FOR STANDARDS COMMITTEE 2008-9

To elect a Chair and Deputy Chair of the Standards Committee for the Municipal Year 2008-9.

2. APOLOGIES FOR ABSENCE

3. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business.

4. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

5. MINUTES AND MATTERS ARISING (PAGES 1 - 8)

To confirm and sign the minutes of the meetings of the Standards Committee held on 7th February 2008.

6. CHAIR'S ANNOUNCEMENTS

7. MONITORING OFFICER'S REPORT ON REFERRALS RECEIVED FROM THE STANDARDS BOARD FOR ENGLAND

To consider any referrals received from the Standards Board for England.

8. APPOINTMENT OF INDEPENDENT MEMBERS FOR STANDARDS COMMITTEE (PAGES 9 - 12)

(Report of the Monitoring Officer) For information: a report to make provision for the Council having a full complement of 4 independent members on its Standards Committee for the 2008/9 municipal year which was agreed by Full Council on May 19th 2008.

9. DETERMINATION HEARINGS

To consider the outcomes of recently held Haringey Council Determination Hearings.

10. NEW LOCAL FILTER REGULATIONS AND GUIDANCE - UPDATE (ORAL)

11. MEMBERS CODE OF CONDUCT - LOCAL COMPLAINTS HANDLING PROCEDURES (PAGES 13 - 52)

(Report of the Monitoring Officer) To set out arrangements for the receipt, assessment, review and hearing of complaints received locally alleging that Members have failed to comply with the Members Code of Conduct. To adopt terms of references for the Standards Assessment, Review and Hearing Sub-Committees.

12. TRAINING AND BRIEFING ARRANGEMENTS FOR MEMBERS

To consider training and briefing arrangements with regards to Standards Committee.

13. PROPOSED CHANGES TO THE STANDARDS COMMITTEE AND MONITORING OFFICER'S TERMS OF REFERENCE

(Report of the Monitoring Officer) **TO FOLLOW**

14. LOCAL CODE OF CORPORATE GOVERNANCE (PAGES 53 - 66)

(Report of the Monitoring Officer) To inform Members about the background to the Local Code of Corporate Governance and the draft Local Code which is to be recommended to full Council in July for adoption.

15. DRAFT ANNUAL REPORT TO COUNCIL

(Report of the Chair of Standards Committee) To consider the draft Standards Committee annual report to Council. **TO FOLLOW**

16. NEW ITEMS OF URGENT BUSINESS

17. DATES OF NEXT MEETINGS

Next meetings of the committee to be held on:

- 21st October 2008
- 15th January 2009

All meetings to commence at 7:30pm.

Yuniea Semambo
Head of Local Democracy & Member Services
5th Floor
River Park House
225 High Road
Wood Green
London N22 8HQ

Jeremy Williams
Principal Committee Co-Ordinator
London Borough of Haringey
Tel: 020 8489 2919
Fax: 020 8489 2660
Email: Jeremy.Williams@haringey.gov.uk

2 June 2008

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MINUTES OF THE STANDARDS COMMITTEE
THURSDAY, 7 FEBRUARY 2008

MEMBERS:	Councillors Dobbie, GMMH Rahman Khan, Lister, Mallett, Whyte and Winskill
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INDEPENDENT MEMBERS:	Mr N Weber (Deputy Chair), Mr R. Lovegrove and Ms C. Sykes.
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Apologies Irene Francis (Chair), Councillors Mughal and Williams

MINUTE NO.	SUBJECT/DECISION
STCO25.	APOLOGIES FOR ABSENCE Apologies for absence were received from Councillors Mughal and Williams, as well as from the Chair, Irene Francis. Roger Lovegrove, the Vice-Chair of the Committee, took the Chair for the meeting.
STCO26.	URGENT BUSINESS There was no such business.
STCO27.	DECLARATIONS OF INTEREST There were no such declarations.
STCO28.	MINUTES AND MATTERS ARISING Under matters arising, Members noted that they were awaiting a written note from the Monitoring Officer concerning the new arrangements for the Members' Code of Conduct. The Monitoring Officer agreed to supply Members with the requested note. RESOLVED: 1. That the Monitoring Officer write to Members concerning the new arrangements for the Members' Code of Conduct. 2. That the minutes of the meeting of the Standards Committee held on 8 th October 2007 be confirmed and signed.
STCO29.	CHAIR'S ANNOUNCEMENTS The Committee was informed of the resignation of Nicolas Weber (independent Member) with immediate effect. The Committee expressed its congratulations to John Suddaby for being confirmed to the post of Monitoring Officer. RESOLVED:

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	<p>That the Committee write to Nicolas Weber thanking him for his work for the committee.</p>
STCO30.	<p>MONITORING OFFICER'S REPORT ON REFERRALS RECEIVED FROM THE STANDARDS BOARD FOR ENGLAND</p> <p>The Monitoring Officer stated that he had not received any referrals to the Standards Board for England in the period since the previous meeting.</p> <p>Two letters had been received from the Standards Board informing him of complaints about two separate Members; the Board had elected not to refer these complaints onwards. The committee noted that Members who were the subject of a complaint were made aware of the complaint after it had been considered by the Standards Board.</p>
STCO31.	<p>DETERMINATION HEARINGS</p> <p>There had been no determination hearings.</p>
STCO32.	<p>GOVERNMENT CONSULTATION PAPER ON NEW ETHICAL GOVERNANCE SCHEME FOR LOCAL AUTHORITIES</p> <p>The committee discussed the Monitoring Officer's draft response to the Government Consultation Paper on a new Ethical Governance Scheme for local authorities. Following discussion amongst the committee, the following response from Haringey was agreed:</p> <p>Q1. Does our proposal to prohibit a member who has been involved in a decision on the assessment of an allegation from reviewing any subsequent request to review that decision to take no action (but for such a member not to be prohibited necessarily from taking part in any subsequent determination hearing), provide an appropriate balance between the need to avoid conflicts of interest and ensure a proportionate approach? Would a requirement to perform the functions of initial assessment, review of a decision to take no action, and subsequent hearing, by sub-committees be workable?</p> <p>A 1. We are of the view that a member of the Standards Committee should not be involved in more than one stage of the process, whether that be the initial assessment, the review or the hearing. The argument for this is based on the importance of proceedings being seen to be fair. A member against whom an allegation has been made is likely to feel unfairly prejudiced if members were to conduct a hearing on a matter where those same members had previously seen the original allegation, with no counter-evidence, and taken a decision that it appeared to show a breach of the Code of Conduct and merited investigation. Our proposal would require the Standards Committee to arrange for each separate stage of the local determination procedure – initial sieve, review and determination hearing – to be conducted by a separate sub-committee.</p> <p>Q2. Where an allegation is made to more than one standards committee, is it appropriate for decisions on which standards committee should deal with it to be a matter for agreement between standards committees? Do</p>

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you agree that it is neither necessary nor desirable to provide for any adjudication role for the Standards Board?

A2. We consider that It must be for the separate authorities to decide whether an individual matter would be appropriate for joint treatment in any respect. However, it would be helpful if the Standards Board for England could be asked to facilitate joint treatment where authorities are unable to reach agreement between themselves.

Q3. Are you content with our proposal that the timescale for making initial decisions should be a matter for guidance by the Standards Board, rather than for the imposition of a statutory time limit?

A3. We would favour a statutory timescale being in place

Q4. Do you agree that the sort of circumstances we have identified would justify a standards committee being relieved of the obligation to provide a summary of the allegation at the time the initial assessment is made? Are there any other circumstances which you think would also justify the withholding of information? Do you agree that in a case where the summary has been withheld the obligation to provide it should arise at the point where the monitoring officer or ethical standards officer is of the view that a sufficient investigation has been undertaken?

A4. We do not agree that there should be a discretion not to provide a summary of the allegation at the time the initial assessment is made.

Q5. Do you agree that circumstances should be prescribed, as we have proposed, in which the monitoring officer will refer a case back to the standards committee?

A5. We agree with the principle that the Monitoring Officer should be able to refer a matter back to the Standards Committee where the circumstances have significantly altered since the Standards Committee took the decision that the matter merited investigation.

We also consider that a Standards Committee should have the ability to refer an allegation to the Monitoring Officer for action short of a formal investigation, for example for training or mediation.

We are concerned that the 2007 Act makes no express provision for local resolution of allegations, and we would encourage the Standards Board for England to issue guidance on how this may be achieved in appropriate cases. Not all cases are susceptible to local resolution, but given the cost of formal investigations and hearings, it clearly makes sense to seek amicable local resolution where possible and it would be very helpful if the Standards Board for England were to endorse such a role for Monitoring Officers.

Q6. Are you in favour of an increase in the maximum sanction the standards committee can impose? If so, are you content that the maximum sanction should increase from three months to six months suspension or partial suspension from office?

A6. We agree that an increase in the maximum local sanction is required if more cases are to be handled locally. We consider that the proposal for a maximum 6 months suspension at local level is an appropriate level to set in

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the first instance but that a further review should take place around increasing this to 9 months based on the light of experience of the operation of the local sieve arrangements.

Q7. Do you have any views on the practicability of requiring that the chairs of all sub-committees discharging the assessment, review and hearing functions should be independent, which is likely to mean that there would need to be at least three independent chairs for each standards committee? Would it be consistent with robust decision-making if one or more of the sub-committee chairs were not independent?

A7. We agree that the Chairs of all Sub-Committees should be Independent Co-opted Members.

Q8. Do you agree with our proposal that the initial assessment of misconduct allegations and any review of a standards committee's decision to take no action should be exempt from the rules on access to information?

A8. We agree that the initial assessment and review functions should be conducted without press and public access.

An outstanding issue relating to the new arrangements is that there is no statutory confidentiality for Monitoring Officer reports, and particularly draft reports, unlike the position for Ethical Standards Officers' report. We request that the opportunity be taken to remedy this omission and bring local investigation reports into line with national reports.

Q9. Have we identified appropriate criteria for the Standards Board to consider when making decisions to suspend a standards committee's powers to make initial assessments? Are there any other relevant criteria which the Board ought to take into account?

A9. We agree with the criteria as listed. We do not think that in all cases intervention would need to be total. We suggest that it would be helpful if it were made clear that intervention might be only in respect of parts of the process, such as failure to undertake prompt initial assessments, rather than in respect of the whole functions.

Q10. Would the imposition of a charging regime, to allow the Standards Board and local authorities to recover the costs incurred by them, be effective in principle in supporting the operation of the new locally-based ethical regime? If so, should the level of fees be left for the Board or authorities to set; or should it be prescribed by the Secretary of State or set at a level that does no more than recover costs?

A10. We agree that a system of recharging for a Standards Committee performing another Standards Committee's function, would appear to be sensible and a scale of charges for the initial assessment, review and hearing would also seem to be appropriate. However, there are very substantial variations in the costs of investigations, from £5,000 to £50,000, and we consider that actual cost recharge for investigations would be appropriate.

Q11. Would you be interested in pursuing joint arrangements with other authorities? Do you have experience of joint working with other authorities and suggestions as to how it can be made to work effectively in practice? Do you think there is a need to limit the geographical area to be covered by a particular joint agreement and, if so, how should such a

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limitation be expressed? Do you agree that if a matter relating to a parish council is discussed by a joint committee, the requirement for a parish representative to be present should be satisfied if a representative from any parish in the joint committee's area attends?

A11.

We consider that the facility to form joint committees, and for those joint committees to form joint sub-committees to undertake particular functions, would be a useful optional arrangement to have.

Q12. Are you content that the range of sanctions available to case tribunals of the Adjudication Panel should be expanded, so the sanctions they can impose reflect those already available to standards committees?

A12. We support this change.

We would also support an amendment to the remit of Appeals Tribunals under Regulation 13 of the Local Determination Regulations, to make it clear that an Appeals Tribunal should not re-conduct the hearing and substitute its discretion for that of the Standards Committee, but should only overturn the decision or part of the decision of a Standards Committee where it is of the opinion that that decision was either outside the powers of the Standards Committee or was unreasonable. If we are going to trust Standards Committees with more cases and more powers, they cannot operate if their decisions are to be overturned too frequently because the Appeals Tribunal comes to a different value judgement.

Q13. Do you agree with our proposals for an ethical standards officer to be able to withdraw references to the Adjudication Panel in the circumstances described? Are there any other situations in which it might be appropriate for an ethical standards officer to withdraw a reference or an interim reference?

A13. We agree with this proposal to enable an Ethical Standards Officer to withdraw a case from the Adjudication Panel where there has been a material change in circumstance since the original decision was taken to refer the matter. Where appropriate we think the allegation should be referred back to the Standards Committee.

We also agree that the decision of a case tribunal to suspend a member should be effective upon the decision of the case tribunal, rather than having to be referred to and actioned by the authority's Standards Committee.

Q14. Have you made decisions under the existing dispensation regulations, or have you felt inhibited from doing so? Do the concerns we have indicated on the current effect of these rules adequately reflect your views, or are there any further concerns you have on the way they operate? Are you content with our proposals to provide that dispensations may be granted in respect of a committee or the full council if the effect otherwise would be that a political party either lost a majority which it had previously held, or gained a majority it did not previously hold?

A14. We agree that Regulation 3(1)(a)(i) of the Dispensations Regulations

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should be clarified to ensure that it relates to the position where half of the members of a decision-making body who would, apart from the prejudicial interest, have been entitled to vote on the particular matter, are required by such prejudicial interest to withdraw.

On Regulation 3(1)(a)(ii), providing for a dispensation where the authority is unable to comply with its duty to secure proportionality, we would ask the Department to address the issue that, as presently drafted, this only applies when the Council is appointing a Committee, or a Committee is appointing a Sub-Committee, as proportionality relates to the composition of the members of the Committee as appointed, rather than those who attend and vote on any particular occasion.

We would ask that the same power of dispensation be applied to Sub-Committees as to Committees.

Q15. Do you think it is necessary for the Secretary of State to make regulations under the Local Government and Housing Act 1989 to provide for authorities not required to have standards committees to establish committees to undertake functions with regard to the exemption of certain posts from political restrictions, or will the affected authorities make arrangements under section 101 of the Local Government Act 1972 instead? Are you aware of any authorities other than waste authorities which are not required to establish a standards committee under section 53(1) of the 2000 Act, but which are subject to the political restrictions provisions?

A15. We would not object if arrangements are put in place to enable such authorities to undertake functions with regard to the exemption of certain posts from political restrictions.

Q16. Do you agree with our proposal to implement the reformed conduct regime on 1 April 2008 at the earliest?

A16. Experience of past changes to the system, and particularly changes to the Code of Conduct, underline how important it is to get these changes right first time, with the benefit of full consultation, rather than to rush half-considered changes into effect.

The Department's intention to implement the changes from 1st April 2008 will leave little time for consideration of the results of this consultation before a statutory instrument has to be laid before Parliament and guidance issued. It will also leave little time for any necessary training/ briefing of Standards Committee members in the new arrangements.

RESOLVED:

That the above response to the government consultation be agreed.

STCO33. RECRUITMENT OF INDEPENDENT MEMBER FOR STANDARDS COMMITTEE

The committee received a report outlining progress made to date in the recruitment of a new independent Member of the committee. It was noted that initial response to the advert was positive.

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	<p>It was agreed that the panel for the shortlisting and interview should be comprised of two independent Members and two Councillors (one from each political group). It was decided that the Chair of the committee would have the casting vote.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. The committee noted the progress thus far on the recruitment of an independent Member. 2. That the panel be comprised of two independent Members and two Councillors, with the Chair having the casting vote.
STCO34.	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>There were no such items.</p>
STCO35.	<p>ANY OTHER BUSINESS</p> <p>The Monitoring Officer agreed to investigate training options for the new municipal year, including the use of external providers.</p> <p>RESOLVED:</p> <p>That the Monitoring Officer investigate training options for 2008-09 and report back to the committee.</p>
STCO36.	<p>DATES OF NEXT MEETINGS</p> <p>The next meeting to be held on Thursday 10th April 2008 at 7:30pm.</p>

ROGER LOVEGROVE

Vice-Chair, in the Chair

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Haringey Council

Agenda item:

COUNCIL**On 19 May 2008**

Report Title: Appointment of Independent Members for Standards Committee

Forward Plan reference number (if applicable): N/A

Report of: John Suddaby, Head of Legal Services and Monitoring Officer

Wards(s) affected: All

Report for: Decision

1. Purpose

1.1 To make provision for the Council having a full complement of 4 independent members on its Standards Committee for the 2008/9 municipal year.

1.2 The Council's Constitution requires the Standards Committee to have four independent members. The report recommends to Council that the Council confirms the appointment of Annabel Loyd as independent member following the recruitment process outlined below and that Irene Francis and Roger Lovegrove be confirmed as independent members for a further year until May 2009. Independent members to the Standards Committee for the municipal year 2008/9 will therefore be: Irene Francis, Roger Lovegrove, Carol Sykes and Annabel Loyd.

Contact Officer: John Suddaby, Head of Legal Services and Monitoring Officer.
Contact telephone number: 020 8489 3974
Email: john.suddaby@haringey.gov.uk

3. Local Government (Access to Information) Act 1985

3.1 Local Government Act 2000

3.2 Council's Constitution

3.3 Standards Board for England Guidance

3.4 Member Services and Legal Services files.

4. Background

4.1 The Standards Committee is required by national legislation to have at least one independent member and also independent members must form 25% of the committee. The rules in relation to political balance do not apply to Standards Committees. Legislation provides that:

- Independent members must not have been a member or employee of Haringey Council within 5 years before the date of appointment.
- Independent members must not be a relative or close friend of a member or employee of Haringey Council
- Independent members must have filled in an application form
- Independent members must have been approved by the majority of the Council's members.
- All meetings of the Standards Committee or sub-committee meetings held, have to have an independent member present as chair in order for the meeting to be quorate.

4.2 This Council's Constitution provides that the Standards Committee is composed of 8 councillors and 4 independent members and that the independent members must not be councillors or officers of the Council or any other body with a Standards

should be retained for a further year and that the resulting vacancy should be advertised.

4.5 On receipt of Nicholas Weber's resignation, the Standards Committee of 7 February 2008 agreed to start the recruitment process for the vacancy and confirmed that subject to approval by full Council, Irene Francis and Roger Lovegrove should remain independent members for a further year's office.

4.6 The advertisement to recruit independent members was placed in Local Haringey newspapers, on the Council website and in Haringey People.

4.7 31 completed application forms were received for the position and a shortlist of four candidates was selected by members of the Standards Committee for final interview. The interviews followed the Council interview procedure and the successful candidate was Annabel Lloyd.

5. Recommendation

5.1 To approve the appointment of Annabel Lloyd to serve as an independent member on the Standards Committee from May 2008 for four years.

5.2 To approve the extension for a further year of the term of office of independent member of Irene Francis and Roger Lovegrove.

6. Comments of the Director of Finance

6.1 There are no financial implications.

7. Comments of the Head of Legal Services

7.1 The legal position is set out in the report.

8. Equalities Implications

8.1 Recruitment has taken place in accordance with the Council's policies.

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Agenda item:

STANDARDS COMMITTEE**On 10 JUNE 2008**

Report Title: Members Code of Conduct - local complaints handling procedures

Forward Plan reference number (if applicable): N/A

Report of: John Suddaby, Head of Legal Services and Monitoring Officer

Wards(s) affected: All

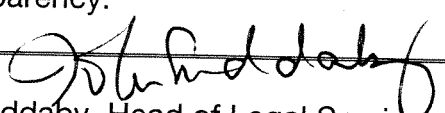
Report for: Decision

1. Purpose

- 1.1 To set out arrangements for the receipt, assessment, review and hearing of complaints received locally alleging that Members have failed to comply with the Members Code of Conduct.
2. To adopt terms of references for the Standards Assessment, Review and Hearing Sub-Committees.

3. Recommendation

- 3.1 To approve the arrangements set out in the report and its appendices for the processing of complaints that members have failed to comply with the Code of Conduct.
- 3.2 To delegate to the Head of Local Democracy and Member Services power to appoint the membership of Standards Assessment Sub-Committees, Standards Review Sub-Committees and Standards Hearing Sub-Committees in accordance with the Regulations (S.I 2008/1085) and the procedures set out in the report and in consultation with the Chair of the Standards Committee and the Monitoring Officer.
- 3.3 That the Standards Committee receives a further report containing suggested objective local criteria that will be used in the assessment process in order to ensure fairness and transparency.


Report Authorised by: John Suddaby, Head of Legal Services and Monitoring Officer

Contact Officer: John Suddaby, Head of Legal Services and Monitoring Officer.
Contact telephone number: 020 8489 3974

Email: john.suddaby@haringey.gov.uk

4. Executive Summary

4.1 The Local Government Act 2000 (as amended) and recent regulations made under it enables people to make a written allegation to a local authority standards committee that a member or co-opted member of the authority has failed to comply with the authority's code of conduct. They require local standards committees to make arrangements for dealing with such allegations, confer powers on the Monitoring Officer to carry out investigations and make provisions for standards committees to reach decision on allegations and impose sanctions on Members.

5. Local Government (Access to Information) Act 1985

5.1 Local Government Act 2000

5.2 The Standards Committee (England) Regulations 2008 No. 1085

5.3 Standards Board for England Guidance

6. Background

From 8 May 2008, a complaint that a Member of Haringey Council has failed to observe the Members Code of Conduct will be received, assessed and dealt with by Haringey Council's Standards Committee.

Publicity of new arrangements

Notices publicising the new Members complaints local arrangements have been placed in the local press and will appear in Haringey People and on the Council's website.

7. Report

7.1 Receipt of Complaints

Complaints received in writing that an elected or co-opted Member of the Council has failed or may have failed to comply with the Member's Code of Conduct will be sent to the Chair of the Standards Assessment Sub-committee of the Standards Committee c/o the Monitoring Officer.

On receipt, the Monitoring Officer will

- 1) notify the subject member that a complaint has been received against them and that an assessment sub-committee will take place to determine what further action to take in relation to it and refer the complaint to the ASC for an assessment hearing, or
- 2) Take other appropriate action – e.g. in the case of a complaint unrelated to the code of Conduct or a complaint received orally, the Monitoring Officer may consider informal resolution.
- 3) At his/her discretion inform the subject member of the nature of the complaint received and the identity of the complainant and of the action that will be taken

- 4) Notify the complainant of the action that will be taken in relation to his/her complaint.

The Monitoring officer will ensure that all complaints against elected and co-opted Members received by the Council are directed to him/her to allow the necessary steps outlined at a)-d) to be taken.

Where the Monitoring Officer refers the complaint to the ASC for an assessment hearing he/she will prepare a draft written summary report for the assessment sub-committee confirming that the complaint appears to be within their jurisdiction, referring to the relevant code paragraph that appears to be engaged, to key aspects of complaint and including any further relevant information (as per page 10 of SBE guidance).

7.2 Assessment of Complaints Received

To do this the Standards Committee must set up an assessment sub-committee, a review sub-committee and lastly must arrange for any complaint which is investigated to have a hearing.

To enable this to be done as required in good time, the report proposes to delegate to the Head of Local Democracy and Member Services power to appoint the membership of Standards Assessment Sub-Committees, Standards Review Sub-Committees and Standards Hearing Sub-Committees in accordance with the Regulations (S.I 2008/1085) and the procedures set out in the report and in consultation with the Chair of the Standards Committee and the Monitoring Officer.

It is also proposed that in order to assist these bodies in the discharge of their functions that the Standards Committee receives a further report containing suggested objective local criteria that will be used in the assessment process in order to ensure fairness and transparency.

7.3 Standards Assessment sub-committee

The standards assessment sub-committee (SASC) will be composed of 5 members of the Standards Committee. Two of the members of the sub-committee will be independent members and three will be elected Members. The membership of the SASC will be appointed by the Head of Local Democracy and Member Services on a rotation basis subject to availability and in accordance with the Regulations (S.I 2008/ 1085) in consultation with the Chair of the Standards Committee and the Monitoring Officer. The SASC will function in accordance with the Terms of reference proposed at Appendix A to this report.

7.4 Standards Review Sub-committee

Where a SASC makes a finding of “no action” on a complaint, the complainant has a right to seek a review of that decision from a standards review sub-committee. The review must be carried out within 3 months but the SBE Guidance recommends completion within an average of 20 working days.

The standards review sub-committee (SRSC) will be composed of 3 members of the Standards committee who were not members of the assessment sub-committee that considered the complaint. One of the members of the sub-committee will be an independent member and two of the members will be elected members. The

membership of the SRSC will be appointed by the Head of Local Democracy and Member Services on a rotation basis subject to availability and in accordance with the Regulations (S.I 2008/ 1085) and the restrictions referred to above and in consultation with the Chair of the Standards Committee and the Monitoring Officer.

The SRSC will function in accordance with the Terms of reference proposed at Appendix B to this report.

7.5 Action following investigation

The Standards Committee will meet to consider a report following an investigation by the Monitoring Officer as requested by a SASC or SRSC.

At its meeting the Standards Committee will consider and make one of the following decisions

1. A finding of acceptance – accepting a monitoring officer's finding of no failure to comply with the Code
2. That the matter should be considered for determination at a hearing by the full Standards Committee or at a hearing by the standards hearing sub-committee.
3. That the matter should be referred to the Adjudication Panel for England for determination.

7.6 Standards Hearing Sub-committee

The standards hearing sub-committee will be composed of 5 members of the Standards Committee of whom 2 members will be independent members. The membership of the SHSC will be appointed by the Head of Local Democracy and Member Services on a rotation basis subject to availability and in accordance with the Regulations (S.I 2008/ 1085) and in consultation with the Chair of the Standards Committee and the Monitoring Officer.

The SHSC will function in accordance with the Terms of reference proposed at Appendix C to this report.

7.7 Substitute Members

The Monitoring Officer may at his/her discretion make arrangements for the co-option of independent members from other local authorities for specific complaints. In doing this the Monitoring Officer will follow any guidance from the Standards Board for England and will only undertake this where existing Haringey independent members are either conflicted out or unavailable for the relevant hearing in circumstances where it would not be reasonable to involve in further delay.

7.8 Quarterly and Annual reporting to the Standards Board for England

The monitoring officer will as required by the Regulations make quarterly and annual returns to the Standards Board for England on the operation of the Members code of conduct and standards framework in Haringey Council.

8. Recommendations

8.1 To approve the arrangements set out in the report and its appendices for the processing of complaints that members have failed to comply with the Code of Conduct.

8.2 To delegate to the Head of Local Democracy and Member Services power to appoint the membership of Standards Assessment Sub-Committees, Standards Review Sub-Committees and Standards Hearing Sub-Committees in accordance

with the Regulations (S.I 2008/1085) and the procedures set out in the report and in consultation with the Chair of the Standards Committee and the Monitoring Officer.

8.3 That the Standards Committee receives a further report containing suggested objective local criteria that will be used in the assessment process in order to ensure fairness and transparency

9. Comments of the Director of Finance

9.1 There are no financial implications.

10. Comments of the Head of Legal Services

10.1 The legal position is set out in the report.

11. Equalities Implications

11.1 There are no equalities implications.

Appendix A. Terms of Reference of the Assessment Sub-Committee of the Standards Committee

Being mindful of the relevant legislation and any guidance issued by the Standards Board for England with regard to initial assessment:-

1. The Assessment Sub-Committee of the Standards Committee will, subject to paragraph 2 below, initially assess all written complaints received by Council's Monitoring Officer on the appropriate Complaints Form for such purposes or such written complaints submitted by letter/ email/ fax setting out all the relevant information required on such Complaints Form.
2. The Assessment Sub-Committee of the Standards Committee will only have jurisdiction to consider written allegations that an elected or co-opted Member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct for Members.
3. The Assessment Sub-Committee of the Standards Committee is empowered to do one of the following:-
 - i. Decide that no action should be taken in respect of the allegation;
 - ii. Ask for additional information from the complainant on the allegation before concluding the initial assessment;
 - iii. If the allegation is likely to be reasonably sustained and it is in the public interest to warrant Council funds being spent on a local investigation, refer the allegation to the Council's Monitoring Officer, with an instruction that he/she arranges for an investigation of the allegation
 - iv. Direct that the Council's Monitoring Officer arranges training, conciliation or such other appropriate action as might be permitted by the relevant legislation;
 - v. If the matter is of a serious nature (for example, there is a potential conflict of interest with the Standards Committee or the potential sanction(s) available to the Standards Committee might not be sufficient for the Standards Committee to deal with), refer the allegation to the Standards Board for England for investigation; or
 - vi. Where the allegation is in respect of a person who is no longer a member of the Council, but is a member of another relevant authority (as defined in Section 49 of the Local Government Act

2000), refer to the allegation to the Monitoring Officer of that other authority,

And shall authorise the Monitoring Officer to take all reasonable steps to implement its decision(s), with reasons, and to notify the person making the allegation and the member concerned of that decision.

4. The Assessment Sub-Committee of the Standards Committee shall also consider under sections 1 and 2 of the Local Government and Housing Act 1989:-
 - i. Any application received from any officer of the Council for exemption from political restriction in respect of the post held by that officer and may direct the Council that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Council under Section 2(2) of the Act; and
 - ii. Upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Council under Section 2(2) of the 1989 Act, and may direct the Council to include a post in that list.
5. **Composition** – The Assessment Sub-Committee of the Standards Committee shall comprise 5 members, two of whom shall be independent members of the Standards Committee (one of whom shall be Chairperson of the Sub-Committee) and three who will be elected members of the Council.
6. **Quorum** – The Quorum for a meeting of the Assessment Sub-Committee of the Standards Committee shall be 3 members (with an independent member as Chairperson) and at least one elected member of the Council.
7. **Frequency of Meetings** – The Assessment Sub-Committee of the Standards Committee will programme a meeting for each month, but will only meet if it needs to initially assess an allegation at that meeting.

Appendix B Terms of Reference of the Review Sub-Committee of the Standards Committee

Being mindful of the relevant legislation and any guidance issued by the Standards Board for England with regard to initial assessment:-

1. Upon the request for a review from a person who has made an allegation that a member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct, the Review Sub-Committee of the Standards Committee will convene to review a decision of the Assessment Sub-Committee of the Standards Committee that no action is taken in respect of that allegation.
2. The Review Sub-Committee of the Standards Committee is empowered to take all decisions as per paragraph 3 of the terms of reference of the Assessment Sub-Committee of the Standards Committee.
3. **Composition** - The Review Sub-Committee of the Standards Committee shall comprise 3 members of the Standards Committee who were not members of the Review Sub-Committee. At least one member shall be an independent member of the Standards Committee (and Chairperson of the Sub-Committee) and one will be an elected member of the Council.
4. **Quorum** - The Quorum for a meeting of the Review Sub-Committee of the Standards Committee shall be all 3 members.
5. **Frequency of Meetings** – The Review Sub-Committee of the Standards Committee shall meet as and when required to review any decision of the Assessment Sub-Committee of the Standards Committee within 3 months of the receipt of the request for such a review from the person who made the allegation.

Appendix C. Terms of Reference of the Hearing Sub-Committee of the Standards Committee

Being mindful of the relevant legislation and any guidance issued by the Standards Board for England with regard to initial assessment;-

1. In accordance with the decision of the Standards Committee, the Hearing Sub-Committee of the Standards Committee will hear and determine an allegation that a member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct.
2. **Composition** - The Hearing Sub-Committee of the Standards Committee shall comprise 5 members of the Standards Committee. Two of the members of the Hearing Sub-Committee of the Standards Committee shall be independent members of the Standards Committee (and Chairperson of the Sub-Committee), three elected members of the Council.
3. **Quorum** - The Quorum for a meeting of the Hearing Sub-Committee of the Standards Committee shall be all 3 members (with an independent member as Chairperson of the Sub-Committee), and at least one elected member of the Council.
4. **Frequency of Meetings** – The Hearing Sub-Committee of the Standards Committee shall meet as and when required to hear and determine any allegation(s) against an elected or co-opted member of the Council and will follow the local hearing procedures adopted by the Standards Committee.

CODE OF CONDUCT FOR MEMBERS: INFORMATION FOR POTENTIAL COMPLAINANTS

Changes to the complaints regime

From 8 May 2008, the responsibility for considering written complaints against an Elected or Co-opted Members of Haringey Council for breach of the Code of Conduct for Members will move to Haringey Council's Standards Committee.

In the event of it being a serious complaint, it may be referred by the Standards Committee to the Standards Board for England for investigation and, for less serious matters, it may be referred to the Council's Monitoring Officer for investigation or other appropriate action (e.g. training / conciliation).

What this means to you

After 8 May 2008 if you want to submit a written complaint about the conduct of an Elected or Co-opted Member of Haringey Council, you must submit your complaint to the address shown below.

Please note that the Assessment sub-committee of the Standards Committee can only deal with complaints about the alleged behaviour and conduct of a member. It will not deal with complaints about any of the Council's departments or matters not covered by the Council's Code of Conduct.

If you want to make a complaint against any member of Haringey Council, you will have to complete the necessary Complaint Form and provide relevant evidence to substantiate your allegation(s). The Form is available from the Monitoring Officer and the Council's website www.haringey.gov.uk

If you are unsure about any aspect of the process, please contact the Monitoring Officer before submitting any complaint(s).

Until 8 May 2008, the Standards Board for England remains responsible for carrying out this function. Please visit the Standards Board's website at www.standardsboard.gov.uk for further information.

What you should do if you wish to submit a written complaint

- ☒ Talk to / raise the matter with the Council's Monitoring Officer for general advice.
- ☒ Fully complete the attached Complaints Form (or ensure your letter of complaint addresses, in full, all of the issues covered in the Complaint Form).
- ☒ Submit the written complaint by post, e-mail or fax to the above address, preferably, within 28 days of alleged breach or explain

sufficiently, in the Complaint Form (or letter), as to why the complaint is being submitted outside of this period of time.

Address for submission of a written complaint

The Chairman of the Assessment Sub-Committee of the Standards Committee
c/o John Suddaby
Monitoring Officer, Haringey Council

Tel:

Fax:

E-mail:

Sanctions available to Standards Committees

Extract from 2008 Regulations - Findings of standards committees

19.—(1) Following a hearing held under regulation 18, a standards committee shall make one of the following findings—

(a) that the member who was the subject of the hearing had not failed to comply with the code of conduct of any authority concerned;

(b) that the member who was the subject of the hearing had failed to comply with the code of conduct of an authority concerned but that no action needs to be taken in respect of the matters which were considered at the hearing; or

(c) that the member who was the subject of the hearing had failed to comply with the code of conduct of an authority concerned and that a sanction under paragraph (2) or (3) should be imposed.

(2) If a standards committee makes a finding under paragraph (1)(c) in respect of a person who is no longer a member of any authority in respect of which it exercises any function under Part 3 of the Act, it shall censure that person.

(3) If a standards committee makes a finding under paragraph (1)(c) in respect of a person who is a member of an authority in respect of which it exercises any functions under Part 3 of the Act, it shall impose any one of, or any combination of, the following sanctions—

(a) censure of that member;

(b) restriction for a period not exceeding six months of that member's access to the premises of the authority or that member's use of the resources of the authority, provided that those restrictions—

(i) are reasonable and proportionate to the nature of the breach; and

(ii) do not unduly restrict the person's ability to perform the functions of a member;

(c) partial suspension(a) of that member for a period not exceeding six months;

(d) suspension of that member for a period not exceeding six months;

- (e) that the member submits a written apology in a form specified by the standards committee;
 - (f) that the member undertakes such training as the standards committee specifies;
 - (g) that the member participate in such conciliation as the standards committee specifies;
 - (h) partial suspension of the member for a period not exceeding six months or until such time as the member submits a written apology in a form specified by the standards committee;
 - (i) partial suspension of the member for a period not exceeding six months or until such time as the member has undertaken such training or has participated in such conciliation as the standards committee specifies;
 - (j) suspension of the member for a period not exceeding six months or until such time as the member has submitted a written apology in a form specified by the standards committee;
 - (k) suspension of the member for a period not exceeding six months or until such time as that member has undertaken such training or has participated in such conciliation as the standards committee specifies.
- (4) Subject to paragraph (5) and regulation 21 any sanction imposed under this regulation shall commence immediately following its imposition by the standards committee.
- (5) A standards committee may direct that the sanction imposed under any of subparagraphs (b) to (k) of paragraph (3) or, where a combination of such sanctions is imposed, such one or more of them as the committee specifies, shall commence on such date, within a period of six months after the imposition of that sanction, as the committee specifies.

Sanctions available to Adjudication Panel for England

Pursuant to section 79(4) of the Local Government Act 2000, as amended, a person found to have breached the Code of Conduct for Members may be:-

- (a) suspended or partially suspended from being a member or co-opted member of the relevant authority concerned, or
- (b) disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority for a period of up to 5 years.

COMPLAINT FORM : CODE OF CONDUCT FOR MEMBERS

(Please read the 'INFORMATION FOR POTENTIAL COMPLAINANTS' before completing this Form).

To The Chairman,

Assessment Sub-Committee of Haringey Standards Committee

A. Your details

1. Please provide us with your name and contact details. Anonymous complaints will only be considered if there is independent evidence to substantiate the complaint.

Title:	
First name:	
Last name:	
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

The following people will see this form:

- Members of the Assessment Sub-Committee
- Monitoring Officer of Haringey Council

A brief summary of your complaint may also be shared, by the relevant Sub-Committee with the Member(s) you are complaining against. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete **Section C** of this Form and also discuss your reasons or concerns with the Council's Monitoring Officer.

2. Please tell us which complainant type best describes you:

- ☐ A member of the public
☐ An elected or co-opted Member of the Council
☐ An independent member of a Standards Committee
☐ A Member of Parliament
☐ A Monitoring Officer
☐ Other council employee, contractor or agent of the Council
☐ Other ()

3. Equality Monitoring Form - please fill in the attached form.

B. Making your complaint

The sanctions available to a Standards Committee are governed by law and more serious sanctions are only available to the Adjudication Panel for England. For a brief summary of sanctions available, please see information at the end of this Form.

4. Please provide us with the name of the member(s) you believe have breached the Council's Code of Conduct:

Title	First name	Last name

5. Please explain in this section (or on separate sheet(s)) what the Member is alleged to have done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done, with dates / witnesses to substantiate the alleged breach.

It is also important that you provide all the evidence you wish to have taken into account by the Standards Committee when it decides whether to take any action on your complaint or not. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said or did to insult you.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information or other relevant documentary evidence to support your allegation(s).
- If the allegation(s) being made occurred over 28 days after the alleged behaviour or conduct, clearly explain why the complaint was not made during that period of time.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

(Continue on separate sheet(s), as necessary)

C. Confidentiality of complainant and the complaint details

Only complete this next section if you are requesting that your identity is kept confidential

6. In the interests of fairness and in compliance with the rules of natural justice, we believe members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against him / her. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reasons to believe that you have justifiable grounds, for example:-

- to believe you may be victimised or harassed by the Member(s) against whom you are submitting a written complaint (or by a person associated with the same); or
- may receive less favourable treatment from the Council because of the seniority of the Member against whom you are submitting a written complaint in terms of any existing Council service provision or any tender / contract that you may have or are about to submit to the Council.

Please note that requests for confidentiality or requests for suppression of the personal and complaint details will not automatically be granted. The Assessment Sub-Committee will consider the request alongside the substance of your complaint and the Monitoring Officer will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the opportunity, if you so wish, of withdrawing your complaint.

However, it is important to understand that - in exceptional circumstances, where the matter complained about is very serious - we may proceed with an investigation (or other action) and may have no choice but to disclose your personal and complaint details, because of the allegation(s) made, even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

(Continue on separate sheet(s), as necessary)

D. Remedy sought

7. Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

(Continue on separate sheet(s), as necessary)

E. Additional information

8. Complaints must be submitted in writing. This includes fax and electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.

Form 2

9. In line with the requirements of the Disability Discrimination Act 2000, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.
10. If you need any support in completing this form, please contact the Monitoring Officer as soon as possible.

F. Process from here

11. Once a valid complaint relating to an alleged breach of the Code of Conduct for Members has been received by the Monitoring Officer, it will be presented to a meeting of the Assessment Sub-Committee of the Standards Committee for consideration / determination. You and the member against whom the complaint has been made will not be allowed to attend the deliberations of the Sub-Committee as the matter will be considered in private.
12. The Sub-Committee may resolve to:
- (a) dismiss your complaint, with reasons;
 - (b) ask you for additional information, with reasons;
 - (c) refer your complaint to the Monitoring Officer for investigation (or other action); or
 - (d) refer your complaint to the Standards Board for England if the complaint does not fall within the jurisdiction of the Standards Committee.
13. You will be notified after the meeting and given information on any further stage(s) in the process at that time.

John Suddaby,
Monitoring Officer,
Haringey Council,
Riverpark House

Tel:
Fax:
E-mail: john.suddaby@haringey.gov.uk

Haringey Council
- Information for monitoring purposes only -

Ethnic Origin

Choose one section from (A) to (E) then tick the appropriate box to indicate your cultural background. These are based on the 2001 Census with additional categories included.

A White

- | | | |
|----------------------------------|---|---------------------------------|
| <input type="checkbox"/> British | <input type="checkbox"/> Albanian/Kosovan | <input type="checkbox"/> Romany |
| <input type="checkbox"/> Irish | <input type="checkbox"/> Bosnian | |

Any other White background please write here :

B Mixed

- | | |
|--|--|
| <input type="checkbox"/> White and Black - Caribbean | <input type="checkbox"/> Asian and Black |
| <input type="checkbox"/> White and Black – African | <input type="checkbox"/> White and Asian |

Any other Mixed background please write here :

C Asian or Asian British

- | | |
|------------------------------------|--------------------------------------|
| <input type="checkbox"/> Indian | <input type="checkbox"/> Kashmiri |
| <input type="checkbox"/> Pakistani | <input type="checkbox"/> Bangladeshi |

Other Asian background please write here :

D Black or Black British

- | | |
|------------------------------------|----------------------------------|
| <input type="checkbox"/> Caribbean | <input type="checkbox"/> African |
|------------------------------------|----------------------------------|

Any other Black background please write here :

E Chinese or other ethnic group

- | | | |
|-------------------------------------|----------------------------------|---------------------------------|
| <input type="checkbox"/> Chinese | <input type="checkbox"/> Arab | <input type="checkbox"/> Afghan |
| <input type="checkbox"/> Vietnamese | <input type="checkbox"/> Kurdish | |

Any other please write here :

Dear [insert name of complainant]

Ref:

I thank you for your letter of [insert date] asking the Assessment Sub-Committee of the Standards Committee to consider your complaint. The Sub-Committee will meet over the coming few weeks to consider your complaint.

As per the normal procedure for such matters, you and the Member(s) against whom you have complained will not have the opportunity to attend this meeting, as it is not a public meeting, and you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

John Suddaby,
Monitoring Officer

**CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:
REFERRAL TO MONITORING OFFICER FOR
[INVESTIGATION OR OTHER ACTION (delete as
applicable)]**

STANDARDS ASSESSMENT SUB-COMMITTEE
Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as the matter could be the subject of a review and the Standards Review Sub-Committee may come to a different view on the complaint. In addition, some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

Complaint

On [insert date], the Standards Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of member], a member of Haringey Council.

A general summary of the complaint appears below:

[Summarise complaint]

Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Standards Sub-Committee (Initial Assessment) resolved to refer the allegation to the Monitoring Officer for [insert investigation/description of other action]

Potential breaches of the Code of Conduct identified

The Sub-Committee identified below the paragraphs of the Code of Conduct which may apply to the alleged breach. The investigator will, however, determine which paragraphs are actually relevant during the course of the investigation and which paragraphs may have been breached.

[Delete those which do not apply]

- failing to treat others with respect
- acting in a way that may cause the authority to breach an equality enactment
- bullying
- intimidating, or attempting to intimidate a person involved in an allegation against you
- compromising the impartiality of those who work for, or on behalf of, the authority
- disclosing confidential information
- bringing an office or authority into disrepute
- using your position as a member improperly to confer or secure an advantage or disadvantage
- not using the resources of the authority in accordance with their requirements
- disregarding advice when reaching decisions
- failing to give reasons for decisions
- failing to declare a personal or prejudicial interest
- having a prejudicial interest and failing to act appropriately
- failing to register interests

This Decision Notice is sent to the person or persons making the allegation, the member against whom the allegation was made.

What happens now?

[Delete those which do not apply]

- Investigation – Please see the attached guide on the investigations process [or a direction to where this is available]
- Other action – [describe to the complainant what, if any, allowance your authority makes for their involvement and/or notification in the other action]

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed **Date**

Chairman of the Standards Assessment Sub-Committee
c/o John Suddaby,
Monitoring Officer,
Haringey Council

Tel:
Fax:
E-mail:

**CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:
NO FURTHER ACTION****STANDARDS ASSESSMENT SUB-COMMITTEE**

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as the matter could be the subject of a review and the Standards Review Sub-Committee may come to a different view on the complaint. In addition, some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

Complaint

On [insert date], the Standards Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of member], a member of Haringey Council.

A general summary of the complaint appears below:

[Summarise complaint]

Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Standards Assessment Sub-Committee decided that no action should be taken on the allegation.

Reasons for decision

[include reasons for decision]

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made.

Right of review

At the written request of the complainant, the Standards Review Sub-committee can review and, if it considers it appropriate to do so, change the above decision as the Standards Review Sub-Committee is constituted of different Members from those Members on the Standards Assessment Sub-Committee.

If the complainant wishes to exercise the right of a review, the complainant must submit his / her written request within 30 days from the date of this Decision Notice, explaining in detail the grounds upon which the decision should be reviewed.

If a request for a review is received in the appropriate timescale, the Standards Review Sub-Committee will deal with it within a maximum of three months of receipt. All the parties mentioned above will be notified that a Review has been requested and the outcome of any such review.

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed Date

Chairman of the Standards Assessment Sub-Committee

c/o John Suddaby,
Monitoring Officer,
Haringey Council
Address

Tel:
Fax:
E-mail:

**CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:
REFERRAL TO THE STANDARDS BOARD FOR ENGLAND****STANDARDS ASSESSMENT SUB-COMMITTEE**

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as the matter could be the subject of a review and the Standards Review Sub-Committee may come to a different view on the complaint. In addition, some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

Complaint

On [insert date], the Standards Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of member], a member of Haringey Council.

A general summary of the complaint appears below:

[Summarise complaint]

Decision

In accordance with Section 57A(2)(b) of the Local Government Act 2000, as amended, the Standards Sub-Committee (Initial Assessment) decided to refer the allegation to the Standards Board for England, for the following reason(s): [delete which do not apply]

- The Sub-Committee believes that the status of the subject member would make it difficult for the authority to deal with the complaint.
- The Sub-Committee believes that the number of members involved would make it difficult for the authority to deal with the complaint.
- The Sub-Committee believes that the status of the complainant or complainants would make it difficult for the authority to deal with the complaint.
- The Sub-Committee believes that there is a potential conflict of interest for so many members of the Standards Committee and its Sub-Committees that it could not deal with the hearing of this allegation following an investigation.
- The Sub-Committee believes that there is a potential conflict of interest for the Monitoring Officer (or other officers) and that suitable alternative arrangements cannot be put in place to address the conflict.
- The member is a member of more than one authority having a Standards Committee, and the alleged conduct also relates to their capacity as member of another authority. The Sub-Committee believes that the Standards Board for England should decide how the allegation ought to be dealt with.

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made and the Standards Board for England.

What happens now?

The Standards Board for England will now decide whether to investigate this allegation itself. It is not bound to take charge of the case, and has the discretion to refer the matter back to the Standards Assessment Sub-Committee, or to decide to take no further action in respect of the allegation. The Standards Board aims to make its decision within ten working days, and will write to the Standards Assessment Sub-Committee and the complainant when it has done so.

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading

this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed **Date**

Chairman of the Standards Assessment Sub-Committee

c/o John Suddaby,

Monitoring Officer,

Address

Tel:

Fax:

E-mail:

CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE: REQUEST FOR FURTHER INFORMATION

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as the matter could ultimately be the subject of a review and the Standards Review Sub-Committee may come to a different view on the complaint. In addition, some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

Complaint

On [insert date], the Standards Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of member], a member of Haringey Council.

A general summary of the complaint appears below:

[Summarise complaint]

Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Standards Assessment Sub-Committee resolved that no action should be taken on the allegation at this time. This is because the information provided was insufficient to make a decision as to whether there should be no action on the allegation(s) or whether the complaint should be referred for investigation (or other action).

Reasons for decision

In particular it was noted that [list gaps in information].

This decision notice is sent to the person or persons making the allegation and the member against whom the allegation was made. .

Provision of further information

If the requested information is provided within the 21 days of this Decision Notice, the Sub-Committee will consider afresh as to what to do with the complaint.

Unless and until further information is received, no further action will be taken on this allegation and if the information is not provided within 21 days or no good reasons have been put forward by the complainant to substantiate why more than 21 days is required to provide the required information, the Standards Assessment Sub-Committee is likely to resolve that no action should be taken on the allegation and the complainant will be advised, accordingly, at the relevant time.

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed Date

Chairman of the Standards Assessment Sub-Committee

c/o John Suddaby
Monitoring Officer,
Address

Tel:

Fax:

E-mail:

Dear [insert name of complainant]

Ref:

I refer to your recent allegation of a breach of the Code of Conduct and attach a copy of the Decision Notice of the Standards Assessment Sub-Committee), which also explains the relevant procedures including your right to seek a review of the decision.

As before, you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

If you decide to exercise this right of review, I must receive your written request and any supporting information by [insert date].

Yours sincerely
John Suddaby,
Monitoring Officer
Haringey Council

Tel:
Fax:
E-mail:

Dear Councillor [insert name of member]

Ref:

Further to my letter of [insert date], I write to inform you that the complainant has asked for a review of the Standards Assessment Sub-Committee's decision not to investigate the complaint. The request was received on [insert date].

As before, you and the complainant will not have the opportunity to attend this meeting, as it is not a public meeting, and you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Standards Review Sub-Committee can reach one of the following decisions:

- Uphold the decision of the Standards Assessment Sub-Committee not to refer your complaint for investigation or other action;
- Overturn the decision of the Standards Assessment Sub-Committee and refer your complaint to the Monitoring Officer for investigation (or other action); or
- Overturn the decision of the Standards Assessment Sub-Committee and refer your complaint to the Standards Board for England for investigation.

The Standards Review Sub-Committee is made up of members who were not on the Standards Assessment Sub-Committee and the sub-committee will make its decision within a maximum of three months of the date we received your review request. You will be informed of the decision in writing.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

John Suddaby,
Monitoring Officer

Dear [insert name of complainant]

Ref:

Further to my letter of [insert date] acknowledging your request for the Standards Review Sub-committee to review the handling of your complaint. The Standards Review Sub-Committee met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Parties receiving the attached Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

John Suddaby,
Monitoring Officer

CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:**INITIAL ASSESSMENT – DECISION UPHELD****STANDARDS REVIEW SUB-COMMITTEE**

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Standards Review Sub-Committee met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Complaint

On [insert date], the Standards Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of member], a member of [insert authority/parish or town council name].

A general summary of the complaint appears below:

[Summarise complaint and Decision of Standards Assessment Sub-Committee]

Decision of Standards Review Sub-Committee

The Standards Review Sub-Committee has resolved to uphold the decision of the Standards Assessment Sub-Committee not to take any action on your complaint. [add further explanation if desired].

A copy of this Decision Notice has been sent to the person or persons making the allegation and the member against whom the allegation was made.

We realise that you may be disappointed with the results of the review. However, this is now the end of the process and there is no further right of appeal to the Council against this decision.

Signed **Date**

Chairman of the Standards Review Sub-Committee
c/o John Suddaby
Monitoring Officer,
Address

Tel:
Fax:
E-mail:

CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:**REFERRAL FOR [INVESTIGATION OR OTHER ACTION
(delete as applicable)]****STANDARDS REVIEW SUB-COMMITTEE**
Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Standards Review Sub-Committee met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Complaint

On [insert date], the Standards Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of member], a member of [insert authority/parish or town council name].

A general summary of the complaint appears below:

[Summarise complaint and Decision of Standards Assessment Sub-Committee]

Decision of Standards Review Sub-Committee

It was resolved to refer the allegation [delete those which do not apply: for investigation by monitoring officer/for investigation by Standards Board for England/to the monitoring officer for other action (include detail of other action proposed)]

Potential breaches of the Code of Conduct identified

The Standards Review Sub-Committee has identified below the paragraphs of the Code of Conduct which may apply to the alleged conduct. [for investigations only: The investigator will actually determine which paragraphs are relevant during the course of the investigation and which paragraphs may have been breached.]

[Delete those which do not apply]

- failing to treat others with respect
- acting in a way that may cause the authority to breach an equality enactment
- bullying
- intimidating, or attempting to intimidate a person involved in an allegation against you
- compromising the impartiality of those who work for, or on behalf of, the authority
- disclosing confidential information
- bringing an office or authority into disrepute
- using your position as a member improperly to confer or secure an advantage or disadvantage
- not using the resources of the authority in accordance with their requirements
- disregarding advice when reaching decisions
- failing to give reasons for decisions
- failing to declare a personal or prejudicial interest
- having a prejudicial interest and failing to act appropriately
- failing to register interests

A copy of this letter has been sent to the person or persons making the allegation and the member against whom the allegation was made.

What happens next?

[Delete those which do not apply]

- Investigation - Please see the attached guide on the investigations process.
- Referral to the Standards Board for England for investigation – The committee has referred the complaint to the Standards Board for England which will now decide whether to carry out the investigation into this matter. We will write to you again if the Standards Board for England refuses and refers the allegation back to the standards committee.
- Other action – [describe to the complainant what, if any, allowance your authority makes for their involvement and/or notification in the other action].

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed **Date**

Chairman of the Standards Review Sub-Committee
c/o John Suddaby
Monitoring Officer,
Address

Tel:
Fax:
E-mail:

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[No.]

Agenda item:

Standards Committee**On****10 June 2008**Report Title: **Local Code of Corporate Governance**Report of: **The Monitoring Officer and Head of Legal Services**Forward Plan reference number: **N/A**Wards(s) affected: **All**Report for: **Information****1. Purpose (That is, the decision required)**

- 1.1 To inform Members about the background to the Local Code of Corporate Governance and the draft Local Code which is to be recommended to full Council in July for adoption

2. Recommendations

- 2.1 That Members note the report and the draft Local Code of Corporate Governance attached as the Appendix to the report.
- 2.2 That Members note the process and timescale for consulting Member bodies before adoption by full Council.

Report Authorised by:

John Suddaby, the Monitoring Officer and Head of Legal Services

Contact Officer: Terence Mitchison, Senior Project Lawyer Corporate
terencemitchison@haringey.gov 0208-489-5936

3. Director of Finance Comments

- 3.1 There are no specific financial implications

4. Head of Legal Services Comments

- 4.1 The legal and constitutional implications are set out in the body of the report.

5. Local Government (Access to Information) Act 1985

5.1 [List background documents]

The Council's Constitution and relevant CIPFA/SOLACE Guidance

6. Background

- 6.1 This report is related to a report on the draft Annual Governance Statement (AGS) which has been considered and approved by the Cabinet Advisory Board on 24 April 2008 and by the Audit Committee on 12 May. The AGS should finally be approved, along with the Council's Statement of Accounts for 2007/08, at the meeting of the General Purposes Committee on 26 June.
- 6.2 The draft AGS explains the need for a Code of Corporate Governance as part of the Council's "governance framework". At the end of the draft AGS is an Action Plan which includes as a major issue the approval and adoption of Haringey's own Local Code of Corporate Governance by full Council by September 2008.
- 6.3 However, the issue around the adoption of a Local Code of Corporate Governance goes beyond the AGS process because the Code will be an important tool in demonstrating and maintaining effective corporate governance across the Council. Because of the implications of the Code for the Council's ethical framework this report comes to the Standards Committee.
- 6.4 The Local Code of Corporate Governance has its origins in the third report of the "Nolan Committee" on standards in public life back in 1997. This third report into standards in Local Government resulted in the statutory Members' Code of Conduct and supervision by the Standards Board for England and local Standards Committees.
- 6.5 The importance of embedding a "governance framework" in each Council was recognised and taken forward by CIPFA (the Chartered Institute of Public Finance and Accountancy) and SOLACE (the Society of Local Authority Chief Executives and Senior Managers). In 2001 these bodies published a Guidance Note entitled "Corporate Governance in Local Government – A Keystone for Community Governance". This encouraged all Councils to adopt their own Local Codes of Corporate Governance. The concept was that each Council would review its existing governance arrangements against the key principles in the Guidance and report annually on their effectiveness in practice.
- 6.6 The Guidance Note was updated in 2006 in a revised version entitled "Delivering Good Governance in Local Government". The revisions took into account areas that merited greater emphasis notably the role of Standards and Audit Committees, partnership arrangements, risk management and the relationship of the governance framework with the statutory Statement on Internal Control and the "Good Governance Standard" recommended by the Independent Commission on Good Governance in Public Services.

6.7 The revised Guidance defines good governance by reference to 6 core principles:

- (i) Focussing on the purpose of the Council and on outcomes for the community and implementing a vision for the local area,
- (ii) Members and officers working together to achieve a common purpose with clearly defined functions and roles,
- (iii) Promoting the Council's values and demonstrating the values of good governance through upholding high standards of conduct and behaviour,
- (iv) Taking informed and transparent decisions which are subject to effective scrutiny and risk management,
- (v) Developing the capacity and capability of Members and officers to be effective, and
- (vi) Engaging with local people and other stakeholders to ensure robust public accountability.

6.8 The Guidance contains a template for Councils seeking to produce their own Local Codes of Corporate Governance. It starts with the 6 core principles above and develops them through a number of supporting principles that illustrate the application of the core principles in practice. Beneath the supporting principles are a range of practical actions/arrangements that each Council should already have in place. While there may be some scope for local interpretation, use of this template will help ensure that Councils include all the essential points.

7. Haringey Local Code of Corporate Governance

7.1 The Appendix to this report is a draft Local Code of Corporate Governance which follows the CIPFA/SOLACE template. The draft of this Local Code has been reported to CEMB on 5 February and 1 April 2008 and approved by the Cabinet Advisory Board on 24 April. This report is intended to explain the need for a Local Code of Corporate Governance in Haringey and to seek the comments and/or approval of the Standards Committee before the draft is submitted to the full Cabinet and full Council for formal adoption.

7.2 It is suggested in the Guidance that Councils should nominate a Lead Officer with the knowledge and experience to oversee the implementation of the new Local Code of Corporate Governance and the processes needed to monitor its effectiveness in practice. This role would be suitable for the Monitoring Officer/Head of Legal Services but there would need to be support from the core officer group, mentioned in the report on the AGS, which also comprises the Head of Local Democracy & Member Services, the Head of Audit & Risk Management and key officers from within the Legal Service, Corporate Finance and Performance and Policy.

- 7.3 The Lead Officer will be responsible for reviewing the operation of the Local Code of Corporate Governance on an annual basis. They will report at the end of each municipal year to both the Cabinet and full Council on compliance with the Code and any changes that appear desirable. There will also be regular reports to CEMB on these matters.
- 7.4 If the Local Code of Corporate Governance is to be effective, it will be necessary for all senior managers at first and second tier levels to accept responsibility for publicising and implementing the Code in their Services and for monitoring compliance. All Services would be expected to contribute appropriate information and recommendations for the annual reports to Members.
- 7.5 Following adoption of the Local Code of Corporate Governance, it would assist “buy in” if there was publicity across the Council to raise the profile of the Code with officers and Members. This could be achieved through team briefing, articles in Smart Talk, publicity on Harinet and the inclusion of reference to the Code in training material. The draft Code attached in the Appendix to this report contains suggested links to Harinet and the Council’s external website to render it more “user-friendly”.
- 7.6 The adoption of a Local Code of Corporate Governance would confirm the Council’s commitment to achieving high standards of corporate governance and would assist the Council’s Community Leadership role. Although the Guidance behind the Code is not specifically intended for the purposes of CPA assessment, the adoption of a Code would also be a significant advantage in connection with the Use of Resources Key Lines of Enquiry on corporate governance arrangements.

8. Process for Consulting Member Bodies before Adoption

- 8.1 The adoption of a Local Code of Corporate Governance is not an express statutory function and there is no legal requirement for the formal decision to be taken either by Cabinet or full Council. However, given the significance of the document it is recommended that approval to the draft Code be given by full Cabinet at its meeting on 17 June with the final adoption to be resolved by full Council on 14 July 2008.
- 8.2 Since the adoption of the Code would be important for both the Council’s audit functions and the maintenance of high standards of conduct, the draft Code is being reported for approval to the Audit Committee on 12 May and the Standards Committee at its meeting on 10 June.

9 Recommendations

- 9.1 That Members note the report and the draft Local Code of Corporate Governance attached as the Appendix to the report.
- 9.2 That Members note the process and timescale for consulting Member bodies before adoption by full Council.

10 Use of Appendices / Tables / Photographs

- 10.1 The Appendix to this report is the draft Haringey Local Code of Corporate Governance proposed for adoption by full Council.

APPENDIX

DRAFT LOCAL CODE OF CORPORATE GOVERNANCE

LONDON BOROUGH OF HARINGEY

1. Introduction and Background

(a) Corporate Governance is the system by which organisations are directed and controlled. The Committee on Standards in Public Life (the “Nolan Committee”) concluded that there was a need for comprehensive framework of principles and standards to guide the conduct of local Councillors and local authorities.

(b) The Local Authority Model Code of Conduct issued in 2001 contained national mandatory provisions governing the conduct of Councillors.

(c) In 2001 CIPFA (the Chartered Institute of Public Finance and Accountancy) and SOLACE (the Society of Local Authority Chief Executives and Senior Managers), in association with the Local Government Association and the Audit Commission, published a Guidance Note and Framework entitled “Corporate Governance in Local Government – A Keystone for Community Governance”. This defined corporate governance in local authorities as “the system by which local authorities direct and control their functions and relate to their communities.” All local authorities were recommended to draw up a Local Code of Corporate Governance based on the CIPFA/SOLACE Guidance.

(d) Since then Local Government has been subject to continued reform intended to improve local accountability and engagement. A revised Framework has been issued entitled “Delivering Good Governance in Local Government”. This adapts for local authorities the six core principles, from the Nolan Committee, which should underpin the governance arrangements of all public bodies. These are:

- (1) a clear definition of the organisation’s purpose and desired outcomes,
- (2) well-defined functions and responsibilities,
- (3) an appropriate corporate culture,
- (4) transparent decision making,
- (5) a strong governance team and
- (6) real accountability to stakeholders.

(e) Under each of the six core principles there are several supporting principles which exemplify important aspects of the core principles. Each of the supporting principles in turn gives rise to a range of specific practical requirements which should be reflected in a Local Code of Corporate Governance.

(f) This Local Code of Corporate Governance includes ethical and governance standards applicable to all Members. It is not intended to interfere with the necessarily distinct roles of the Council's leadership and its Opposition nor to restrict robust political debate which is an essential part of a healthy local democracy.

(g) Haringey Council is committed to the principles of good corporate governance identified in the CIPFA/SOLACE Guidance and confirms its on-going intentions through the adoption and monitoring and development of Haringey's own Local Code of Corporate Governance. The Council recognises that achieving high standards of corporate governance will encourage stakeholders to have confidence in us and will allow the Council to undertake its Community leadership role effectively.

(h) The Lead Officer will be given responsibility for: -

- Overseeing the implementation and monitoring the operation of the Code
- Reviewing the operation of the Code in practice on an annual basis
- Reporting annually to the Cabinet and full Council on compliance with the Code and any changes that may be needed to ensure its effectiveness in practice
- Reporting any significant revisions of the Code to stakeholders.

(i) The Chief Executive and the Leader will make an Annual Statement of Assurance, following the annual report to Council, giving their position on whether the corporate governance arrangements are operating effectively.

(j) This document sets out Haringey Council's Local Code of Corporate Governance and the processes for monitoring its effectiveness. The Code provides the framework for the Council to achieve its aims and objectives.

(k) The Local Code of Corporate Governance for Haringey can be found:

- On Harinet for Members and officers ([link here](#))
- On the Council's website ([link here](#))
- By contacting the Head of Local Democracy & Member Services on 0208-489-2623 or the Monitoring Officer on 0208-489-3974.

2. **Core Principle 1 – Focussing on the Purpose of the Council and on Outcomes for the Community and Creating and Implementing a Vision for the Area**

(a) To exercise strategic leadership by developing and communicating clearly the Council's purpose and vision, and its intended outcomes for citizens and service users, we will:

- Develop and promote the Council's purpose and vision (link here to Council vision values and priorities)
- Review on a regular basis the Council's vision for its area and its implications for the Council's governance arrangements
- Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners (link here to HSP vision)
- Publish an annual report on a timely basis to communicate the Councils' activities and achievements and its financial position and performance.

(b) To ensure that users receive a high quality of service whether directly, or in partnership, or by commissioning, we will:

- Decide how the quality of service for users is to be measured and make sure that the necessary information is available to review service quality effectively and regularly
- Put in place effective arrangements to identify and deal with failure in service delivery.

(c) To ensure that the Council makes the best use of resources and that tax payers and service users receive excellent value for money, we will:

- Decide how value for money is to be measured and make sure that the Council has the information needed to review value for money and performance effectively
- Measure the environmental impact of policies, plans and decisions.

3. **Core Principle 2 – Members and Officers Working Together to Achieve a Common Purpose with Clearly Defined Functions and Roles** (link here to Council's Constitution)

(a) To ensure effective leadership throughout the Council and to be clear about "executive" and "non-executive" functions and the roles and responsibilities of the scrutiny function, we will:

- Set out a clear statement of the respective roles and responsibilities of the Cabinet and of the Cabinet Members individually including the Council's approach towards putting this into practice

- Set out a clear statement of the respective roles and responsibilities of non-executive Members, Members generally and senior officers

(b) To ensure that a constructive working relationship exists between Members and officers and that their respective responsibilities are carried out to a high standard, we will:

- Determine a scheme of delegation and reserve powers within the Constitution including a schedule of those matters specifically reserved to the full Council and update this as required
- Make a Chief Executive responsible and accountable to the Council for all aspects of operational management
- Develop Protocols to ensure that the Leader and Chief Executive have a shared understanding of their respective roles and objectives
- Make a senior officer, the section 151 officer, responsible to the Council for ensuring that appropriate financial advice is given and for maintaining proper records and an effective system of internal financial control
- Make a senior officer, the monitoring officer, responsible to the Council for ensuring that agreed procedures are followed and that all legislation is complied with

(c) To ensure relationships between the Council, its partners and the public are clear so that each knows what to expect of the other, we will:

- Develop Protocols to ensure effective communication between Members and officers in their respective roles
- Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process including an effective Remuneration Committee
- Ensure that effective mechanisms exist to monitor service delivery
- Ensure that the Council's vision, strategic plans, priorities and targets are developed robustly in consultation with the local communities and key stakeholders and that they are clearly expressed and publicised
- Ensure that Members working in partnership are clear about their roles and responsibilities, individually and collectively, both to the partnership and to the Council
- Ensure that all those working in partnership understand clearly the legal basis of the partnership and the extent of each representative's authority to commit their parent organisation to partnership decisions

4. **Core Principle 3 – Promoting Values for the Authority and Demonstrating the Values of Good Governance through Upholding High Standards of Conduct and Behaviour** (link here to Ethical Governance section)

(a) To ensure Members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance, we will:

- Ensure that the Council's leadership sets a tone for the organisation by creating a climate of openness, support and respect
- Define and publicise the standards expected in the conduct of Members and officers and in the work of the Council including work with partners and the local communities
- Put in place and maintain in operation arrangements to ensure that Members and officers are not influenced by prejudice, bias or conflicts of interest when dealing with different stakeholders

(b) To ensure that the Council's values are put into practice and remain effective, we will:

- Develop and maintain shared values, including leadership values, for both the Council and its staff which reflect public expectations and communicate these to Members, staff, the community and partners
- Put in place arrangements to ensure that systems and processes reflect appropriate ethical standards and to monitor their continuing effectiveness in practice
- Develop and maintain an effective Standards Committee
- Use the Council's shared values as a guide for decision-making and a basis for developing positive and trusting relationships within the Council
- Pursue a partnership vision with an agreed set of values for assessing decision-making and actions which must be demonstrated by the partners' individual and collective behaviour

5. **Core Principle 4 – Taking Informed and Transparent Decisions which are Subject to Effective Scrutiny and Risk Management**

(a) To be rigorous and transparent about how decisions are taken and to listen and act on the outcomes of constructive scrutiny (link here to Overview and Scrutiny pages), we will:

- Develop and maintain an effective scrutiny function which encourages effective challenge and which enhances the Council's performance overall and that of organisations for which the Council is responsible

- Develop and maintain open and effective mechanisms for documenting the evidence for decisions and for recording the criteria, rationale and considerations behind decisions
- Put in place arrangements to safeguard Members and staff against conflicts of interest together with appropriate processes to maintain them in practice
- Develop and maintain an effective Audit Committee which is independent of the Cabinet and scrutiny functions
- Make sure that effective, transparent and accessible arrangements are in place for dealing with complaints

(b) To have good quality information, advice and support which ensure that the services wanted and needed by the community are delivered effectively, we will:

- Ensure that decision-makers in the Council and partner organisations have information that is fit for purpose i.e. relevant, timely and with clear explanations of the technical issues
- Ensure that proper professional advice, on matters with financial or legal implications, is available, recorded well in advance of decision-making and used appropriately

(c) To ensure that an effective risk management system is in place, we will:

- Ensure that risk management is embedded into the culture of the Council with Members and managers recognising this is part of their respective roles ([link here to risk management page](#))
- Ensure that effective arrangements for whistle-blowing are in place with access for Members, staff and those contracting with, or appointed by, the Council ([link here to “whistle-blowing” policy item on Ethical Governance page](#)).

(d) To use the Council’s legal powers for the full benefit of citizens and communities in the Borough, we will:

- Recognise the limits of lawful action while striving to use Council powers for the full benefit of the community
- Comply with the specific requirements of legislation and the general duties placed on Councils by public law
- Integrate the key principles of administrative law - rationality, legality and natural justice – into the Council’s procedures and decision-making processes

6. **Core Principle 5 – Developing the Capacity and Capability of Members and Officers to be Effective** (link here to training in Learning Zone)

(a) To make sure that Members and officers have the skills, knowledge, experience and resources they need to perform well in their roles, we will:

- Provide induction programmes tailored to individual needs and also opportunities for Members and officers to update their knowledge regularly
- Ensure that the statutory officers have the necessary skills, resources and support to perform effectively
- Ensure that the roles of the statutory officers are properly understood by all in the Council

(b) To develop the capability of those with governance responsibilities and to evaluate their performance individually and collectively, we will:

- Assess the skills required by Members and officers and develop those skills to enable their roles to be performed effectively
- Develop skills on a continuing basis to improve performance including the ability to scrutinise and challenge and to recognise when outside expert advice is needed
- Ensure that effective arrangements are in place for reviewing the performance of the Cabinet and individual Cabinet Members and for agreeing action plans to address training or development needs

(c) To encourage new talent for membership of the Council so best use can be made of individuals' skills and resources in balancing continuity and renewal, we will:

- Ensure that effective arrangements are in place to encourage individuals from all sections of the community to engage with, contribute to, and participate in, the Council's work
- Ensure that career structures are in place for Members and officers to encourage participation and development

7. **Core Principle 6 – Engaging with Local People and Other Stakeholders to Ensure Robust Public Accountability**

(a) To exercise leadership through a robust scrutiny function which effectively engages local people and all local stakeholders and partnerships and which develops constructive and accountable relationships, we will:

- Make clear to all Members, staff and the community that we are democratically accountable for this scrutiny function
- Consider those institutional stakeholders to whom the Council is accountable and assess the effectiveness of the relationships and any changes required
- Produce an annual report on the activity of the scrutiny function

(b) To take an effective and planned approach to dialogue with, and accountability to, the public to ensure effective and appropriate service delivery whether directly by the Council, in partnership or by commissioning, (link here to Making Public Consultation Work pages) we will:

- Ensure that clear channels of communication are in place with all sections of the community and other stakeholders and put in place monitoring arrangements to ensure that they operate effectively
- Hold meetings in public unless there are good reasons for confidentiality
- Ensure that arrangements are in place to enable the Council to engage with all sections of the community effectively.
- The above arrangements will recognise that different sections of the community have different priorities and will establish processes for dealing with these competing demands
- Establish a clear policy on the types of issues where we will consult, or engage the public and service users, including a feedback mechanism to demonstrate to consultees what has changed as a result of consultation
- Publish an annual performance plan with information on the Council's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and service user satisfaction in the previous year
- Ensure that the Council is open and accessible to the community, service users and its own staff and committed to openness and transparency in its dealings including partnerships subject to the protection of confidentiality where necessary and appropriate

(c) To make the best use of human resources by taking an active and planned approach to meet the Council's responsibility to its staff, we will:

- Develop and maintain a clear policy on the means for consulting and involving staff and their representatives in decision-making

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