

NOTICE OF MEETING

STANDARDS COMMITTEE

Thursday, 16th November, 2017, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Kaushika Amin (Chair), David Beacham, Stuart McNamara, Felicia Opoku and Lorna Reith

Co-optees/Non Voting Members:

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

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 disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. MINUTES OF LAST MEETING (PAGES 1 - 4)

To confirm and sign the minutes of the meeting of the Standards Committee held on 14 September.

6. UPDATE ON WORK PROGRAMME - PROCEDURE RULES AND MEMBERS' ALLOWANCES (PAGES 5 - 20)

7. NEW ITEMS OF URGENT BUSINESS

8. DATES OF NEXT MEETINGS

8 March 2018.

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Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
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Wednesday 8 November 2017

**MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE
HELD ON THURSDAY, 14TH SEPTEMBER, 2017, 7.00 - 8.15 pm**

PRESENT:

Councillors: Kaushika Amin (Chair), David Beacham, Felicia Opoku and Lorna Reith

13. FILMING AT MEETINGS

The Chair drew attendees' attention to the notice on the agenda regarding filming at meetings.

14. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr McNamara.

15. URGENT BUSINESS

None.

16. DECLARATIONS OF INTEREST

None.

17. MINUTES OF THE LAST MEETING

The minutes of the Standards Committee held on 6 July 2017 were agreed.

18. ADOPTION OF PLANNING PROTOCOL (2017) INTO THE CONSTITUTION

Ben Burgerman, Regeneration Lawyer, introduced the paper that recommended the Council's Planning Protocol be inserted into the Constitution, which would provide it greater weight and support efficient, open, accountable and lawful-decision making by the Planning Sub-Committee.

Following a discussion by Members, it was agreed that the Committee recommend to Full Council the Planning Protocol be included in the Constitution.

RESOLVED

That the Standards Committee recommend Full Council adopt the Planning Protocol as part of the Constitution.

19. UPDATE ON WORK PROGRAMME - REVIEW OF PROCEDURES AND MEMBERS' ALLOWANCES

Michael Kay, Democratic Services and Scrutiny Manager and Victoria Barman Principal Corporate Lawyer introduced a report that set out progress in the review of the Constitution and Members' Allowances, agreed at the last meeting.

In relation to the review of the Constitution, Members noted that the procedure rules were being reviewed and an update would be presented at the next meeting. Members noted a proposed outline for the Protocol on Member-Officer Relations, where a full redraft had been agreed. In discussing the proposed outline, Members agreed that it would be helpful for the document to refer to relations with Veolia and Homes for Haringey officers. They also agreed it would be helpful for the new document to be presented at an all-Member briefing, and that it would be important to ensure the Councillors returned at the May 2018 elections could readily understand the new Protocol as part of their induction.

Following a presentation on how Haringey's allowances scheme compared with the guidance of the Independent Panel on the Remuneration of Councillors in London, averages across London and Haringey's statistical neighbours, Members discussed possible proposals to be brought to them at the next meeting. This would help ensure the allowances scheme set for the municipal year following the elections would be valid whatever outcome of the election, and also take account of developments since the last fundamental review. Members asked for the following matters to be considered, with the objective of broadly maintaining the current level of expenditure on allowances:

- How a third party could be incorporated in the allowances scheme
- How other boroughs provided for principal opposition parties' deputy leader and whip
- Whether opposition parties' allowances could be proportionate to their size
- What the equivalent allowance for the Corporate Committee Chair would be, given it is effectively now an audit committee
- Whether the Vice Chair of Regulatory, who is expected to regularly chair Licensing sub-committee meetings, could attract an allowance
- Consider whether the statutory co-optees on the Scrutiny Committee, would normally attract an allowance, and whether it could be reduced or withdrawn if nominees do not attend regularly
- That the dependents' carers' allowance should be listed as being at the London Living Wage, rather than setting a figure that can become out-dated
- That the one per cent uplift recommended by the Panel should be followed to reduce the risk of having to make significant increases when allowances fall far below expected levels
- Whether Cabinet Members' allowances vary in other boroughs according to the Cabinet Member's portfolio

RESOLVED

That further work be done to review the Constitution and the Members' Allowances Scheme in line with the Committee's recommendations

20. NEW ITEMS OF URGENT BUSINESS

None

21. DATES OF NEXT MEETINGS

16 November 2017, 8 March 2018

22. EXCLUSION OF THE PRESS AND PUBLIC

Resolved.

23. MINUTES OF THE STANDARDS ASSESSMENT SUB-COMMITTEE HELD ON 6 JULY 2017

The minutes of the Standards Assessment Sub-Committee held on 6 July were agreed.

24. NEW ITEMS OF EXEMPT URGENT BUSINESS

None

CHAIR: Councillor Kaushika Amin

Signed by Chair

Date

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Report for: Standards Committee 16 November 2017

Title: **Update on Procedure and Allowances reviews**

Report authorised by: Bernie Ryan, Assistant Director – Corporate Governance and Monitoring Officer

Lead Officer: Michael Kay, Democratic Services Manager
Michael.kay@haringey.gov.uk

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** Non-key

- 1. Describe the issue under consideration**
 - 1.1 This report provides an update on the work of the Standards Committee, as commissioned at the July Standards meeting and given further direction at its September meeting.
- 2. Cabinet Member Introduction**
N/A
- 3. Recommendations**
That the Committee:
 - 3.1 Give its views on the review of procedures (paragraph 4.1)
 - 3.2 Gives its views on the draft Protocol on Member-Officer Relations (paragraph 4.3 and Annex A)
 - 3.3 Give its views on potential changes to the allowances scheme, for development in advance of the next meeting (paragraph 5.5)
- 4. Review of Procedures**
 - 4.1 The following areas of Part 4 of the Constitution have been identified as needing attention, aside from the corrections of typographical errors etc. Given the degree of overlap between some sections, Members may wish to suggest that there be a rationalising of the sections of Part 4, rather than correcting these issues within the existing structure.

Overall:

- Significant overlaps between some sections, and a wholesale restructure of the sections may be helpful – in particular in relation to Access to Information
- References to a protocol on filming at meetings, which has been superseded
- Should be clear on how Scrutiny Panels should be treated / described
- Consistency of language (eg, vice chair, rather than deputy chair)
- Consistency of layout, including paragraph numbering

Section A (Council Procedure Rules)

- Contains some outdated practices – for example Haringey Open Sessions, State of the Borough Debate, does not reflect the Petitions Protocol

Section B (Committee Procedure Rules)

- Need to clarify parent committees appoint subordinate, rather than Council (also implication for Section A).
- Unclear language around applicability of rules to Licensing.
- Public questions described in slightly impractical way.
- Discussions of declarations of interest should refer across to the Members' Code of Conduct
- Some procedure rules should be here, rather than in Part 3 Section B (Full Council and Non-Executive Bodies), eg for the Health and Wellbeing Board and the Combined Pensions Committee and Board.

Section C (Miscellaneous Standing Orders)

- Seal of the Council section requires consideration, including references to missing articles
- Important points on Absences and Attendances that may be lost in this section

Section D (Access to Information Procedure Rules)

- Explanation of Key Decisions and process for taking them should be in relevant part of Constitution (eg, protocol on Key Decisions at 5C)

Section E (Budget & Policy Framework Procedure Rules)

- Quite outdated section, with overlaps for the Call-in Procedure Rules, key decision rules

Section F (Cabinet Procedure Rules)

- Some overlaps with Committee Procedure rules

Section G (Overview and Scrutiny Procedure Rules)

- Need to update terms of reference – including more relevant legislation (would need to be replicated in the Articles etc also)
- Need consistency on the body that responds to scrutiny of non-executive functions
- Inconsistent overlap with Access to Information rules, Committee Procedure Rules and Member-Officer Protocol
- Discussion of Party Whip unclear, and Councillor Call for Action very outdated

Section I (Financial Regulations)

- Audit arrangements not up-to-date

Section K (Officer Employment Procedure Rules)

- May need to consider whether to include later declarations if a relationship with a councillor arises in the future (for example, after an election), rather than just at the point of employment
- Need to amend the appointment rules for Political Assistants to reflect the 1989 Act

Member-Officer Protocol

- 4.2 At its last meeting, the Standards Committee agreed a structure for the Protocol on Member-Officer Relations, and asked that it include reference to officers of Homes for Haringey and employees of Veolia.
- 4.3 A draft is attached at Appendix A for the Protocol, on which Members' views would be welcomed. This is an early draft, and has not been discussed with senior officers in the Council, which would be a logical next step after the Committee has given its views and prior to its presentation to a wider group of Members. This can take place in advance of the next meeting of the Standards Committee in March 2018, with the option to recommend a new protocol to the March Full Council.
- 4.4 The draft follows the structure agreed at the last meeting, and refers in broad terms to partnership arrangements, in the hope of maintaining the relevance of the document over time. This can be amended to refer to specific partners if Members would find that preferable.

5. Members' Allowances

- 5.1 At its last meeting, the Standards Committee considered Haringey's allowances scheme in the context of the guidance of the Independent Panel on the Remuneration of Councillors in London and practice in other Boroughs, and gave some suggestions for further research or possible amendments to Haringey's allowances scheme. The aspiration was for the overall expenditure on allowances to be within the existing expenditure of £1 126 517, and to ensure the structure of allowances were appropriate at the outset of the next administration. This was taking into account the fact that a new set of guidance from the Independent Panel will be published in June 2018, which would need to be taken into account in setting the allowances for 2019/20.
- 5.2 The boroughs looked at in more detail were again Haringey's statistical neighbours – Croydon, Enfield, Greenwich, Hackney, Hammersmith and Fulham, Islington, Lambeth, Lewisham, Southwark, and Waltham Forest.
- 5.3 The following sets out the issues raised, the findings from the more detailed research, and the possible implications for Haringey if the proposal were introduced. Attached at Appendix B is the table from the last meeting showing Haringey's structure against averages and the guidance for reference.

Could opposition parties' allowances be proportionate to their size?

Only one borough of the ten provides for an allowance that depends on the size of the opposition group – with a different rate of between three and fifteen members and for fifteen or above.

In three cases, a threshold is applied above the statutory threshold of being classed as a political group (two members), of three, four or five members.

How do other boroughs provide for the principal opposition parties' deputy leader and whip?

Of the seven boroughs with an opposition group large enough to have such posts (that is, four or more members), only one does not provide an allowance to the opposition whip or deputy leader, though only two provide an allowance to the deputy leader of the opposition. These allowances tend to be at the lower level of allowances.

If Haringey were to follow that approach, which would be more in line with the guidance, both the Opposition Deputy Leader and Opposition Whip would be reduced to Band 1, rather than Band 2 as present – representing a saving of £16 798.

How could a third party be incorporated in the allowances scheme?

Half of the boroughs considered in more detail include an allowance for the leader of a second opposition party, this includes boroughs that do not currently include a third party.

If members were to want to create an allowance for a third party, they may wish to consider how to best do that within the objective of maintaining the same overall cost of the allowances scheme. For example, providing an allowance for either the principal opposition's deputy leader or the third party leader, or earmarking an allowance using the net saving generated from other changes (shown below). Members may also wish to consider whether they would want to set a threshold for a third party to be eligible, for example six members would be the statutory threshold for a political assistant.

What the equivalent allowance for the Corporate Committee Chair would be, given it is effectively now an audit committee?

The majority of boroughs provide the chair of the audit committee an allowance in Band 1 – or the lowest committee chair band, with a couple in a higher band. The responsibilities of each borough's audit committee have not been considered in detail. This would appear to be more in line with the Guidance.

If the Chair of Corporate Committee received an allowance in Band 1, this would represent a saving of £8 399.

Whether the Vice Chair of Regulatory, who is expected to regularly chair Licensing sub-committee meetings, could attract an allowance

Each borough considered has an allowance for the chair of the licensing committee.

If Haringey were to offer this as a Band 1 allowance, it would be an additional cost of £8 398.

Do the statutory co-optees on the Scrutiny Committee usually attract an allowance, and could it be reduced or withdrawn if nominees do not attend regularly?

Not all boroughs considered include the statutory co-optees in their Members' Allowances Scheme, and one offered only travel and subsistence. Two boroughs offer a sum per meeting attended, which could help encourage participation.

If a per-meeting allowance were introduced in Haringey, the current rate of £616.50 could be divided to the number of meetings expected (normally four, meaning £154 per meeting). To control costs, this should be capped at a limit of the current allowance, in case of additional, unexpected meetings. While this could represent a saving, the expectation that this would encourage attendance would effectively mean no change to the cost of the allowance.

Could the dependents' carers' allowance be listed as being at the London Living Wage, rather than setting a figure that can become out-dated?

Half the boroughs considered offer the Dependents' Carers' Allowance at the London Living Wage, though some give an out-dated figure.

Stating that the allowance will be paid at the London Living Wage can be easily accommodated with negligible cost implications.

Do Cabinet Members' allowances vary in other boroughs according to the Cabinet Member's portfolio?

None of the boroughs considered in more detail altered the allowance to Cabinet Members depending on portfolio.

Half of the boroughs did include an allowance for effectively sub-Cabinet posts, for example Cabinet Advisors or Assistants, Junior Cabinet Members, Deputy Cabinet Members.

In Haringey, Cabinet Assistants have tended to be filled informally, for example they are not announced to Full Council or expected to attend Cabinet. It would seem there is little requirement to add them to the allowances scheme.

That the one per cent uplift recommended by the Panel should be followed to reduce the risk of having to make significant increases when allowances fall far below expected levels

Seven London Boroughs' returns to London Councils stated that they had increased their allowances by 1% in this year in line with the public sector pay settlement, another had increased it by 2.2% and another by 0.5%. Based on the current year's expenditure, this would have a cost implication of £11,265 to implement – or £11,097 if the three changes with cost implications above are implemented.

While a matter for the forthcoming administration, a recurring annual increase would mean an on-going budget pressure.

5.4 Net effects of accepting changes outlined above would have the consequences below:

Change	Cost (+additional cost, -saving)
Chair of Corporate	-£8 399
Vice Chair of Regulatory	+£8 398
Opposition deputy leader and whip	-£16 798
Dependents' Carers' Allowance	Negligible
Statutory co-optees allowance	No net effect
Uplift of all allowances by 1%	+£11 097
Net effect	-£5 802

5.5 Members' views on these matters are sought, so that a new scheme can be developed for presentation to wider Members, as requested. This would allow a revised scheme to be put to the Committee at its March meeting for recommendation to the March Council.

6. Contribution to strategic outcomes

N/A

7. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance and Procurement

There are no direct financial implications arising from the recommendations in this report. The financial implications of the Committee's work, in particular the review of Members' allowances, will be set out for Members at the relevant time, though Members should bear in mind that there is a finite budget available to Local Democracy and Members' Services, where Members' allowances are provided from.

Legal

The Assistant Director for Corporate Governance has been consulted on the contents of this report.

Equality

There are no direct equalities implications arising from the recommendations in this report.

8. Use of Appendices

Appendix A – Draft Member-Officer Protocol

Appendix B – Table showing Haringey's Members' Allowances Scheme, guidance and comparators

4. Local Government (Access to Information) Act 1985

London Borough of Haringey Constitution

Report of the Independent Panel on the Remuneration of Councillors in London (2014)

Draft Protocol on Member-Officer Relations

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1. Introduction

- 1.1 The relationship between elected members and officers is fundamental to the successful working of the Council. This relationship is based on honesty, mutual respect and trust, and this protocol is intended to support that relationship by giving guidance on roles and relationships to build a common understanding and set of expectations. The protocol also sets out what should happen on the rare occasions when things go wrong. All Members and officers should abide by this protocol. Political group leaders in respect of members, and the Chief Executive and Monitoring Officer in respect of officers, are responsible for ensuring the protocol is upheld.
- 1.2 This protocol should be read and understood alongside relevant legislation and the respective Codes of Conduct. If any questions arise from this protocol, advice should be sought from the Chief Executive or Monitoring Officer.
- 1.3 The Council is committed to collaborative and partnership working to provide the best services for its residents. It is expected that both members and officers will have regard to this Protocol in dealings with partner organisations, including other local authorities, and in dealings with external councillors.

2. Role of Members and Officers

- 2.1 The respective roles of members and officers can be summarised as follows: Both members and officers are servants of the public and are indispensable to one another, but their responsibilities are distinct from one another. Members are democratically elected, operate politically, are accountable directly to the public and serve as long as their term of office lasts. Officers are politically impartial and are responsible to the Council as their employer. Their role is to give advice to members and the authority and carry out the work of the authority under the direction and control of the full Council, Cabinet and their committees. Officers are accountable to the Chief Executive as Head of Paid Service.

Members

- 2.2 Members have four main areas of responsibility:
- a) Determining the Council's policies and giving political leadership
 - b) Monitoring and reviewing the performance of the authority in implementing policy and delivering services
 - c) Representing the authority externally
 - d) Acting as advocates on behalf of their constituents.
- 2.3 It is not the responsibility of members to involve themselves in the day-to-day management of the Council or its services. They should not seek to give instructions outside their areas of responsibility or terms of reference of their respective Committee.
- 2.4 All members, including members of the Opposition or of Scrutiny Committees or Panels, have the same rights and obligations as individual members in their relationships with officers and should be treated equally.

Members of the Cabinet, Chairs and Vice Chairs

- 2.5 Members of the Cabinet, Chairs and Vice Chairs have additional responsibilities, entailing different relationships and more regular contact with officers. They still must respect the impartiality of officers, and must not ask them to undertake work of a party political nature or that could prejudice their impartiality.

Officers

- 2.6 The role of officers is to give advice and information to members and to implement the policies determined by the Council, the Cabinet and their committees.
- 2.7 Certain officers have responsibilities in law over and above their obligations to the authority and members. These are known as statutory officers and include the Chief Executive/Head of Paid Service, Monitoring Officer and Chief Finance Officer (s151 officer). Members must respect these responsibilities and not obstruct or victimise officers in the discharge of them.

Communications

- 2.8 The Council's Communications team are able to support the Cabinet and Chairs of Committees – including Scrutiny Panels – when they act as spokespeople for the Council. There are specific statutory restrictions on the use of public resources for the Council's communications, which are followed by officers and must be respected by members.

3. Expectations

- 3.1 Members and officers can expect the following from each other:
- (a) A working partnership;
 - (b) An understanding of and support for respective roles, workloads and pressures;
 - (c) Respect, dignity and courtesy;
 - (d) Integrity, mutual support and appropriate confidentiality;
- 3.2 Members can expect from officers:
- (a) A commitment to the authority as a whole, and not to any political group;
 - (b) Timely response to enquiries and complaints in accordance with agreed procedures;
 - (c) Professional advice, not influenced by political views or preference;
 - (d) Regular, up-to-date information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold;
 - (e) Awareness of and sensitivity to the political environment;
 - (f) Training and development in order to carry out their roles effectively;
 - (g) Not to have personal issues raised with them by officers outside the agreed procedures;
 - (h) That officers will at all times comply with the relevant Code of Conduct;
 - (i) Support for the role of members as the local representatives of the authority.
- 3.3 Officers can expect from members:
- (a) Political leadership and direction;

- (b) Not to be subject to bullying or harassment. Members should have regard to the seniority and experience of officers in determining what are reasonable requests, having regard to the powerful relationship between members and officers, and the potential vulnerability of officers, particularly at junior levels;
- (c) That members will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- (d) That members will not publicly name officers or make detrimental remarks about officers during public meetings;
- (e) That members will not draw officers into political or group discussions;
- (f) That members will at all times comply with the relevant Code of Conduct.

Limitations upon behaviour

- 3.4 The distinct roles of members and officers necessarily impose limitations upon behaviour. By way of illustration, and not as an exclusive list:
- (a) Close personal relationships between members and officers can confuse these separate roles and get in the way of the proper discharge of the authority's functions, not least in creating the perception by others that a particular member or officer may secure advantageous treatment;
 - (b) The need to maintain the separate roles means that there are limits to the matters on which they may seek the advice of officers, both in relation to personal matters and party political issues;
 - (c) Relationships with particular individuals or party groups should not be such as to create public suspicion that an employee favours that member or group above others.

4. Provision of information

- 4.1 Members should be provided with adequate information about services or functions upon which they may be called upon to make or scrutinise decisions, or which affect their constituents. In the normal course of events, this information will be made routinely available by officers in the form of reports, departmental plans, updates etc. Members are encouraged to make use of existing sources of information wherever possible.

Members of the Cabinet, Chairs and Vice Chairs

- 4.2 Members of the Cabinet, Chairs and Vice Chairs have additional responsibilities, entailing different relationships and more regular contact with officers.
- 4.3 In order for them to discharge their responsibilities as Cabinet members, administration portfolio holders will be briefed by Directors on service issues, proposals and policy development. Directors may from time to time nominate other officers to attend these meetings. Directors may also brief committee Chairs on matters relevant to the terms of reference of the committee. These informal meetings may be on a one off or regular basis, in accordance with the requirements of the member concerned.

Ward Councillors

- 4.4 Officers should keep members apprised of developments that are relevant to their role as a ward councillor. Ward councillors should be kept up to date with

all major policy developments, public consultations and proposed changes to service delivery affecting their ward.

Major Incidents and Emergencies

- 4.5 A separate guidance document on *The Role of Elected Members in Major Incidents Affecting the London Borough of Haringey* is available to members and sets out arrangements and communications during a major incident.

Members' Enquiries

- 4.6 Any member may ask the relevant Director to provide him or her with such factual information, explanation and advice about the Department's functions as he or she may reasonably need in order to assist him/her in discharging his or her role as a member of the Council or acting for and on behalf of the Council as an appointed representative to another body. These requests will be met where the member has a legal right to the information. If that right arises under the Freedom of Information Act, the Member shall not be required to make a formal FOI request.
- 4.7 All such information should be provided in accordance with the Member Enquiry Process. Where there are established alternative procedures, the enquiry will be put through those procedures and not dealt with as a Member Enquiry.
- 4.8 Where a member requests a service on behalf of a constituent that will be dealt with as a 'service request' by the appropriate service team.
- 4.9 Any requests for information made by political group assistants on behalf of members of their group should be treated in exactly the same way as if those members had made the request themselves. The political group assistants, when making such requests should clearly indicate on which member's behalf they are acting.

Briefings to political groups

- 4.10 The Leader of the Council or the Leader of any other political group may request the Chief Executive or relevant Director to prepare a briefing or written report on any matter relating to the authority for consideration by the group. Such requests must be reasonable and should not seek confidential or personal information. In considering such a request, officers should be mindful of the need to support members by providing factual information. However if an officer deems the nature of the request to be unreasonable the request will be referred to the Chief Executive for determination, were necessary in consultation with the Leader(s) of the political group(s).
- 4.11 Officer reports to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the authority. Reports will not deal with any political implications of the matter or any option and officers will not make any recommendation to a political group.
- 4.12 Where a briefing or report is prepared for a political group, the Chief Executive will advise all other groups and offer them a similar facility.

Officer attendance at political group meetings

- 4.13 The Leader of the Council or the Leader of any other political group may request the Chief Executive or relevant Director to attend a meeting of the group to advise on any matter relating to the authority.
- 4.14 Attendance at a meeting of a political group should be on the basis of equality of access, and members and officers should avoid officers being exposed to political discussions when delivering a briefing. Officers may decline to attend or provide a representative where they are of the opinion that the particular issue is of such a political nature that it would be inappropriate to attend.
- 4.15 Any briefing offered to or requested by a party group will be offered to any other party groups. Where possible such briefings should be to all or a combination of party groups. No officer of the Council shall attend any political group meeting which includes non-Council members.
- 4.16 Officers' advice to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the authority. Advice will not deal with any political implications of the matter or any option and officers will not make any recommendation to a political group.
- 4.17 Officers will request the confidentiality of any matter which they are privy to in the course of attending a political group meeting.

Members' Access to Reports and background papers

- 4.18 Access to Cabinet, Committee or Sub-Committee papers and other documents or information is governed by :-
- (i) Local Government Acts 1972-2000 (particularly Schedule 12A)
 - (ii) Relevant case law
 - (iii) Access to Information Procedure Rules (Part 4 Section D of the Constitution)
 - (iv) Freedom of Information legislation
- 4.19 The rights of members can be summarised as follows:
- (i) Councillors generally enjoy the same access rights as members of the public in respect of public papers;
 - (ii) Members of the appropriate Cabinet, Committee or Sub-Committees will have a good reason for access to all exempt information on the Cabinet, Committee, Sub-Committee agenda under the common law "Need to Know" principles;
 - (iii) Members of the Overview and Scrutiny Committee will have a prima facie "Need to Know" where they require access to exempt Cabinet agenda items as part of their scrutiny function provided the subject matter relates to an action or decision that the member is reviewing or scrutinising;
 - (iv) All other Members who require access to confidential/exempt Cabinet/Committee/Sub-Committee documentation will need to request disclosure under the Freedom of Information Act 2000 or demonstrate a "Need to Know".
- 4.20 It is important to note that these rights only apply where members are clearly carrying out their role as elected representatives. Where any member has a

disclosable pecuniary interest or a personal and prejudicial interest in a matter the member will only be entitled to the same access as would be the case for a private individual, i.e. to inspect the reports, minutes and background papers relating to the public part of the Cabinet/Committee/Sub-Committee Agenda. In these circumstances, the member must make it clear that s/he is acting in his/her private capacity and not as a member of the Council.

- 4.21 More information can be found in the Access to Information Procedure Rules at Part 4 Section D of this Constitution.

Confidential/Exempt Information

- 4.22 Whilst members of the Council have the same rights as the public in seeking and obtaining public documents or information under Freedom of Information legislation, this is not the case in relation to exempt and confidential information.
- 4.23 Confidential information is information:
- (i) furnished to the Council by a Government Department on terms which forbid the disclosure of the information to the public, or
 - (ii) which may not be disclosed by or under any enactment or by a Court Order.
- 4.24 Exempt information is information to which the public may be excluded but do not have to be. The categories of exempt information are set out in Schedule 12A to the Local Government Act 1972 and are reproduced in section 10 of the Access to Information Procedure Rules at Part 4 Section D of this Constitution. There may be some occasions when information may fall within one or more of the categories, but it is nevertheless in the public interest to disclose it under Freedom of Information legislation, without infringing personal rights or damaging the Council's position. If there is doubt in relation to individual items then they should be kept confidential until the Cabinet/Committee/Sub-Committee has taken a view as to whether they should be treated as exempt or not.

Use of Council Information – Confidentiality

- 4.25 Procedure Rules and specific local procedures (e.g. on contracts) require members and officers to maintain confidentiality in certain circumstances. Officers are bound by their contracts of employment and any breach of confidentiality will almost certainly lead to disciplinary action. Officers must distinguish between assisting an elected representative in the course of the member's Council business and dealing with the same person as a client or customer, e.g. a Housing Benefit claimant. In the latter case, officers will treat the member with the same degree of helpfulness, courtesy and confidentiality as would be afforded to any other member of the public in the same situation, and interpret the relevant rules and procedures as they would for any other client or customer.
- 4.26 Equally, any Council information provided to a member on the basis of a 'Need to Know' must only be used by the member for the purpose for which it was provided, i.e. in connection with the proper performance of the member's duties as an elected representative of the Council. Confidential or exempt information provided to members may be discussed in the private session of Committee meetings or in private meetings of appropriate members and officers. However, it should not be discussed with, or released to, any other persons. Any

information that is provided should be clearly marked as confidential before it is released to members.

- 4.27 Members abusing this trust may find themselves the subject of a complaint to the Standards Committee that they have contravened paragraph 3.3 of the Members' Code of Conduct which states that except in certain specified circumstances a member must not disclose information given to him/her in confidence by anyone, or information acquired by the member which he/she believes, or ought reasonably to be aware, is of a confidential nature.
- 4.28 Information disclosed privately or private discussions held during exempt Committee sessions, informal briefings or group meetings should not be disclosed by members or officers to any person not already privy to that information.

5. When Things Go Wrong

- 5.1 Rarely, the relationship between members and officers will fall short of expectations. In such instances, it would always be preferable to deal with matters at an early stage and informally through conciliation through a senior manager or political group leadership or whips. This may not always be possible, in which case the following procedures should be followed.

Procedure for officers

- 5.2 If conciliation via a senior manager is not possible, officers can have recourse to the Chief Executive, as appropriate to the circumstances. Officers also have recourse to the Council's Whistleblowing Procedure or can refer the matter under the arrangements for complaints under the Members' Code of Conduct, set out at Part 5 Section A of the Constitution.

Procedure for Members

- 5.3 In the event that a member is dissatisfied with the conduct, behaviour or performance of an officer, the matter should be raised with the appropriate Director. Where the officer concerned is a Director the matter should be raised with the Chief Executive. Where the employee concerned is the Chief Executive the matter should be raised with the Monitoring Officer.

Haringey Allowances Scheme with guidance and comparisons

Appendix B

Haringey				Guidance from the Independent Panel on the Remuneration of Councillors in London (2014)	London Average SRA	Statistical Neighbour Av. SRA
Band	Position	SRA	Total Allowance			
Basic	• All Councillors		£10, 703	£10, 703	£10, 064	£10, 337
Band 4	• Leader	£33, 590	£44, 293	Band 4: SRA of £54,769, meaning total remuneration of £65 472	£37,177	£39,760
Band 3B	<ul style="list-style-type: none"> • 9 or fewer x Cabinet Members • Opposition Leader 	£25, 191	£35, 894 81% of leader	Band 3 includes: <ul style="list-style-type: none"> • Cabinet member • Chair of the Health and Wellbeing Board • Chair of the main overview or scrutiny committee • Deputy leader of the council 	Cab Member: £20, 864 Op Leader: £15, 090	Cab Member: £25, 289 Op Leader: £16, 249
Band 3A	• Overview and Scrutiny Committee Chair	£22, 905	£33, 608 76% of leader		70-80% of leader's remuneration, meaning SRA of £35,128 to £41,675	
Band 2B	<ul style="list-style-type: none"> • Corporate Committee Chair • Chief Whip • Regulatory Committee • Alexandra Palace and Park Board • Opposition Deputy Leader • Opposition Chief Whip • (also Mayor) 	£16, 797	£27, 500 62% of leader	Band 2 includes: <ul style="list-style-type: none"> • Lead member in scrutiny arrangements, such as chair of a scrutiny panel • Representative on key outside body • Chair of major regulatory committee e.g. planning • Chair of council business (civic mayor) • Leader of principal opposition group • Majority party chief whip (in respect of council business). 	Main (planning) Committee Chairs: £12, 601 Mayor: £13, 611	Main (planning) Committee Chairs: £11, 518 Mayor: £13, 865
Band 2A	4 x Councillors serving on Overview and Scrutiny Committee (panel chairs)	£15, 268	£25, 971 59% of leader		40-60% of leader's remuneration, meaning SRA of £15,486 to £28,581	

Haringey Allowances Scheme with guidance and comparisons

Appendix B

Haringey				Guidance from the Independent Panel on the Remuneration of Councillors in London (2014)	London Average SRA	Statistical Neighbour Av. SRA
Band	Position	SRA	Total Allowance			
Band 1	<ul style="list-style-type: none"> • Combined Pensions Committee & Board Chair • Staffing & Remuneration Committee Chair • Standards Committee Chair 	£8, 398	£19,101 43% of leader	Band 1 includes: <ul style="list-style-type: none"> • Vice chair of a service, regulatory or scrutiny committee • Chair of sub-committee • Leader of second or smaller opposition group • Service spokesperson for first opposition group • Group secretary (or equivalent) of majority group • First opposition group whip (in respect of council business) • Vice chair of council business • Chairs, vice chairs, area committees and forums or community leaders • Cabinet assistant • Leadership of a strategic major topic • Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods • Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods • Leadership of a specific major project. 	£6, 290	£6, 745
Deputy Mayor		£4, 196	£14, 899 34% of leader	20-30% of leader's remuneration, meaning SRA of £2, 392 to £8, 941	£4, 460	£5, 093