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Standards Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 11 July 2018.



Ian Thomas, Chief Executive
July 3 2018

Councillor Obajimi Adefiranye	Fasil Bhatti
Councillor Peter Bernards	Gill Butler
Councillor Andre Bourne	David Roper-Newman
Councillor Bill Brown	Cathy Sullivan
Councillor Colin Elliott	Leslie Thomas
Councillor Alex Feis-Bryce	Joy Walton
Councillor Caroline Kalu	
Councillor Jim Mallory	
Councillor Joan Millbank	
Councillor Hilary Moore	

Standards Committee Agenda

Wednesday, 11 July 2018
7.00 pm, Committee Room 4 - Civic Suite
Civic Suite
Lewisham Town Hall
London SE6 4RU

For more information contact: Troy Robinson 0208 3149365

Part 1

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1. Declaration of interests	1 - 4
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STANDARDS COMMITTEE		
Report Title	Declarations of Interests	
Key Decision	No	Item No. 1
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: July 11 2018

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.

- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must not take part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 2

STANDARDS COMMITTEE		
Report Title	Minutes	
Key Decision	No	Item No. 2
Ward	n/a	
Contributors	Head of Law	
Class	Part 1	Date: 11 July 2018

Recommendation

It is recommended that the Minutes of the meetings of the Committee, which was open to the press and public held on 17 October 2017 and 23 May 2017 be confirmed and signed (copies attached).

MINUTES OF THE STANDARDS COMMITTEE

Tuesday, 17 October 2017 at 7.00 pm

PRESENT: Councillors Obajimi Adefiranye, Colin Elliott, Hilary Moore, Pauline Morrison, Andre Bourne (Chair), Jim Mallory, Peter Bernards and Bill Brown.

Also Present Joy Walton, Fasil Bhatti, Cathy Sullivan and Leslie Thomas.

Apologies for absence were received from Gill Butler and David Roper-Newman.

9. Declaration of interests

No declarations were made.

10. Standards Committee Minutes

RESOLVED that the minutes of the meeting held on May 9 2017 be confirmed and signed as a correct record.

11. Local Code of Corporate Governance - Review of Compliance 2016-17

The Head of Law introduced the report and reminded the Committee that the substantive report was considered at the last meeting of the Standards Committee. This report sought to revise the review by incorporating matters raised by members at the previous meeting in May 2017.

The Committee was referred to pages 47 and 50 which were the details of two recent activities which should properly be included in the review as suggested at the previous meeting of the Standards Committee.

RESOLVED to endorse the revised review of the Local Code of Corporate Governance appearing at Appendix 2.

12. Review of use of RIPA 2017

The Head of Law introduced the report which sets out the powers available to the local authority under RIPA. The report also reviewed the local authority's use of its powers under RIPA over the previous 18 months.

It was explained that there is a fairly comprehensive system in place. In 2012, the Regulation of Investigatory Powers Act 2000 was amended by the Protection of Freedoms Act 2012, which inserted further safeguards into the procedures undertaken by public bodies when they carry out lawful covert surveillance in respect of a narrower category of activities. As a result of the 2012 Act the local authority revised its policy and procedures and provided further bespoke training to investigating officers and managers.

It was further explained that Council still retained the power to conduct covert surveillance in circumstances where RIPA does not apply. In such situations the local authority maintained procedures identical to those covered by the provisions of RIPA without the input of the Court to provide final authorisation.

Training to relevant officers has emphasised the need to be aware of “necessity” and “proportionality”.

Lewisham had most recently been inspected by the Office of Surveillance Commissioners on the 11th March 2016 by the Assistant Surveillance Commissioner, Sir David Clarke. The outcome of that inspection was extremely positive.

The Committee was informed of the number of RIPA authorisations approved internally and granted with judicial approval over the previous two years. The number of authorisations in relation to non RIPA for 2015/16 was also provided.

Members were heartened to note that the local authority is using its powers under RIPA sparingly.

An independent member of the Committee requested further clarity as to the levels referred to in paragraph 3.9 of the current policy. She also suggested further clarity at paragraph 3.14 of the policy on the details of the process to make it more appropriate.

An enquiry was raised in relation to records obtained under the RIPA provisions and how does that link to the requirements of the Freedom of Information Act. It was explained that obligations under the FOIA would apply in the same way that they would ordinarily. That there is a presumption of disclosure, unless exemption/s to disclosure apply. Any determination would be assessed on a case by case basis.

There followed a discussion about the application of RIPA generally and specifically in relation to Covert Human Intelligence Source (CHIS.) The Head of Law confirmed that the use of CHS would be exceptional and that there are enhanced authorisation arrangements in place. Invariably, any such investigations are better left to the police to investigate.

An enquiry was also raised on the Council’s practice and what safeguards are in place in relation to information obtained during an investigation which is not necessarily required for the criminal investigation. The Head of Law confirmed that in such circumstances if the information is not required for the investigation it is destroyed.

RESOLVED that the report and presentation by the Head of Law be noted

13. Council Review of Whistleblowing Referrals and Policy

The Head of Law/ Monitoring Officer, introduced the report and explained that this is an annual report considered by the Committee and provides an opportunity for members to note referrals made over the previous year and to also consider and suggest any appropriate changes.

The Head of Law/Monitoring Officer provided the Committee with an update on the referrals referred to at the last review but which had not been concluded at that time. The initial three referrals related to referrals from a

school and whilst its' procedures provide for referral to the Council in certain circumstances as the Council is not the employer of staff at the school the Monitoring Officer's role is limited to advising the governing body. Any decisions are ultimately a matter for them.

In the above cases the external investigator appointed found that there was some cause for concern but not for the reasons complained of. The Monitoring Officer confirmed that there was a big overlap between the cases.

The other outstanding referral was in relation to a complaint received that a Planning Committee meeting had been improperly conducted. On investigation the Whistleblowing Officer found that there had been no unfairness in the decision making process. This conclusion had been relayed to the complainant. The complainant had also raised an issue in relation to an interest which ought to have been declared. The complainant however failed to provide any further information on a request for specific details from the Whistleblowing Officer.

The Head of Law/Monitoring Officer informed the Committee that there had been three further referrals since the last review. These referrals had all been concluded. In two of the cases the complainant decided not to pursue their referral. It was suggested that when the current policy is reviewed it refers specifically that the investigation of benefit fraud transferred along with the Council's benefit fraud investigations to the Department of Works and Pensions.

There followed some discussion about the whistleblowing policy. There was an enquiry as to whether the Council's processes were sufficiently robust that individuals felt prepared to make referrals under it. There was also an observation that there does not appear to be many complaints received about the central services of the Council. It was suggested that enhanced publicity and profile of the Whistleblowing Policy be considered at the annual review..

Members enquired as to the return of feedback questionnaires sent at the conclusion of investigations and for an analysis to be undertaken of such returns. The Head of Law confirmed that questionnaires are sometimes returned. However in the vast majority of cases they are not returned. It was suggested that officers look at the design of the questionnaire as well as providing an analysis.

Members requested that the publicity for the Whistleblowing Policy be updated.

Members also suggested that it be reiterated that complaints can be made through a number of channels.

RESOLVED that the report be noted and that officers take steps to update and enhance the profile of the Whistleblowing Policy.

14. Compliance with Member Code of Conduct

The Head of Law/ Monitoring Officer presented the report and explained that the report provides information about the extent of compliance with the Member Code of Conduct.

It was highlighted that since consideration of the previous report on

compliance in November 2016 there have been five complaints raised against members.

An enquiry was raised as to when a matter is referred and responded to under the Council's ethical framework or is properly to be dealt with as a political party matter. It was suggested that perhaps greater clarity on the procedures and where matters should properly be referred to would be beneficial. The Head of Law responded that her remit is clear and that she does not get involved in matters concerning the quality of political representation which is a matter for political parties and the ballot box. Her remit is limited to issues concerning potential breaches of the Member Code of Conduct. It was suggested that some further dialogue on this issue may be appropriate.

RESOLVED that the report be noted.

15. DCLG - Consultation on Disqualification for Councillors and Directly Elected Mayors

The Head of Law/Monitoring Officer introduced the report which set out details of the Department of Communities and Local Government consultation exercise on proposals to update the criteria that bar individuals from becoming a local councillor or directly-elected mayor.

After discussion there was general consensus that updating the disqualification criteria as proposed in the consultation document was very sensible and that the Council should be supporting the suggested proposals.

RESOLVED that the Monitoring Officer send a written response to Department of Communities and Local Government in accordance with the comments set out in the report.

16. Local Government Inspection Framework

A response prepared by the Service Group Manager, Policy Development to Councillor Brown in relation to the current local government inspection framework was shared with the Standards Committee.

RESOLVED that the response to Councillor Brown be noted.

The meeting ended at 8.30pm

MINUTES OF THE STANDARDS COMMITTEE

Wednesday, 23 May 2018 at 7.56 pm

PRESENT: Councillors Obajimi Adefiranye, Peter Bernhards, Andre Bourne, Bill Brown, Colin Elliott, Feis-Bryce, Caroline Kalu, Jim Mallory, Joan Millbank and Hilary Moore.

1. Standards Membership

RESOLVED that the circulated report on the membership of the Standards Committee be noted.

2. Appointments to Sub Committees

RECOMMENDATION that the following persons be appointed to Sub-Committees of the Standards Committee:

Standards Sub-Committee A

Councillor Obajimi Adefiranye, Councillor Peter Bernhards, Councillor Bill Brown, Councillor Alex Feis-Bryce, Councillor Hilary Moore.

Independent Members: Sullivan, Roper-Newman and Bhatti.

Standards Sub-Committee B

Councillor Caroline Kalu, Councillor Andre Bourne, Councillor Colin Elliott, Councillor Jim Mallory, Councillor Joan Millbank.

Independent Members: Butler, Thomas and Walton.

3. Chair Vice Chair Standards Committee

RESOLVED that Councillor Obajimi Adefiranye be elected as Chair and Councillor Caroline Kalu be elected as Vice-Chair for the Municipal Year 2018-19.

Standards Committee			
Title	Annual Complaints Report 2016-17		
Key decision	No	Item no	
Wards	All wards		
Contributors	Executive Director for Customer Services and Head of Public Services		
Class	Part 1	11 July 2018	

1 Executive Summary

- 1.1 This report provides performance information on complaints dealt with by the Council and its housing partners at stages 1 and 2 of the Corporate Complaints procedure as well as complaints and enquiries to the Mayor, Councillors and MP's received during 2016/17. There were a total of 5,743 complaints and enquiries received in 2016/17. This represents a 33% increase when compared to 2015/16.
- 1.2 This report does not include complaints or enquiries about the provision of adult and children's social care, both of which are reported individually and publicised according to statutory guidance.
- 1.3 The Independent Adjudicator's (IA) report is attached at Appendix 1. The IA dealt with 82 complaints between 1 April 2016 and 31 March 2017, of which she upheld or partly upheld 41%. The IA responded to 80% within the 30-day response standard and identified a number of issues from the complaints and makes recommendations for improvement.
- 1.4 The Local Government Ombudsman (LGO) report is attached at Appendix 2. In 2016/17, the LGO made decisions on a total of 38 cases, which is 5 more than last year – the figures are attached at Appendix 3.
- 1.5 The report summarises the progress made so far following the restructure of the Complaints and Casework function.

2 Purpose of Report

- 2.1 To provide information on complaints performance in 2016/17.

3. Recommendations

The Committee is recommended to:

- 3.1 Note the contents of the report.

4 Introduction

- 4.1 This report summarises how the Council and its housing partners performed when dealing with complaints and how it is using the feedback from complaints to improve services. The report does not cover statutory complaints received for adult and children's social care that are subject to separate reports.
- 4.2 Also included is a summary of the Independent Adjudicator's report and a summary of the LGO's Annual Review with the full reports attached as appendices.
- 4.3 The report has already been to Mayor and Cabinet and the Public Accounts Select Committee.

5. Stage 1 and Stage 2 complaints, MP, Mayor and Councillor enquiries

- 5.1 The standard response times and responsibilities for responding to complaints at each stage are:

Stage 1 – 10 days by the Service Manager

Stage 2 – 20 days by the Head of Service or Executive Director

Stage 3 – 30 days by the Independent Adjudicator

MP/Mayor/Councillor – 10 days by the Head of Service or Executive Director

The new complaints process has been introduced for 2017/18.

- 5.2 The tables below show the number of complaints and enquiries dealt with by the Council in the last financial year. The tables are broken down by directorate and show the percentages dealt with in the standard response time. The statistics are for cases logged into iCasework between 1 April 2016 and 31 March 2017 compared with performance over the same period in 2015/2016.

Table 1 – total volume of complaints and enquires by directorate

	Total Complaints and Enquiries		
Directorate	2015/16	2016/17	Variance
Children and Young People	219	295	+35%
Community Services	254	280	+10%
Customer Services	2,414	3,633	+50%
Lewisham Homes	905	824	-9%
Resources & Regeneration	516	711	+38%
Total	4,308	5,743	+33%

Table 2 – stage 1 and stage 2 complaints by directorate with % responded on time

Directorate	Stage 1					Stage 2				
	2015/16	%	2016/17	%	Variance	2015/16	%	2016/17	%	Variance
CYP	80	81	134	77	+54	14	79	7	86	-7
Community Services	46	72	86	53	+40	4	75	2	0	-4
Customer Services	1,075	88	2,271	90	+1,196	100	58	63	80	-37
Lewisham Homes	451	90	339	96	-1,122	108	94	71	100	-37
Resources & Regeneration	135	63	299	75	+164	22	32	27	70	+5
Total	1,787	86	3,129	78	+1,342	248	73	170	67	-78

Table 3 - MP, Mayor and Members enquiries by directorate*

Directorate	MP			Mayor			Members		
	2015/16	2016/17	Variance	2015/16	2016/17	Variance	2015/16	2016/17	Variance
CYP	85 (82)	118 (24)	+33	8 (100)	1 (100)	-7	32 (88)	28 (32)	-4
Community Services	82 (35)	79 (48)	-3	44 (64)	17 (35)	-27	78(51)	69(52)	-9
Customer Services	767 (42)	808 (79)	+41	201 (52)	136 (82)	-65	271(60)	281 (81)	+10
Lewisham Homes	190 (44)	254 (79)	+64	29 (48)	47 (87)	+18	127 (87)	99 (96)	-28
Resources & Regeneration	121 (50)	136 (74)	+15	46 (44)	47 (73)	-4	192(71)	198 (89)	+6
Total	1,245 (45)	1,395 (61)	+150	328 (53)	243 (61)	-128	700 (68)	675 (70)	-25

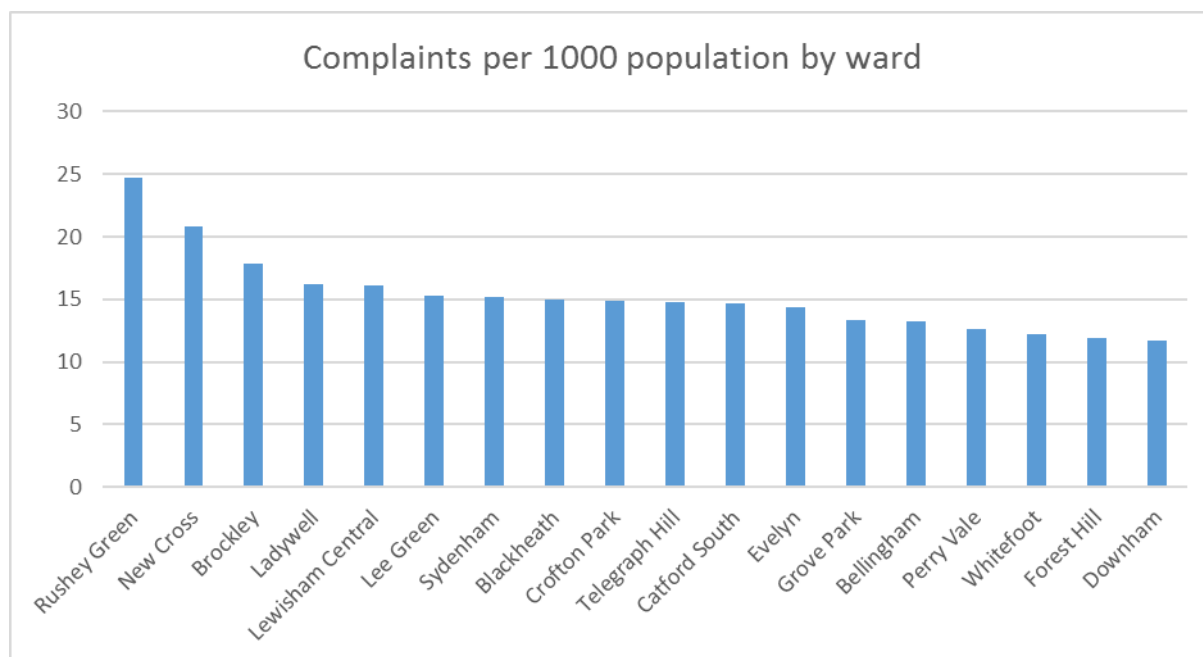
*figures in brackets denotes the percentage of cases dealt with within the specified targets

5.3 The total number of complaints and enquiries received in 2016/17 was 5,743 which was an increase of 1,435 cases (33%) on the previous year.

Complaints and enquiries by ward

5.4 The distribution of complaints received by Ward is shown below. The highest number of complaints received per 1,000 population were from residents in the Rushey Green Ward followed by New Cross Ward. The lowest number of complaints were received from residents in the Downham Ward.

Chart 1 Distribution of Complaints by ward



Source: Annual complaints data, Lewisham Council. Mid-year population Estimates by Ward for 2015, Office for National Statistics

Table 4 – Distribution of complaints by Ward

Ward	Complaints per 1000 population
Rushey Green	21
New Cross	20
Brockley	19
Ladywell	17
Evelyn	16
Telegraph Hill	14
Blackheath	13
Lee Green	11
Sydenham	10
Bellingham	9
Lewisham Central	9
Perry Vale	8
Crofton Park	8
Forest Hill	7
Catford South	6
Grove Park	6
Whitefoot	5
Downham	5

2015-2016

Ward	Complaints per 1000 population
Rushey Green	25
New Cross	21
Brockley	18
Ladywell	16
Lewisham Central	16
Lee Green	15
Sydenham	15
Blackheath	15
Crofton Park	15
Telegraph Hill	15
Catford South	15
Evelyn	14
Grove Park	13
Bellingham	13
Perry Vale	13
Whitefoot	12
Forest Hill	12
Downham	12

2016-2017

5.5 The top three wards to receive the highest level of complaints and enquires were Rushey Green, New Cross and Brockley.

5.5.1 In Rushey Green, Highways (street works) was the top reason why customers complained followed by refuse and then housing (advice and reviews). In 2015/16 Highways was the top reason why customers complained, followed by Housing and Council Tax benefit (advice and reviews).

5.5.2 The second highest ward to receive complaints and enquiries was New Cross. The top reason why customers complained was Lewisham Homes (tenancy team), Housing (advice and reviews) and then Refuse.

5.5.3 The third highest ward to receive complaints and enquiries was Brockley with the top reason for complaints being Refuse, Housing (advice and reviews) and then Council Tax.

5.5.4 Downham received the lowest level of complaints and enquiries in both financial years.

5.6 Trends

5.6.1 On analysing the reasons for complaints, the top three issues identified for 2016-17 were as follows:

1. Highways
2. Housing Needs
3. Environment

5.6.2 This top 3 has changed from the previous year at which time Housing Benefit and Council Tax were in the top 3, along with Housing Needs and Highways.

The services with the top three issues have provided comments on what has generated complaints within their service area.

5.7 Highways

5.7.1 There has been an increase in complaints and queries about parking in 2016-17 in part due to the implementation of new CPZs, consultation on a proposed CPZ in Deptford South and its subsequent implementation, and on consultation and implementation of two batches of minor parking amendments Orders. These Orders contain multiple new or amended parking restrictions that cover the whole borough.

5.7.2 In addition, there has been significant correspondence in relation to large schemes, such as the new Streetscape scheme in Dartmouth Road.

5.7.3 There were many enquiries centred around the creation of and enforcement of the 20mph speed limit, and requests for traffic data that has been collected in the months following the implementation

5.7.4 Finally, there has been an extensive programme of road resurfacing this year and that has generated some correspondence, and complaints.

5.7.5 Highways are receiving increasing numbers of queries on the provision of electric vehicle charging points, and more requests from residents for measures to remove traffic, in particular HGVs from residential areas. This is set to continue during 2017-18.

5.8 Housing Needs.

5.8.1 Housing Needs, encompassing the Housing Options Centre and SHIP (Single Homeless Intervention and Prevention, Homesearch, etc) remains one of the top 3 areas generating the most complaints. The reasons have generally been the same as previous years-

- the decreasing amount of social housing, coupled with an increase in housing need resulting in all housing applicants waiting very long periods for an offer of housing
- huge numbers of households in insecure temporary accommodation awaiting more permanent housing
- the suitability and/or location of temporary accommodation
- dissatisfaction with being placed out of Lewisham, or out of London as a whole due to the shortage of accommodation in borough

5.8.2 There has been a slight spike in the number of complaints and enquiries for the Allocations & Lettings Team relating to the online housing register application process (Homesearch). Customers find it hard to navigate the system to apply for the housing register. In addition, customers are finding Homesearch adverts difficult to understand, resulting in them not bidding for the most appropriate homes.

5.8.3 Housing Needs believe that the new Homeless Reduction Act (HRA) may potentially increase enquiries/complaints however, most of these will be dealt with under a statutory process. They anticipate that they will have a better idea of the impact of the HRA once it is live, at which time the department will adapt and review their ways of working around any issues that arise.

5.8.4 Another area that is also likely to cause complaints and enquiries is the increasing number of private sector offers being made in discharge of the Council's homeless duty. Applicants are disappointed when they do not receive an offer of social housing. Again, there is a statutory process to deal with suitability reviews but customers often approach their elected representative also to receive support with their case.

5.9 Environment

5.9.1 The main areas that generate complaints under Environment are waste services and cleansing (including, street sweeping abandoned vehicles and fly-tipping).

5.9.2 There has also been a slight increase in fly tipping complaints. Again, due to budget restraints, we cannot remove fly-tipping as quickly as we used to. The authority continues to pursue formal enforcement action and where appropriate, prosecutions are commenced against any individual or business carrying out fly tipping. However, officer resources are limited and therefore cases have to be prioritised. This can mean lower level fly-tips may not be investigated as quickly as we would like and in some cases a decision may have to be made that an investigation is unlikely to lead to evidence being located or that the case will not be in the public interest to take formal enforcement action on. In cases where any investigation is minimal, the Council will of course always remove the fly tipping if it is on an adopted highway for which it is responsible.

5.9.3 Although it falls outside the 2016-17 financial year, the service has received an increase in complaints about the waste service due to the major service change that was implemented at the beginning of October 2017. This was the introduction

of fortnightly refuse collections and weekly food waste collections. Teething issues caused disruptions in collections across the borough, but these were/are being resolved as quickly as possible, and the number of complaints are now reducing.

5.10 Lewisham Homes

5.10.1 Lewisham Homes have reported the following for 2016-17:

- Complaints performance continued to improve during the year meeting the targets of 35 complaints or less per month and 90% responded to within the target time.
- Complaints about the repair service per month have halved from 26 in 2010/11 to 12 in 2016/17.
- Lewisham Homes overall performance has improved against the majority of its key performance indicators (20 out of 22), and that resident satisfaction has improved, particularly for homeowners.
- The decency level of the homes has increased from 41% in 2011 to 95% in March 2017.
- Lewisham Homes has spent £146m since 2011 delivering stock improvements and the Decent Homes programme. Despite no grant from the GLA this year, Lewisham Homes increased the decency level from 91% to 95% and will make all stock decent by April 2018.
- Work on kitchens, bathrooms and electrical rewire are now managed by the Lewisham Homes Repairs Service. They installed kitchens or bathrooms into 325 homes in 2016/17, the direct labour force who achieved 98% satisfaction from residents did a third.
- In 2016 Lewisham Homes achieved the Investors in People Gold Standard.

5.10.2 Their Business Plan achievements in 2016/17 include:

- Developing more customer focused services and more choices for resident engagement, particularly online
- Continuing conversations with residents by personal contact to find out views on services (The Big Conversation)
- Improved engagement with leaseholders to help steer service improvements
- Investment of £360,000 in environmental improvements
- Introducing a new enhanced sheltered housing support for older residents

5.11 Brockley PFI

5.11.1 RB3 report that they have performed well throughout the year. There were 699 items of correspondence and all of them were responded to within the ten working days target

5.11.2 RB3 received 57 complaints during the 2016/17 year, which is an increase of 1% comparing with the last year. 58% of complaints were related to housing management issues and 42% were regarding repairs. All of them were responded to within the required ten working days target.

5.11.3 Out of 85 stage 1 complaints, 11 escalated to stage 2 (13%) and 3 complaints escalated to stage 3 (4%). Brockley feel this is a reflection of how well they have performed in terms of 'getting it right first time' when responding to complaints.

5.11.4 RB3 report that satisfaction levels for resident participation have increased from 88% in 2015/16 to 96% in 2016/17.

5.11.5 To enable residents to feedback their ideas and suggestions about RB3's services, the PFI developed an online customer experience survey in 2016-17. RB3 will continue to monitor satisfaction levels using this tool, along with feedback from complaints and enquiries.

6 Independent Adjudicator

- 6.1 The Independent Adjudicator (IA) deals with stage 3 complaints on behalf of the Council. The IA report for the Council is attached at Appendix 1. This section summarises the IA's report and the action being taken in response to the issues raised. The report covers the period 1 April 2016 to 31 March 2017.
- 6.2 The IA received 82 complaints during the year, nine less than in 2015/16. This breaks down to 55 (67%) about the Council/Regenter (down by five from last year); and 27 (33%) about Lewisham Homes (down by 5 from last year).
- 6.3 The IA has prepared a separate annual report for Lewisham Homes that deals specifically with any issues relating to them. The IA will attend their management team to present the report and the Council will monitor any actions arising from it. The number of complaints about Lewisham Homes went down from 35 to 27. The IA upheld 41% of the complaints she investigated, up from 37% in 2015/16
- 6.4 The IA responded to 80% of cases within the 30-day standard.
- 6.5 Cases by directorate/partner

The table below sets out the number of Stage 3 complaints against each directorate and each partner (*withdrawn/out of jurisdiction complaints in brackets cases in brackets*).

Table 6 - Total number of stage three complaints against each directorate and each partner

Customer Services	Resources and Regeneration	Community Services	Children and Young People	Regenter	Lewisham Homes	TOTAL
28 (6)	11 (4)	1 (1)	10 (6)	5 (1)	27(10)	82

6.6 Compensation

Compensation was awarded in 18 cases. The total amount of compensation paid was £13,699.80, of which £2,250 was for Lewisham Homes.

Table 7 - Amount of Compensation

	Up to and including £100	£100-£500	More than £500	TOTAL	
2016/17		7	6		£13,699.80
2015/16	2	6	10	18	£26,523.40
2014/15	n/a	13	6	20*	£9,241
2013/14	4	8	4	16*	£6,542
2012/13	2	8	2	12	£4,259.75
2011/12		9	1	12	£3,614

6.7 Key issues highlighted by the Independent Adjudicator

Communication and complaint handling

- 6.7.1 The IA is now monitoring the time taken to respond to her requests for information, noting that any delay impacts on her own timescales, could bring the complaints process into disrepute, lead to an Ombudsman complaint and adds to the complainant's sense of grievance.
- 6.7.2 The IA has found that, on occasion, compensation is not mentioned when fault is acknowledged. The IA urges officers to think about compensation in these circumstances.

6.8 The Council's response to the IA's comments

- 6.8.1 The Council thanks the Independent Adjudicator for her comments. The Council's review of its current casework and complaint processes will address the issues raised by the IA.

7 Local Government Ombudsman Annual Letter 2016/17

- 7.1 An annual review letter is produced by the LGO each year. This gives a summary of statistics relating to complaints made against local authorities over the year ending 31 March 2017. A copy of the LGO's annual letter is attached at Appendix 2.
- 7.2 The enclosed tables present the number of complaints and enquiries received and the decisions made about the authority during the period. In 2016/17 a total of 136 complaints and enquiries were received, 27 less than 2015/16. Of the total received only 38 'detailed enquiries' were carried out of which 26 were upheld.
- 7.3 The top 3 highest number of complaints were received about:
- Housing - 36 (37 in 2015/16)
 - Education and Children's Services – 28 (37 in 2015/16)
 - Benefits and Tax – 27 (39 in 2015/16)
- 7.4 The LGO now provide additional information to focus the statistics more on the outcome from complaints rather than just the amounts received. The LGO has also provided a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where LGO recommendations remedied the fault and the number of cases where the LGO concluded the authority had offered a satisfactory remedy during the local complaints process.
- 7.5 The LGO publish final decisions on all complaints on their website, as they consider this as an important step in increasing transparency and accountability. There was one published report regarding Housing Benefits made against the Council during the year ending 31 March 2017.
- 7.6 The Council views this as a useful exercise, which gives it the opportunity to reflect on the types of complaints made and consider where improvements might be made.

8 Achievements in 2016/17

- 8.1 The Council implemented the casework review creating a new corporate complaints and casework team. Despite the disruption during this time, the team

have managed to answer complaints and casework and maintain very good performance statistics.

- 8.2 The Community Services casework team use the intelligence gained from adult social care complaints to align with that from professional quality alerts, feedback from CQC and commissioned providers to improve quality across the delivery of adult social care services.
- 8.3 Following the recent restructure of the complaints teams Community Services have successfully maintained performance with their statutory complaints.
- 8.4 The CYP complaints team have had some challenges to overcome with retention of experienced complaints staff. They have a new manager in place and are now addressing some of the issues related to recent poor performance.
- Service specific bulletins continue to be produced for senior manager's consideration and action. In managing trends and detailed complaints in this manner, it is hoped that the broader picture can be influenced by addressing the smaller, frequent issues found within individual services. For example Adoption, Looked After Children Leaving Care Service were provided with a quarterly breakdown of complaints received and managers were asked to provide comments and highlight learning points to be considered by staff going into the next quarter.
 - Audit forms are kept outlining upheld complaints, and recommendations arising. These forms are compiled and revisited periodically with senior management, to ensure implementation of recommendations.
 - Organisational learning from the upheld and/or partially upheld complaints are fed back to staff by the Complaints Team through team meetings and bulletins distributed for the attention of all staff.

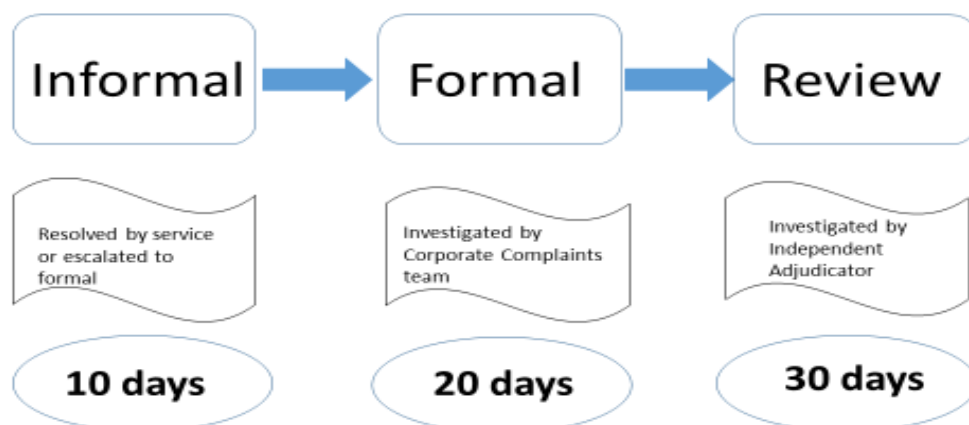
9 Complaints and Casework Review

- 9.1 As part of the Council's savings programme it agreed to a review of its approach to Complaints and Casework with a target saving of £50K. The overall objective of the review was to resolve complaints and casework at the first point of contact, improving the service to the customer and/or representative and reducing the costs of the service to the Council. The review was led by Ralph Wilkinson, the Head of Public Services, and focussed on:
- The process the Council followed to resolve complaints and casework
 - The organisational structure used to deliver the process
 - The system the Council used to administer complaints and casework
- 9.2 The new structure was put in place February 2017. It has taken approximately 6 months to train new staff and develop a fully functioning service
- 9.3 The new team faced a number of challenges
- The icasework system is out of date and in need of replacing
 - There was a backlog of cases
 - There were a number of outstanding investigations with the Local Government Ombudsman (LGO)
 - New staff were recruited who needed training
 - Existing staff who were recruited into the new team needed to upskill to deal with enquires about services they were unfamiliar with
- 9.4 The past 6 months have been spent addressing the above challenges.

- Officers have settled into their new roles and are confident dealing with a wider range of enquires
- We have successfully managed the LGO investigations and built up a strong relationship with our investigators. We have invited our local LGO investigator to a meeting in December 2017 to further strengthen this relationship.
- The new complaints and casework system is being implemented. The project has started and we anticipate the system to be functioning by April 2018.
- Despite the recent challenges the team have managed to answer the majority of casework and complaints on time maintaining a very good level of performance

9.5 The team have been focussing on working together and building a mature team with shared knowledge of the Council’s functions and the processes for effectively dealing with complaints and casework. As a result, we have delayed implementing the new process and timescales for complaints. As we move into the new year, and with the introduction of the new complaints system we will now be working with services to introduce the new process.

9.6 The new process is shown below:



9.7 We have already consulted with some Heads of Service and have identified that the best approach to successfully implementing the changes will be achieved by transitioning services individually as opposed to a ‘big bang’ approach. With this in mind, the plan is to start with a few services in the new year and gradually implement the changes

9.8 The aim of the formal stage was to carry out a more detailed investigation of a complaint that had previously been undertaken. This change has already been implemented and caseworkers in the corporate team are successfully investigating complaints at this stage.

9.9 The team are also improving learning from complaints. This will be further improved as part of the next stage of the development of the team and issues and patterns escalated as appropriate.

9.10 Most of the changes have taken place post March 2017 so next year’s report will pick up on the new arrangements in more detail.

9.11 The move away from contacting the Council's services by telephone will be carefully managed and will support the channel shift to quicker and effective resolution of customer contact. As this transition is primarily happening post March 2017 next year's report will pick this up in more detail.

9.12 Conclusion

Whilst the rise in the number of complaints is disappointing they still only represent a very small proportion of the millions of transactions the Council has with people living, working and learning in the borough. There can be no doubt that the savings the Council has been forced to make as a result of the government's programme of austerity will have been a significant reason for the increase. The Council will continue to use the complaints process to assist in the development of services and get feedback on the impact of changes.

10 Legal Implications

10.1 There are no specific legal implications directly arising from this report aside from noting that it is recommended good practice from the Local Government's Ombudsman's Office to make full and specific reference to handling complaints within a management agreement entered into under section 27 of the Housing Act 1985.

10.2 Given the subject and nature of this report, it is relevant here to note that the Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

10.4 The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

10.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

10.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

10.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and whom they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information/resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

11 Financial Implications

11.1 There are no direct financial implications arising from this report. The Council has no specific budgets for compensation payments so the costs are absorbed by the relevant service as awarded.

11.2 There has been no major impact on the level of complaints since 2010 following the savings programme. There has been a general upwards trend in the number of complaints and casework received but this is not directly attributed to the savings programme.

12 Crime and Disorder Implications

12.1 There are no crime and disorder implications arising from this report.

13 Equalities Implications

13.1 The iCasework system enables the Council to collect equalities monitoring information that is used to ensure the complaints process remains accessible and that no particular parts of the community suffer inequity in service delivery.

13.2 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

13.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

- 13.4 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 13.5 The Equality and Human Rights Commission issued guides in January 2011 providing an overview of the new equality duty, including the general equality duty, the specific duties and whom they apply to. The guides cover what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guides were based on the then draft specific duties so are no longer fully up-to-date, although regard may still be had to them until the revised guides are produced. The guides do not have legal standing unlike the statutory Code of Practice on the public sector equality duty. However that Code is not due to be published until April 2012. The guides can be found at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/new-public-sector-equality-duty-guidance/>.
- 13.6 The Corporate Complaints team will continue to work with voluntary community groups to ensure no one is disadvantaged from using the complaints process.

14 Environmental Implications

- 14.1 There are no environmental implications arising from this report.

15 Conclusion

- 15.1 The Council has been continually improving its complaints process in response to feedback and best practice. However, there is still a lot more to do to ensure customers receive excellent services. The outcomes from the casework and complaints review will ensure continuous improvement is achieved.

16 Background Documents and Report Author

- 16.1 There are no background documents to this report.
- 16.2 If you would like more information on this report please contact Georgina Chambers, Corporate Information Casework and Complaints manager on 020 8314 7956.

Review of Stage Three Complaints 2016-17 Lewisham Council and Regenter

Linzi Banks Independent Adjudicator
May 2017

The Independent Adjudicator (IA) deals with complaints at stage three of the Council's complaints process and provides a free, independent and impartial service. The IA considers complaints about the administrative actions of the Council and its partners, Lewisham Homes and Regenter. She cannot question what actions these organisations have taken simply because someone does not agree with them. But, if she finds something has gone wrong, such as poor service, service failure, delay or bad advice and that a person has suffered as a result, the IA aims to get it put right by recommending a suitable remedy.

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Improving services

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Data tables Appendices 1 and 2

At a glance*

* Includes Lewisham Homes

82 complaints received –
down from 91 in 2015/16

41% investigations upheld –
up from 37% in 2015/16

24 recommendations to put things right

Significant changes on previous year (complaints received)

SEN



Repairs



Planning



Introduction

This report publishes the complaint statistics of the Independent Adjudicator (IA) for the London Borough of Lewisham and its partner, Regenter, for the year ending 31 March 2017. In publishing the statistics, available in a data table at the end of this report, I aim to highlight lessons learned about the authorities' performance and their complaint handling arrangements, so that these might then be fed back into service improvement.

I have written a separate report about Lewisham Homes, though the figures for all authorities are included and attached, and some crossover issues are mentioned.

The headline messages from this year's statistics are:

- I received 82 complaints – down from 91 last year – and comprising 55 about the Council and Regenter (a decrease of one) and 27 about Lewisham Homes (a decrease of eight).
- I upheld 41% of the complaints I investigated, up from 37% in 2015/16.

- The area most complained about was Customer Services (28 complaints).
- The biggest increase in complaints was in Resources and Regeneration (up from five to 11).

I know, however, that the numbers alone do not tell everything about the attitude towards complaints and how they are responded to.

Arguably, of more importance, is to understand the impact those complaints have on people, and to learn the lessons from those complaints to improve the experience for others.

In line with my previous practice, I publish information about the recommendations I make to put things right when people have suffered. I made 24 separate recommendations to remedy injustice. These recommendations include actions for the authorities to take to remedy injustice for individuals, and to prevent injustice for others by improving practice.

My investigations can also provide the authorities with the reassurance that they

have carried out a fair investigation of a complaint, and satisfactorily offered to put things right, before the person decided to come to me.

The IA is the final stage of the authorities' complaints process – the person affected must have gone through the other stages before coming to me for an independent review of the case. So, in relation to the many thousands of exchanges happening daily between the authorities and the people in their areas, the number of stage three complaints is a tiny proportion of those exchanges, and, indeed, of the number of complaints received (% of the xxx complaints and enquiries about the Council and its partners in 2016/17); however, each one represents a problem that was not put right locally, or an experience that drove the person to pursue their complaint with me. Attached to this report is a Digest of Cases giving examples of such problems and experiences.

Making a difference: remedying injustice

Experience suggests that the most effective and timely way to resolve a complaint is for it to be put right at the local level before the issue escalates to me.

However, my casework shows that a number of complaints are not resolved satisfactorily locally, leaving people to ask me for an independent review. I carried out 41 detailed investigations, and upheld 37% of these (15 in number).

I found fault in two planning complaints, two refuse/fly tipping complaints and two special educational needs (SEN) complaints. I upheld one complaint each in council tax, repairs, housing allocations, temporary accommodation, home improvement grants, building control, abandoned vehicles, adoption and the childminder register.

I class a complaint as upheld or partly upheld when I find some fault in the way the Council or Regenter has acted. This

includes complaints where these authorities have acknowledged fault in their local investigation and offered to take action to put it right, but the person still wanted an independent review by me.

Types of remedy

If I decide the Council or Regenter have acted with fault, and the fault caused an injustice, I will make recommendations to put things right to remedy the fault. My recommendations are designed to place people back in the position they were in before the fault happened.

So, for example, this year, I proposed that the Council's Building Control Officers should investigate, and take action on, an unauthorised conversion of one flat into two that was causing the complainant a nuisance; that Planning Officers should expedite enforcement action on an illegal women's hostel affecting the complainant's amenity, providing the complainant with plan of action, a tentative timescale for taking that action, and regular updates; and that

SEN Officers should ensure, as a matter of urgency, the return of a child to full time provision as soon as possible, noting that two years had been missed as a result of Council failings.

In many complaints, I will also recommend an apology if this has not already been given.

If the injustice cannot be remedied through a specific action, I may recommend a financial payment.

So, in one SEN complaint, I proposed the payment of £1000 where the impact of the Council's failings in responding to the child's special educational needs was particularly severe on the family; in another, I suggested £300; and, in an adoption case, where the Council had failed to explain clearly to the complainants their rights as potential adopters and the rights of the identified

child's foster carer, I felt that £9589.80 was due to cover costs that the complainants had unnecessarily incurred in getting ready for the adoption.

Improving services

I always consider whether the issues uncovered in an investigation may affect other local people in a similar manner, and whether I can make practical recommendations to avoid that happening. So, for example, this year, I recommended that the Council should:

- Tighten up its procedures for dealing with prior approval applications.
- Review and improve its procedures for dealing with home improvement grants.
- Take steps to ensure that its list of childminders on its website is always up to date.
- Amend its notice to remove and destroy a vehicle.

Complaint numbers and commentary

- Complaints about the Council and Regenter that were in my jurisdiction have gone down again this year from 42 to 37.
- The number of complaints about Resources and Regeneration went up by two (from five to seven), as did complaints about Regenter (from two to four).
- Children and Young People (CYP) complaints fell from eight to four.
- Customer Service complaints fell from 26 to 22.
- There were no complaints about Community Services that fell within my remit.

Though any increases are regrettable, I am not unduly concerned as the numbers are tiny, and they will invariably fluctuate from year to year. What I will say, however, is that I am most pleased with the decrease in CYP complaints – down from eight to four - and especially those about SEN (two).

The upheld rate for complaints has gone up this year – from 35 to 37 per cent - but I find no particular cause for this other than that it suggests that, rightly, the more complex cases are coming to me; the cases where there are serious failings; and the cases where those failings have had a significant impact on the complainant.

However, I bring the following to the attention of the Council and Regenter:

- In some complaints, there was no stage one or stage two response.
- In other complaints, these authorities had missed what I considered was obvious maladministration.
- In a number of complaints, I think that officers should have proposed a remedy, but they didn't.

All of the above justified my involvement, I believe, and, crucially, they justified an adverse finding. I hope to see a decrease in such findings, and, indeed, a decrease in the number of stage three complaints, with the introduction of the Council's new

complaints process and its much more robust approach.

Even before this approach was adopted, however, the number of stage three complaints fell again this year as I report. This is welcome given the significant changes in many Council services, mentioning, for example, the stricter priorities for responding to flytipping; and the introduction of a paid green waste service. That these changes might have resulted in complaints but did not is a positive sign, in my view.

Also, the decrease can be partly explained, I think, because, despite not proposing remedies in some complaints, officers did suggest them in others without any prompting by me, and I was, consequently, persuaded that there was no case for me to investigate.

So, for example, in a council tax complaint, officers gave an apology and offered to review what had gone wrong; and, in a complaint about a home improvement grant, the Council removed the charging order from the

complainant's property
and waived fees of £226.

In my view, these were
eminently responsive
remedies to the injustice
suffered.

Complaint handling: General

- The Council and Regenter generally met the five days timescale for responding to my enquiries, although there were exceptions and I was forced to chase.
- The replies to my enquiries were generally thorough, but in some instances, they lacked a chronology, or they lacked detail, or they were poorly written (as was the stage one and stage two response), and I felt that a meeting with officers was necessary to secure the information that I required to reach a view.
- In a number of cases, there was delay in implementing my proposed remedy, and this added to the complainant's sense of grievance (leading to an Ombudsman complaint on one occasion); it caused me time and trouble in chasing; and I was forced to seek the help of senior officers.

CYP

Last year, I reported serious concerns about CYP, not only in the way it handled complaints, but also in the way it dealt with SEN. I had continuing concerns this year:

- In a complaint about a care assessment, referred to me by the Local Government Ombudsman (LGO), I asked the service area why it had not been dealt with under the statutory process: this was something that the LGO asked too. In my view, the issues should have been investigated under that process: they were not for me or for the Corporate Complaints procedure.
- In a second complaint about a care assessment, I explained that the service area needed to be clear why the complainant wanted a stage three investigation before referring it to me; and that they could not simply skip stage three as they proposed, and refer the matter directly to the LGO, even if this was what the complainant wanted.

- In a third complaint about a care assessment, where there were inaccuracies in a report on the complainant's children and the assessments were poor, I felt that some matters should have been considered by Information Governance, and others should have been taken under the Children Act.
- In a complaint about education admissions, and referred to me by officers, I advised the service area that this type of complaint was not for me, but for the Office of the Schools Adjudicator and the LGO (who would also take the case if an appeal had been heard). I was concerned that the service area seemed not to know this.

In response to these issues, and to the concerns that I had identified previously in my annual review of 2015/16 including poor and late replies to my enquiries (which were continuing), senior managers asked to meet me. I was reassured that they were committed to better complaint reporting; better

complaint handling; a desire to understand where a complaint might sit – with Corporate Complaints or under the statutory process; and the continued reduction in SEN complaints, noting a willingness to settle such complaints and to suggest imaginative remedies.

eventual willingness to remedy the complaint (along with Lewisham Homes).

Temporary accommodation

In a complaint about temporary accommodation – a function that passed from the Council to Lewisham Homes in September 2016 – I found that valuable opportunities at stages one and two of the process had been missed by the Council to spot what had gone wrong and provide redress. More importantly, there were serious failings in responding to my enquiries, including delay; not providing sufficient information; the relevant officers failing to turn up to a meeting I had arranged to secure that information, so that I was forced to hold a second meeting; and, initially, a denial by the Council that it had any role whatsoever. I am highly critical of this, but I am pleased to report, that the Council showed an

My performance and comments

I have:

- Responded to 80% of all complaints about the Council and Regenter within 30 days, missing the target of 90% because, in eight cases, complaint handling by officers was poor; or the responses from these authorities were deficient; or further enquiries and meetings with officers were necessary; or the Council's computer system was down; or officers had asked me to hold despatch of my final decision letter. I hope that such issues will not reoccur this year.
- Had no decisions overturned on complaints referred to the LGO or Housing Ombudsman (HO).
- Met the Housing Ombudsman's representative to explain my role, as well as to understand the workings of the HO and the remedies they use.
- Met even more complainants than in previous years.
- Urged officers to spot opportunities to

remedy a complaint and to discuss such remedies with me, or seek guidance from publications issued by the LGO and Housing Ombudsman.

- Encouraged well written complaint replies and apologies.
- Continued with my quarterly digest of cases to inform officers of the kinds of complaints I uphold, the remedies I suggest and the lessons that can be learned.
- Continued with my regular newsletter for senior managers to highlight any concerns and suggested service improvements.
- Met officers from Lewisham Homes to discuss complaint handling as well as my role: providing an interim complaint report for officers to consider; and offering training on dealing with complaints, good letter writing and remedies.
- Responded to the increasing pressures that officers face in their day to day work, and especially in responding to my enquiries, by trying to reach a view on the information available already, or asking for

simple facts, or organising a meeting where this is quicker and easier.

I have referred above to the Council's new complaints process. I hope that it will lead to more robust complaint handling throughout the authority, including spotting opportunities for remedies, and a reduction in the number of complaints that are escalated. I also hope to see timely and thorough complaint responses. I hope to see too the prompt implementation of my remedies, with regular updates to me and to the complainant.

I welcome this opportunity to give the Council and Regenter my reflections about the complaints I have dealt with over the past year. I hope that they find the information and assessment provided useful when seeking improvements to their services.

I would like to thank Rachael Phillips (Corporate Complaints Officer) and officers generally, for the help and support they have given me this year.

20 July 2017

By email

Barry Quirk
Chief Executive
London Borough of Lewisham

Dear Barry Quirk

Annual Review letter 2017

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGO) about your authority for the year ended 31 March 2017. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

The reporting year saw the retirement of Dr Jane Martin after completing her seven year tenure as Local Government Ombudsman. I was delighted to be appointed to the role of Ombudsman in January and look forward to working with you and colleagues across the local government sector in my new role.

You may notice the inclusion of the '*Social Care Ombudsman*' in our name and logo. You will be aware that since 2010 we have operated with jurisdiction over all registered adult social care providers, able to investigate complaints about care funded and arranged privately. The change is in response to frequent feedback from care providers who tell us that our current name is a real barrier to recognition within the social care sector. We hope this change will help to give this part of our jurisdiction the profile it deserves.

Complaint statistics

Last year, we provided for the first time statistics on how the complaints we upheld against your authority were remedied. This year's letter, again, includes a breakdown of upheld complaints to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us.

We have chosen not to include a 'compliance rate' this year; this indicated a council's compliance with our recommendations to remedy a fault. From April 2016, we established a new mechanism for ensuring the recommendations we make to councils are implemented, where they are agreed to. This has meant the recommendations we make are more specific, and will often include a time-frame for completion. We will then follow up with a council and seek evidence that recommendations have been implemented. As a result of this new process, we plan to report a more sophisticated suite of information about compliance and service improvement in the future.

This is likely to be just one of several changes we will make to our annual letters and the way we present our data to you in the future. We surveyed councils earlier in the year to find out, amongst other things, how they use the data in annual letters and what data is the most useful; thank you to those officers who responded. The feedback will inform new work to

provide you, your officers and elected members, and members of the public, with more meaningful data that allows for more effective scrutiny and easier comparison with other councils. We will keep in touch with you as this work progresses.

I want to emphasise that the statistics in this letter comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

During the year we issued one public report against your Council. This arose from a previous complaint where the Council had failed to properly deal with a request for an appeal against a benefits decision. The Council agreed to remedy the complaint by dealing with the appeal. However the Council did not do so and instead sent bailiffs to the complainant's home seeking payment of one alleged debt and sent confusing correspondence about another alleged debt. This resulted in a new complaint to my office. We issued a public report because of the seriousness of the Council failing to provide a remedy it had freely agreed to, compounded by its sending bailiffs. We were able to close the case when the Council provided evidence the recommendations had been complied with in full.

Unfortunately, there have been examples of poor complaint handling by your Council in the investigations we conducted this year, which is disappointing. In one instance, the Council maintained during our investigation that it was not at fault for failing to accept a homelessness application and for placing the complainant in a room smaller than the legal minimum for statutory overcrowding. Fault was accepted only after my Investigator spoke to a manager and sent a draft decision. As the facts were clear, this could have been done much sooner. Though the Council agreed a remedy, the complainant had to return to us two months later as the apology and financial payments had not been made. This is particularly concerning given it mirrors issues identified in the case we publicly reported, referred to above.

In other examples, my investigators have been required to contact your Council several times to get responses. There have also been instances of incomplete responses and two complaints gave cause for concern about the Council's handling of complaints under the statutory children's complaints procedure.

More positively, I am pleased to note the Council has responded constructively and promptly to our proposals to remedy two complaints about school transport. I hope to see more examples of this good practice during this year.

The statutory duty to report Ombudsman findings and recommendations

As you will no doubt be aware, there is duty under section 5(2) of the Local Government and Housing Act 1989 for your Monitoring Officer to prepare a formal report to the council where it appears that the authority, or any part of it, has acted or is likely to act in such a manner as to constitute maladministration or service failure, and where the LGO has conducted an investigation in relation to the matter.

This requirement applies to all Ombudsman complaint decisions, not just those that result in a public report. It is therefore a significant statutory duty that is triggered in most authorities every year following findings of fault by my office. I have received several enquiries from

authorities to ask how I expect this duty to be discharged. I thought it would therefore be useful for me to take this opportunity to comment on this responsibility.

I am conscious that authorities have adopted different approaches to respond proportionately to the issues raised in different Ombudsman investigations in a way that best reflects their own local circumstances. I am comfortable with, and supportive of, a flexible approach to how this duty is discharged. I do not seek to impose a proscriptive approach, as long as the Parliamentary intent is fulfilled in some meaningful way and the authority's performance in relation to Ombudsman investigations is properly communicated to elected members.

As a general guide I would suggest:

- Where my office has made findings of maladministration/fault in regard to routine mistakes and service failures, and the authority has agreed to remedy the complaint by implementing the recommendations made following an investigation, I feel that the duty is satisfactorily discharged if the Monitoring Officer makes a periodic report to the council summarising the findings on all upheld complaints over a specific period. In a small authority this may be adequately addressed through an annual report on complaints to members, for example.
- Where an investigation has wider implications for council policy or exposes a more significant finding of maladministration, perhaps because of the scale of the fault or injustice, or the number of people affected, I would expect the Monitoring Officer to consider whether the implications of that investigation should be individually reported to members.
- In the unlikely event that an authority is minded not to comply with my recommendations following a finding of maladministration, I would always expect the Monitoring Officer to report this to members under section five of the Act. This is an exceptional and unusual course of action for any authority to take and should be considered at the highest tier of the authority.

The duties set out above in relation to the Local Government and Housing Act 1989 are in addition to, not instead of, the pre-existing duties placed on all authorities in relation to Ombudsman reports under The Local Government Act 1974. Under those provisions, whenever my office issues a formal, public report to your authority you are obliged to lay that report before the council for consideration and respond within three months setting out the action that you have taken, or propose to take, in response to the report.

I know that most local authorities are familiar with these arrangements, but I happy to discuss this further with you or your Monitoring Officer if there is any doubt about how to discharge these duties in future.

Manual for Councils

We greatly value our relationships with council Complaints Officers, our single contact points at each authority. To support them in their roles, we have published a Manual for Councils, setting out in detail what we do and how we investigate the complaints we receive. When we surveyed Complaints Officers, we were pleased to hear that 73% reported they have found the manual useful.

The manual is a practical resource and reference point for all council staff, not just those working directly with us, and I encourage you to share it widely within your organisation. The manual can be found on our website www.lgo.org.uk/link-officers

Complaint handling training

Our training programme is one of the ways we use the outcomes of complaints to promote wider service improvements and learning. We delivered an ambitious programme of 75 courses during the year, training over 800 council staff and more 400 care provider staff. Post-course surveys showed a 92% increase in delegates' confidence in dealing with complaints. To find out more visit www.lgo.org.uk/training

Yours sincerely

A handwritten signature in black ink, appearing to read 'M King', with a horizontal line underneath the name.

Michael King
Local Government and Social Care Ombudsman for England
Chair, Commission for Local Administration in England

Local Authority Report: London Borough of Lewisham
For the Period Ending: 31/03/2017

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
16	27	5	28	6	11	36	5	1	135

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Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
7	4	60	31	12	26	68%	140

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
23	1

Appendix 3	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Refuse	46	48	54	58	79	52	29	70	56	64	57	76	35	56	50	60	37	30	957
Advice and Reviews	31	7	38	28	12	26	28	16	31	16	21	40	37	10	45	32	27	34	479
Housing and Council Tax Benefits	28	4	23	32	16	16	24	8	17	7	11	31	31	21	10	23	11	19	332
Council Tax	15	11	27	15	10	11	25	15	15	20	13	29	25	9	26	15	21	23	325
LH - Tenancy - Tenancy Team	7	15	17	1	4	2	37	2	7	1	11	9	44	10	10	16	29		222
Highways - Street Works	3	9	5	2	2	6	2	4	3	5	10	8	4	5	74	2	4	2	150
LH - Repairs - Responsive Repairs	3	14	15		4		28	5	1	2	5	7	28	8	5	6	13	1	145
Highways - Traffic Management Act	6	7	6	8	5	6	1	10	5	13	12	15	11	5	9	7	6	3	135
Street Services	8	7	4	11	8	12	5	5	9	3	9	10	11	5	6	1	10	7	131
Corporate Complaints	3	4	10	7	6	4	9	5	8	8	9	7	8	2	12	10	6	4	122
Green Scene	9	6	5	6	11	5	1	1	6	6	3	2	5	7	7	4	11	8	103
Policy	4	8	6	5	8	1	5	4	3	4	7	5	4	4	12	6	8	3	97
Parking	2	8		3	4	1	2	5	4	4	4	13	7	2	11	3	3		76
LH - Service Improvement - Customer Relations Team	2	9	5				7	2	1		4	2	9	4		11	5		61
Casework Team (Customer Services)	3	3	5	3	3	1			2	8		3	5	3	5	2	2	3	51
Recycling	2	4	2	2	4	1	2	3	6	2	5		1	5	2	7	1	2	51
Rehousing Development	3	2	3	2	1	2	3	3	3		1	6	2	3	5	1	5	4	49
Environmental Enforcement	3	3	4	7	2	3	3	1	1		2		3	2	9		3		46
Private Sector Housing		1		10	2	5	2		1	2	3	1	5	2	3	1	2	4	44
Other service areas	2	3	3		3	6	2	1	2		3	4	3		2	3	1	5	43
Anti-social Behaviour	6	2	1	2	1	3	1			2	1	3	5		11		1	1	40
Education Access	1		2	1	2	1	5		2	3	1		3	3	2	1	2	4	33
Single Homeless Intervention and Prevention	1	2	5	1	1	1	2	2		3	5	1			2	1	1	3	31

Appendix 3	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Housing - Tenancy			14		1					13									28
Integrated neighbourhoods	1	1			3	1			2	4	2	2	1	1	5		1	3	27
LH - Major Works - Capital Programming		2	1		1			3		1	3	2	3	1	2	2	4		25
Children with disabilities	1	1		4	1	1	1	1	3		2		1		2	1	1	4	24
Library and Information Services	3	1		2		2	1	1			4		1	4	2	1		1	23
Complaints Team (CYP)	1	1		4		2	2		1		2	1		1	1	5	1		22
CSC Telephony		1	2	1	2	1	1	1		3		2	1	2	1	1		3	22
Development Control		2	1							6		4	1		7	1			22
LH - Tenancy - ASB			2	1	1		6				1		3	3	1	1	3		22
Property - Repairs			14							8									22
Housing - Customer services			10		4					5						2			21
LH - Repairs - Technical Team		2			1		2	1			1	1	3	6			4		21
LH - Tenancy - Occupancy	2	4					2				1	1	2	1	2	1	4		20
Highways - Transport Works	1		2		2		1			1	3	1	2	1	3		1		18
LH - Leasehold Services			2				4	1			3		1	1	1	3	2		18

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LH - Estate Services - Caretaking		1					1	4	1				3	3	2	1	1		17
MITIE			2										12		1		2		17
Housing Strategy		1		1	1					1			4		4	1	1	2	16
LH - MNE - Gas		4	2				3				1	1		1		2	2		16
Casework Team (Regeneration)			1	2	1		2		1		3	1		1	1	1			14
Executive Director's Office	1	2	2		2	1	1			1	1	1		1				1	14
Private Sector Leasing	2		2	3				1			1	1	1	2				1	14
Concessionary Awards Team	3	2	1	1			1					2				1	1	1	13
Customer Relations Team (Community Services)					1		2				4		4	1					12
Electoral Services			2	1	1	1		1				1	1			1		3	12
Lewisham Enforcement Services			1	1				1				3	1	1	1	2		1	12
Corporate Communication		1			1	1		2	1	1	1	1		1		1			11
Sport and Leisure		1		1	2			1			3				2			1	11
Street Lighting		2			2	1		2		2	1				1				11

Appendix 3	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Insurance and Risk				2	2				1			2			1	2			10
LH - Estate Services - Grounds Maintenance		2	2				1						4				1		10
No Recourse	1				1	1				1		1			1		2	2	10
Business Regulatory Services	1			1	2	2						1				1	1		9
Community Safety		1	1		1									1	4	1			9
LH - Major Works - Construction Delivery		1					2						4	1		1			9
LH - MNE - Other			1								3		1	1			3		9
Breyer		1									2	3				2			8
Housing - Income			5							3									8
Lewisham Homes (DH)		3					1				1		2				1		8
Student and Pupil Services					2				2					1	2			1	8
Customer Relations Team			4							3									7
Family Support and Intervention			1			1		1		1		1					2		7

Appendix 3	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Highways - Maintenance Utilities							1						2	2	2				7
LH - Repairs - Contact Centre	2				1							1		2		1			7
LH - Repairs - Voids		1	1				1	1								3			7
AWLD Social work			1			1				1		1	1				1		6
Fleet					1	1						1					1	2	6
Health intelligence			2									1			2	1			6
LH - Income Team - Patch 1		1									1	1				1	2		6
Referral and Assessment			1	1								1			2		1		6
School Improvement							1				1		1		3				6
Asset Strategy & Development		1			1			1		1					1				5
Economic Development			1				1					1	1				1		5
Housing - Caretaking			3							2									5
LH - Customer Services		1	1				1									1	1		5
Looked after children			1			1	1						1		1				5

Appendix 3	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Revenues and Accounting							1												1
Road Safety												1							1
Social Care and Health												1							1
Technology Solutions Team									1										1
Urban Design, Conservation and Heritage								1											1
Youth Service										1									1
Grand Total	212	225	331	234	234	187	269	191	202	241	246	319	352	208	388	258	260	190	4547

Committee	Standards Committee	Item	
Title	Review of Local Code of Corporate Governance 2016-17		
Wards	All		
Contributors	Head of Law		
Class	Open	Date	11 July 2018

1. Summary

- 1.1 In December 2002, the Standards Committee considered and endorsed a Local Code of Corporate Governance for the London Borough of Lewisham. The Local Code is detailed at Appendix 1. Compliance with this code is subject to regular review, the last of which was reported in October 2017. Compliance with the Local Code has again been reviewed (see Appendix 2); the review has found that the Council is compliant with the Local Code.
- 1.2 The approach to the review of the Local Code of Corporate Governance has been revised for 2017-18. The change reflects the specific wish of the Standards Board, for a different format going forward. In keeping with the wishes of the Standards Board, the review focuses primarily on changes between the last review and the current one.

2. Purpose

- 2.1 To report the results of the annual review of compliance with the Local Code of Corporate Governance. The results of the review appear at Appendix 2.

3. Recommendations

- 3.1 Members of the Standards Committee are asked to consider and endorse the outcomes of the review.

4. Background

- 4.1 In 2002 CIPFA/SOLACE promoted a Code of Corporate Governance to local authorities. This Code included five dimensions:
- Community Focus
 - Service Delivery Arrangements
 - Structures and Processes
 - Risk Management and Internal Control
 - Standards of Conduct
- 4.2 Councils were advised to include particular features under each of the above dimensions in their Local Codes. A detailed review of Lewisham's compliance against the Local Code appears in Appendix 2 on page 12.

5. Review of compliance with the Local Code of Corporate Governance

- 5.1 In 2007, CIPFA / SOLACE revised their original national Code of Corporate Governance to build on recent governance work in both the public and private sector. The new framework consists of six key principles.
- Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
 - Members and officers working together to achieve a common purpose with clearly defined functions and roles
 - Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
 - Taking informed and transparent decisions which are subject to effective scrutiny and managing risk
 - Developing the capacity and capability of members and officers to be effective
 - Engaging with local people and other stakeholders to ensure robust public accountability
- 5.2 In October 2017 the Standards Committee received a review of compliance with the Local Code of Corporate Governance. This year compliance has been reviewed again. The process for doing so has been to revisit the findings of last year and to test those with relevant officers across the Council. External evidence of compliance particularly that obtained from Ofsted is referenced where applicable.

5.3 The review has found that, as last year, the Council is compliant with the Local Code of Corporate Governance.

6 Training

6.1 The Local Code of Corporate Governance states that ‘training will be provided for both officers and members in order to assist them to develop the skills and knowledge necessary to fulfil their roles and responsibilities.’

6.2 The Head of Law has provided training to members and officers on the following:

- Code of Conduct and Equalities
- Induction and decision making
- Dealing with breaches of the Member Code of Conduct
- Individual Electoral Registration (MPs briefing)
- Decision making (officers briefing)
- Election issues (officers briefing)
- Members sitting on outside bodies
- Employee Code of Conduct

7 Review

7.1 The Local Code of Corporate Governance requires that compliance with the code be monitored annually.

8 Legal Implications

8.1 There are no specific legal or financial implications

9 Equalities Implications

9.1 Public bodies such as local authorities are legally required to consider the three aims of the Public Sector Equality Duty (set out in the Equality Act 2010) and document their thinking as part of any decision-making processes. The Act sets out that public bodies must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between people who share a protected characteristic and those who do not share that characteristic; and
- foster good relationships between those who share a protected characteristic and those who do not share that characteristic.

The following equalities characteristics are 'protected' from unlawful discrimination in service provision under the Equality Act 2010: age; disability; gender; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; gender; and sexual orientation.

The Equality and Human Rights Commission (EHRC) have issued [technical guidance](#) for public authorities in England on the Public Sector Equality Duty. This technical guidance explains the three aims of the Public Sector Equality Duty, outlines the requirements of the Equality Act 2010 and the specific duty regulations and provides practical approaches to complying with the Public Sector Equality Duty. This document provides an authoritative, comprehensive and technical guide to the detail of the law. The EHRC technical guidance is not a statutory Code, but may be used as evidence in legal proceedings. Showing that the guidance has been followed - or being able to explain why it was not - will be relevant in demonstrating compliance with the Public Sector Equality Duty.

- 9.2 Equalities issues are key to the Local Code of Corporate Governance. The Council and its partners strive to promote equality of opportunity for all and eliminate discrimination. Good governance arrangements will help to ensure that the practices of the Council are open and accessible for all. These values are at the heart of Lewisham's Local Code of Corporate Governance and are specifically detailed in Section H: Accountability and Community Focus.

10 Environmental

- 10.1 The revised national CIPFA/SOLACE governance frameworks suggests that Council's measure the environmental impact of policies, plans and decisions. It is best practice that all committee reports include an environmental implications section.

11 Community Safety

11.1 There are no specific Community Safety Implications.

Appendix 1

Code of Corporate Governance

A What is a Code of Corporate Governance?

A Code of Corporate Governance might be defined as a statement of the system by which a local authority directs and controls the exercise of its functions and relates to the local community. This definition is founded on that used in the Cadbury Report on the Financial Aspects of Corporate Governance which related to the governance of private companies. However it also recognises the key role of local government in community leadership, by placing emphasis on relationships with local people.

B The Purpose of a Code of Corporate Governance

Aspects of corporate governance find expression in the everyday practices and procedures of a local authority. However an overarching Code of Corporate Governance fulfils the following purposes:-

- It stimulates confidence in the activities of local government, its politicians and employees, and the way it goes about business
- It focuses the minds of those involved in local government on making decisions in a proper way and engaging local stakeholders
- It assists with continuous improvement in the delivery of services, and serves to minimise the authority's exposure to risk.

C Fundamental principles

There are three fundamental principles for corporate governance. They are:-

- Openness
- Integrity
- Accountability

These are as relevant in the public sector as the private – possibly more so. These fundamental principles were expanded by the Nolan Committee on Standards in Public Life, and further strengthened as the guiding principles underpinning the statutory model code of conduct for members. These principles are readily accepted by the Council as underpinning all local government activity. They appear as an Appendix to the Council's Member Code of Conduct but are endorsed as applicable to all Council activity.

They are:-

- Selflessness - members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person
- Honesty and integrity - members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
- Objectivity - members should make decisions on merit, including when making appointments, awarding contract, or recommending individuals for rewards or benefits
- Accountability - members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office
- Openness - member should be as open as possible about their actions and should be prepared to give reasons for them
- Personal Judgement - members must take account of the views of others (and this may include their political groups) but should reach their own conclusions on the issues before them and act in accordance with those conclusions
- Respect for others - members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief and sexual orientation. They should respect the integrity and impartiality of the authority's statutory officers, and its other employees and not do anything to compromise that impartiality
- Duty to uphold the law - members should uphold the law and on all occasions act in accordance with the trust that the public is entitled to place in them
- Stewardship - members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law
- Leadership - members should promote and support these principles by leadership, and by example, and should always act in a way that secures or preserves public confidence.

D The decision making process

Decisions will be taken in accordance with the following:-

- a) the decision will be made following an evaluation of options
- b) the decision maker will take professional advice (including financial and legal advice where the decision may have legal and/or financial consequences)
- c) the decision will be taken following a consideration of all relevant matters and disregarding irrelevancies
- d) reasons for the decision will be recorded as will details of options considered with reasons for their rejection
- e) action taken will be proportionate to the result to be achieved
- f) respect for human rights will be balanced with the Council's duty to the wider community
- g) a presumption in favour of openness, unless there are compelling lawful reasons preventing the consideration of matters in public
- h) consultation appropriate to the matter under consideration
- i) clarity of aims and desired outcomes
- j) the highest standards of ethical conduct, avoiding actual, potential and perceived conflicts of interest
- k) consideration of business by Council members will be on the basis of written reports containing all relevant service, corporate, legal and financial considerations
- l) all executive decisions may be subject to scrutiny by the Overview and Scrutiny Committee in accordance with the Council's constitution
- m) decisions will be taken in accordance with the Council or Mayoral Scheme of Delegation as appropriate, and these schemes will be maintained, kept up to date and made available to the public

E Ethics

1. The Council will maintain and promote a Member Code of Conduct, which complies in all respects with all legal requirements.
2. The Council will maintain an Employee Code of Conduct, which complies with all legal requirements and promotes the highest standards of behaviour among employees.
3. Training will be provided for members and staff on the operation of the Codes of Conduct.

4. The Council will maintain a Members' Register of Interests in accordance with the law, and inform members of their duty to keep it up to date.
5. Key senior staff will be requested to disclose any interests which they have, which if they were a member they would be required to disclose, and a register kept of those interests declared.
6. The Council will maintain a protocol relating to the relationship between members and staff, promoting professional and effective relations between staff and all members, whether members of the Cabinet or overview and scrutiny.
7. The Council will adopt and maintain a whistleblowing policy, which is made widely available, and will report on referrals under it each year.

F Members' roles

1. The Council will document the roles of all members of the authority including the relative roles of the Mayor and Cabinet and non-executive members of the authority. Officers will support all members in the performance of these roles.
2. Members will maintain appropriate schemes of delegation and in particular define those matters reserved for collective decision by the full Council.
3. Members will put in place clearly documented processes for policy development, implementation and review and for decision making, monitoring and control, as well as procedural and financial regulations relating to the conduct of Council business.
4. Members will recognise that although within the Council they may fulfil different roles (for example as scrutineer or member of the political Executive) the Council remains a single corporate entity and can only function effectively if there is an appropriate balance between this corporate approach and the need to ensure that executive decisions are made appropriately and scrutinised constructively.
5. As required by law, members will put in place the terms of their remuneration and arrangements for review by an Independent Remuneration Panel.
6. Each year the Council will publish details of remuneration paid to each member of the Council.

G Officers' roles

1. The Council will maintain the post of Head of Paid Service (Chief Executive - responsible for the management of the Council's workforce and overall corporate management of the authority) separate from the political executive of the authority.

2. The Council will maintain the post of Chief Finance Officer to advise on the proper administration of the Council's financial affairs, keeping proper financial records and maintaining effective systems of financial control.
3. The Council will maintain the post of Monitoring Officer who will be the person responsible to the authority for ensuring that procedure, legislation and good practice are complied with.
4. The Head of Paid Service, the Monitoring Officer and the Chief Finance Officer shall be entitled to attend any meeting of the Council, the Mayor and Cabinet or any committee.
5. When considering any matter members must have regard to the advice of the Council's statutory officers.
6. All staff will have job descriptions which clearly define their roles, responsibilities and remuneration.
7. Council employees will support and advise all members of the Authority irrespective of whether they are executive or nonexecutive members.

H Accountability and Community Focus

1. The Council will record its decisions in writing and make those written records and the reasons for a decision available to the public.
2. All decisions made by the Mayor or delegated by him will be available for scrutiny by the overview and scrutiny committee in accordance with the Council's constitution.
3. The Mayor, members of the Cabinet and Executive Directors may be required to give account for their performance to the relevant overview and scrutiny committee.
4. The Council will publish annual performance targets and report on performance against those targets annually.
5. The Council will adopt a performance management framework to analyse key performance indicators and make information about performance against those indicators publicly available periodically.
6. The Council will put in place mechanisms to encourage participation in the affairs of the Council by individuals and groups from a broad cross section of the community, and will monitor their effectiveness.
7. In consultation with the local community will develop a vision for the local community and other stakeholders and will ensure that that vision is expressed clearly and publicised.
8. The Council will co-operate fully with external inspectors and respond positively to their findings, making arrangements to implement agreed actions effectively.

I Financial matters

In addition to those financial matters raised elsewhere in this code, the Council will:-

1. Put in place a process by which resources are allocated to priorities
2. Adopt a financial reporting process to ensure that members receive financial monitoring reports at appropriate intervals
3. Maintain an objective and professional relationship with external auditors
4. Publish an annual statement of accounts in a timely manner

J Risk Management

1. The Council will put in place a robust system for identifying and evaluating significant risks to the authority
2. The Council will put in place effective risk management systems, including systems of internal control as well as effective arrangements for an objective review of risk management and internal control
3. Annually the Council will publish an objective balanced and understandable statement and assessment of the authority's risk management mechanisms and their effectiveness.

K Partnership Governance

The Council will ensure that it has robust and effective mechanisms to ensure that its partnerships are effectively grounded, and that the risks involved in partnership working are accurately identified and appropriately managed.

L Review

The Council will monitor compliance with this Code annually. The Head of Paid Service, Chief Finance Officer and the Monitoring Officer will present a joint report to the Standards Committee on the extent of compliance, and the Council's annual statement of accounts will contain a statement explaining the extent of compliance. The officers will also present any proposals for amendment to the Code for consideration.



Review of the Local Code of Corporate Governance

2017-18

In 2007, CIPFA / SOLACE revised their original national Code of Corporate Governance to build on recent governance work in both the public and private sector. The new framework consists of six key principles:

- ➔ Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
- ➔ Members and officers working together to achieve a common purpose with clearly defined functions and roles
- ➔ Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
- ➔ Taking informed and transparent decisions which are subject to effective scrutiny and managing risk
- ➔ Developing the capacity and capability of members and officers to be effective
- ➔ Engaging with local people and other stakeholders to ensure robust public accountability

Section A: what is a Code of Corporate Governance?

A Code of Corporate Governance might be defined as a statement of the system by which a local authority directs and controls the exercise of its functions and relates to the local community. This definition is founded on that used in the Cadbury Report on the Financial Aspects of Corporate Governance which related to the governance of private companies. However it also recognises the key role of local government in community leadership, by placing emphasis on relationships with local people.

Section B: the purpose of a Code of Corporate Governance

- ➔ Aspects of corporate governance find expression in the everyday practices and procedures of a local authority. However an overarching Code of Corporate Governance fulfils the following purposes:-
- ➔ It stimulates confidence in the activities of local government, its politicians and employees, and the way it goes about business
- ➔ It focuses the minds of those involved in local government on making decisions in a proper way and engaging local stakeholders
- ➔ It assists with continuous improvement in the delivery of services, and serves to minimise the authority's exposure to risk.

Section C: fundamental principles

There are three fundamental principles for corporate governance. They are:-

- Openness
- Integrity
- Accountability

These are as relevant in the public sector as the private – possibly more so. These fundamental principles were expanded by the Nolan Committee on Standards in Public Life, and further strengthened as the guiding principles underpinning the statutory model code of conduct for members. These principles are readily accepted by the Council as underpinning all local government activity. They appear as an Appendix to the Council’s Member Code of Conduct but are endorsed as applicable to all Council activity.

Evidence of compliance

Section D: decision making

The principles of decision making appear as Article 16 within the Constitution. Standards Committee receives a report on Member compliance with the Code of Conduct. In October 2017 the Standards Committee reported the Member Code of Conduct appeared to be well embedded in Lewisham and that evidence suggested there was a high level of compliance.

Executive decisions are subject to review by Overview and Scrutiny business panel and may be called-in in accordance with the Council's Constitution. The most recent example of a matter referred to the Mayor for reconsideration in accordance with the call in procedure was the report on the New Bermondsey CPO which the Mayor and Cabinet was asked to reconsider in September 2016 and which was subsequently not progressed.

In addition to the procedural requirements stated above, three examples of the decision making process have been examined against the key principles of this dimension of the local code. The evidence indicates that the decision making process is sound, transparent and consistent with the requirements of the code. The reports considered by Mayor and Cabinet were:

- Ladywell Playtower Selecting a Restoration Partner - November 2017
<http://councilmeetings.lewisham.gov.uk/documents/s53641/Ladywell%20Playtower%20Part%201.pdf>
- Delivering additional school places for Children and Young People with Special Educational Needs and Disabilities (SEND) Consultation Feedback and Permission to move to next stage – December 2017
<http://councilmeetings.lewisham.gov.uk/documents/s53926/Delivering%20additional%20school%20places%20for%20Children%20and%20Young%20People%20with%20Special%20Educational%20Needs%20and.pdf>
- Working in the Private Rented Sector – January 2018
<http://councilmeetings.lewisham.gov.uk/documents/s54473/Working%20in%20the%20Private%20Rented%20Sector.pdf>

Section E: ethics

To publicise the code, the following actions have been taken:

- The [Code of Corporate Governance](#) and the Council's [ethical standards](#) are available on the Lewisham website. Internally, the Code of Conduct is available on the intranet. Related information is also publicly available on the website. For example, sites include information on [how the Council is governed](#) and the [comments, complaints and compliments](#) process.
- Lewisham Life delivered to all households in the borough, includes Member contact details and a standing item on the Code of Conduct in the 'What's On' section of each edition of the magazine.
- With reference to contracts, the Council's [Code of Practice for Suppliers and Service Providers](#) refers specifically to the Member Code of Conduct.
- A new procedure for the investigation of complaints was adopted by the Council in June 2012 and this was reviewed by the Standards Committee on [26 March 2014](#). The Committee made minor, but not significant, changes. At the same meeting, the cases investigated during the year and the outcomes were reported. Allegations of breach of the Member Code of Conduct are now referred initially to the Monitoring Officer. In accordance with statutory requirements the Council has appointed two people to serve as the Independent Person whose views are to be sought prior to the Standards Committee making any decision on an allegation that has been investigated. The Chair of the Standards Committee reports back to Full Council at each AGM on 27 March 2017.

Section F: member roles

Scheme of delegation

The Constitution sets out which decisions are referred to Full Council. In 2017/18 reports to Council have included the delegation of further functions to London Councils Transport and Environment Committee, participation in the London Business Rates Pilot, receipt of the report of the Lewisham Poverty Commission, consideration of the outcome of the Barriers to Politics Working Group, membership of a further Joint Health Overview and Scrutiny Committee and the recruitment of a new Chief Executive.

Section G: officer roles

Article 14 of the Constitution designates seven posts as statutory officers. In addition to the three corporate statutory roles, i.e. Head of Paid Service, The Monitoring Officer and the Chief Finance Officer, there is the:

- Executive Director for Children and Young People who is responsible for all of the functions of Director of Children Services set out in section 18 Children Act 2004;
- Executive Director for Community Services who is the statutory director for Adult Services;
- Head of Corporate Policy and Governance who is the officer responsible for the promotion of scrutiny within the Council and the wider community: and
- Director for Public Health

The Constitution provides that decisions can only be made on the basis of full written reports incorporating service, corporate, financial and legal implications. There is an agenda planning process to ensure these considerations are addressed in reports.

It is a constitutional requirement that senior Council officers support all members regardless of their position on either the executive or scrutiny function. Article 14.4 details the functions of the Head of Paid Service including responsibility for the provision of professional advice in the decision making process. This is also detailed in functions of the Monitoring Officer (Article 14.5) and the Chief Finance Officer (Article 14.6)

The protocol for Member/Officer Relations, which is attached to the Code of Conduct within the Constitution also clearly sets out the expectations of officers in terms of their support to members.

Section H: accountability and community focus (1)

Member development

Members benefit from ongoing training and development, attending a wide range of external courses and in-house training delivered by external trainers, including sessions on mental health first aid, air quality, questioning skills, children's safeguarding, looked after children, the private rented sector, major incidents and emergency planning, effective scrutiny, youth services, collaborative partnership working and scrutiny in a digital age

Records management

Modern.Gov is used for the content management and publication of agendas and other committee documents. This allows for all committee documents to appear on the public website at the same time as they are sent for manual printing. Members can also use the Modern.Gov App to access their papers electronically on their iPads.

Participation and engagement

Overview and Scrutiny - committees regularly encourage contributions and participation from local people in the scrutiny process. For example; Grove Park residents spoke at the Healthier Communities Select Committee in July 2017 in relation to a proposed new Health Centre in that ward; and Lewisham cyclists participated in discussion at a Sustainable Development Select Committee in July 2017 on the implementation of the new cycling strategy. Scrutiny site visits, including those to schools and housing schemes allow scrutiny councillors to hear from local residents in a more informal manner.

Section H: accountability and community focus (2)

Cabinet attendance at scrutiny committee

Cabinet Members attended select committee meetings to discuss and take questions on matters within their portfolios. This included, for example:

- **Mayor** – Overview and Scrutiny Committee on 11 July 2017; Children and Young People Select Committee on 11 December 2017; Sustainable Development Select Committee on 18 January 2018; and Public Accounts Select Committee on 6 February 2018
- **Cabinet Member for Resources** – Public Accounts Select Committee on 19 April 2017; 13 July 2017; 16 November 2017; and 6 February 2018; and Overview and Scrutiny Committee on 11 July 2017
- **Cabinet Member for Policy and Performance** – Safer, Stronger Communities Select Committee on 12 July 2017 and 2 November 2017; Public Accounts Select Committee on 27 September 2017; and Healthier Communities Select Committee on 1 November 2017 and 7 February 2018
- **Cabinet Member for Children and Young People** – Children and Young People Select Committee on 19 April 2017; 28 June 2017; and 11 December 2017
- **Cabinet Member for Community Safety** – Safer, Stronger Communities Select Committee on 13 December 2017
- **Cabinet Member for Social Care, Health and Older People** – Public Accounts Select Committee on 27 September 2017; Healthier Communities Select Committee on 1 November 2017; and Sustainable Development Select Committee on 18 January 2018

Section H: accountability and community focus (3)

Comprehensive Equalities Scheme 2016-20

The [Comprehensive Equalities Scheme \(2016-20\)](#) (CES) sets out the Council's overarching equalities objectives and ensures that Lewisham is compliant with the three aims of the Public Sector Equality Duty which is part of the Equality Act 2010. A new CES was agreed by the Mayor in March 2016, the new was agreed by the Mayor. In March 2018, the Safer Stronger Communities Select Committee received their customary annual update which, for the second time, reported progress on CES objectives through the prism of five high-level strategies

Dyson Inquiry

In February 2017, Full Council agreed to the establishment of an [Independent Inquiry](#) into matters related to Lewisham Council's proposed compulsory purchase order of land at New Bermondsey/Surrey Canal. The Inquiry, commenced in April 2017, and was chaired by former Master of the Rolls (President of the Court of Appeal of England and Wales and Head of Civil Justice), the Right Honourable Lord John Dyson. The Inquiry outcome was reported to the Council on 17 January 2018. The Inquiry found no wrong-doing on the part of Members or officers involved in the decision-making process.

Statutory inspection

In September Lewisham was subject to a statutory inspection of Special Educational Needs and Disabilities, by Ofsted and the Care Quality Commission. The, largely positive, final report identified a number of strengths in addition to a few areas for further development.

Corporate Performance Management and Self-Regulation Framework

A review of the Council's Corporate Performance Management Framework took place in the fourth quarter of 2017/18. The new framework further refines the Council's performance management approach in light of current and emerging challenges and demands. In particular, it responds to challenges highlighted in recent external inspection, for the need to improve data quality management arrangements. The Corporate Performance Management Framework was signed off by the Executive Management Team in February 2018.

Section H: accountability and community focus (4)

Complaints

The Council's Comments, Complaints and Compliments procedure is publicised on the website. The Codes of Conduct and the whistle blowing procedure are published on the Council's website and referenced in each edition of the Council's magazine Lewisham Life, which is delivered to all households and is available in electronic format. The Council has taken active steps to improve its complaints procedure and has upgraded the Council's complaints management system, iCasework, to record complaints and feedback. The Council's website has been updated to provide comprehensive information relating to complaints. This also includes a fact sheet about the role of the Independent Adjudicator.

Where required staff receive training on complaints management. The training is designed to ensure that services learn from complaints, how to take preventative and corrective action and how to write an effective letter. The training will ensure there is a better understanding of the relationship between good complaints management and its impact on service development.

The Head of Public Services for Customer Services reports annually to the Standards Committee with an update on all non-statutory complaints for the Council. Complaints performance is considered annually by Mayor and Cabinet and the Public Account Select Committee. Further reports are considered at Directorate Management Team level.

Budget strategy

The Council prepares a Medium Term Financial Strategy (MTFS) each year for the coming four years. This is then used to prepare the necessary changes (e.g. savings) to enable Council to consider and approve a balanced budget each February. The Lewisham Future Programme work in 2017/18 took the form of deep dive challenge sessions into individual service areas, led by the Executive Director for Resources and Regeneration as Acting Chief Executive, supported by 'line by line' budget reviews by the Mayor with respective Cabinet members before the budget.

While the external audit progressed well, the financial statements opinion for 2016/17 has not been certified pending completion of a review of two objections to the accounts. These objections were received by a number of local authorities and is being picked up as part of 2017/18 work. The value for money opinion was concluded without any significant issues, after the Dyson report was issued.

Section I: financial matters (1)

The Council's corporate, financial and asset planning processes are integrated. This ensures that the policy implications of both capital and revenue resource allocation decisions are fully considered during the budget setting process.

The annual budget report for 2017/18 went to Mayor and Cabinet on 15 February 2017, and subsequently to Council on 22 February 2017. As in previous years, all budget savings proposals were analysed for their impact on each of the ten priorities; they were also assessed for their equalities impact in line with equality legislation. Conscious and explicit policy choices were made during this process to allocate resources to priorities and respond to identified risks and pressures.

In looking forward, the annual budget report for 2018/19 was reported to Mayor & Cabinet on 7 February 2018 and subsequently to Council on 21 February 2018.

Financial monitoring reports are produced monthly and are reported to the Executive Management Team. These are also reported to Public Accounts Select Committee and Mayor and Cabinet every quarter. Last year's in-year forecasts were broadly consistent throughout most of the year, but saw a marked increase in the overspend at the year-end. The rolling forecasts used throughout the year supported monitoring of the implementation of savings and the efficient closure of the accounts and reporting of those to Members.

Section I: financial matters (2)

Grant Thornton are the Council's external auditors. The feedback from Grant Thornton on the audit of 2016/17 financial statements, including the pension fund, provided unqualified opinions on both their financial and value for money work. In issuing their opinion on the accounts, Grant Thornton said:

“The Council presented accounts for audit on 30th May, in line with the agreed earlier timetable. Finance staff responded very promptly to audit queries and provided good quality working papers. Consequently we believe the Council is well placed to meet the earlier deadlines from 2018. We reported the key issues from our audit of the accounts to the Audit Panel on 14 September 2017. The accounts were prepared to a very high standard of quality showing continuing improvements. We did not identify any significant issues.”

The last Statement of Accounts was approved by Full Council on 20th September 2017 in line with the requirements of the statutory regulations.

Section J: risk management

The Council's governance in respect of risk management did not change in 2017/18. The reporting of risk builds on the risks identified in service plans, through Directorate registers, and onto the Corporate register. Project risks are reported in registers for each project and a separate partnership register is maintained. Monitoring of risk is also integrated in the performance management framework and reporting.

Directorate and Corporate risk registers are reviewed quarterly by the Executive Management Team (EMT) and the Internal Control Board (ICB). The review of the risk management strategy concluded in 2017/18 and was reported to EMT and ICB and to the Audit Panel for formal adoption. The Audit Panel also approved the annual risk based internal plan and received quarterly reports on delivery against the plan.

For 2017/18 internal audit, through a combination of in-house and contracted reviews, delivered the agreed reviews and the Head of Internal Audit reported to the Audit Panel with their annual assurance opinion on the operation of the Council's control frameworks reviewed. The last annual opinion was 'Limited' in respect of 2016/17 work. The opinion for 2017/18 will be reported to the Audit Panel in July 2018.

The Council's audited 2017/18 financial statements and the Annual Governance Statement (AGS) as part of these will be reported to the Audit Panel and Full Council in July 2018.

During 2017/18, following the secondment and then departure of the Council's Chief Executive, a number of acting up arrangements were in operation. These arrangements ran until May 2018 when the new Chief Executive started. They ensured that accountability and responsibility for decision making within the Council's governance arrangements was maintained and any potential conflicts of interest managed.

Section K: partnership governance

The London Boroughs of Lewisham, Lambeth and Southwark have established a S101 Joint Committee to facilitate joint working between the three boroughs under the “Better Place Partnership” brand. As the Joint Committee is executive in nature, every member appointed to the Joint Committee is a member of one of the local authorities executive. The Joint Committee is open to the public and is subject to overview and scrutiny requirements as set out under s9 of the Local Government Act 2000 and to call-in. All three boroughs have appropriate scrutiny arrangements in place.

Under the Health & Social Care 2012 local authorities were required to have established a Health & Well-Being Board as a Committee by 1st April 2013. The Health and Well-being Board brings together elected members and strategic partners to identify local health challenges and leads on the activity necessary to address them. The Boards responsibilities include:

- preparing an assessment of relevant needs (the Joint Strategic Needs Assessment);
- preparing and publishing a strategy to meet the needs identified in the Joint Strategic Needs Assessment;
- the Board also has a legal duty to encourage integrated working between health and social care services.

Section K: partnership governance (2)

Under the Children Act 2004, every local authority was required to establish an independently chaired local safeguarding children board (LSCB) to coordinate and ensure the effectiveness of persons/bodies in their area for the purpose of safeguarding and promoting the welfare of children. A standardised membership list is prescribed by the Children Act 2004.

The Lewisham Safeguarding Children's Board (LSCB) brings together all the main organisations who work with children and families in Lewisham, with the aim of ensuring that they work together effectively to keep children safe. The LSCB's objectives, as set out in Working Together to Safeguard Children 2015, are:

- to co-ordinate the work of agencies to safeguard children and promote the welfare of children within Lewisham
- to ensure the effectiveness of safeguarding children in Lewisham

The Care Act 2014, Chapter 23, Part 1, Section 43 requires that: each local authority must establish a Safeguarding Adults Board (an "SAB") for its area. The overarching purpose of Lewisham Safeguarding Adults Board (LSAB) is to help and safeguard adults with care and support needs by:

- assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance;
- assuring itself that safeguarding practice is person-centred and outcome-focused;
- working collaboratively to prevent abuse and neglect where possible;
- ensuring agencies and individuals give timely and proportionate responses when abuse or neglect have occurred; and
- assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in Lewisham.

Section K: partnership governance (3)

Other partnerships that the Council is engaged include:

- Joint Committee with Croydon for the street-lighting private finance initiative to manage over 25 years the re-provision, maintenance and management of all street lighting and illuminated street furniture across the Borough.
- Local Education Partnership for maintaining the £240m of schools built under Private Finance Initiative contracts in the Borough.
- Health and Social Care Integration with staff seconded between the Council and the Lewisham Clinical Commissioning Group to support the preparation of plans and monitoring of activities.

Section L: review

The Council will monitor compliance with this Code annually. The Head of Paid Service, Chief Finance Officer and the Monitoring Officer will present a joint report to the Standards Committee on the extent of compliance, and the Council's annual statement of accounts will contain a statement explaining the extent of compliance. The Officers will also present any proposals for amendment to the Code for consideration.

This Report is submitted as evidence of compliance with the review procedure as stated above.

Key dates over the past 12 months

Date	Activity
February 2018	Council's Budget is reported to Full Council
	Council's Budget is reported to Mayor & Cabinet
November 2017	Annual update of register of interests were last updated in November 2017
October 2017	The Standards Committee reviewed the whistle blowing policy and received a report about the complaints made under the whistle blowing policy during the course of the year.
	The Standards Committee reported that the Member Code of Conduct appeared to be well embedded in Lewisham and that evidence suggested there was a high level of compliance.
September 2017	Statement of Accounts reported to Full Council
January 2017	Outcome of the Interdependent Inquiry of New Bermondsey/ Surrey Canal reported to Full Council

Agenda Item 6

STANDARDS COMMITTEE			
Title	Work Programme		
Key decision	No	Item no	
Wards			
Contributors	Head of Law		
Class	Part 1	11 JULY 2018	

1. Summary

This report sets out proposals for scheduled items to be considered at upcoming meetings of the Standards Committee in this municipal year and makes suggestions for inclusion at meetings in the next.

2. Recommendation

To agree the proposals for a work programme set out in paragraph 3.3 below

3. Background

3.1. Full meetings of the Standards Committee are convened twice yearly usually about October/November and May/June. These meetings consider certain items on a regular basis to promote the highest standards of conduct. These include:-

- Work programme
- Review of compliance with Member Code of Conduct
- Annual Complaints Report
- Review of whistleblowing referrals and policy
- Review of Code of Corporate Governance

3.2. From time to time other matters are considered by full Committee as well as training being provided to the Committee.

3.3. The proposed scheduled work programme for this municipal year are set out below:-

November 2018

- Review of whistleblowing referrals and policy
- Annual Complaints Report
- Compliance with Member Code of Conduct
- Work Programme

May/June 2019

- Review of Code of Corporate Governance

- 3.4 In addition to these scheduled items the Standards Committee may receive unscheduled items from time to time – for example in relation to dispensations allowing members to vote notwithstanding a disqualifying interest, in circumstances permitted by law. There may also be particular training events which may be dovetailed with scheduled meeting times.
- 3.5 Additionally sub committees may need to meet in response to complaints on which the Monitoring Officer has conducted an investigation.

4. Legal Implications

There are no specific legal implications associated with this report.