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Standards Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 6 July 2016.

Barry Quirk, Chief Executive
June 28 2016

Councillor Obajimi Adefiranye Councillor Brenda Dacres Councillor Colin Elliott Councillor Alan Hall Councillor Simon Hooks Councillor Hilary Moore Councillor Pauline Morrison Councillor Andre Bourne Councillor Paul Bell Councillor Jim Mallory	
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Fasil Bhatti Gill Butler David Roper-Newman Cathy Sullivan Leslie Thomas Joy Walton	
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Standards Committee Agenda

Wednesday, 6 July 2016

7.00 pm, Civic Suite Lewisham Town Hall Catford SE6 4RU

Civic Suite

Lewisham Town Hall

London SE6 4RU

For more information contact: Troy Robinson (Tel: 020 8314 9365)

Part 1

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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 6 2016

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: 6 July 2016

Recommendation

It is recommended that the Minutes of the meetings of the Committee , which was open to the press and public held on 29 October 2015 and 30 March 2016 be confirmed and signed (copy attached).

LONDON BOROUGH OF LEWISHAM

Minutes of the meeting of the STANDARDS COMMITTEE which was open to the press and public, held at LEWISHAM TOWN HALL, CATFORD, SE6 4RU on THURSDAY 29 OCTOBER 2015 at 7:00 p.m.

Present

Councillors, Paul Bell, Andre Bourne, Brenda Dacres, Colin Elliott, Simon Hooks, Jim Mallory and Pauline Morrison

Independent members: Gill Butler and Cathy Sullivan.

Apologies received from Obajimi Adefiranye and David Roper-Newman

<u>Minute No.</u>	<u>Action</u>
1.	<u>DECLARATIONS OF INTEREST</u> None was declared.
2.	<u>MINUTES</u> RESOLVED that the minutes of the Committee meetings held on the 20 May 2015 be approved as a correct record and signed by the Chair.
3.	<u>COMPLIANCE WITH MEMBER CODE OF CONDUCT 2015</u> Kath Nicholson, Head of Law and Monitoring Officer, presented the report and explained that the report provides information about the extent of compliance with the Member Code of Conduct. The Committee was informed that since the last report there have been two complaints raised against members. Both complaints were resolved informally in one case by the member concerned providing a public apology to the complainant and in the other the complainant decided not to pursue the complaint. RESOLVED that the report be noted.

Minute
No.

Action

4. REVIEW OF WHISTLEBLOWING POLICY

Kath Nicholson, Head of Law and Monitoring Officer introduced the report and explained the proposed revised Whistle blowing policy followed a request from the Committee at its last meeting that it be fundamentally reviewed.

It was explained that the proposed policy followed a review of the policies of a number of other local authorities both in and outside of London by the Head of Law.

It was explained that the whistle blowing policy is intended to be used as a supplement to other avenues of complaint where such procedures would not enable matters to be investigated.

Under the revised policy it was proposed that any serious concerns a complainant may have about any aspect of service provision, the conduct of officers, members or others acting on behalf of the Council be reported under the policy. However where there are more appropriate channels for investigation the Monitoring Officer will direct the complainant to that channel.

It was further explained that the proposed policy will require the Head of Law or her deputy to personally conduct an initial review of all complaints. This will enable her to be in a position to advise whether the complaint should be investigated and if so how, with potential timescales.

A further proposed change to the existing policy was the introduction of a requirement to notify complainants and to keep them regularly informed where an investigation was not likely to be completed within the expected 28 day period.

The Committee's attention was drawn to the written comments received from an absent Independent member suggesting that updates

on the progress of an investigation should be appropriately determined dependent on the nature of the complaint and required investigation. It was agreed that updates be provided normally within 28 days and thereafter every 3 months.

It was further explained that as a management tool a register and spread sheet of referrals be introduced and regularly monitored to ensure that all referrals are dealt with in the most timely and appropriate manner.

It was suggested that a step by step guide (flowchart) be considered for inclusion in the revised policy.

It was further suggested that at paragraph 7.1 the Head of Law's contact details should be inserted.

The Committee expressed particular interest in the publicity of the revised policy. The Head of Law confirmed that she would have discussions with the Head of Communications ensuring that there is clarity on the Council's website as to the policy and its application. It was also suggested and agreed that the revised policy be placed on the Council's intranet.

The Head of Law also confirmed that she would be providing training to all service heads on the revised policy with the expectation that this is then cascaded throughout the Council. In the future as well as reporting to the Standards Committee, the annual report will also be submitted to the Council's Executive Management Team to ensure the highest officer level support.

The Committee was also informed that a briefing on the whistleblowing policy also formed part of the Council's induction arrangements.

RESOLVED that the proposed amended whistleblowing policy appearing at Appendix 2 and the measures for its operation set out in the report be agreed.

5. STANDARDS COMMITTEE WORK
PROGRAMME 2016

Kath Nicholson, Head of Law and Monitoring Officer presented the item and invited the Committee to comment.

RESOLVED that the work programme shown in paragraph 3.3 be agreed.

6. INFORMATION ITEMS

Oral report back on whistleblowing referral

Kath Nicholson provided an oral report back on the whistle blowing referral which was discussed at the previous meeting but which had not been concluded at that time. The Head of Law, Kath Nicholson confirmed that since the previous meeting she had met with the complainant and had obtained further information about the complaint.

The Independent Executive Board (IEB) at the school had now conducted a thorough investigation and had prepared a comprehensive and full report. Save for some recommendations in relation to improved HR practice within the school they concluded that they could find no evidence to support the complainant's contentions and in the circumstances proposed no further action.

Resignation of Independent Member

The Committee was informed that Hannah Le Vay had resigned as an Independent Member of the Standards Committee. The Committee requested that its recognition and appreciation of Hannah's membership be formally recorded.

DATE OF NEXT MEETING

To be arranged

The meeting ended at 8:15pm

MINUTES OF THE STANDARDS COMMITTEE

Wednesday, 30 March 2016 at 9.18 pm

PRESENT: Councillors Obajimi Adefiranye, Brenda Dacres, Colin Elliott, Alan Hall, Simon Hooks, Pauline Morrison, Andre Bourne, Paul Bell and Jim Mallory.

Apologies for absence were received from Councillor Hilary Moore.

1. Approval for the Membership of the Standards Committee 2016/17

RESOLVED that the following membership of the Standards Committee for the municipal year 2016/17 be confirmed:

Councillor Colin Elliott
Councillor Andre Bourne
Councillor Jimi Adefiranye
Councillor Paul Bell
Councillor Brenda Dacres
Councillor Alan Hall
Councillor Simon Hooks
Councillor Jim Mallory
Councillor Hilary Moore
Councillor Pauline Morrison
Cathy Sullivan
Gill Butler
David Roper Newman
Leslie Thomas
Fasil Bhatti
Joy Walton

2. Election of Chair and Vice-Chair 2016/17

Resolved that Councillor Colin Elliott be elected as Chair and Councillor Andre Bourne be elected as Vice Chair for the Municipal Year 2016-17.

Agenda Item 4

	Standards Committee	Item	
Title	Review of Local Code of Corporate Governance 2015-16		
Wards	All		
Contributors	Head of Law		
Class	Open	Date	07 July 2016

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 May 2015. 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.

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. Recommendation

- 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.

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 May 2015 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 the Audit Commission and 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

Cadbury identified 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 2015/16

Sections (a) and (b) relate to the definition and purpose of the local code.

SECTION C: Fundamental principles

Cadbury identified three fundamental principles for corporate governance. They are:

- Openness
- Integrity
- Accountability

The Nolan principles are readily accepted by the Council as underpinning all local government activity. They are a key part of the new local Code of Conduct for Members which is detailed at Part V of [the Constitution](#). The Council introduced this Code under Section 28 of the Localism Act 2011 which specified statutory elements to be incorporated in the Code. Section 28 of the Localism Act 2011 requires an authority's Code of Conduct for Members to be consistent with the Seven Principles of Public Life set out in the First Report of the Nolan Committee on Standards in Public Life. Its purpose is to promote the highest [ethical standards](#) of conduct from all Members of the Council.

Our long-standing and continued organisational commitment to embedding these principles is demonstrated by the findings of external assessors over a number of years.

Section D

Decision making

SECTION D. Decision making

National Code Dimension: 1.7, 2.3, 3.6, 3.7, 4.2, 4.6, 4.7, 4.12

Members follow required formal procedures when making Council decisions, which ensure that such decisions are made transparently and openly. There is an annual programme of regular meetings whereby formal decisions are taken. Committee reports are produced by Officers in a standard format to ensure that authors address all significant considerations such as the service, corporate, legal and financial implications of decisions, equalities issues, environmental issues and risk assessment. Every committee agenda includes as a standard item a section on declarations of interest by committee members which sets out the legal position in relation to the need to declare, and on occasion, withdraw from discussion of matters where the member has a personal or prejudicial interest.

The highest standards of ethical conduct are adhered to in order to avoid actual, potential and perceived conflicts of interest. This is reflected in the Member and Officer Codes of Conduct. 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 2015 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.

Decisions are taken in accordance with the Council and Mayoral scheme of delegation as appropriate and these schemes are maintained, kept up to date and made available to the public as detailed within the Constitution (Rule D17). The Constitution states, "within 2 working days of an Executive decision being taken it shall be published by the proper Officer at the Town Hall and sent to all Members of the Council where possible by electronic means. Decisions will also

be recorded in a central register kept by the proper Officer which will be available to all Members of the Council and the public”.

Decisions are taken in accordance with the general principles of administrative law and on the basis of professional advice at all times. Minutes are published and made widely available through the Lewisham website. 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 Ladywell ‘Pop Up Village’ Contract which the Mayor and Cabinet reconsidered on 22 June 2015.

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:

Response to the Consultation on Remodelling Lewisham Council’s Day Service Offer and Associated Transport including Evening Club Provision (July 2015)

http://councilmeetings.lewisham.gov.uk/documents/s37667/Response%20to%20Consultation%20on%20Remodelling%20Day_Service%20Offer.pdf

School Organisation: Proposal to close St Winifred’s Infant School & St Winifred’s Junior School and open St Winifred’s Primary School. (September 2015)

<http://councilmeetings.lewisham.gov.uk/documents/s38387/St%20Winifred.pdf>

Work and Skills Strategy: Update on Progress and Refresh (December 2015)

<http://councilmeetings.lewisham.gov.uk/documents/s40224/Works%20and%20Skills%20Strategy.pdf>

SECTION E: ETHICS

1. The Council will maintain and promote a Member Code of Conduct, which complies in all respects with all legal requirements.

National code dimension: 3.2, 3.4, 3.6, 5.1

A revised Code of Conduct for Members was formally adopted in June 2012, following detailed consideration by the Constitution Working Party, the Standards Committee and the Council and is detailed at Part V of the Constitution. The revised Code of Conduct for Members complies with the requirements of the

Localism Act 2011 which sets out some common ethical requirements for every local authority Code. It also gives wide discretion to each local authority to formulate its own code to meet the needs of local circumstances and sets out the standards of conduct expected of all Members of the Council. It is written to support the Council's commitment to organisational integrity. Lewisham's Code is designed not only to ensure compliance with the new law but to maintain the Council's long held commitment to the highest standards of behaviour in local government. The measures set out in the Code are intended both to promote public confidence in local governance, to simplify the requirements of the ethical framework and to reduce the bureaucracy involved in handling complaints of breach of the member code of conduct.

This Code and its protocols are designed to promote public confidence in the actions of Members and employees. These documents encourage Members and Officers not only to avoid actual impropriety but at all times to avoid the suspicion or appearance of improper conduct. Members are required not to do anything that they could not justify to the public and to bear in mind that they serve the whole community. The Code represents the standard against which the conduct of Members will be judged by the public, other Members, partners, and the Council's own Standards Committee, which has been retained by the Council even though there is no statutory compulsion to have such a body.

Every Member should make sure that they are familiar with the requirements of the law, the Council's Constitution, as well as the requirements of the Code and its guidance and protocols. All Members are required to sign a declaration that they will comply with the Code of Conduct. Members should review their personal circumstances with this in mind, particularly as they change, to ensure compliance.

The Members' Code of Conduct is accessible to the public as part of the [Council's Constitution](#), and as a printed document available in public libraries.

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 reported to Full Council at the AGM on 26 March 2015.

Section E Ethics

SECTION E: ETHICS

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.

National code dimension: 3.1, 3.2, 3.4

The Council maintains an Employee Code of Conduct. All employees are required to comply with the Code and the two protocols which accompany it. Breaches of the protocols are deemed to be breaches of the Code. Any breaches are treated seriously and are dealt with under the Council's Disciplinary procedure. This could result in dismissal from the Council's service.

The Employee Code of Conduct is appended to the [Constitution](#) with the Member Code of Conduct.

SECTION E: ETHICS

3. Training will be provided for Members and staff on the operation of the Codes of Conduct.

National code dimension: 3.2, 5.1, 5.4

Training on the Codes of Conduct for both members and officers has been delivered by the Head of Law. Members were provided with training on the operation of the Code of Conduct as part of the induction programme which took place after the local elections in May 2014. The Head of Law delivered the training on 5 June 2014 and the slides have been made available.

On the 2nd, 3rd and 16th February 2016 the Head of Law delivered training to officers in the Council on the Codes of Conduct and the revised whistleblowing policy.

SECTION E: ETHICS

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.

National code dimension: 3.3, 3.6, 4.3

The Members' Register of Interests is updated annually and is then reviewed by the Standards Committee. In accordance with the Localism Act declaration of interest forms were issued to all members and returned within 28 days of the local elections held on 22 May 2014 and members were informed of the requirement to update their returns if necessary within 28 days of any subsequent changes occurring. Since 17 August 2011 individual entries for each Councillor have been displayed on the website. The manual register is held and managed by the Head of Committee Services on behalf of the Monitoring Officer and is made available for public scrutiny upon request, at the Town Hall.

SECTION E: ETHICS

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.

National code dimension: 3.3, 4.3

The following officers are required to update the register of interests annually, and these updates are audited as part of the Statement of Accounts process:

- All officers at SMG1 salary scale and above (or Soulsbury equivalent)
- All officers involved in procurement, commissioning and contract monitoring irrespective of grade
- All interims, consultants and agency staff who are paid at an SMG equivalent level.
- The declarations were last updated in November 2015.

SECTION E: ETHICS

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.

National code dimension: 2.5, 2.8, 3.1, 3.2

As stated above, the Council has agreed both Member and Officer Codes of Conduct and the Member Code includes a protocol for Member / Officer relations as an appendix of the Constitution.

SECTION E: ETHICS

7. The Council will adopt and maintain a whistle blowing policy, which is made widely available, and will report on referrals under it each year.

National code dimension: 3.2, 4.9

A whistle blowing policy has been agreed, reviewed and is available on the intranet. Complaints made under the whistle blowing policy are investigated and reported by the Head of Law. On 20 May 2015 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. A revised whistleblowing policy was agreed by the Standards Committee at its meeting on the 29th October 2015.”

Section F

Members' Roles

SECTION 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.

National code dimension: 2.1, 2.2, 2.8, 5.5, 5.6, 5.9

The Council's Constitution sets out the roles and responsibilities of Members, both generally and particularly (i.e. the Mayor, Chair of Council, the Council as a whole, the Executive, Overview and Scrutiny committees, Standards Committees etc.) This appears at Article 1 and in more detail throughout the Constitution.

For example, the Constitution specifies that the Mayor will carry out the following roles:

- a) to be the Council's principal spokesperson
- b) to give overall political direction to the Council
- c) to appoint (and dismiss) the Executive
- d) to decide on a schedule of delegation of executive functions
- e) to chair meetings of the Executive
- f) to represent the Council on external bodies that deal with Executive functions.

Officers support all Members in the performance of their roles. This includes provision for attendance, of lawyers and financial officers at every meeting of

Mayor and Cabinet to provide professional expertise, and at Overview and Scrutiny Committee as appropriate.

Member development

Lewisham has a Member Development Strategy, which incorporates the following five principles:

- Commitment to Member development
- Strategic approach to Member development
- Member learning and development plan in place
- Learning and development is effective in building capacity
- Elected Member Development promotes work life balance and citizenship

The overall aim of the Member Development Programme is to ensure that all Members have access to the training and development opportunities they need to fulfil their responsibilities to the local community and provide clear leadership and effective scrutiny of local Council functions. Lewisham's approach to Member development will continue to evolve and be informed by Member input, evaluation of best practice and a personalised approach. A comprehensive induction programme was delivered following the local elections in May 2014, designed to equip all councillors with the essential knowledge and skills required to undertake their roles. Further development sessions have been held since, covering chairing skills, using social media effectively and confident and effective communication skills. A number of all-Member briefings have also been held including sessions on licensing and planning, sitting on outside bodies, the Prevent Strategy and Health & Adult Social Care.

SECTION F: MEMBERS' ROLES

2. Members will maintain appropriate schemes of delegation and in particular define those matters reserved for collective decision by the full Council.

National code dimension: 2.3

The Council Scheme of Delegation and the Mayoral Scheme of Delegation are appended to the Constitution at Part VIII. They delegate all functions except those specifically reserved for Members. Those exclusions are explicit and as a result the schemes of delegation are particularly clear. The Council has a Constitution Working Party, which keeps the Constitutional arrangements of the authority under review and makes proposals to full Council for any amendment to the Council's scheme of delegation.

The Constitution sets out which decisions are referred to Full Council. In 2015/16 reports to Council have included the adoption of a Local Development Scheme, a consultation on the Local Plan, revisions to Contract Procedure Rules and

Employment Procedure Rules, a new Housing Strategy, an updated Licensing Act strategy and the creation of a Broadway Theatre Working Group and a six borough Joint Health Overview and Scrutiny Committee.

The Constitution has been updated to reflect these new responsibilities.

SECTION F: MEMBERS' ROLES

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.

National code dimension: 2.12, 4.1, 4.2, 4,7

The processes for policy development, implementation and review are specifically dealt with in the Constitution, at Part IV, section F et seq. Overview and Scrutiny Select Committees have early consideration of developing statutory policy options. This year, all select committees have had the opportunity to review the savings proposals underpinning the budget for 2015/16 in advance of final proposals being presented by the Mayor. In addition, two time limited scrutiny working groups were formed to consider two significant and cross-cutting savings proposals in more detail (those relating to the Youth Service and Public Health). Overview and Scrutiny Select Committees may scrutinise any matter within their remit and ask Members of the Mayor and Cabinet and Senior Officers to give account for their actions. Any Member of an Overview and Scrutiny Committee may place an item on its agenda. This is codified in the Constitution, in Article 6. Part IV of the constitution sets out the procedures and rules for decision making, monitoring and control. Decisions are publicised within two days of being made.

Executive decisions may be considered by the Council's Overview and Scrutiny Business Panel at a meeting which may exercise the right of call-in and ask the decision maker to reconsider.

The Council's Constitution includes Financial Procedure Rules. These were reviewed at Council in June 2012. The requirements of the Public Services (Social Value) Act 2012 were added in March 2013. The entirety of Part IV of the Constitution is concerned with the procedural regulations applying to the conduct of Council business.

SECTION F: MEMBERS' ROLES

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.

National code dimension: 4.1, 4.2

The constitution states that “There are 54 Councillors who are elected to represent areas of the London Borough of Lewisham called wards. The Council also has a Mayor, who is elected by voters across the whole of the borough. Together they act as one body, the Council of the London Borough of Lewisham” and continues to state that “The Council acts as one corporate body”. The Lewisham Councillors’ “role map/skills framework and role descriptors” states that all Councillors should:

- represent the interests of local people in the area they were elected to serve;
- contribute to the good governance of the authority; and
- participate effectively as a member of the full Council, any committee, panel or member body to which the Councillor is appointed.

Key decisions made by the Mayor are subject to scrutiny by the Overview & Scrutiny Business Panel. This body has the power to exercise call-in, which was used four times in 2015/16. The Overview and Scrutiny Business Panel also refers items for discussion to the appropriate Select Committee. There are six Select Committees, each with specific terms of reference and responsibilities in terms of scrutiny. Each Select Committee has the role of developing an annual work programme to enable it to contribute its views into the decision making process. Support for Mayor and Cabinet and Overview & Scrutiny is provided by both Executive Directors and Heads of Service across the organisation.

SECTION F: MEMBERS’ ROLES

5. As required by law, Members will put in place the terms of their remuneration and arrangements for review by an Independent Remuneration Panel

National code dimension: 2.9

The Council has approved the appointment of London Councils as its Independent Remuneration Panel. The Council had regard to its recommendations when agreeing councillors’ remuneration, having first sought advice from an independent person, Sir Rodney Brooke, to assess the “fit” of these recommendations in the particular context of Lewisham’s arrangements. Although Members’ Allowances have not increased for seven years, they have been amended to include childcare expenses in line with the London Living Wage.

SECTION F: MEMBERS' ROLES

6. Each year the Council will publish details of remuneration paid to each Member of the Council

National code dimension: 2.9

The Members Allowance Scheme is attached to the [constitution as part VI](#).

The Council also publicises its Members Allowance Scheme each year in a newspaper. In June 2015, the Council published this information in The South London Press.

Section G Officers' Roles

SECTION 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.

National code dimension: 2.1, 2.2, 2.4

This requirement is addressed in the Constitution and in the job description of the Chief Executive. Article 14 of the [Constitution](#) sets out the functions of the Head of Paid Service who is also known as the Council's Chief Executive.

SECTION G: OFFICERS' ROLES

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.

National code dimension: 2.1, 2.2, 2.6

These duties are reflected in the job description of the Executive Director for Resources & Regeneration. See Article 14 of the [Constitution](#) et seq.

SECTION G: OFFICERS' ROLES

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.

National code dimension: 2.1, 2.2, 2.7, 4.10, 4.11

This requirement is addressed in the Constitution and in the job description of the Head of Law. The Monitoring Officer has oversight of the registers of Members' interests and gifts/hospitality.

The Monitoring Officer also offers support and guidance to the Standards Committee by:

- attending committee meetings
- advising Members of the committee
- submitting reports to the committee
- contributing to the development of the work programme of the committee in close collaboration with the Chair of the Committee
- providing training and sharing best practice.

See Article 14 of the Council's [Constitution](#).

SECTION G: OFFICERS' ROLES

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.

National code dimension: 4.6, 4.7, 4.10, 4.11

This is documented within the [Constitution](#) at Rule 21 of the Access to Information Procedure Rules. "The Head of Paid Service, Chief Finance Officer and Monitoring Officer and their nominees are entitled to attend any meeting of the Executive and its committees. The Executive may not meet unless the proper Officer has been given reasonable notice that the meeting is to take place. A private meeting of the Executive may not meet to take any decision unless the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer or their nominee are present. The meeting may only take a decision if there is an officer present with responsibility for recording and publicising the decision".

SECTION G: OFFICERS' ROLES

5. When considering any matter Members must have regard to the advice of the Council's statutory Officers.

National code dimension: 4.7, 4.10, 4.11

Article 14 of the [Constitution](#) designates seven posts as statutory officers. In addition to the three corporate statutory roles, there is the Executive Director for Children and Young People, who is the statutory director for Children's Services; the Executive Director for Community Services who is the statutory director for Adult Services; the Head of Corporate Policy and Governance who is the officer responsible for the promotion of Scrutiny within the Council and the wider community, as required by section 9FB of the Local Government Act 2000; and a Director for Public Health, as required by section 30 of the Health and Social Care Act 2012.

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.

SECTION G: OFFICERS' ROLES

6. All staff will have job descriptions which clearly define their roles, responsibilities and remuneration.

National code dimension: 2.9

Detailed job descriptions are agreed before a post is confirmed within the workforce establishment. All employees are provided with a contract of employment which clearly sets out the terms and conditions of their employment including the job role, remuneration and its review. A copy of this contract, duly signed by the employee concerned, is retained on their personal file. Job roles and responsibilities are periodically reviewed if necessary, in consultation with the employee, to meet evolving service delivery needs. Any resulting changes in job descriptions/grading/pay are clearly documented with copies placed on the personal file.

Salaries are updated annually in line with increases in pay agreed nationally and such changes are clearly documented in payroll records and/or personal files as appropriate. Any other changes in pay made outside the annual pay award are also clearly documented and retained on payroll records/personal files.

The Council has produced and pays in accordance with its Pay Policy Statement as required by section 38 of the Localism Act 2011.

SECTION G: OFFICERS' ROLES

7. Council employees will support and advise all Members of the Authority irrespective of whether they are executive or non-executive Members.

National code dimension: 2.2, 2.8, 4.7, 5.4

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 to all parties 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 Codes of Conduct within the [Constitution](#), also clearly sets out the expectations of employees in terms of their support to Members.

Section H

Accountability and Community Focus

SECTION 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.

National code dimension: 4.2, 6.6

This requirement is addressed in the Constitution. Council decisions are published on the Lewisham Website.

The Council has made an explicit commitment to openness in all its dealings, subject only to the need to preserve confidentiality in specific circumstances where it is proper and appropriate to do so. This is clearly expressed in its [Constitution](#) at Article 1, which states the Council's aims and purposes and sets out the principles of decision making. These include "a presumption in favour of openness, unless there are compelling lawful reasons preventing the consideration of matters in public".

The Constitution provides for the Mayor to make decisions in public at a meeting of the Mayor and Cabinet convened as if the meeting were taking the decision collectively. There are clear access to information provisions as set out in the Constitution at Part G, which are adhered to. These rules and the rest of the Constitution are on the Council's website, as are notices of [Council meetings](#) and decisions.

Decisions of the elected Mayor and Cabinet are informed by Officer reports which address all the issues that have to be considered in all Officer reports to the Executive or committee.

The provisions of the Freedom of Information Act 2000 are fully implemented across the organisation. A corporate team has been established to monitor and ensure compliance with this Act and all other related legislation. (Such as the Data Protection Act 1998 and the Environmental Information Regulations 2004).

Complex cases are handled by dedicated representatives within each Directorate. The Council records all feedback on the corporate complaints management and feedback system which has led to an increased ability to record, report and identify trends.

A recent Data Protection Audit by the Information Commissioner's Office looked at data protection governance, records management (manual and electronic) and requests for personal data; and reported a reasonable level of assurance that processes and procedures are in place and delivering data protection compliance.

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.

A permanent corporate information and records managers post has now been established and there is now a strategic records management policy and appropriate records management systems in the Council which comply with ISO 15489, the international standard for records management and section 46, Records Management Code of Practice of Freedom of Information Act (2000) and continue to be developed.

SECTION H: Accountability and Community Focus

2. 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.

National code dimension: 4.1

Decisions made by the Mayor may be subject to scrutiny at the Overview & Scrutiny Business Panel, which meets on a regular three-weekly cycle. This body has the power to exercise 'call-in' – to refer decisions made but not yet implemented to the Mayor for consideration. This power was used four times in 2015/16.

SECTION H: Accountability and Community Focus

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.

National code dimension: 3.5, 4.1

This requirement is addressed in the Constitution. The Council has made an explicit commitment to openness in all its dealings, subject only to the need to preserve confidentiality in specific circumstances where it is proper and appropriate to do so. This is clearly expressed in its Constitution at Article 1, which states the Council's aims and purposes and sets out the principles of decision making. During 2015/16 various Cabinet Members attended select committee meetings to discuss and take questions on matters within their portfolios. This included, for example:

- The Cabinet Member for Housing – the Housing Select Committee on 15 April 2015 and 1 December 2015
- The Cabinet Member for the Third Sector and Community – the Safer, Stronger Communities Select Committee on 20 April 2015, 21 October 2015 and 30 November 2015; and the Children and Young People Select Committee on 18 November 2015
- The Cabinet Member for Children and Young People – the Children and Young People Select Committee on 22 April 2015, 13 May 2015, 8 September 2015, 20 October 2015, 18 November 2015 and 12 January 2015
- The Cabinet Member for Resources – the Public Accounts Select Committee on 27 May 2015, 29 September 2015 and 28 October 2015
- The Cabinet Member for Social Care, Health and Older People – the Healthier Communities Select Committee on 9 September 2015 and 13 January 2016; and the Safer, Stronger Communities Select Committee on 16 September 2015, 31 November 2015 and 8 December 2015
- The Cabinet Member for Community Safety – the Safer, Stronger Communities Select Committee on 16 September 2015
- The Cabinet Member for the Public Realm – the Sustainable Development Select Committee on 26 November 2015
- The Mayor – the Public Accounts Select Committee on 29 September 2015 and 27 January 2016; and the Healthier Communities Select Committee on 12 November 2015.

SECTION H: Accountability and Community Focus

4. The Council will publish performance targets and report on performance against those targets annually.

National code dimension: 1.4, 2.10, 5.7, 6.1, 6.9

Monthly Management Report

The Management Report provides a monthly update of progress in meeting the Council's priorities. The Report brings together performance indicators, risk entities, finance data and information on major projects into one overarching document. The Management Report is available on the Council website and is seen by the Mayor and Cabinet members on a quarterly basis. As part of a process of systematic review, the basket of indicators in the Management report is reviewed each year.

Review of the Comprehensive Equalities Scheme 2012-16 and Development of new Comprehensive Equalities Scheme 2016-20

The Council's Comprehensive Equalities Scheme (CES) sets out the overarching equalities objectives which ensure that the organisation complies with the three aims of the Public Sector Equality Duty which is part of the Equality Act 2010.

The annual review of progress, against the Council's five objectives in the CES, was presented to the Safer Stronger Communities Select Committee for sign-off in March 2016 alongside proposals, and the underpinning rationale, for the revised CES 2016-20. Prior to that, in October 2015, the Committee was presented with a detailed '[data sift](#)' of issues impacting upon the development of revised CES objectives for 2016-20. In March 2016, the new [Comprehensive Equalities Scheme \(2016-20\)](#) was agreed by the Mayor.

SECTION H: Accountability and Community Focus

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.

National code dimension: 1.5, 1.7, 2.10, 4.5, 5.7

A review of the Performance Management Framework takes place at least every three years, to ensure continuous improvement of performance arrangements. It

allows for robust and structured target setting against national requirements and local priorities. It also allows the Council, its partners and residents to monitor and measure the Council's effectiveness against national and local performance standards.

The current Performance Management Framework is under review, following the publication of a report by Ofsted into children's social care. In addition to looking specifically at performance management arrangements in children's social care, the review has considered arrangements across each directorate with the aim to further strengthen corporate oversight with regards to data quality management, systems integrity, performance governance and service improvement.

The Management Report continues to be published on the Council's website enabling the public to see how the Council is performing against its key service measures, risk entities, project milestones and budget priorities. As set out above, the Management Report is reviewed each year, in response to business needs.

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. The Council has taken active steps to improve its complaints procedure and continues to use 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

In the [2014/15 Annual Audit Letter](#), which makes reference to financial issues, Grant Thornton concluded that ‘...we are satisfied that in all significant respects the Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2015’ and ‘overall our view is that the Council is managing risk appropriately and has adequate arrangements for securing financial resilience’.

The [Medium Term Financial Strategy](#) was reported to Mayor & Cabinet in July 2015 and the key assumptions were updated in the February budget report to Council. This set out that an estimated £45m of savings is required from 2017/18 to 2019/20 over and above savings already agreed.

The Lewisham Future Programme Board has been established to carry out cross-cutting and thematic reviews to deliver these savings. The Board meets regularly and is chaired by the Chief Executive and consists of all Executive Directors, plus the Head of Corporate Resources and the Head of Technology and Change.

The Council has built on its solid base by setting budgets for 2015/16 and 2016/17 in challenging and unprecedented circumstances. However, the scale of the challenge to deliver further savings in 2017/18 and beyond, is substantial. Elected Members and Officers will continue to work closely to ensure that the budget framework is appropriate to meet this challenge.

SECTION H: Accountability and Community Focus

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.

National code dimension: 5.8, 6.5, 6.7, 6.8, 6.10

The Council has an open and outward facing culture that is clearly focussed on the needs of our residents and facilitated by an exceptionally strong and diverse approach to engagement and consultation.

Examples of the Council's consultation and engagement mechanisms include:

- **Local Assemblies** - which came into operation in spring 2008, with one assembly for each ward. Each is led by local Councillors, and supported by officers. Meetings of the local assembly are held locally and open to anyone living or working in the ward.
- **Young Mayor and Young Citizens Panel** - The Young Mayor is elected every year by their peers in schools and colleges across Lewisham. The Young Mayor works with a team of young advisors to represent young people and take part in consultations and contribute to policy discussions and decisions across the local authority and partners. A budget of £30,000 (reducing to £25,000 in 2016/17) each year is allocated to the Young Mayor project to be spent after consultation with young people in the borough. This entails visiting and talking to young people in schools, youth club and voluntary organisations, developing a set of proposals and presenting them to the Mayor and Cabinet. The Young Citizens Panel works with the Young Mayor and advisors and is an open monthly meeting for any young people aged 11 -18 years, to come and discuss issues of interest and concern to them with relevant officers and representatives from the borough and partners. Young people can also participate in discussion through social media and the website.
- **uEngage** – this is an online system that allows anybody to search for all consultations by area of interest or ward. It also provides a platform for online engagement and e-petitions.
- **Overview and Scrutiny** - committees regularly encourage contributions and participation from local people in the scrutiny process.
- **Voluntary & Community Sector Children & Young People's Forum** - Lewisham VCS Children and Young People's Forum is a network of over 400 voluntary and community organisations that work with children, young people and families in Lewisham, which meets approximately every 3 months. The Forum enables the sector to support and develop itself by the sharing of good practice and forge strong partnerships with statutory agencies which include feeding into key policy consultations. It also provides an opportunity for the sector to engage at a strategic level by electing representatives across the CYP Strategic Partnership Groups. Representatives' feedback on

discussions and gather views on specific issues at quarterly Forum meetings.

- **Stronger Communities Partnership Board** - Jointly chaired by the Cabinet Member for Third Sector and the Director of Voluntary Action Lewisham. The board seeks to increase levels of community participation and ensure diverse engagement with local and strategic levels of decision making.

To provide increased channels through which citizens are engaged, the Council continues to promote e-Participation through uEngage, an online engagement system. This system provides the platform through which citizens can respond to online consultations as well as set up and respond to e-Petitions, (a function which went live in April 2010).

The Council's engagement activity is overseen by the Strategy Performance and Communications Board. The Board is chaired by an Executive Director and provides a strategic steer on the communication and consultation agendas within the Council.

In 2015, oversight arrangements for the management of consultations across the Council were significantly strengthened as follows:

- consultation forward planners for each directorate avoiding duplication of effort and reducing the risk of "consultation fatigue" among residents.
- assignment of designated leads for each of the Council's four directorates. As part of this, leads will undertake a variety of roles and responsibilities including:
 - facilitating the planning and design of consultations, including use of new tools and technologies, so as to ensure a consistent and high quality approach to engagement and to advise on issues such as sample selection, and strategies for engaging with seldom heard groups.
 - developing capacity and skills across the Council to undertake high quality engagement, through sharing best practice examples.
 - facilitate the sharing findings from research and engagement activities and building a common understanding of the key messages and themes emerging from consultation activity.

Revision of the Council's existing Framework for Engagement commenced in 2015. The new Framework, which will be launched in 2016, will set out a strategic direction for consultation and engagement in Lewisham in light of new technologies, legislation, equalities issues, financial challenges and the changing demography of the borough. The revised Framework, is intended as a companion tool to the Council's Engagement Guidance, which was updated early in 2016. This Engagement Guidance is used by officers to plan and implement successful engagement activity. It provides the latest information and good practice to ensure that the proposed approach is as effective as possible.

The Council also takes active steps to feed back the outcomes of consultation to participants. In 2015 the Council's commissioned BMG Research to undertake survey of Lewisham Residents. Some of the key results from the survey were as follows:

- 69% of respondents were satisfied with how the Council runs things (up from 61% in 2012);
- 61% of respondents agreed that the Council provides value for money (up from 46% in 2012);
- 60% of residents trust the Council to make the best decisions for the borough, despite their own personal opinion (no comparison with 2012);
- 87% of residents think they will still be living in Lewisham in the next three years (no comparison with 2012)

Headline results from the Lewisham Resident's Survey for 2015, are available on the Council's [website](#).

SECTION H: Accountability and Community Focus

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.

National code dimension: 1.1, 1.2, 1.3, 2.11, 3.8, 6.3

The Lewisham Congress is an annual meeting for local community stakeholders, ie representatives from businesses and local enterprises, public sector partners, the VCS, civil society organisations and key local 'influencers'. The Congress will in essence provide a forum for discussion about how local partners can contribute to activity supporting delivery of the Mayor's Priorities for the borough.

‘Shaping our Future’ Lewisham’s Sustainable Community Strategy is underpinned by our vision: ‘Together we will make Lewisham the best place in London to live, work and learn.’ [Lewisham’s 2020 vision] and two key principles:

- reducing inequality – narrowing the gap in outcomes for citizens
- delivering together efficiently, effectively and equitably – ensuring that all citizens have appropriate access to and choice of high quality local services

and six priorities:

- Ambitious and achieving – where people are inspired and supported to fulfil their potential;
- Safer – where people feel safe and live free from crime, antisocial behaviour and abuse;
- Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities;
- Clean, green and liveable – where people live in high quality housing and can care for and enjoy their environment;
- Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being; and
- Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond.

A strong track record in user focus and engagement

Lewisham’s approach to priority setting has been acknowledged as robust: ‘good analysis of need, underpinned by excellent data, ensures the differentiated targeting of both universal and specialist services.’ The Partnership draws evidence and analysis from a comprehensive suite of information and data, which is used to identify priorities, take decisions and track performance. The Council hosts an interactive web-based system, which provides access to statistics about Lewisham and its residents.

Evidence of strong local engagement can be seen in the work of the Young Mayor who, alongside a team of young advisors, has played a key role in reviewing corporate strategies and plans. The introduction of Local Assemblies has given local people control over how money from the Assemblies Fund is spent in their ward. The development of housing transfer options also demonstrates our commitment to give local people a say in the future

management of their homes. One of our local providers, Phoenix Housing Trust, is managed by local residents and is the first Community Gateway in London.

Our joint vision is promoted on the Council's website and in partnership strategies which are also published on the website. The strategic planning framework for the Council sets out how the various strategies and service plans that exist are connected to each other.

The development of [Lewisham's Children & Young People's Plan 2015-18](#) (CYPP) is a good example of how the Council uses strategic visioning and planning to strengthen partnership working and utilise collaborative effort to drive improvement. Oversight for the delivery of CYPP objectives is provided by a multi-agency borough-wide partnership as well as through the targeted interventions of individual partners.

SECTION H: Accountability and Community Focus

8. The Council will co-operate fully with external inspectors and respond positively to their findings, making arrangements to implement agreed actions effectively.

National code dimension: 1.5, 1.6, 2.10, 3.5

Corporate commitment

The Council receives an [Annual Audit Letter](#) from its external auditors, Grant Thornton, which focuses on the financial accounts, value for money and submissions to Government. The Council received unqualified opinions in all three areas. The Audit Findings Report is presented to Audit Panel.

An unannounced Ofsted inspection of service for children in need of help and protection, children looked after and care leavers; took place between October and November of 2015. The inspection judged that overall, children's services in Lewisham 'require improvement to be good'. However, as part of the inspection, Ofsted cited adoption and services to care leavers as areas where the Council is providing 'good' services. Following the inspection, a report with nine recommendations was published by the regulator. These recommendations now form the basis of a multi-agency improvement plan, which will be monitored and overseen at officer, Member and partnership level.

Section I Financial matters

SECTION 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

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 2015/16 went to Mayor and Cabinet on 11 February 2015, and subsequently to Council on 25 February 2015. 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, for example; not to make savings to accommodation based services for supporting people and retaining current levels of residential street sweeping.

In looking forward, the annual budget report for 2016/17 was reported to Mayor & Cabinet on 10 February 2016 and subsequently to Council on 24 February 2016.

SECTION I: FINANCIAL MATTERS

2. Adopt a financial reporting process to ensure that Members receive financial monitoring reports at appropriate intervals

National code dimension: 1.4, 1.7, 6.9

Timely and accurate 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 consistent with the year-end out-turns and the rolling forecasts

used throughout the year supported efficient closure of the accounts and reporting of those to Members.

SECTION I: FINANCIAL MATTERS

3. Maintain an objective and professional relationship with external auditors

Grant Thornton are the Council's external auditors. The feedback from Grant Thornton on the audit of 2014/15 financial statements was broadly positive in respect of both their financial and value for money opinions. From their reporting of the 2014/15 audit findings to Council, Grant Thornton stated that "the financial statements were overall of good quality." The planning and interim work for the 2015/16 financial statements has been completed and reported to the Internal Control Board and Audit Panel in March 2015.

The planning work was positive and commented on the plan for the Council to complete closing and prepare the draft financial statements for audit at the beginning of June. This will enable the audit to be undertaken in July and serve as a dry run for the new requirement which come into effect for 2017/18 to conclude the external audit by the end of July, rather than the end of September.

SECTION I: FINANCIAL MATTERS

4. Publish an annual statement of accounts in a timely manner

National code dimension: 1.4, 6.9

The last Statement of Accounts was approved by Full Council in September 2015 in line with the requirements of the statutory regulations

Section J

Risk Management

SECTION J: Risk Management

1. The Council will put in place a robust system for identifying and evaluating significant risks to the authority

National code dimension: 4.4, 4.8

The Council's Risk Management Strategy, revised at the start of 2014/15, has been followed. The strategy will be reviewed again in 2016/17. In accordance with the Strategy, the main risk reporting mechanism continues to be by way of risks in service plans at the Service level, and registers which are maintained at the Directorate and Corporate levels. The format of the risk registers was reviewed in 2015/16, following a number of organisation and system changes to recognise common risk areas. Revised templates and guidance were agreed by the Internal Control Board for use in 2016/17.

An introduction/refresher risk management e-learning training course is available to support managers and staff identify and manage risk. The registers record significant risks and score them in terms of impact and likelihood. Target scores are set, defining the Council's risk appetite, and performance against target is monitored. The Directorate registers are considered at DMT meetings prior to further consolidation and are then subject to challenge at the Risk Management Working Party (RMWP). The Corporate Risk Register is monitored, updated and reported quarterly to RMWP prior to both Directorate and Corporate registers being reported to and reviewed by the Executive Management Team and the Internal Control Board.

The Internal Control Board comprises the Chief Executive, all Executive Directors, Head of Law, Group Manager Insurance and Risk, with the Head of

Corporate Resources reporting to it. It is chaired by an independent 'non executive' - Bill Roots, a former London local authority Chief Executive. Management of risk is embedded in all corporate management processes and a comprehensive approach, including risk management, is followed for all major projects and programmes.

The focus on risk in the Management Report was reviewed in 2014/15. For both corporate and directorate risks any significant variances against target are reported.

SECTION J: Risk Management

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

National code dimension: 4.4, 4.8

The 2015/16 annual audit plan was delivered by a combination of internal resources, key financial system audits by Mazars via the London Borough of Croydon contract framework, and the London Borough Greenwich for school audits via a service level agreement. Internal Audit objectively reviews the Council's risk management framework, assessing its effectiveness and reporting its findings on risk management to the Risk Management Working Party, Internal Control Board and the Audit Panel. The Council's approach to internal audit is set out in the Internal Audit Charter, approved by the Audit Panel.

The Council's governance, risk and control management arrangements are subject to annual independent review by Grant Thornton, the Council's external auditors. The Council continues to build on the progress already made to ensure that risk management is fully embedded within all directorates' service planning and performance management processes.

In 2015/16 the internal audit arrangements were subject to an at least five yearly independent review and found to be compliant with the Public Sector Internal Audit Standards.

SECTION J: Risk Management

3. Annually the Council will publish an objective balanced and

understandable statement and assessment of the authority's risk management mechanisms and their effectiveness.

National code dimension: 4.8

The Annual Governance Statement (AGS) was published with the Statement of Accounts in September 2015, and comments, amongst other things, on the Council's internal control environment and risk management framework, a review of their effectiveness and areas for improvement. The AGS action plan is monitored by the Annual Governance Statement Working Group throughout the year and progress on actions arising from the 2014/15 AGS and plans for delivering the 2015/16 AGS have been reported to the Internal Control Board.

Section K

Partnership Governance

SECTION K: Partnership Governance

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

National code dimension: 2.12, 2.13

The “Standards in Partnership” protocol developed by Standards for England provides some behavioural principles to guide those participating in strategic partnerships without separate legal identity. Adherence to this protocol is intended to ensure that the aims of the partnership can be fulfilled effectively and the public can have confidence in the operation of the partnership.

The Council has also set up a Lewisham Congress which is an informal partnership meeting attended by representatives of a range of community and voluntary sector agencies and partner organisations to discuss an issue of local importance. The Congress last met on 2nd October 2014 and the participants took part in the Big Budget Challenge exercise which was a consultation exercise between the Council and the community on the savings proposals.

Recommendations made at the Congress are fed back into the Council’s decision making processes for decision.

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 and Social Care Act 2012 local authorities were required to have established a Health and Wellbeing Board as a committee by 1 April 2013. The Health and Wellbeing Board brings together elected members and strategic partners to identify local health challenges and leads on the activity necessary to address them. The Board's responsibilities include:

- Preparing an assessment of relevant needs (the Joint Strategic Needs Assessment);
- Preparing and publish 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.

Lewisham's Health and Wellbeing Board membership includes:

- Mayor of Lewisham
- Cabinet Member for Community Services
- Executive Director for Community Services
- Executive Director for Children & Young People
- Head of Joint Commissioning, Community Services
- Head of Commissioning, Strategy and Performance, Children & Young People
- Director of Public Health
- Chief Executive of Lewisham Healthcare Trust
- Representatives of South London & Maudsley NHS Foundation Trust
- Representative from the Lewisham Clinical Commissioning Group
- Chair of Lewisham Local Involvement Network
- Director of Voluntary Action Lewisham

Section L Review

SECTION L: Review

1. 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.

Agenda Item 5

STANDARDS COMMITTEE			
Title	Work Programme		
Key decision	No	Item no	
Wards			
Contributors	Head of Law		
Class	Part 1	6 JULY 2016	

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. Due to the recent GLA elections and the referendum the meeting usually held in May/June was deferred until July 2016. 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:-

October/November 2016

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

May/June 2017

- 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.