

Leaders Committee

London Councils Policies and Protocols which apply to Leading Members

Item No 16

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Date: 4 June 2019
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Summary There are a number of London Councils policies and protocols which apply to Members who undertake leading roles on behalf of London local government through London Councils.
These are:

- Declaration and Registration of Interests protocol;
- Gifts and Hospitality protocol;
- Member and Officer Relations protocol;
- Members' Rights of Access to Information protocol;
- Note on Securing Political Sign-off;
- Guidance on the Use of the Urgency Procedure;
- Media Protocol;
- Party Group/Political Adviser/London Councils Relations protocol;
- Whistleblowing policy;
- Combatting Fraud, Bribery and Corruption policy.

Also included with this report is a codification of London Councils working conventions.

Recommendations That Leaders' Committee notes these policies and protocols and the codification of working conventions.

London Councils Policies and Protocols which apply to Leading Members

1. There are a number of London Councils policies and protocols which apply to Members who undertake leading roles on behalf of London local government through London Councils. These are:
 - Declaration and Registration of Interests protocol;
 - Gifts and Hospitality protocol;
 - Member and Officer Relations protocol;
 - Members' Rights of Access to Information protocol;
 - Note of Securing Political Sign-off;
 - Guidance on the Use of the Urgency Procedure;
 - Media Protocol;
 - Party Group/Political Adviser/London Councils Relations protocol;
 - Whistleblowing policy;
 - Combatting Fraud, Bribery and Corruption policy.
 2. A review has been undertaken of these policies and protocols and only minor amendments, if any, have been required.
 3. These policies are available to view on London Councils website:
<http://www.londoncouncils.gov.uk/aboutus/governance/protocols.htm>
And are also attached as appendices
- They are also on the Members website: www.members.londoncouncils.gov.uk and on request from the Director of Corporate Governance.
4. In addition to these policies and protocols, also attached is a codification of London Councils working conventions. This document brings together a number of conventions which have been practiced and previously agreed by members and, along with a number of relevant standing orders, form an overview of how London Councils operates. This can be found at Appendix Eleven.

Recommendations:

That Leaders' Committee notes these policies and protocols and the codification of working conventions.

Financial Implications for London Councils:

There are no financial implications for London Councils arising from this report.

Legal Implications for London Councils:

There are no legal implications for London Councils arising from this report.

Equalities Implications for London Councils:

There are no equalities implications for London Councils arising from this report.

Appendices:

- Appendix One: Declaration and Registration of Interests protocol;
- Appendix Two: Gifts and Hospitality protocol;
- Appendix Three: Member and Officer Relations protocol;
- Appendix Four: Members' Rights of Access to Information protocol;
- Appendix Five: Note on Securing Political Sign-off Protocol;
- Appendix Six: Guidance on the Use of the Urgency Procedure;
- Appendix Seven: Media Protocol;
- Appendix Eight: Party Group/Political Adviser/London Councils Relations protocol;
- Appendix Nine: Whistleblowing policy;
- Appendix Ten: Combatting Fraud, Bribery and Corruption policy;
- Appendix Eleven: London Councils Conventions.

Background Documents:

- Tracked changed versions of Appendices One to Ten

Declaration and Registration of Interests

Members' Interests

In 2012 a new declaration and registration of members' interests' regime was put in place by government¹. The new rules require councils to agree their own arrangements within a context of some national rules.²

The declaration and registration of Members' interests is dealt with in paragraph 20 of Schedule 6 (Standing Orders) of the London Councils Agreement.³

Members should be aware that they remain bound by their own authority's Code of Conduct whenever involved in activities for London Councils.

Registration of Interests

Under the national rules a member must act in conformity with the Seven Principles of Public Life. One of these is the principle of honesty - that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest' A member's registration of personal interests should be guided by this duty. A person's pecuniary interests are their business interests (for example their employment, trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and assets including land and property).

Declaring interests at meetings

If a member is present at a meeting of London Councils Leaders' Committee, Grants Committee, Transport and Environment Committee, or their Executive Committees or Audit Committee, Capital Ambition Board, Young People's Education & Skills or any other meeting, and has a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, they must not: participate in any discussion of the business at the meeting, or if they become aware of their disclosable pecuniary interest during the meeting, participate further in any discussion of the business, or participate in any vote or further vote taken on the matter at the meeting.

¹ The national rules are in Chapter 7 of the Localism Act 2011 and in the secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (S.I. 2012/1464).

² Such rules, in one form or another, have existed for decades. The new rules are similar to the rules that were in place prior to the Standards Board regime. Those rules, originating in the Local Government Act 1972 and the Local Government and Housing Act 1989, involved local authority members registering their pecuniary interests in a publicly available register, and disclosing their interests and withdrawing from meetings in certain circumstances. Failure to comply with those rules was in certain circumstances a criminal offence, as is failure to comply in certain circumstances with the new rules.

³ Refer to Appendix A for paragraph 20 of Schedule 6 (Standing Orders) of London Councils Agreement.

These prohibitions apply to any form of participation, including speaking as a member of the public.

In certain circumstances members can request a dispensation from these prohibitions¹.

What is a disclosable pecuniary interest?

A member has a disclosable pecuniary interest if they, or their spouse or civil partner, have a pecuniary interest listed in the national rules (see Appendix B For this purpose a spouse or civil partner includes any person with whom a member is living with as husband or wife, or as if they were a civil partner. There is no requirement to differentiate a member's disclosable pecuniary interests between those which relate to them personally and those that relate to their spouse or civil partner.

What if a member declares an interest?

It is a matter for each member to decide whether they should leave the room while an item that they have an interest in is being discussed. In arriving at a decision as to whether to leave the room they may wish to have regard to their home authority's code of conduct and/or the Seven (Nolan) Principles of Public Life (see Appendix C).

¹ Section 20.5 of London Councils Standing Orders

Appendix A

London Councils Standing Orders: Section 20

20. DECLARATIONS OF INTEREST

20.1 If a member is present at a meeting of London Councils' Committee or any of its associated joint committees or any sub-committees and has a disclosable pecuniary interest as defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 ("the Regulations") relating to any business that is or will be considered at the meeting, that member must not:

- participate in any discussion of the business at the meeting, or if on becoming aware of the disclosable pecuniary interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

20.2 These prohibitions apply to any form of participation, including speaking as a member of the public.

20.3 It is a matter for each member to decide whether they should leave the room while an item that they have an interest in is being discussed. In arriving at a decision as to whether to leave the room they may wish to have regard to their home authority's code of conduct and/or the Seven (Nolan) Principles of Public Life.

20.4 In certain circumstances, London Councils may under s.33 of the Localism Act 2011 grant a dispensation to permit a member to take part in the business notwithstanding that the member has a disclosable pecuniary interest relating to that business. These circumstances are where London Councils considers that:

- without the dispensation so great a proportion of London Councils members would be prohibited from participating in that business as to impede London Councils transaction of that business,
- without the dispensation the representation of different political groups dealing with that business would be so upset as to alter the likely outcome of any vote,

- the granting of the dispensation is in the interests of people living in the London Councils' area⁴,
- without the dispensation each member of the London Councils Executive would be prohibited from participating in the business, or
- it is otherwise appropriate to grant a dispensation.

20.5 If a member wishes to apply for a dispensation, they must make a written application to be received not less than three working days before the meeting setting out the grounds for the application to the officer responsible for processing such requests⁵.

20.6 A member must declare any private interests, both pecuniary and non-pecuniary, including membership of any Trade Union that relate to any public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests.

Appendix B

Description of disclosable pecuniary interests

If you have any of the following pecuniary interests, they are disclosable pecuniary interests under the Regulations. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The relevant period is the 12 months ending on the day when you tell the monitoring officer about your disclosable pecuniary interests following your election or re-election, or when you became aware you had a disclosable pecuniary interest relating to a matter on which you were acting alone.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

⁴ The London Councils area is that area covered by the London boroughs and the City of London.

⁵ That person designated by the scheme of delegation, currently is the Director of Corporate Governance.

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) -
o the landlord is your council or authority; and
o the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

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 you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Appendix C

The Seven Principles of Public Life

Selflessness

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

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty

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

Leadership

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

Revised May 2019

REGISTRATION OF GIFTS AND HOSPITALITY

OFFICERS

Officers must register with the Director of Corporate Resources each gift, favour, reward or hospitality offered by a person or organisation that is doing or seeking to do business with London Councils.¹

Paragraph 2.3 of London Councils' Financial Regulations states: -

"The Finance Officer² shall maintain a register in which officers shall enter each gift, favour, reward or hospitality offered by a person or organisation doing or seeking to do business with the organisation".

As such employees MUST register the receipt/offer of any gift or hospitality. The Finance Officer has a standard form for employees that must be completed in order for the receipt/offer to be registered.

Offers of gifts or hospitality (this refers to both gifts or hospitality received by and offered to third parties) must be treated with caution whenever any suggestion of improper influence could arise. To prevent any improper behaviour, or suggestion of improper behaviour arising employees must take great care when a gift or hospitality is offered/received. Gifts or hospitality offered/received should not be extravagant and nor should they be taken from or given to the same client or individual on a frequent basis.

The Director of Corporate Resources has a standard form with a guidance note for officers that must be completed in order for an offer to be registered. A copy of the officers' form is contained in Appendix A. This is also available on the intranet.

MEMBERS

Pursuant to their local authority's Code of Conduct for Members, Members will have a similar duty to register gifts and hospitality with their local authority's Monitoring Officer. Nevertheless, London Councils requires Members to also register with the Director of Corporate Resources any offer of a gift or hospitality that is:

- a) over the value of £25; and
- b) is from a person or organisation that is doing, or seeking to do business with London Councils,

within 28 days of receiving that offer.

Members and officers are personally responsible for their actions in connection with any offer of a gift, favour, reward or hospitality and the completion of the register does not relieve them of the responsibility to justify their acceptance of such an offer.

¹ Paragraph 2.3 of Schedule 7 (Financial Regulations) of the London Councils Leaders' Committee Governing Agreement.2001 (as amended) and paragraph 2.14 of the Code of Conduct for Employees

² The Director of Corporate Resources

The Director of Corporate Resources has a standard form for Members that must be completed in order for an offer to be registered. A copy of the Members' form is contained in Appendix B.

Breaches of this duty will be taken very seriously and may result in disciplinary action for officers and a formal complaint being made to the relevant authority, for Members.

Appendix A

OFFICERS DECLARATION OF RECEIPT OR OFFER OF GIFTS AND/OR HOSPITALITY

Name	
Date	
Particulars of how Offer or Receipt of Gift or Hospitality arose	
Who is offering the Gift or Hospitality and what is the value?	
Benefit to the committee from accepting or offering the Gift or Hospitality	
View of Director/Corporate Director/Chief Executive (delete as appropriate)	
Approval Given/Denied	
Staff Signature & Date	
Director/Corporate Director/Chief Executive (delete as appropriate) Signature and Date	
For CMB only: description for publication purposes	

Please send to Frank Smith, Director of Corporate Resources
(frank.smith@londoncouncils.gov.uk)

Guidance on declaring gifts and hospitality

London Councils employees must register any gifts, favours, rewards or hospitality offered or given to them by a person or organisation which is doing or seeking to do business with London Councils. A form for registering gifts and hospitality can be downloaded from the intranet. Once completed, the form should be sent to the Director of Corporate Resources.

Before accepting any gift or hospitality, approval must be obtained in advance from the relevant Director, Corporate Director or the Chief Executive.

Offers of gifts or hospitality must be treated with caution whenever any suggestion of improper influence could arise. To prevent any improper behaviour or suggestion of improper behaviour arising, employees must take great care when a gift or hospitality is offered. You should not accept gifts or hospitality which are extravagant nor those given by the same client or individual on a frequent basis.

London Councils has a special process to deal with gifts received at Christmas. Given that it is common practice for gifts to be offered at this time, gifts are collected by the Director of Corporate Resources and raffled and the proceeds are donated to a designated charity.

Any employee accepting/offering money for doing or not doing anything or showing favour or disfavour to any person in their official capacity shall be subject to immediate dismissal.

Special Dispensation

Employees should only accept/give offers of gifts or hospitality if there is a genuine need to impart information or represent London Councils in the community and must comply with the provisions below:

- Employees shall be allowed to receive books, diaries, pens, pencils, calendars and similar articles provided that the overall value of the gift is not more than £20
- Working lunches are permissible provided that the employee has the approval of their Director/Chief Executive
- The Chief Executive and Directors shall be entitled to attend working lunches and functions as representatives of London Councils
- Employees can represent London Councils at functions, openings, launches and other similar functions with the approval of the relevant Director
- Employees may receive gifts on behalf of London Councils from visiting dignitaries and must then declare these using the declaration of receipt or offer of gifts and/or hospitality form.
- The decision as to whether the employee can personally retain the gift will be made by their Director/Chief Executive
- Any such other matters as the Chief Executive and the Director of Corporate Resources may approve from time to time.

Employees still must register the receipt/offer of any gift or hospitality even if it is included in the list above.

Employees are personally responsible for their actions in connection with any offer of a gift, favour, reward or hospitality and the completion of the register does not relieve them of the responsibility to justify their acceptance of such an offer.

Breaches of this duty will be taken very seriously and may result in disciplinary action.

Revised May 2019

Appendix C

MEMBERS' DECLARATION OF AN OFFER OR RECEIPT OF GIFTS AND/OR HOSPITALITY

I,

Name _____

Position _____

In accordance with the Registration of Gifts and Hospitality Protocol, I wish to inform the Director of Corporate Resources of the *offer / receipt of the following:

***Gifts**

Description:

Donor:

***Hospitality**

Description:

Donor:

***Other**

Description:

Donor:

Signature:

Date:

*Delete as necessary

Please send to Frank Smith, Director of Corporate Resources
(frank.smith@londoncouncils.gov.uk)

MEMBER/OFFICER RELATIONS

1. INTRODUCTION

The purpose of this Protocol is to guide Members and officers of London Councils in their working relations with one another. It brings together many of the practices and values which contribute to a successful partnership but also acknowledges areas which may potentially cause embarrassment or difficulty. Equality, natural justice and reasonableness are strong underlying intentions throughout.

The Protocol is intended to be clear and understandable by all. It seeks to exclude any scope for misunderstanding which might lead to unreasonable behaviour or inappropriate action. The Protocol therefore offers some form of protection for both Members and officers.

The Protocol also operates under the general premise that both Members and officers are working towards the same goals and priorities. It has regard to London Councils' aim to be open and honest in its dealings within and outside London Councils, to work corporately, and to do so in a manner which encourages a participative culture.

2. THE DISTINCTIVE ROLES OF MEMBERS AND OFFICERS

It is important that both Members and officers respect their distinctive roles in order for relations to be clear and appropriate.

Members

It is members role to:

- a) on 33-member bodies to represent the interests of their authority and, by extension, local citizens and communities and ensure that their best interests are considered and that their views are brought into London Councils decision making;
- b) the Chair and elected officers of London Councils and members of Joint Committee Executive shall also pay particular regard to advancing the interests of London Councils corporately. When operating as a member of a Joint Committee Executive or as an elected officer, members will dictate and shape common policy positions on a cross party basis and advance those positions externally;
- c) set London Councils strategic direction, the policy framework, corporate goals, overall priorities and targets;
- d) develop policy proposals with professional advice from officers;
- e) monitor the implementation and effect of their decisions.

Officers

Officers are employed by London Councils to undertake an organisational role. It is their role to:

- a) deliver services to member councils and, where relevant, to the public according to the policies and requirements set by London Councils;
- b) shape, develop and implement policies, positions and services which accord with the overall framework set by Members;
- c) give professional advice to members in a clear, independent and non-partisan fashion;
- d) manage London Councils.

Put simply, Members are responsible for determining policy and London Councils' strategic direction; officers are responsible and accountable for implementing policy and delivering services.

Given these roles, officers are employed to work within and pursue London Councils' policies and priorities, unaffected by personal inclinations.

Officers are accountable to their line managers and ultimately their most senior director or the Chief Executive and must work to the instructions of their director/Chief Executive, or line manager, and not to individual Members, regardless of the office a Member might hold. Members should not interfere with matters that are properly the responsibility of officers.

3. WHAT MEMBERS CAN EXPECT OF OFFICERS

Members can expect officers:

- a) to do their job effectively and efficiently;
- b) to strive to provide services to member councils and the public which offer value for money and best practice;
- c) to behave in a manner which accords with the standards set by London Councils;
- d) to be helpful, respectful and courteous to Members;
- e) to assist Members in carrying out their role within London Councils in connection with London Councils business (they cannot, however, assist with party political or campaigning activity, or with private business);
- f) to deal with Members' enquiries fairly and efficiently;
- g) to be open and honest with Members. To tell the whole story, giving any bad news as well as the good;
- h) to work with all Members equally and fairly;
- i) to act lawfully;
- j) to give advice or recommendations based on reasoned options;

- k) to ensure that Members have all the information necessary to make informed judgments;
- l) to maintain confidentiality where it is proper for them to do so;
- m) not to canvass Members or otherwise seek to gain favour from them for personal or career advantage; and
- n) to have regard to social hours and generally to be sensible about contacting Members at potentially inconvenient times, unless in an emergency or otherwise agreed.

4. WHAT OFFICERS CAN EXPECT OF MEMBERS

Officers can expect Members:

- a) to accept that officers are accountable to their line manager/director/Chief Executive;
- b) to be helpful, respectful and courteous to officers; and treat them in a reasonable manner;
- c) not to become involved in the day-to-day management of London Councils;
- d) to accept that officers act independently of political bias, whilst recognising the special position of political advisers;
- e) to fully consider advice and recommendations for the purpose of making informed judgments;
- f) not to ask officers to breach London Councils' policy or procedures, or to act unlawfully, or outside the terms of their job;
- g) not to exert influence or pressure, or request special treatment, because they are a Member;
- h) not to request unauthorised access to resources or information held by London Councils;
- i) to be open and honest with officers;
- j) to act lawfully and to maintain confidentiality when appropriate to do so; and
- k) to respect that officers have private lives and to be mindful of that boundary in contacting officers outside of normal working hours.

5. POLITICAL NEUTRALITY AND IMPARTIALITY OF OFFICERS

Officers serve London Councils as a whole. They will ensure that they:

- a) respect the individual rights of all Members;
- b) serve all Members and not just those of the largest political grouping; and
- c) will co-operate even-handedly with Members engaged in all aspects of London Councils' functions.

By law¹, posts which:

- a) involve the post holders giving advice on a regular basis to London Councils or any London Councils Member Body²;
- b) involve the post holder speaking on behalf of London Councils on a regular basis to journalists or broadcasters; or
- c) are senior appointments (i.e. Head of Paid Service, Statutory and Non-Statutory chief officers)),

are designated as politically restricted.

If a person holds a politically restricted post, they are:

- a) disqualified from becoming or remaining a member of a local authority³; and
- b) restricted in the political activities they can undertake. They may not for example, hold particular types of office in a political party, act as an agent or canvass at any election, nor speak or write publicly on matters of party political debate.⁴

Members should not discuss party politics with officers nor must they assume that there is an allegiance to a particular party. Members should not place officers in an embarrassing situation where, for example, they feel they have to agree with a particular political line. However, officers must follow the agreed programme of work set out for London Councils by Members, while performing their duties.

Within the framework of a formal meeting it is natural that Members will make political statements. Officers should have an awareness of London Councils' political direction and acknowledge that at a strategic level, this will have an influence. It is not for officers to challenge such direction and they will co-operate with it, unless it is considered illegal following advice from London Councils legal advisers.

It is not improper that officers may sometimes wish to seek political guidance in framing policy proposals. However, when they write reports or give advice, they have a duty to give independent, objective and professional advice and to make Members aware of all the options available.

¹ Section 2 of the Local Government and Housing Act 1989.

² "London Councils Member Body" includes all London Councils Member groupings, committees, steering groups, forums, etc.

³ Section 1(1) of the Local Government and Housing Act 1989.

⁴ Refer to the Local Government Officers (Political Restrictions) Regulations 1990 for a more detailed account of what restrictions are placed upon politically restricted post holders.

6. PARTY GROUP MEETINGS

It is common practice for Party Groups to give preliminary informal consideration to London Councils business in advance of the formal decision-making process. Officers may, from time to time, be asked to attend Party Group meetings to brief Members in a professional capacity. Such attendance will be on the understanding that other Party Groups will be similarly served should they so request. The political neutrality of any officer attending a group meeting must be respected.

Officers will respect the confidentiality of any Party Group discussions at which they are present and, in particular, not relay any such discussion to another group.

All requests for an officer to attend a Party Group meeting should be made through the Chief Executive (or, in the Chief Executive's absence, their Deputy or another member of the Corporate Management Board) who will judge which officer is the most appropriate to attend. This avoids any danger of an individual officer being identified with the party concerned.

Officers may also be asked to give support in other ways such as briefing Chairs or spokespersons prior to a London Councils Member Body meeting.

In all these instances it is important that Members and officers understand the following:

- a) Officer support cannot extend beyond providing information and advice in relation to London Councils business - officers cannot be involved in party business. Where possible, this rule can be made easier to observe if officers are not present when party business is being discussed - thought should be given to the way in which the business for the meeting in question is structured;
- b) Party Group meetings cannot make London Councils decisions and any conclusions reached cannot be interpreted as such or acted upon;
- c) Where officers provide information and advice to a Party Group this cannot act as a substitute for providing all necessary detail to a London Councils Member Body meeting.

Special care is needed where officers are involved in providing information or advice to a Party Group meeting where people are present who are not elected Members of a local authority. Such people will not be bound by a local authority's Code of Conduct for Members and therefore officers should not disclose confidential information.

Any cases of particular difficulty or uncertainty in relation to officer advice to Party Groups should be raised with the Chief Executive.

The Political Advisers to the Party Groups are employed by London Councils Ltd. The references to political neutrality and attendance at Party Group meetings do not apply to these employees. However, the references to confidentiality and the prohibition on relaying any discussion to another Party Group do apply.

7. MEMBER CONTACT WITH OFFICERS

General

Members are free to approach any London Councils directorate for any information, explanation or advice that they need to assist them in carrying out their role as a Member at London Councils.⁵

Contact between Members and officers will normally be at a senior level or with officers whose role is naturally associated with Members. Generally, enquiries should be made to the appropriate Head of Service or to a designated liaison officer within the directorate. However, this does not mean that Members should have no contact with officers at all levels - general communication and interaction is encouraged.

Members should contact the relevant director or Chief Executive if the matter is very serious or sensitive, or if they are experiencing difficulties in getting a response from a more junior officer.

Members may request their Party Group's Political Advisers to approach officers on their behalf.

Officers must ensure that all written communications to Members contain the contact details of an appropriate officer.

Undue influence

Members should not put pressure on any officer in relation to matters which have been delegated to officers. This might lead officers to make decisions that:

- a) are not objective and cannot be accounted for; and/or
- b) favour, unfairly, one member or group of the public over another.

Equally, Members should avoid bringing any influence to bear on an officer to take any action which is:

- a) against normal procedures or London Councils policy;
- b) a breach of the Code of Conduct for Employees;
- c) in conflict with the London Councils Agreement, Standing Orders or Financial Regulations; and/or
- d) unlawful.

Officers have a duty to report to their director any attempt by a Member to exert improper influence. The director will inform the Chief Executive who will investigate where appropriate.

Complaints against officers

Care must be taken to ensure that a complaint, as opposed to an enquiry, is put through the official complaints procedure.⁶

8. MEMBERS AND THE RECRUITMENT OF OFFICERS

Members, or more specifically the Elected Officers, will be invited to assist in the

⁵ Refer to the Members' Access to Information and London Councils Documents Protocol for further information.

⁶ Refer to section 13 of this Protocol to complain about an officer or Member.

recruitment of officers for the posts of:

- a) Chief Executive;
- b) Directors; and
- c) Political Advisers.

All other recruitment decisions regarding officers are the responsibility of London Councils' management and Human Resources. Refer to the Recruitment and Selection Procedure for further details regarding the recruitment of officers.

<http://www.londoncouncils.gov.uk/intranet/hr/policiesandprocedures/default.htm>

9. FAMILIARITY, FRIENDSHIPS AND RELATIONSHIPS

Close personal relationships between Members and officers should be avoided as far as possible as this can damage working relationships and prove embarrassing to colleagues on both sides. In particular, it could bring into question an officer's ability to deal impartially with other Members, and vice-versa.

However, it is recognised that it is possible that a close personal, family or business relationships may exist between some Members and officers. Officers should disclose such relationships to the Chief Executive. Members should disclose such relationships to the Leader of their Party Group, or another Member of the group if so designated as the contact point.

Members or officers engaged in such relationships should:

- a) take special care not to seek, or be seen, to influence their positions through their respective friend or partner. Even if there is no actual impropriety, the situation may give rise to suspicion and the public may perceive that the opportunity for improper influence exists.
- b) Members must at all times abide by London Councils' Declaration of Interests protocol and officers, paragraph 2.8 of the Code of Conduct for Employees⁷;

<http://www.londoncouncils.gov.uk/intranet/hr/policiesandprocedures/default.htm>

And

- c) ensure that colleagues are not placed in an awkward or embarrassing situation as a result of a friendship or relationship.

10. OFFICERS AS CONSTITUENTS

Officers who live in the Greater London area may attend public meetings in a

⁷ Paragraph 2.8 of the Code of Conduct for Employees states: "Employees must register any personal interests (financial and non-financial) that may inform their approach to particular issues or give rise to a conflict of interest. Financial interests may include:

- a) Additional/other employment where employees have to declare taxes;
- b) Any contract for goods, services or works between London Councils and an organisation where an employee has some beneficial interest.

Non-financial interests may include:

- a) A close personal relationship or related to any person in any organisation which has business dealings with London Councils.
- b) Membership of an organisation whose principal purposes include the influence of public opinion or policy."

personal capacity as a resident or service user. The officer may wish to voice concerns about certain local authority services or facilities, to ask questions or make suggestions. This is natural and acceptable provided that certain boundaries are maintained. Officers should take care not to:

- a) maliciously undermine London Councils by adverse or negative comments;
- b) raise personal issues concerning their employment; or
- c) disclose confidential information gained in the course of their work.

Members will respect the rights of the officer as a resident or service user. They will not:

- a) treat the officer concerned as an employee at such meetings;
- b) raise work issues with the officer; or
- c) hold grudges against officers that raise reasonable concerns in public forums.

11. MEMBERS AND THEIR USE OF LONDON COUNCILS SERVICES AS A RESIDENT OF LONDON

There will be times when Members use London Councils' services. In all instances, the officer providing the service will maintain full confidentiality where this is appropriate and will treat the Member concerned in the same way as any other customer. The Member will not seek or expect any preferential treatment.

12. CORRESPONDENCE

Correspondence on behalf of London Councils

Correspondence on behalf of London Councils should normally be sent out in the name of the appropriate officer rather than a Member. However, there will be exceptions where it may be appropriate for correspondence to be sent out in the name of a Member (e.g. representations to a Government Minister).

Members should not:

- a) coerce officers to send particular correspondence or to write, or refrain from writing, a particular statement; and
- b) write letters which create obligations or give instructions on behalf of London Councils.

Members and officers should at all times adhere to the London Councils' Publicity and Media Protocol:

<http://www.londoncouncils.gov.uk/intranet/knowhow/corporate/corporatepolicies.htm>

Correspondence between a Member and an officer

Officers will not normally copy correspondence they receive from an individual Member to any other Member. However, there may be times where this is necessary. Before copying the correspondence, the officer must ensure they:

- a) clearly inform the relevant Member what they intend to do with the correspondence; and
- b) procure the Member's consent.

13. COMPLAINTS AND CRITICISM

A Member or officer may wish to make a complaint against, or criticise the actions of, the other. Whilst it is preferable to resolve such matters informally through conciliation by an appropriate senior manager, formal complaints can be made.

Formal complaint by a Member about an officer

Where a Member is dissatisfied with the conduct, behaviour or performance of an officer, and they want to make a formal complaint, they should put their complaint in writing and address it to the officer's director.

Within 5 working days, the director will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long any investigation of the matter will take or any other action that they intend to take.

Members have a right to be told the outcome of any disciplinary investigation, but no right to detailed information about the investigation.

Members must not:

- a) insist, or be seen to insist, that the officer is disciplined; or
- b) influence the level of any disciplinary action which might be taken against an officer.

If a Member is not satisfied with the result of the disciplinary investigation, they may refer the complaint to the Chief Executive for an independent assessment.

Formal complaint by a Member about a Director

A formal complaint about a director should be made in writing to the Chief Executive.

Within 5 working days, the Chief Executive will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long any investigation of the matter will take or any other action that they intend to take.

Members have a right to be told the outcome of any disciplinary investigation, but no right to detailed information about the investigation.

Members must not:

- a) insist, or be seen to insist, that the director is disciplined; or
- b) influence the level of any disciplinary action which might be taken against a director.

Formal complaint by a Member about the Chief Executive

A formal complaint about the Chief Executive must be dealt with in accordance with the Local Authorities (Standing Orders) Regulations 1993.

Formal complaint by an officer about a Member

A formal complaint by an officer about a Member should be made in writing to the officer's director⁸. Within 5 working days, the director will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long the investigation will take.

The Director will:

- a) investigate the matter;
- b) send a copy of the complaint to the Chief Executive; and
- c) advise the Party Group Leader of the complaint.

Officers have a right to be told whether London Councils will make a formal complaint to the relevant authority's monitoring officer as a result of the investigation, but no right to detailed information about the investigation.

If an Officer is not satisfied with the result of the investigation, they may refer the complaint to the Chief Executive for independent assessment.

Formal complaint by an officer about a Party Group Leader

A formal complaint about a Party Group Leader should be made in writing to the Chief Executive.

Within 5 working days, the Chief Executive will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long the investigation will take.

Officers have a right to be told whether London Councils will make a formal complaint to the relevant authority's monitoring officer as a result of the investigation, but no right to detailed information about the investigation.

⁸ The Local Authorities (Standing Orders) Regulations 1993, Part II **Investigation of alleged misconduct 3.**—(1) Where...it appears to a relevant authority that a complaint of misconduct by the head of its paid service ("the relevant officer") requires to be investigated, the authority shall appoint ...a person ("the designated independent person"), being such person as may be agreed between the authority and the relevant officer or, in default of such agreement, appointed by the Secretary of State *to investigate the complaint*.

Formal complaint by an officer about the Chair of London Councils

A complaint about the Chair of London Councils should be made in writing to the Chief Executive.

Within 5 working days, the Chief Executive will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long the investigation will take.

Officers have a right to be told whether London Councils will make a formal complaint to the relevant authority's monitoring officer as a result of the investigation, but no right to detailed information about the investigation.

Confidentiality

All complaints are to be treated with the strictest of confidence and on a 'need to know' basis at all times. Usually only the investigating officers, the Chief Executive and the Chair of London Councils need to know the full details of a complaint. Witnesses will only be told what they need to know in order for them to give evidence regarding the complaint. Any information provided to a witness must be treated with the strictest of confidence.

The identity of the person making a complaint should also be made known only on a 'need to know' basis. The complainant's identity should not be revealed to any other person or made public by London Councils.

Monitoring complaints

The Chief Executive will nominate an officer to be responsible for monitoring complaints by both officers and Members⁹.

14. BREACHES OF THE PROTOCOL

Relevant sections of this Protocol offer advice as to how to deal with any difficulties around, or breaches of, this Protocol. It is hoped that these routes will successfully and quickly resolve any issues.

In all other cases, a breach of the Protocol should be dealt with by making a formal complaint under this Protocol.

Breaches of this Protocol will be taken very seriously and may result in disciplinary action for officers.

Other relevant protocols/policies/role profiles:

- Role Profile for Executive Members;

⁹ Nominated officer is the Corporate Complaints Officer post holder

- Role Profile for Party Group Member Policy Lead
- Anti-fraud, bribery and corruption policy;
- Member and officer relations protocol;
- Members' rights of access to information protocol;
- Political Sign-off;
- Guidance on use of Urgency Procedure;
- Media Protocol;
- Party Group/Political Adviser/London Councils relations protocol;
- Whistleblowing policy;
- Declaration and registration of Interests protocol; and,
- Gifts and hospitality protocol.

These policies are available to view on London Councils website:

<http://www.londoncouncils.gov.uk/aboutus/governance/protocols.htm>

and also on the Members website: www.members.londoncouncils.gov.uk

or on request from the Director of Corporate Governance.

Revised May 2019

MEMBERS' RIGHTS OF ACCESS TO INFORMATION

Introduction

The purpose of this protocol is to set out members' rights of access to information held by London Councils in the form of reports to member bodies¹ and to information held generally.

This protocol does not deal with the rights of access of the public and the press which are set out in the Access to Information Rules.

General Principles

A member's right of access to information derives from three sources:

- London Councils Standing Orders
- Statutory rights peculiar to members of London Councils' member bodies
- Statutory rights enjoyed by all ordinary citizens

Standing Orders

London Councils Standing Order 23 provides that:

23.1: Members of London Councils, its associated joint committees, sectoral joint committees or sub-committee thereof and any Forums of London Councils, shall be entitled to receive from officers such information as they may require in order to enable them to carry out their duties as members of such committee or sub-committee.

23.2: In addition, the leading members on London Councils of each political party or group shall be entitled to receive briefings and briefing papers from officers on the same basis as the Chair.

Standing Order 23.1 enshrines the long-standing right of members to be given access to material to enable them to fulfil their functions as members. This has been referred to as a 'common law right'².

Standing Order 23.2 reflects the understanding set out elsewhere³ that political party groups will receive equal treatment.

¹ Leaders' Committee, Transport and Environment Committee (TEC), Grants Committee and their Executives and sub-committees including Audit Committee, Capital Ambition Board (CAB) and any other member body that may be set up from time to time. The same rights are enjoyed by designated Lead Members.

² Deborah Upton *Knowles on Local Authority Meetings* Seventh edition, 2014, 73

³ For example in the Member/Officer Relations protocol.

Statutory rights

Rights of members

This 'common law right' referred to above was formally written into local government law in 1972 and 1985⁴ - a right to inspect any document that 'is in the possession or under the control of a principal council⁵ and contains material relating to any business to be transacted at a meeting of the council or a committee or sub-committee'. So, the right of access to information derives from the conditions put in place so that a member can be fully informed and make proper decisions at meetings. However, the information accessible by members is narrowly defined to that 'relating to any business to be transacted at a meeting' and this gives rise to the notion of a 'need to know'. This notion has been refined by case-law and judgements have made clear:

- There is no right to 'a roving commission to go and examine the books or documents of a corporation'
- 'Mere curiosity or desire to see and inspect documents is not sufficient' and
- 'Nor can a councillor properly exercise the right for some indirect motive'⁶

The relevant Director will determine whether an application made by a member to be given access to particular information meets the definition of a 'need to know' or falls outside of any reasonable definition of the term. They may take legal advice in arriving at a decision.

Rights of citizens

A member enjoys the same right of access to information afforded to an ordinary citizen through the Freedom of Information Act 2000.

Confidentiality

A member must respect the confidentiality of material, particularly that conferred by exemption from the access to information regulations⁷. Advice should be sought if a member is unsure of the confidentiality of any particular document.

Application of Principles

In practice, members are free to approach officers of appropriate seniority to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a member of a London Councils member body. Such approaches should normally be directed to the relevant Director or another senior officer of the directorate concerned.

⁴ S. 100F of the Local Government Act 1972 and the Local Government (Access to Information) Act 1985

⁵ That is London Councils

⁶ Ibid in note 2, 74

⁷ "Exempt information" is described in Schedule 12A to the Local Government Act 1972 (as amended), subject to the qualifications in section 100F.

If a Director thinks that meeting a request for information would involve an unreasonable commitment of resources, the member making the request shall be so advised. If the member persists in requesting the information then the Director will refer the request to the Chief Executive.

Note on Securing Political Sign-off

The success of London Councils as a lobbying body is based on its ability to speak on behalf of all London local authorities. In order to achieve multi-authority consensus, it needs to operate on a cross-party basis and in addition, ensure the confidence of member councils not subject to party political control. Care always needs to be taken to ensure that no party considers that its view has not, at least, been taken into account.

Clearly, there is a suite of agreed policy and lobbying positions that members have agreed and action can be progressed in any case in respect of those. This note applies to new areas of potential clearance.

Quotes from source documents are in italics

Formal mechanisms

1. Leaders' Committee - Decision-making power:

The London local authorities have devolved to London Councils' Leaders' Committee the power to:

formulate policies for the development of democratic and effectively managed local government including matters relating to Transport, the Environment and Grants¹

Rationale: The boroughs have given broad powers to London Councils Leaders' Committee to develop policies in the boroughs collective interest. They have also made explicit that, despite the existence of the Grants and Transport and Environment Committees, it is Leaders' Committee that has been devolved strategic oversight of these matters.

2. Executive Committee - Decision-making power:

Leaders' Committee has devolved to the Executive the power to:

- *play an active role in giving effect to the policy direction already agreed by Leaders' Committee*
- *broker a London Councils' position on strategic issues for submission to Leaders' Committee and*
- *agree routine consultation responses²*

¹ The London Councils (Leaders Committee) Governing Agreement, dated 13 December 2001 (as amended)

² Agreed Terms of Reference for the Leaders' Committee Executive

Rationale: While retaining to itself overall power to determine policy, Leaders' Committee acknowledges that there are frequently matters that can better be determined by a smaller group of members within the general parameters set by Leaders' Committee

3. Securing political sign-off for decisions between meetings – Urgency decisions Decision-making power:

There is a procedure in Standing Orders that allows for decisions to be made between meetings if the Chief Executive considers them urgent, by consulting:

- *the Elected Officers of London Councils. If at least two of the Elected Officers, of whom one will be the Chair, if available, and the other will be from another political party or no party, agree in writing that the matter is urgent and agree the Chief Executive's recommendation, then the matter is agreed³*

Rationale: Matters can crop up that require a decision before the next scheduled meeting and which do not merit convening a special meeting.

Non-formal mechanisms

1. Urgency decisions - Decision-making power:

If the portfolio-holder of the policy area of an urgency is not amongst the decision-making Elected Officers, they are copied into the urgencies circulation and their view taken into account even though their view cannot be counted as the two requisite agreeing members.

Rationale: The portfolio-holder needs to be 'on board' and should, in any event, have been consulted before the matter came to be dealt with as an urgency

2. Urgency decisions - Decision-making power:

If any member asks for a decision requested under the urgency procedure to be amended then that amendment is circulated to all Elected Officers, effectively as a fresh request for an urgency decision. If any member objects to an urgency or if unanimity cannot be achieved on an amended urgency it is deemed by officers to have been rejected

³ London Councils Standing Orders - Section 19

Rationale: Even though an urgency could have obtained the agreement of the two requisite members, an objection lodged by a member clearly denotes a lack of political buy-in and it would normally be inappropriate for that objection not to be considered at least one more time by the other members.

3. Obtaining political buy-in - Decision-making power:

When developing any policy, the relevant portfolio-holder would need to be involved from the outset. Those portfolio-holders would consult the other party groups to gauge the likelihood of cross-party agreement depending on circumstance. Liaising with identified party leads is a responsibility of the portfolio holder as set out in the role profile (which has been agreed by Leaders' Committee).

This course of action is one which the more controversial an item the broader and deeper the necessity of the cross-party consultation. In all cases the Party Group Advisers would need to be copied into the consultation with members. In many cases it would be wise to consult with them before taking it to members to see if there was a fundamental problem that they are aware of, but the policy officer may not be and in some cases, it may be possible to obtain sign-off from them without needing to trouble a member for a view.

Rationale: A policy officer will need to take a judgement on what mechanism to use in order to obtain political buy-in ranging, on a spectrum from decision by Leaders' Committee to sign-off by a Party Group Adviser. The mechanisms are governed by rules on which Corporate Governance can advise but the judgement is one that a policy officer will need to make for themselves normally in consultation with their manager/corporate director/chief executive.

In short, there is a judgement on the depth of feeling on the issue in the parties. The deeper the feeling the further towards the formal end of the decision spectrum would need to go.

A policy officer should of course draw upon previously agreed policy or action in helping this consideration, where relevant.

One further caveat is that some issues have distinct spatial dimensions – inner/outer London and sub-regional, for example. This would also need to be taken into account.

Guidance on the use of the Urgency Procedure

Standing Orders Governing the Urgency Procedure

1. The use of the urgency procedure is set out in Section 19 of London Councils Standing Orders, in particular at paragraph 19.1:

“If at any time the Chief Executive of London Councils considers that any matter is urgent and should be decided on prior to the next meeting of London Councils, then he/she shall consult the Elected Officers of London Councils. If at least two of the Elected Officers, of whom one will be the Chair if available, and the other will be from another political party or no party, agree in writing that the matter is urgent and agree on the Chief Executive’s recommendation, then the decision shall be taken by the Chief Executive in accordance with such recommendation.

2. Please try to avoid using the urgency procedure wherever possible. Officers should be aware of the committee cycle, in particular dispatch dates, and conscious of the need to obtain decisions at meetings and through the urgency procedure in only the most exceptional circumstances. Please plan ahead so that the urgency procedure is only used on this basis.

Preparation for using the Urgency Procedure

3. The papers required for a decision to be requested under the urgency procedure are sent out by the Democratic Services Team (referred to as “Democratic Services” below), in the Corporate Governance Division, Chief Executives Directorate.
4. The papers for an urgency consist of i) a report, and ii) a cover letter.
5. If you are asked to put out an urgency, you will have to i) write the report, and ii) provide certain details to Democratic Services as explained below.
6. The report should have exactly the same format as for a report to the Executive or to Leaders’ Committee – the same form of title page (with your details, the title and date, the London Councils logo and a summary and recommendations), numbered paragraphs, financial, legal and equalities implications, and lists of appendices and background papers. The only difference is that the committee heading should be “Elected Officers – Urgency”. Please use the “Report” template for this. Examples of reports can be found here ...//[Urgency Report](#)
7. As always, it should be as brief as possible. Where the urgency procedure is being used to agree London Councils’ response to a consultation, the consultation response should be an appendix to a very brief covering report.
8. Please be aware that, just as for any report to Leaders’ Committee or the Executive, it will need to be signed off by your Director and by the Chief Executive. Please get it signed off by your Director before emailing it to Democratic Services. They will then ensure the Chief Executive clears it before it is sent out.
9. An example of the cover letter can be seen here ...//[Urgency Letter](#)

This will be prepared by Democratic Services, but you will need to supply the Team with a) the reason for the urgency and b) the date by which a decision is needed:

- a) Reason for the urgency: an item is usually dealt with under urgency if there is an external deadline that needs to be met (for example, for responses to a consultation by a Government department) which falls before the next meetings of both

Executive and Leaders' Committee. The reason for the need for the urgency will ideally be set out in a sentence or two as to why the decision could not have been taken at a previous meeting and why it must be taken before the next one, as in this example:

"Details of the Bill need to be included in a newspaper advertisement which has to be placed in the second week of August. Neither of these items was available at the time of the last Leaders' Committee meeting on 10 July."

Sometimes, Leaders' Committee or the Executive explicitly requested that the decision be taken under urgency. If so, this should form the basis of the reason for urgency, as in this example:

"It was agreed at Leaders' Committee on 10 July 2018 that London Councils' response would be agreed under the urgency procedure. The deadline for responses to the consultation is 31 July 2018."

b) Date by which agreement is needed. This will generally be determined by an external deadline. In such cases, as a general rule of thumb, the Elected Officers should be given as much time to deal with the issue as the deadline allows. If your external deadline is weeks away (but before the next Committee), then set the date by which a response is needed from them a day or two before the external deadline, to allow you time to send in a response and/or deal with any matters arising from their replies. If your deadline is much closer, as a general rule of thumb, you should at very least allow time (after clearance by the Chief Executive) for the papers to be sent to the Elected Officers and for them to reply by return of post and for the replies to arrive back at London Councils in the post. If this looks difficult, please contact Democratic Services and discuss it with them. If you have any questions about setting a date, please contact Democratic Services.

Procedure of handling an urgency

10. On receiving an urgency report, Democratic Services will complete the cover letter and get the papers cleared with the Chief Executive. They will then email them out. Urgencies are always sent to the five Elected Officers (the Chair, the Deputy Chair and three Vice-Chairs – who's signatures are sought. If the subject of the urgency relates to a Portfolio of one of the other members of the Executive, then the urgency will be also be sent to them with a note explaining that it is for their information only. The urgency email is copied in to the Political Advisers, the Chief Executive and the Head of the Chief Executive's Office, the report's author and staff in the offices of the Elected Officers. Others may be copied in as appropriate.
11. In accordance with Standing Order 19, if at least two of the Elected Officers, of whom one will be the Chair, if available, and the other will be from another political party or no party, agree the recommendation by the deadline, then it is taken to be agreed. They may give their agreement by post, by email or verbally by the deadline, provided that the signed cover letter is eventually received by Corporate Governance. If you are informed of an Elected Officer's agreement directly, please email Corporate Governance so that the email can be kept on record until the signed cover letter is received.
12. If the appropriate Elected Officers have not indicated their agreement by the deadline, then the urgency has not been agreed by members. For consultation responses, for example, this means that any response that is submitted should be clearly marked as an officer response which has not had member approval.

Item 16 – Appendix Six

13. Please be aware that at any time between the urgency being sent out and the deadline for Elected Officers' replies, one or more Elected Officers may request changes to be made to the item being considered. If you are not in the office over this entire period, please make sure that there is someone in your office who can handle any requested alterations. If a member requests an alteration the item should be re-circulated with the change made and Elected Officers asked to agree the change.
14. Please note – the urgency procedure is also available for TEC and Grants.

The procedure is exactly the same as that set out above.

Media Protocol

1. DAY TO DAY CONTACT WITH JOURNALISTS

Who speaks to the media?

The press office should be the first point of contact for any media enquiry received by London Councils.

The press office will then liaise with the relevant officer to formulate the appropriate response. Heads and directors are encouraged to develop links with journalists in their own areas of speciality – with the support of the press office. While this means they will sometimes be contacted directly by journalists, or make contact directly with journalists themselves, the press office should be informed at all times.

When should officers talk to the media?

The press office may need an officer to speak to a journalist to give them a technical briefing on an issue or to answer any technical questions a journalist may have. The officer with the best knowledge of the subject area will be the first point of call for briefing journalists. This person should be agreed by the press office and the relevant head/director.

Whoever provides the briefing to the media should follow the lines agreed with the press office.

Senior officers (heads or above) will build up their own network of contacts as a result of any media work they undertake. If a known and trusted media contact approaches a senior officer directly, it is important that the press office is informed as soon as possible. The press office will need to know who the journalist was, where he/she was from, and what was said.

If a senior officer does not know the journalist, then the journalist should be referred to the press office.

Lines given by policy officers to the press office for use in the media

Any lines provided by officers to assist the press office to respond to any media enquiries must be agreed by the policy lead officer and the lead member before it is provided to the press office.

The press office should not be the conduit for clearing previously unused lines and views with politicians before they are given to the media.

2. CLEARANCE PROCEDURE

The protocol for media clearance is predicated on members of the Executive acting in the interests of London Councils. The Chair and Executive or leading members will develop lines which represent the agreed views of the organisation and not of a particular political group or individual authority. Responses to emerging issues will also be developed with reference to the cross-party nature of the Executive.

There will be occasions when members will be approached to comment on issues in their role as group leaders or party-political figures. As long as it is made clear that they are commenting in that capacity and not on behalf of London Councils this is acceptable.

Where a position has been agreed by Leaders' Committee, the Executive, or other formal 33-member meetings

Material only needs to be cleared by the Chair (for issues on which they are leading) or the lead member (for a portfolio-related issue) and his/her political adviser (if there is one). The press office will contact members directly and copy political advisers into all correspondence. Copies of all agreed statements will be shared with political advisers.

Emerging issues (where the view of a 33-member grouping is unknown, but the issue requires an immediate response)

London Councils' relevant lead policy officers will first of all agree the line to take with the Chair (for issues on which they are leading) or the lead member (for portfolio issues) and the relevant group Adviser.

The press office will then draft a response which will then be cleared by the lead member and the relevant Group Adviser and shared with the other Group Advisers with a realistic deadline in which to respond.

Where an issue will ultimately be going to one of the three Joint Committees or their respective Executives for decision it must be agreed by at least two of the groups before a statement can be issued.

If the appropriate lead member is not available to clear press lines on an emerging issue the press office will clear the line with the Chair and then share that line with the political advisers.

If an issue requires an even quicker response it may be impractical to give the political advisers of the other groups an hour to respond. However, every effort will be made to ensure that they get an opportunity to see a response, and not doing so will be the exception and not the rule.

3. FILMING AND RECORDING AT LONDON COUNCILS MEETINGS

Cameras and recordings at meetings

The final decision on whether filming or any other recording can take place at a London Councils meeting (either held here or at alternative venues) will be made by the chair of the relevant committee.

For any meetings held at London Councils:

- When sending out meeting agendas, the press office will tell broadcast media that if they want to attend with cameras or any other recording equipment, they must inform the press office by 10am on the day before the committee is scheduled to be held. They would be advised that their filming/recording is at the discretion of the committee chair and that they should also indicate which item they are interested in;
- Any crews failing to inform the press office by this time or simply turning up with a camera may not be permitted into the meeting;
- If any bids are made, the press office will contact the chair of the relevant committee to check they are happy for the broadcast media to attend the committee;
- A decision on whether to allow any recording of a meeting should if possible be made by 1pm on the day before committee;
- Once a decision has been made the press office will inform the relevant media outlet;
- Due to constraints on space in the conference suite and meeting rooms at London Councils there is only room for one camera. If more than one camera crew approaches

London Councils for access to a meeting they would need to discuss pooling arrangements between themselves;

- The number of cameras that can attend London Councils meetings held in external venues would be governed by the size of the venue;
- The camera crew attending committee should arrive no later than 15 minutes before the start of the committee to set up. Access to the meeting room will also be governed by when any group meetings being held in the meeting room finishes.

Informing people of possible filming/recording

- The committee listings page on the London Councils website will carry a notice that all meetings may be recorded by broadcast media at the discretion of the committee chair;
- It will be the responsibility of any policy officer arranging for a person to carry out a presentation at a committee to inform them that our meetings may be filmed or recorded;
- There could be an issue at this stage with people declining the offer of attending the meeting because of the possibility of proceedings being filmed or recorded. If this happens, a decision would need to be taken by the chair of the committee as to whether they will want the broadcast media at the meeting;
- London Councils press office will inform the relevant organisation's press office of the possibility that cameras or other recording equipment will be at the meeting. London Councils press office would also inform the organisation's press office of any media interest should it arise;
- London Councils press office will keep the Chief Executive and senior members and relevant officers (including political advisers) informed about filming and recording requests.

Advised protocol for meetings where cameras/media are attending

- For the benefit of the other committee members and the audience, the chair of the committee should announce at the start of any meeting where the media are attending that they are there;
- Once the item the camera crews are interested in has finished a short adjournment should be taken to allow the broadcast media to pack up and leave.

4. BROADCAST INTERVIEWS

London Councils often needs to put spokespeople up for broadcast media interviews. It is the responsibility of the press office to organise a spokesperson for any interviews. Any London Councils officer approached by the media to take part in any interviews should direct the request to the press office.

London Councils policy is that all broadcast interviews should be carried out by members, unless the relevant lead member agrees that a senior officer can do it instead.

Broadcast interviews should be conducted by the Chair or appropriate lead member. When the Chair or lead member agrees, they can be conducted by the chief executive or a director. Only in exceptional circumstances can any other officer give a broadcast interview, and this will need to be cleared by the Director of Communications. Only those who have completed a media training course will be offered for broadcast interviews.

Briefing media spokespeople

As with any media interview the press office will be responsible for liaising with the spokesperson over the arrangements for the interview. The press office will also be responsible for providing the key messages the spokesperson would use in the interview.

The relevant London Councils policy officer would be responsible for ensuring the briefing has the correct background information and statistics.

Informing boroughs/London Councils officers

If a member is being put forward as a spokesperson, London Councils press office is responsible for informing that member's borough press office of the scheduled interview. Depending on the media request, London Councils press office should also consider informing all borough press offices in case they are subsequently approached for views.

Repeating spokespeople

There may be some circumstances where the media need regular interviews – e.g. providing hourly updates.

If this is required, to maintain the continuity, the spokesperson put up in the first instance should be available throughout the time of the incident.

If this cannot be achieved, care should be taken not to put up a senior member or officer for the initial update if a more junior member or officer will be used for the other interviews.

PARTY GROUP/POLITICAL ADVISER/LONDON COUNCILS RELATIONS

INTRODUCTION

This Protocol establishes guidelines for relations between the London Councils' Political Advisers, Party Groups and the rest of the organisation.

THE ROLE OF POLITICAL ADVISERS

1. The role of the Political Advisers is to serve and support London local government and London Councils as a whole. They primarily seek to do this by supporting the collective work of the relevant London Councils political group and its members. These are publicly funded posts – they are appointed by and report directly to London Councils staff.
2. They do not work for the national political parties or their regional organisations (although a valuable part of their work is contact and influence with those parties) and it is important that this separation is maintained.
3. Political Advisers are the main point of contact between London Councils and other national/regional or local groupings of their respective political parties.
4. London Councils Leaders' Committee, the Transport and Environment Committee (TEC) and the Grants Committee (our statutory Committees), supported by other Member bodies, make policy, and the mainstream officers will do associated policy development work. Political Advisers may supplement this policy work by providing a particular Party Group perspective to their own members and will advise members of their particular Party Group during the process of developing this policy.

INTERNAL LONDON COUNCILS RELATIONSHIPS

1. Political Advisers should be copied into all correspondence addressed to all councillors that are part of their Party Group (except correspondence which contains confidential staffing matters, or is of a routine nature).
2. Arrangements for a substitute for any Member should be conducted through the relevant Political Adviser.
3. Any London Councils Member Body meeting should be notified in advance to the relevant Political Adviser/s and they have attendance rights at those meetings (except when that meeting is discussing confidential staffing matters).
4. Member level meetings or significant events (e.g. dinners) with representatives of external organisations should be notified to the relevant Political Adviser/s. The relevant Political Adviser/s may be invited to any pre-meeting of Members.
5. Any meeting involving members of only one party should normally be organised by the relevant Political Adviser. Exceptions might include a meeting between

the Chair of a London Councils' Member Body and a Minister or the Mayor, when that meeting was not political (for example, when civil servants or officers would be accompanying the Minister/Mayor)

Other officers from London Councils can be invited to attend these meetings.

6. Political Advisers do not have attendance rights for formal London Councils internal officer meetings but can be invited for all or part of any such meetings.
7. Political Advisers have the same level of access to London Councils' core resources as other officers. This includes room bookings for London Councils' use, reasonable use of support services, access to papers and links to the communications and public affairs resource.

The access is equal for all Political Advisers. Any request for support or information should be responded to positively where practicable. The Chief Executive will settle any dispute.

8. The Communications Team will:
 - a. provide advice and support to Political Advisers; and
 - b. ensure that all Political Advisers are supplied with any materials they publish on behalf of London Councils in a timely way.
9. Political Advisers have access to any London Councils Member Body reports, published documents and circulars (except those documents which contain confidential staffing matters). As a general rule any information that would be released to a member authority should be made available to Political Advisers.
10. When sending out printed materials on behalf of individual political groups, the Group Advisers will use notepaper that clearly denotes that it is a party communication and if possible, includes the group logo.

OUTSIDE RELATIONSHIPS

All meetings between Members or officers and an Outside Representative¹ of a political party should be notified to the relevant Political Adviser. Ministerial meetings (i.e. meetings with an MP/Peer in their ministerial role) and official-level meetings with Outside Representatives should normally be reported to all Political Advisers².

This does not preclude meetings with the same MPs/Peers on a political basis. These should normally be organised through the relevant Political Adviser.

1. If an Outside Representative of a political party initiates contact, the relevant Political Adviser should be told as soon as possible and be involved in deciding the best response.

² "Outside Representatives" in this clause includes any elected member of a political party acting in the capacity of their elected position (e.g. MPs, MEPs, GLA members, etc) and those non-elected members of a party who perform the functions of elected politicians (e.g. Peers).

2. Where non-political briefings are being sent out to Outside Representatives of political parties, these must be copied to all Political Advisers.
3. Where material is being prepared for an Outside Representative or group of representatives of only one party and, that material will only be distributed to that representative or group of representatives of that party, the relevant Political Adviser must have an opportunity to review and comment on that material before its distribution.

BUDGET

Each Party Group has a small budget to be used for e.g. that Party's away day, banners at party conferences. The budget is managed by the respective Political Adviser.

Whistleblowing Policy

May 2019

The whistleblowing policy encourages officers of London Councils to feel confident in raising any serious concerns that they might have. It describes the process by which concerns can be raised, explains how they will be investigated, and reassures officers that they can raise concerns without fear of victimisation, discrimination or disadvantage.

Please bring this policy to the attention of any contractors with whom you have dealings. Going forward, this policy should be brought to the attention of any new contractors as soon as is practicable.

Policy Agreed	
Joint Consultative Committee	19 April 2010
Corporate Management Board	22 April 2010
Audit Committee	21 March 2012
Corporate Management Board – updated	25 November 2013
Audit Committee	20 March 2014
Corporate Management Board	Reviewed February 2016
Corporate Management Board	Reviewed May 2019
Leaders' Committee	4 June 2019
Audit Committee	20 June 2019

Whistleblowing Policy

This policy aims to encourage officers of London Councils and others to feel confident in raising any serious concerns that they may have regarding the existence of fraud, bribery or corruption. This policy further aims to provide clear avenues through which those concerns can be raised, and to reassure officers who raise concerns that they will not be victimised if they have a reasonable belief that their disclosure is in the public interest.

Officers may feel reluctant to come forward to raise concerns - to 'blow the whistle' - for a range of reasons. For example, officers may feel that:

- They are unaware of the 'right way';
- It's 'none of their business';
- It's only a suspicion;
- It would be disloyal;
- There may be 'recriminations'.

Although it may seem easier to 'look the other way', each officer of London Councils has a responsibility to be alert to and to voice any serious concerns they may hold about malpractice on the part of others. This policy makes clear that you can do so without fear of victimisation, harassment, discrimination or disadvantage.

Whistleblowers are an asset to London Councils and will be treated as witnesses, not as complainants. Any disclosures will be treated sympathetically, and all allegations of fraud, bribery and corruption will be investigated thoroughly.

Scope

This policy is intended to cover concerns which affect clients, colleagues, or London Councils itself. Section 43B of the Public Interest Disclosure Act 1998 provides examples of those concerns which may be disclosed. These include concerns:

- That a criminal offence has been committed, is being committed or is likely to be committed;
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject;
- That a miscarriage of justice has occurred, is occurring or is likely to occur.
- That the health or safety of any individual has been, is being or is likely to be endangered;
- That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed;
- That some other form of unethical conduct has taken place, (including any attempts to cover up the above or any offence likely to be committed).

This list is not exhaustive, but is indicative of the kind of misconduct or malpractice that is covered by this policy.

This policy provides for disclosures from all persons in the London Councils workplace including both full-time and part-time employees, junior and senior members of staff, temporary staff, secondees, consultants and contractors.

London Councils takes a zero-tolerance position on bribery, fraud and corruption, and is committed to robust compliance with the Bribery Act 2000. Please see London Councils' Anti-Fraud, Bribery and Corruption Policy for further information.

Protection of whistleblowers

Protection for whistleblowers was introduced by the Public Interest Disclosure Act 1998, which is available online at: <http://www.legislation.gov.uk/ukpga/1998/23>.

Officers who disclose information should not suffer any detrimental treatment, provided that the following conditions are satisfied:

- The officer believes on reasonable grounds that the information is accurate;
- The officer believes on reasonable grounds that their disclosure is being made in the public interest;
- The officer has not gained a financial or non-financial benefit from the disclosure;
- The officer has followed the correct internal procedure in raising the matter of misconduct or malpractice within London Councils.

London Councils will provide the following protection to whistleblowers:

- Protection from being subjected to a detriment (including threats, disciplinary action, loss of work or pay, or damage to career prospects) by an employer or another worker on the grounds that the employee has made a protected disclosure;
- Protection from dismissal where the principle reason for dismissal is that the employee has made a protected disclosure.

London Councils will not tolerate the victimisation of whistleblowers by other members of staff. Any victimisation of a whistleblower will be treated as a serious disciplinary matter.

Confidentiality

If an officer who has raised a concern does not want to reveal their identity, London Councils will not press for the officer's involvement in the investigation, unless the situation necessitates their inclusion. There may be occasions when London Councils has no alternative but to take action that would break this confidence. This may occur where London Councils has a duty of care to its clients and members of the public, and evidence provided by an officer is the only means by which London Councils can take appropriate action. If the matter needs to progress more formally, there may be cases where an officer will be required to make a statement or give evidence at a formal hearing.

If it is determined that the matter cannot proceed without officer involvement, London Councils will approach the officer in the first instance to discuss the matter, and make a decision from this discussion on how to proceed.

Anonymous allegations

As a general rule, you should put your name to an allegation, even if you wish for this allegation to be treated in confidence.

Concerns which are expressed anonymously will be considered at the discretion of the person to whom you express the concern. Factors to be taken into account would include:

- The seriousness of the issue raised;
- The credibility of the concern;
- The likelihood of confirming the allegations from attributable sources.

Support

Officers who wish to disclose information may discuss the matter in confidence with their trade union if appropriate. The trade union can represent officers at any formal meetings and give advice on how to resolve the concerns raised.

If the officer is unclear about the procedure, the matter can be discussed with the Director of Corporate Governance- Christiane Jenkins (christiane.jenkins@londoncouncils.gov.uk

or

Protect (formerly known as *Public Concern at Work*) - an independent whistleblowing charity. They can give free, confidential advice at any stage about raising a concern about serious wrongdoings or malpractice at work. <http://www.pcaw.org.uk>, 020 3117 2520.

Reporting concerns

Officers should report concerns in the first instance to their immediate line manager (or another appropriate manager), either verbally or in writing, and demonstrate that there are reasonable grounds for the concern. Where this is not appropriate the officer should raise the concern with their Director or the Chief Executive of London Councils.

Where the concerns are raised with the manager, the manager should where practical take immediate steps to deal with the concerns raised. The manager will also need to consider the support available to officers who may be affected. The manager should bear in mind the following when considering support issues; counselling, temporary adjustment to working arrangements, special leave and the organisations 'employee assistance programme'.

Responding to concerns

The initial stage is for the manager to contact the Director of Corporate Resources Frank Smith (frank.smith@londoncouncils.gov.uk), to inform him of the concerns. Then, with the permission of the Director of Corporate Resources, the manager should interview the person raising the issue. The officer has the right to be accompanied to this interview by a trade union representative or work colleague. The manager must confirm in writing the issue raised within 3 working days.

The issues raised under this procedure may lead to other London Councils procedures being instigated, such as:

- London Councils disciplinary procedure;
- An investigation under London Councils financial regulations;
- In the case of criminal matters, informing the police.

Where other London Councils procedures are invoked, the officer raising the issue should be informed as soon as possible. In any case the officer should receive a written response within 20 days setting out the manager's views or indicating what further steps, with time scales, will be taken before a final response is given.

The manager must give feedback at the earliest opportunity to the officer who raised the concerns. The feedback process should assist the officer in deciding whether the response is adequate to alleviate the concerns.

For further information about how London Councils will investigate serious concerns, please see London Councils' Anti-Fraud, Bribery and Corruption Policy:

Where allegations of malpractice are found to be groundless

If an allegation is not found proven by the investigation, no action will be taken against the whistleblower provided that the conditions laid out in the 'Protection of Whistleblowers' section above are met.

If it is found that the whistleblower raised an allegation which they knew to be untrue, disciplinary action may be taken against that employee.

Raising concerns outside of London Councils

This policy is intended to provide you with an avenue within the organisation to raise concerns. Any legitimate concerns will be robustly assessed and acted upon. If you do not feel that this has been the case, and you feel that it is right to take the matter outside of the organisation, you may use the following contact points:

- *Protect*: <https://protect-advice.org.uk/> or ring 020 3117 2520
- Pat Stothard, Head of Audit and Risk Management at the City of London (pat.stothard@cityoflondon.gov.uk) on 020 7332 1299

Where the concern relates to criminal matters the relevant Director will need to involve the police or other bodies. The Chief Executive of London Councils should be consulted before this happens unless there is an immediate risk.

London Councils' Policy to Combat Fraud, Bribery and Corruption

May 2019

Policy Agreed	
Joint Consultative Committee	19 April 2010
Corporate Management Board	22 April 2010
Audit Committee	21 March 2012
Corporate Management Board	25 November 2013
Audit Committee	20 March 2014
Leaders Committee AGM (for noting)	15 July 2014
Corporate Management Board	Reviewed 2016
Corporate Management Board	Reviewed May 2019
Leaders' Committee	4 June 2019
Audit Committee	20 June 2019

Reviewed May 2019

London Councils' Policy to Combat Fraud, Bribery and Corruption

Introduction

London Councils employs around 120 members of staff and is primarily funded by borough subscriptions. Each of the 32 London boroughs and the City of London pays variable amounts, depending on their size, which amounted to £5.9 million in 2018/19.

London Councils also run direct services on member authorities' behalf, such as the Freedom Pass and Taxicard schemes. In 2018/19, these schemes collectively cost approximately £358.9 million. London Councils also provides a grants scheme on behalf of the 32 London boroughs and the City of London which, in 2018/19, provided £6.2 million of grant funding to voluntary organisations.

The boroughs, along with Transport for London and the Greater London Authority, also pay nearly £8.7 million for a variety of parking and traffic related services provided by London Councils. These figures, together with other income, provided London Councils with a total turnover of nearly £382.2 million in 2018/19.

This level of turnover and expenditure entails a certain risk of fraud, bribery and corruption, from both internal and external sources, which London Councils must act to control.

This policy sets out London Councils' commitment to the prevention and detection of fraud, bribery and corruption. It summarises the responsibilities of members and officers and outlines the procedures to be followed where suspicion of fraud, bribery or corruption is raised.

This document replaces the previous Anti-Fraud and Anti-Corruption Policy and incorporates the changes to corruption legislation that have been included in the Bribery Act 2010.

Definitions

Fraud:

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

Corruption:

*The offering, giving, soliciting, or acceptance of an inducement or reward which **may** influence any person to act inappropriately.*

Bribery:

The giving or receiving of a financial or other advantage in connection with the 'improper performance' of a position of trust, or a function that is expected to be performed impartially or in good faith.

London Councils Policy:

London Councils takes a zero-tolerance position on bribery, fraud and corruption, and is committed to robust compliance with the Bribery Act 2010¹.

London Councils strives to provide services which meet the requirements of its stakeholders in accordance with its core values. In conducting its business, it is committed to reducing the risk of bribery, fraud and corruption. Where there is a possibility of bribery, fraud or corruption, London Councils will deal with it in a firm and controlled manner.

London Councils is committed to an effective policy to combat fraud, bribery and corruption which is designed to:

- promote standards of honest and fair conduct;
- deter and prevent fraud, bribery and corruption;
- detect and investigate fraud, bribery and corruption;
- prosecute offenders;
- recover any losses;
- maintain strong systems of internal control;
- raise awareness of London Councils' anti-fraud, bribery and corruption stance, reporting and response arrangements.

Conduct

London Councils expects all people and organisations associated with it to be honest and fair in their dealings. London Councils expects its elected members and managers to lead by example.

Members

Members are required to operate within the framework of the internal rules and regulations of London Councils which are set out in:

- London Councils' Standing Orders;
- London Councils' Member and Officer Relations Protocol.

These include the requirement to declare at meetings, and to register with the Director of Corporate Governance, potential areas of conflict between their London Councils duties and responsibilities and other areas of their personal and professional lives where appropriate.

Officers

Similarly, London Councils expects its officers to ensure that they are familiar with:

- London Councils' Standing Orders;

¹ <https://www.legislation.gov.uk/ukpga/2010/23/contents>

- London Councils' Financial Regulations;
- London Councils' policies and procedures;
- Code of Conduct for officers of London Councils.

Officers must comply with London Councils' policy regarding the receipt of any gifts or hospitality. They are recommended to err on the side of caution if they are unsure as to what course of action they should take in such circumstances and, if necessary, seek the advice of their Director.

Officers should be aware that offering, promising, giving or accepting any financial or other advantage, to induce the recipient or any other person to act improperly in the performance of their functions, or to reward them for acting improperly, or where the recipient would act improperly by accepting the advantage, may constitute an offence under the Bribery Act 2010.

If an officer believes that there is a conflict between their professional duties and those owed to London Councils, then they must raise the matter with the Director of Corporate Resources in order that arrangements can be made to manage or resolve the conflict in an appropriate manner.

London Councils encourages officers to report any concerns and provide information if they suspect a fraud or irregularity. Please see London Councils' Whistleblowing Policy:

<https://www.londoncouncils.gov.uk/node/1986>

Managers

Managers are expected to ensure that all officers have access to London Councils' policies and procedures.

Managers must ensure that suitable levels of internal checks are present in working procedures, especially financial procedures. It is important that duties are organised so that no one person can carry out a complete transaction without some form of checking process being built into the system.

Channels for reporting concerns

London Councils recognises the dilemma faced by individuals who wish to report concerns that may indicate fraudulent or corrupt activity. In view of this, London Councils has a Whistleblowing Policy which aims to encourage people to feel confident in raising any serious concerns that they might have regarding the existence of fraud, bribery or corruption.

It is the intention of London Councils that the Whistleblowing Policy and the Policy to Combat -Fraud, Bribery and Corruption are widely publicised to contractors and London Councils stakeholders, members and officers. Any information which is disclosed through the provisions of these policies will be investigated properly.

Internal Audit

Internal Audit plays a key role in the prevention of fraud, bribery and corruption by its independent and systematic examination of London Councils systems and procedures, geared to maintaining strong systems of internal control.

The scope of each Internal Audit review incorporates fraud awareness and ensures 'spot checks' are performed in between system reviews to test the probity of arrangements. Internal Audit is actively involved in national data matching exercises with a view to both identifying and reducing London Councils' exposure to fraud.

The Audit Committee is responsible for monitoring this Policy to Combat Fraud, Bribery and Corruption, as stated in the Audit Committee Terms of Reference.

The Director of Corporate Resources – Frank Smith (frank.smith@londoncouncils.gov.uk), is responsible for disclosing to the Audit Committee all information in relation to fraud or suspected fraud. The Internal Audit Committee will review any fraud matters which are disclosed to them and help to bring improvements in the control of risk.

The Head of Audit and Risk Management at the City of London – Pat Stothard (pat.stothard@cityoflondon.gov.uk), is an accredited PiNS9A officer, who has the authority to make enquiries and to obtain key information from banks and utility companies to assist in investigations, where requested by London Councils' Director of Corporate Resources.

Detection and investigation

As required by London Councils' Financial Regulations and encouraged in London Councils' Whistleblowing Policy, officers should report any suspected cases of fraud, bribery or corruption to their line manager or if necessary, to their Director. Reporting cases in this way is essential because it ensures that:

- suspected cases of fraud, bribery and corruption are investigated properly;
- all cases are dealt with by a standard process;
- the interests of individuals and London Councils are safeguarded.

Investigations into suspected cases of fraud, bribery or corruption should be led by the Director of Corporate Resources in the first instance or, if more appropriate, by the Chief Executive or their delegated representative. Investigations should be carried out with discretion and sensitivity. Those carrying out the investigation should confine themselves to investigating those matters which are the subject of, or are relevant to, the suspected fraud.

Once the investigation has been completed, a written report will be prepared which states the facts discovered by the investigation. The report will avoid speculation and no statement shall be made that cannot be supported by the facts.

Prosecution

London Councils will press for the prosecution of offenders and will aim to recover from perpetrators any losses that it sustains as a result of fraud, bribery or corruption.

Officers of London Councils should not directly notify the police unless there is an immediate risk. The Director of Corporate Resources will first consult with the Chief Executive and the

City of London's Head of Audit and Risk Management when it is thought appropriate to involve the police.

In deciding whether a fraud should be reported to the police, the following will be taken into account:

- the seriousness of the case;
- the level of evidence available;
- the level of money involved;
- whether the public interest will be served.

This procedure will be operated in conjunction with London Councils' disciplinary procedure. Any offending officers will be subject to general disciplinary procedures in addition to any criminal or civil prosecution processes.

Recovery of loss

Where London Councils has suffered pecuniary loss, restitution will be sought of any benefit or advantage obtained, and the recovery of costs will be sought from the individual responsible for fraud.

As a first step the individual concerned will be asked to make good the loss.

It may be appropriate to consider recovering the loss from any monies due to the individual on termination, if the perpetrator is an officer of London Councils. The advice of the Director of Corporate Resources should be sought before attempting to make good any recovery.

Where an officer is a member of London Councils' pension scheme, and is guilty of fraud, London Councils may be able to recover the loss from the capital value of the individual's accrued benefits in the scheme, which are then reduced as advised by the actuary. If such action may be appropriate, legal advice should be sought in the first instance. If the individual will not make good the loss, consideration should be given to taking civil action to recover the loss, subject to legal advice received.

Post investigation

The Director of Corporate Resources will be responsible for ensuring that lessons learned from any investigations are evaluated and result in the strengthening of the systems involved. The Director of Corporate Resources will also consult with the Chief Executive to determine whether it would be of benefit to London Councils to publicise the outcome of the investigation as a deterrent to other potential perpetrators.

In cases where an individual is suspected of fraud which a subsequent investigation does not substantiate, it is important that the potential damage to the individual's reputation is minimised. Whoever originally reported the suspected fraud or irregularity will be informed that the investigation revealed no evidence of wrongdoing.

Deterrence and prevention

London Councils seeks to deter and prevent potential acts of fraud, bribery and corruption by:

- publicising that London Councils does not tolerate fraud, bribery or corruption, as demonstrated by this policy and the related Whistleblowing Policy;
- taking robust action when fraud, bribery or corruption is detected, as outlined in this policy;
- encouraging a strong anti-fraud, bribery and corruption culture amongst officers and members;
- deploying robust systems of internal control to mitigate the opportunity for fraud and corruption;
- keeping and regularly assessing corporate risk registers and implementing appropriate strategies to mitigate any risks of fraud, bribery or corruption which are identified.

Controls for specific risk areas

Access to networks, systems and databases

It is the responsibility of line managers to ensure that newly recruited staff are given the appropriate network level access. It is the responsibility of the relevant systems administrator to ensure that officers are given the appropriate level of access to systems and databases for their role, and to revoke access when it is not appropriate.

It is the responsibility of all staff to ensure that any password issued to them for use on any London Councils computer system is kept secure and confidential. This is stated in the London Councils Internet, Email and Telephone Use Policy.

Recruitment

Officers must be appointed in accordance with London Councils' recruitment and selection procedures. Written references should be obtained and should include information regarding the honesty and integrity of potential staff. Actual evidence of key qualifications claimed by prospective employees should also be obtained and checked.

Freedom Pass and Taxicard Schemes

London Councils aims to ensure that the Freedom Pass and Taxicard schemes are not used fraudulently by persons who are not eligible for the scheme. Thorough eligibility checks (to prove age, address and disability as appropriate) are completed as part of the application process. The Freedom Pass and Taxicard databases are also regularly reviewed to mitigate the fraud risk that passes are held or used by individuals who are not entitled. This includes National Fraud Initiative checks, which are completed twice each year including mortality

screening and also mid-term eligibility reviews to verify pass holders' continued eligibility for the scheme half way through the life span of their pass.

Grants

The London Councils Grants Committee ensures that the selection of grants is made on the basis of funding priorities and an assessment of the strengths of individual applications, and guards against bribery and corruption in the selection of grants.

The Grants Committee monitors all grants to ensure that grant money is used solely for the agreed purposes. London Councils requires audited accounts and budgets to be provided for organisations that are to receive funds and completes due diligence checks.

Organisations receiving grants will not receive funds until a grant agreement is in place between the organisation, partners and London Councils, setting out the delivery of the service and arrangements for monitoring.

The organisations funded by London Councils' grants programme are subject to a strict audit regime. At audit, financial claims must be able to be verified against programme and project records. Where the records do not match claims made, irregularities are reported.

London Tribunals

London Councils provides administrative support, accommodation, services and facilities for the Environment and Traffic Adjudicators (ETA) and the Road User Charging Adjudicators (RUCA) via London Tribunals. The adjudicators who determine environment, traffic, parking and congestion appeals are impartial and independent of all parties to appeals, including local authorities and Transport for London. The adjudicators are also independent of London Councils and make their determinations without any input or interference from officers of London Councils. The administrative role of London Councils is kept entirely separate from the judicial role of adjudicators.

Clearly, London Councils staff, are able to use any of these appeal services if they get a penalty charge notice in their private lives. However, in order to maintain independence, staff should never do so using a London Councils address which would include email.

For transparency and monitoring purposes, if *an officer or member* of London Councils wishes to register an appeal at either tribunal, they should first notify the Director of Transport and Mobility.

London Councils Conventions

1 Background

Ways of working at London Councils are designed to maximise the opportunities for advancing the collective interests of London local government and the communities and Londoners it represents.

Accordingly, London Councils seeks to operate on a cross party, consensual basis as a legitimate voice of those representing and leading localities across London. It seeks to reach broadly agreed positions on policy so as to maximise its impact in seeking to influence Government, the Mayor and Greater London Authority, other public services and the wider public debate on key issues,

In seeking to reach those broadly agreed positions, however, London Councils recognises the right to diversity; there is more than one correct response to many issues and member councils have the right to respond to the needs of their communities in different ways. Difference must be respected and minority views must be able to be heard within London Councils. It follows that member councils will seek to avoid criticising other individual member councils in the course of normal London Councils business.

London Councils will seek to find solutions to problems by discussion; it will endeavour to avoid styles of debate which assume that opposing views are incorrect because of their source.

2 Governance Structure of London Councils

There are three principal joint committees that come under the aegis of London Councils:

Leaders' Committee:

- London Councils is a joint committee set up in pursuance of arrangements made under section 101 (5), 101 (5B), 102, 111, 112, 113, 141 and 142 Local Government Act 1972; section 1 Local Authorities (Goods and Services) Act 1970; section 20 Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2000.
- The Leaders' Committee is London Councils' main decision-making body. The Committee includes the Leaders of each London borough council and the Chairman of the City of London's Policy and Resources Committee. It is chaired by the Chair of London Councils.

Transport and Environment Committee (TEC):

- The London Councils TEC is a joint committee set up in pursuance of arrangements made under sections 73 and 74 Road Traffic Act 1991 (as amended by section 283 Greater London Authority Act 1999), sections 101(5) and 101(5B) and 102 Local Government Act 1972, section 20 Local Government Act 2000, the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2000, the Local Authorities (Goods and Services) Act 1970
- TEC is responsible for a range of operational services such as London Tribunals, the London Lorry Control Scheme, the Freedom Pass and Taxicard schemes. TEC aims to ensure that London boroughs' concerns and best practice are taken fully into account in the development and implementation of a range of transport and environment policies generated by Government departments, the European Union and the Mayor of London.

Grants Committee:

- The London boroughs have delegated to London Councils the functions specified in section 48 (10) of the Local Government Act 1985 (Grants to Voluntary Organisations). The London Boroughs Grants Committee is required to submit a proposal for reviewing the needs of Greater London to London Councils Leaders' Committee for approval each year.
- The Grants Programme is funded and governed by the 32 London Boroughs and the Corporation of London. Leaders' Committee sets the overall funding strategies, policies and priorities for grants to voluntary organisations. Decisions on individual commissions, funding of applications and operation are made by the Grants Committee¹.

Each of the three joint committees also has a separate Executive – comprised of a smaller number of its membership – in order to provide strategic direction to the work.

The terms of reference for each of the joint committees and their respective Executives are set out in Appendix A.

The Leaders' Committee Executive allocates a number of Lead Member roles to provide political leadership in key policy and service areas. These lead members work with shadow portfolio holders from the other political groups that are different from that of the lead member. The role profiles for Executive lead members and shadow portfolio holders are attached at Appendix B.

¹ The Common Council of the City of London is the designated Council in accordance with the requirements of Section 48 Local Government Act 1985

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Lead members will, from time to time, convene discussions with shadow portfolio holders on key issues to help determine agreed positions and actions. They will also, from time to time, engage with all relevant borough portfolio holders on issues of current interest.

Representation of Employer Interest

In addition, London Councils is the host for the Regional Employer machinery. This comprises:

The Employers side of the Greater London Provincial Council (GLPC) - a joint forum comprising employer and employee representatives with delegated authority to act on behalf of the authorities covered by the London Agreement.

The purpose of the GLPC is to consult on, negotiate and determine regional agreements and/or advice on behalf of the authorities and their employees, including the resolution of differences and disputes directly concerning the interpretation of regional agreements.

The Greater London Employment Forum (GLEF) – which is a joint forum comprising representatives of the London authorities within the scope of the London Agreement and the Corporation of London. The purpose of the GLEF is to provide a forum where London employer and employee representatives can meet to discuss and debate employment matters of concern to the London authorities and their workforces and, where appropriate, recommend areas/opportunities for regional agreement and working.

3 Office Holders

London Councils' constitution provides for five elected officers:

- Chair
- Deputy Chair
- (Up to) 3 Vice Chairs

The office holders for the Executives of TEC and Grants are comprised as follows:

- Chair
- (Up to) 3 Vice Chairs

Elected officers and the members of joint committee Executives are expected to pay particular attention to establishing – on a consensual basis – and then advancing the common positions of London Councils. Collectively, they will also take a particular responsibility for providing guidance, support and challenge to the overall direction of the work of managing the organisation that is being led by officers.

4 Reflecting Party Political Proportionality

The elected officers of London Councils – including the Chair – are elected by the Annual General Meeting of London Councils. Similar procedures are followed in respect of the AGMs of TEC and Grants. The constitution provides for a broad reflection of the respective strength of political parties represented on the joint committee in the election of elected officers. This does not preclude one or more of the roles being undertaken by a representative in a way that does not formulaically reflect the distribution of political groups on the joint committee.

The allocation of places on Executives is informed by overall party proportionality on the joint committee but, again, is not absolutely determined by it in a formulaic way. Once the new political balance of the joint committee is known, it is for the parties to discuss their preferred way to reflect that principle.

5 Attendance at meeting of Executives

Other than for 'exempt' items, meetings of Executives – as with joint committees – are held in public.

In terms of attendance by members at the meeting and ability to speak, Party Group Whips are entitled to attend and speak, but are not formal members of the Executive and do not have voting rights.

6 Substitutes

Boroughs are able to nominate substitutes for meetings of 33 member forums.

Executives are different as members are not primarily representing their own authority when sitting on Executives. So, substitution for Executive members are via party groups, where relevant, not via the authority of the member unable to attend Executive. This is further reinforced by the fact that Executives are sub-committees of their 'parent' committee and, as such, substitutes must be appointed by the parent committee. This can be done at any time, but normally substitutes are appointed for the year at the respective AGM's with the first call being on Group Whips.

7 Determining Work Plans and Priorities

The Joint Committee Executives will formulate work plans that will be shared with the Joint Committees. The Chair of London Councils will, on an annual basis, meet with lead members on the Executive and their shadow lead spokespeople to inform priorities and the business plan for that particular portfolio area. Leaders' Committee also agrees a series of pledges that Leaders of councils commit to act on and will seek London Councils support on.

8 Arrangements around the time of the London Borough Elections

During the year of the London Borough Elections, in the period between the start of election purdah and polling day when meetings are not normally taking place, the day-to-day direction of London Councils will be managed by the Chief Executive² using the Urgency Procedure (Standing Order 19.1, whereby two ‘elected officers’ – one of whom will be from a ‘minority party - are needed to confirm an officer recommendation).

In the period between polling day and the Annual General Meeting of London Councils, Standing Order 19.2 is operative, and the Chief Executive takes action having consulted ‘as appropriate’.

9 Working with the Mayor of London and the GLA

In many of the policy and service areas that London Councils focuses on, there is a requirement to liaise with the Mayor of London and the Greater London Authority (note - this latter reference is to the Authority – the organisation - not specifically the London Assembly). This will be achieved, in part, by lead Executive members and senior officers maintaining close contact with relevant City Hall contacts, including the Mayor, Deputy Mayors, Mayoral Directors and GLA officers. It will, however, also be achieved by representation on various Boards established by the Mayor, or the Mayor, London Councils and other partners jointly. London Councils political groups will normally seek, within the terms of the conventions about appointment to outside bodies (see below), to nominate relevant lead members and shadow portfolio holders to such Boards.

In addition, the joint work of the Mayor of London and London Councils is kept under review by a meeting of the Congress of all Leaders and the Mayor which meets twice a year. In addition, there is a Congress Executive that also meets twice a year comprising the following:

- the Mayor
- the London Councils Leaders’ Committee Executive
- Chairs of the main four sub-regional partnership groups (Local London; Central London Partnership, West London Alliance and South London Partnership) if they are not already members of the Leaders’ Committee Executive.

² London Councils Scheme of Delegations to Officers Section 1 (1)

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At times, joint letters from London Councils portfolio holders with the Mayor, GLA and other bodies may be appropriate. When joint letters are agreed, these should be circulated to party groups for information in advance of despatch where possible.

10 **Nominations to Outside Bodies**

Nominations to outside bodies are delegated by Leaders' Committee to an appointments panel (the elected officers) which further delegates them to the Chief Executive, to be made within agreed guidelines and according to certain principles. Nominations are reported to the next subsequent meeting of the Executive. The guidelines/principles applied by the Chief Executive include:

- Consultation with the appropriate leading member
- Adherence to general political proportionality
- The 'Nolan' principles of public life
- Reflection of the diversity of London's councillors

London Councils aspires to reflect the broad balance of the party groups on Leaders' Committee in the distribution and of nominations to outside bodies. A report goes to the May meeting of the Executive each year to that end, with a status update on the London Councils nominated members to outside bodies.

The guidelines were refined in 2012 with a fresh set of principles agreed – see Appendix C.

11 **Working with Sub-Regional Groupings**

The majority of London boroughs are also members of sub-regional partnerships of councils within London. London Councils seeks to work in a mutually productive way with each of the partnerships, drawing upon their work, insight and intelligence to add value to its work on behalf of London local government as a whole. In addition, London Councils seeks opportunities for further devolution of power and resource to London local government – some of which it is appropriate to see managed on sub-regional geographic footprints.

These mutual relationships are essentially informal in nature. There is no separate, federal aspect to London Councils governance structures.

12 Working with the Local Government Association

Many member authorities at London Councils are also members of the Local Government Association and some elected members also play a role on behalf of the LGA. Whilst the two organisations are committed to working closely together on behalf of the sector overall and member councils, there is not a formal constitutional linkage. The LGA does not operate a federal structure.

The LGA Executive, however, provides for each of the Chairs of regional groupings of councils to be a member. Accordingly, the Chair of London Councils serves on the LGA Executive in that capacity and is briefed in respect of that role by London Councils officers. From time to time other informal briefings reflecting London Councils positions and London interests may be provided for leading members who are participating separately in LGA forums. Ordinarily, however, London Councils officers do not routinely brief London members who are engaged in LGA member forums.

13 Working with Advisers from London local government and professional groups

London Councils officers work closely with senior officers in London local government. In particular, they draw upon the resource of networks of senior professionals to add insight and weight to its work. London Councils also supports the work of a number of these networks. The networks are voluntary groupings of professional colleagues supporting one another in order to help them to do the best job they are able to do on behalf of their employing authorities. London Councils does not direct the work of these networks. It does, however, draw upon a number of individuals in such networks, in particular by appointing a number of 'Lead' Chief Executive advisers to work with it in a number of key policy areas. This is undertaken by the Chief Executive in consultation with the Chair of the Chief Executives London Committee. This specific aspect of the work of the Lead Advisor is within the framework of policies agreed by members.

14 Attendance at Ministerial Meetings

When meetings are held between London Councils and ministers, the convention is that an Executive member from each of the party groups – or, where appropriate, the shadow portfolio holder – is invited. Where it does not prove possible – because of short notice meetings and diary pressure for example, or a limitation on numbers by ministerial offices – all party groups will be asked to contribute comments in advance, receive the London Councils briefing and any read out from the meeting.

When London Councils is invited to join a London delegation to a ministerial meeting that has been arranged with or by the Mayor of London, effort will be made to seek to accommodate broader party group attendance beyond the relevant portfolio holder – which, of course, could come from different party groups in any case – or the Chair. There is a recognition, however,

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that in practice this can be very difficult. London Councils will only be one third of the principals at such meetings – ministers and the Mayor, or relevant Deputy Mayor, making up the other two thirds – and securing multiple places at these meetings, frequently convened at relatively short notice, is often not possible. In those cases, similar provisions around prior consultation and reporting back will be followed as set out in the preceding paragraph.

Clearly, in either type of meeting, any and all London Councils representation will be there to present the collectively agreed position of the organisation and not the views of an individual party group, authority or individual portfolio holder. This is consistent with the broad role profiles of Executive members as set out at Appendix B.

15 Attendance before Parliamentary Select Committees/Assembly Committees etc

When a request is received to provide representation between a Parliamentary Select Committee, the Executive portfolio holder should be consulted first, followed by the shadow portfolio holders for the respective policy area. If such representation is not possible, officers should discuss alternative representation with the political advisers, including the possibility of officer representation. Again, the collectively agreed position of the organisation should be the basis of the evidence provided.

16 Support for Political Groups

A Political Group at London Councils is defined as one with two or more members of Leaders' Committee declaring themselves to be part of a particular political group.

Each Group is entitled to support from one Group Adviser. These are publicly funded posts and the postholders are employed by London Councils Ltd and not by individual party groups. The role of the Group Advisers is to serve and support London local government and London Councils as a whole. They primarily seek to do this by supporting the collective work of the respective London Councils political groups and their members.

The postholders are not politically restricted, but there are limitations placed on the political roles that Group Advisers can play if they hold elected office in London. These are as follows:

Post-holders will not be able to hold any leading positions as a councillor, including any executive role in an Administration, any shadow roles including Leader or Deputy Leader of other groups, shadow portfolio holder or chair of any scrutiny committee. London Assembly Members will also not be able to hold a political adviser role at London Councils

Group Advisers will be appointed by the Chief Executive of London Councils in consultation with the Leader of the relevant party group.

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Each political Group Adviser has a small budget allocation to be used for their expenses such as conference accommodation/passes/catering, or a group awayday.

17 **Mainstream staff of London Councils**

London Councils is legally required to ensure that certain employees are politically restricted. These posts/employees are reviewed annually by the Corporate Management Board and posted on London Councils website.

London Councils typically has 30 posts which are politically restricted at any one time.

18 **Public statements on behalf of London Councils**

This is set out in the media protocol at Appendix D. All media work for London Councils is managed by the Press Team. The protocol for media clearance is predicated on Members of the Executive acting in the interests of London Councils overall and within collectively agreed policy parameters. The Chair and Executive, or leading members will develop lines which represent the agreed views of the organisation and not of a particular political group. Responses to emerging issues will also be developed with reference to the cross-party nature of the Executive.

Appendices:

- Appendix A – Terms of Reference for Leaders' Committee and Executive; Transport and Environment Committee and Executive; Grants Committee and Executive; Capital Ambition Board, Audit Committee; and Young People's Education and Skills Forum;
- Appendix B – Role profiles for Executive lead members and shadow portfolio holders;
- Appendix C – Nomination Principles 2012;
- Appendix D – London Councils Media Protocol

Appendix A

LONDON COUNCILS COMMITTEE STRUCTURES

2018/19

1. Leaders' Committee:

- 1.1 Constitution
- 1.2 Quorum
- 1.3 Membership
- 1.4 Terms of Reference

2. Executive

- 2.1 Constitution
- 2.2 Quorum
- 2.3 Membership
- 2.4 Terms of Reference

3. Transport and Environment Committee (TEC)

- 3.1 Constitution
- 3.2 Quorum
- 3.3 Membership
- 3.4 Terms of Reference

4. TEC Executive

- 4.1 Constitution
- 4.2 Quorum
- 4.3 Membership
- 4.4 Terms of Reference

5. Grants Committee

- 5.1 Constitution
- 5.2 Quorum
- 5.3 Membership
- 5.4 Terms of Reference

6. Grants Executive

- 6.1 Constitution
- 6.2 Quorum
- 6.3 Membership
- 6.4 Terms of Reference

7. Audit Committee

- 7.1 Constitution
- 7.2 Quorum
- 7.3 Membership
- 7.4 Terms of Reference

8. Capital Ambition

- 8.1 Constitution
- 8.2 Quorum
- 8.3 Membership
- 8.4 Terms of Reference

9. Greater London Provincial Council (GLPC)

9.1 Constitution

9.2 Quorum

9.3 Membership – Employers side and Union side

9.4 Terms of Reference

10. Greater London Employment Forum (GLEF)

10.1 Constitution

10.2 Quorum

10.3 Membership - Employers side and Union Side

10.4 Terms of Reference

11. Pensions CIV Joint Committee

11.1 Constitution

11.2 Quorum

11.3 Membership

11.4 Terms of Reference

12. Young People's Education and Skills Board (YPES)

12.1 Purpose

12.2 Quorum

12.3 Membership

12.4 Terms of Reference

13. Fire Safety Members Group

13.1 Purpose

13.2 Quorum

13.3 Membership

13.4 Terms of Reference

14. Electric Vehicle Rapid Charging-Point Sub Group

14.1 Purpose

14.2 Quorum

14.3 Membership

14.4 Terms of Reference

1. Leaders' Committee

- 1.1** London Councils Leaders' Committee is a joint committee set up in pursuance of arrangements made under section 101 (5), 101 (5B), 102, 111, 112, 113, 141 and 142 Local Government Act 1972; section 1 Local Authorities (Goods and Services) Act 1970; section 20 Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2000.

Leaders' Committee is London Councils' main decision-making body. The Committee includes the Leaders of each London borough council and is chaired by the Chair of London Councils. Leaders' Committee sets policy and takes decisions on the latest developments affecting London local government.

1.2 Quorum

The quorum shall be one third.

1.3 Terms of Reference

- To consult on the common interests of the London Local Authorities and to discuss matters relating to local government
- To represent the interests of the London Local Authorities to national and local government, to Parliament, to the European Union and other international organisations and to other bodies and individuals, and to negotiate as appropriate on behalf of member authorities
- To formulate policies for the development of democratic and effectively managed local government including matters relating to Transport, the Environment and Grants.
- To provide forums for the discussion of matters of common concern to the London Local Authorities and a means by which their views may be formulated and expressed
- To appoint representatives or staff to serve on any other body
- To represent the interests of the London Local Authorities as employers
- To provide services to the London Local Authorities including the dissemination of information on local government and on other relevant issues
- To provide information to the public, individuals and other organisations on the policies of the London Councils and local government issues relevant to London
- To act as the regional body of the Local Government Association

2. Executive

- 2.1** The Executive is a sub-committee of Leaders' Committee (decision from Leaders' Committee 12/09/2006)

2.2 Quorum

The quorum shall be one third of, or the number nearest to one third

2.3 Terms of Reference

The Executive will:

- play an active role in giving effect to the policy direction already agreed by Leaders' Committee
- broker a London Councils' position on strategic issues for submission to Leaders' Committee
- agree routine consultation responses

- deal with internal staffing, finance and related matters, including best value
- consider items for Leaders' Committee in advance, and submit recommendations to Leaders' Committee
- have the power to refer any item within the remit of any Leaders' Sub-Committee, Forum or associated London Councils' joint Committee to the Leaders' Committee for discussion
- consider the annual corporate plan and budget before final approval by Leaders' Committee
- monitor performance of London Councils quarterly by reference to:
 - Financial and budgetary information
 - Progress on priorities set out in the business plan
 - Progress on key policy issues
- monitor performance of London Councils annually, by receiving staffing information
- act as the Appointments Committee
- receive reports on decisions taken under urgency procedures relating to the functions of Leaders' Committee, or any sub-committee or Forum of Leaders' Committee
- in the matter of pension considerations relating to London Councils Chief Executive, any decision (s) will be taken by an appointed three member sub-committee drawn from the Elected Officers of London Councils Leaders' Committee which has been set up for these purposes.

3 Transport and Environment Committee (TEC)

3.1 The Transport and Environment Committee (TEC) provides a range of high quality operational services such as parking and traffic appeals, the London night-time and weekend lorry ban, the Freedom Pass and Taxicard schemes. TEC aims to ensure that London boroughs' concerns and best practice are taken fully into account in the development and implementation of the whole range of transport and environment policies generated by Government departments, the European Union and the Mayor of London. The Committee deals with a wide array of issues.

3.2 Quorum

The quorum shall be one third of, or the number nearest to one third.

3.3 Terms of Reference

TEC is an associated joint committee of London Councils. When the Transport Committee for London (TCfL) became part of the then new Association of London Government in April 2000, there was a need to retain a separate identity because of the statutory involvement of Transport for London in the Committee's work for certain functions. Leaders' Committee agreed that TCfL should also undertake the role of the old ALG Transport and Environment panel and so the new Committee was renamed Transport and Environment Committee (TEC).

TEC is a statutory committee with specific responsibility for:

- Functions under the Road Traffic Act 1991 – including appointment of parking adjudicators and determining penalty charge levels and fees for declamping, vehicle recovery storage and disposal
- The provision of an independent appeals service for Parking on Private Land in England and Wales (POPLA)
- Operation of the TRACE service for locating towed-away vehicles
- Operation of the Health Emergency Badge scheme for medical practitioners

- Implementation and enforcement of the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 ("The London Lorry Control scheme")
- Travel concession arrangements under section 244 of the Greater London Authority Act 1999 – including negotiation of settlements with Transport for London, the Association of Train Operating Companies (ATOC) and independent bus operators
- Setting of fixed penalties, issuing of Codes of Practice and other functions under the London Local Authorities Acts 2004 and 2007
- Operation of the London Taxicard scheme

TEC also initiates and develops policies across a range of areas:

- transport policy issues (including road, rail and airports)
- environment issues (including air quality and biodiversity)
- trading standards and public protection issues
- waste issues

In considering transport and environment matters which have implications and relevance to Londoners, TEC aims to ensure that:

- The transport and environment needs of London are recognised and promoted
- The allocation of resources and the development of policies and legislation influenced to the best effect for London; and
- Borough interests (financial and otherwise) are represented and protected.

4 TEC Executive

4.1 The TEC Executive is a sub Committee of TEC

4.2 Quorum

The quorum of the TEC Executive is one third of, or the number nearest to one third

4.3 Terms of Reference

TEC agreed that all the executive functions of TEC should be delegated to the Executive Sub Committee with the exception of the following:

- election of committee officers;
- election of members of the sub-committee;
- agreement of budget;
- agreement of work programme;
- agreement of annual report;
- appointment of adjudicators;
- agreement of parking penalties;
- agreement to major changes in policy for the lorry ban;
- agreement to the annual concessionary fares scheme;
- agreement of the draft annual policy statement for agreement with the London Councils' Leaders' Committee; and
- consideration and agreement of major transport and environmental policy issues.

The TEC Main Committee as a whole will continue the role of considering and, where necessary, confirming the actions of the Sub Committee through consideration of the minutes of the Sub Committee and calling for other actions and reports as members. All

members of the Main Committee will receive the Sub Committee's agenda and will be welcome to attend Sub Committee meetings.

5 Grants Committee

- 5.1** The London Councils Grants scheme is funded and governed by the 32 London Boroughs and the Corporation of London. Leaders' Committee sets the overall funding strategies, policies and priorities for grants to voluntary organisations. Decisions on individual commissions, funding of applications and operation are made by the Grants Committee.

The constituent councils have resolved to delegate the function specified in section 48(10) Local Government Act 1985 (review of needs of Greater London) to London Councils from 1 April 2000 and shall submit, via the Grants Committee, a proposal for reviewing the needs of Greater London to London Councils for approval annually.

5.2 Quorum

The quorum of any meeting of the London Councils Grants Committee shall be one third of, or the number nearest to one third,

5.3 Terms of Reference

- To ensure the proper operation of the Grants Scheme for the making of grants to eligible voluntary organisations in Greater London
- To have due regard to the needs of Greater London in operating the Scheme and to keep those needs periodically under review
- To make recommendations to Leaders' Committee on overall policies, strategy and priorities
- To make recommendations to Leaders' Committee, and the constituent authorities, on the annual budget for the Grants Scheme
- To consider grant applications and make grants to eligible voluntary organisations
- To establish any sub-committees and other groups of Members it considers appropriate

London Councils Officers will:

- keep under review the needs of Greater London and report to the Grants Committee and Leaders' Committee from time to time on a strategy for collective grant giving devised with due regard to those needs
- draw up and submit for consideration and approval by the Grants Committee detailed criteria and policies for grant giving in the light of the agreed strategy
- prepare and submit an annual budget for consideration by the Grants Committee and London Councils by the end of November each year for the financial year commencing the following April. This budget shall include the costs of staffing, office and support services considered necessary to facilitate the effective and efficient operation of the Scheme, as well as expenditure proposals for grant aid to eligible voluntary organisations, and any contingency provision
- receive, assess and process grant applications from eligible voluntary organisations and report on them and make recommendations to the Grants Committee and/or any sub-committees it may establish.

- administer the payment of approved grants to eligible voluntary organisations and monitor the use made of such funding;
- convene and service meetings of the Grants Committee, its sub-committees and any other bodies established by it.

6. Grants Executive

6.1 Grants Executive is a sub committee of Grants Committee. The aim of the Grants Executive is to allow greater scrutiny of the grants programme by a smaller group of members appointed by the Grants Committee, to provide comfort to the overall Grants Committee members where the amount of business does not permit this level of detailed discussion. This function also aims to minimise the total amount of detailed reporting to the Grants Committee.

6.2 Quorum

The quorum shall be one third of, or the number nearest to one third, but not less than three members.

6.3 Terms of Reference

- Grants Executive shall have delegated authority to exercise all of the executive functions of the Grants Committee (including the power to make decisions) with the exception of:
 - Election of committee members
 - Election of members of the sub committee
 - Agreement of the budget
 - Agreement of the work programme
- The Grants Executive will:
 - Closely monitor the progress of the current grants scheme by reference to:
 - Financial and budgetary information
 - Progress of the programme via regular performance reporting
 - Recommend to Grants Committee any changes to the present grants programme to maintain the overall integrity of the scheme objectives
 - Review criteria and policies for grant giving in line with agreed strategy for approval by the Grants Committee
 - Consider grants scheme thematic priority reports to allow members to more closely scrutinise grants priorities

7. Audit Committee

7.1 The Audit Committee is a sub-Committee of Leaders' Committee.

7.2 Quorum

The quorum shall be two members.

7.3 Terms of Reference

Audit Activity

- To consider the Chief Internal Auditor's annual audit opinion and a summary of internal audit activity (actual and proposed) and the level of assurances it can give over London Councils' corporate governance arrangements;
- To consider specific internal audit reports as requested;
- To consider reports dealing with the management and performance of the provider of internal audit services;
- To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale;
- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance;
- To consider specific reports as agreed with the external auditor;
- To comment on the scope and depth of external audit work and to ensure it gives value for money;
- To make a recommendation to Leaders' Committee on the appointment, re-appointment and removal of the external auditor, and
- To commission work from internal and external audit.

Regulatory Framework

- To maintain an overview of London Councils' contract procedure rules, financial regulations and codes of conduct and behaviour;
- To review any issue referred to it by the Chief Executive or the Director of Corporate Resources;
- To monitor the effective development and operation of risk management and corporate governance in London Councils;
- To monitor London Councils' anti-fraud and anti-corruption strategy and London Councils' complaints process;
- To oversee the production of London Councils' Annual Governance Statement and to recommend its adoption;
- To consider the results of the annual review of London Councils' corporate governance arrangements and agree necessary actions to ensure compliance with best practice; and
- To consider London Councils' compliance with its own and other published standards and controls.

Accounts

- To approve the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Leaders' Committee; and
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

8. Capital Ambition

8.1 Capital Ambition is a sub Committee of Leaders' Committee. Its aim is to ensure that priorities for investment are managed by;

- Encouraging the use of innovation to support public sector service delivery and improvement
- Enhancing collaborative procurement
- Developing shared services
- Supporting service redesign or significantly improving productivity
- Addressing workforce planning and productivity
- Supporting major policy programmes

8.2 Quorum

The quorum shall be one third of, or the number nearest to one third, but not less than three members.

8.3 Terms of Reference

The Capital Ambition Board will, operating within the policy and governance framework of the Leaders' Committee, be responsible for:

1. Strategic direction and support for improvement, efficiency, transformation and innovation in London local government including by –
 - a. encouraging participation in, and garnering support for, shared and collaborative solutions in commissioning and service delivery within local government; and
 - b. engaging with key stakeholders to promote this ethos, products and outcomes: and
 - c. continuing to fund projects that meet the funding criteria agreed by Leaders' Committee on 14th December 2010
2. Strategic oversight and operational responsibility for the London Ventures programme including by –
 - a. Managing and monitoring the London Ventures support services and consultancy contract; and
 - b. In accordance with funding criteria agreed by Leaders' Committee on 14th December 2010:
 - i. reviewing business cases and selecting projects under that programme; and
 - ii. commissioning activity and/or funding activity in line with those funding priorities;
 - c. Undertaking any other functions to support the successful delivery of the London Ventures programme
3. Oversight and monitoring of the portfolio of projects funded by the Board, or its predecessor organisations, and of the efficiency savings that these projects will deliver.
4. Reporting regularly to the London Councils Leaders' Committee on the work of the Board including the status of the investment fund, the London Ventures programme, project performance and efficiency savings achieved.

9. Greater London Provincial Council (GLPC)

- 9.1** The GLPC constitution provides for 15 employer representatives to be appointed “by London Councils”. The function of making appointments has transferred to the Leaders’ Committee. The London Councils (ALG) Agreement (Schedule 2 Part 2). provides that Leaders’ Committee makes the appointments to the GLPC “in such numbers as are provided for in the GLPC constitution” . Regarding which members should be nominated, the GLPC constitution provides that the members of the council shall retire each year and shall be eligible for re-appointment, provided that they remain in membership of the body making the original appointment. This implies that the employers’ side representatives should now be the members of Leaders’ Committee themselves, although this requirement would be satisfied if they were to nominate deputies. The Council’s AGM is to be held by the end of October each year.

9.2 Quorum

The quorum for GLPC is ‘one half of each side’s membership’ resulting in 8 members.

9.3 Membership GLPC - Employers’ Side

The Employers’ Side of the GLPC will comprise 15 employer representatives appointed by London Councils.

Membership - Union Side

The Union Side of the GLPC will comprise 16 representatives apportioned as determined by the trade unions party to the London Agreement: GMB, UNISON and UNITE.

9.3 Terms of Reference for GLPC

The Greater London Provincial Council (GLPC) - a joint forum comprising employer and employee representatives with delegated authority to act on behalf of the authorities covered by the London Agreement. The purpose of the GLPC is to consult on, negotiate and determine regional agreements and/or advice on behalf of the authorities and their employees, including the resolution of differences and disputes directly concerning the interpretation of regional agreements.

10. Greater London Employment Forum (GLEF)

- 10.1** The Greater London Employment Forum (GLEF) - a joint forum comprising representatives of the London authorities within the scope of the London Agreement and the Corporation of London. The purpose of the GLEF is to provide a forum where London employer and employee representatives can meet to discuss and debate employment matters of concern to the London authorities and their workforces and, where appropriate, recommend areas/opportunities for regional agreement and working.

10.2 Quorum

The quorum of the GLEF is ‘will be one quarter of each sides membership’ resulting in 8 members.

10.3 GLEF Membership - Employers’ Side

The 33 employer representatives on the GLEF will be appointed by London Councils on the basis of one elected member representative per authority, including the Corporation of London.

Union Side

The Union Side of the GLEF will comprise 32 representatives apportioned as determined by the Trade Unions GMB, UNISON and Unite

10.4 GLEF Terms of Reference

The GLEF may consider and debate any employment, development, efficiency, performance and improvement related matter affecting the employees of the London authorities which could include:

- pay and conditions of employment including equal pay and the achievement of single status employment
- measures to improve recruitment and retention;
- productivity and performance management;
- measures to improve efficiency, effectiveness and value for money;
- measures to increase the skills and capacity of the workforce;
- equality and diversity in the workplace; employee health, safety and well-being

12. Young People's Education and Skills Board (YPES)

12.1 The role of the London Councils Young People's Education and Skills Board is to provide pan-London leadership for 14 to 19 education and training provision in relation to the current and future needs of learners and employers, support local authorities in undertaking their statutory functions, and assist other stakeholders in planning, policy and provision.

12.2 Quorum

The quorum shall be one third or the number nearest to one third of the voting members of London Councils Young People's Education and Skills Board. If, within half an hour of the time appointed for the meeting to commence, a quorum is not present, the meeting shall dissolve.

12.3 Membership

London Local Authority Members comprising one Councillor nominated by each of the party groups.

London Local Authority Officers comprising two Directors of Children's Services to be nominated by ALDCS and one Chief Executive to be nominated by CELC.

London Enterprise Panel comprising one co-chair and one employer from the Skills and Employment Working Group.

London Strategic Partners comprising one nomination from each from an employer representative body and the Greater London Authority.

Providers of education services comprising three representatives to be nominated by the AoC in consultation with the Sixth Form College Forum and NATSPEC (one shall be a General Further Education College; one shall be a Sixth Form College, and one shall represent learners with special educational needs and disabilities); one representative from a school, Academy or Free School sixth form nominated by ASCL; and one representative

to be nominated by the LWBLA. Each of these representatives shall be a direct provider in their own right.

12.4 Terms of Reference

The key tasks of the London Councils Young People's Education and Skills Board are to:

- develop the strategic vision of the market for 14 to 19 provision in London, influencing and shaping sufficient diversity and specialism to promote full participation;
- lobby for the best resources for London's young learners;
- in partnership with the LEAP:
 - develop a clear picture of the changing jobs landscape and skills needs in London to help shape the development of provision;
 - support stakeholders with the provision of high-quality impartial information for all London's young people;
 - alert London providers to known regionally unmet needs and gaps in the market;
- contribute to the production and analysis of data, including demographic data, to inform planning at a provider level;
- promote consistent scrutiny of 16 to 18 provision, challenging poor quality and championing excellence across the capital;
- support local authorities and providers to operate in the collective interest of London, particularly in addressing the needs of vulnerable learners;
- co-ordinate the development of specialist education and training across London – including both provision for learners with learning difficulties and disabilities and specialist vocational provision; and
- undertake any other tasks as directed by Leaders' Committee.

In pursuing these ambitions it is recognised that there may be the need to undertake specific commissioning activities at a regional level on behalf of local authorities, based on clear business cases.

13. Fire Safety Members Group

13.1 The Fire Safety Members' Group is a sub-Committee of Leaders' Committee, formed to consider the emerging pan-London response to developing fire safety, reporting back to Leaders' Committee.

13.2 Quorum

The quorum shall be one third of, or the number nearest to one third, but not less than three members.

13.3 Terms of Reference

1. Provide a dedicated Leader level forum for discussion of fire safety issues and to offer advice on any pan-London response to Leaders' Committee working together through London Councils decision making machinery including Executive and Leaders' Committee on associated policy and practical issues arising. The Members' Group will also receive reports from the work of the London Housing Directors' Fire Safety Sub Group. These reports would include but not be limited to:
2. Taking an overview of considerations on management and remediation where fire safety issues are found in borough stock and sharing information and learning.
3. Taking an overview of developing practice of managing fire safety issues in privately owned stock, including considering where changes to current guidance could make it easier for boroughs to ensure the safety of residents.
4. Considering any appropriate pan-London responses to fire safety aspects of upcoming reports (including but not limited to the Hackitt review and aspects of the Grenfell Inquiry).

The Fire Safety Members' Group will report back to Executive and Leaders' Committee, having no delegated authority of its own.

14. Electric Vehicle Rapid Charging - Point Sub Group

14.1 The Fire Safety Members' Group is a sub-Committee of LC TEC, formed to consider the emerging pan-London response to developing Electric Vehicle Rapid Charging-Point issues.

14.2 Quorum

The quorum shall be one third of the membership as set out in London Councils Standing Orders.

14.3 Terms of Reference

- 1) To provide a dedicated TEC member Sub-Committee for discussion of electric vehicle rapid charging-point issues and to offer advice on any pan-London response to TEC.
- 2) To consult and engage with relevant stakeholders, including the Go Ultra Low City Scheme, in relation to the development of policy in respect of electric vehicles rapid charging-point issues.
- 3) The Sub-Committee will report back to TEC and, where appropriate, its Executive.

Appendix B

London Councils

Executive Members – Role Profile

1. Purpose of the Role

To support the Chair of London Councils in his/her role and to take responsibility for decision making within the Executive on the basis of individual and/or collective responsibility for a portfolio of services or functions of London Councils.

To actively engage with other party groups in developing the work of the portfolio.

To contribute actively through the portfolio and membership of the Executive to the formation and scrutiny of London Councils' policies, budget, strategies and service delivery.

2. Key Tasks

- To drive the implementation of agreed policies by taking responsibility, individually, or collectively, for the portfolio they have been allocated.
- To have a clear understanding of the respective portfolio and an awareness of current agreed, London Councils policies, positions and services in respect of that portfolio area.
- To engage with relevant London borough Portfolio holders in the respective policy or service area via email updates and/or meetings on key issues.
- To consult and communicate with members of all party groups, London Councils officers and key partners as appropriate to ensure decision are well informed and that London Councils' positions and services are widely understood and positively promoted.
- To engage with a small, cross party sounding board of leading members on issue related to the portfolio to help inform the development of London Councils' positions, services and work. In particular, the Executive member will engage with the designated Party Group Policy Lead from a different political party on these matters. Sounding Boards will vary between Executives of Joint Committees (Leaders, TEC, Grants), existing groups of leading members coming together as part of preparation for joint representation of London Councils on key Mayoral bodies (eg LCRB, LHB, HfL Board) and, other than that, Sounding Boards separately established for these consultative purposes. It is envisaged that some of this may be via physical meetings but will also be achieved via conference calls and/or email exchange. At least four meetings and/or conference calls would be expected in each area during the course of a year.

- Providing a lead on securing cross borough, cross party agreement to London Councils' policy and positioning in the relevant policy/service area.
- Working as a team with other members of the Executive on cross-cutting activities.
- Representing and acting as ambassador for London Councils and representing the collective position of London Councils at events, forums and on external bodies and partnerships, including with the Mayor, GLA and central government.

London Councils

Member Role Profile – Party Group Policy Lead

1. Introduction

Each party group will have a member that takes a lead role in a policy/service area where the other political party holds the relevant Executive portfolio or chairs the relevant Executive of one of the three joint committees. In the case of the three joint committees, the Party Group Policy Lead will normally be a Vice Chair of the relevant joint committee.

2. Purpose of the Role

To take a lead role in developing their party's position on a portfolio/service area in discussion within their group.

To contribute actively – through the lead position they take for their party in the relevant policy/portfolio area or member body – to the formation and scrutiny of London Councils' policies, positions, budget, strategies and service delivery.

3. Key Tasks

- To have a clear understanding and knowledge of the respective portfolio/service
- Working with the portfolio holder and a small, cross party Sounding Board to help inform the development of London Councils' position on the respective portfolio/service area.
- To develop links within their own political party nationally and regionally on the relevant policy/portfolio area and to seek to influence on London local government's behalf.
- To have an awareness of current agreed London Councils' policies on the respective portfolio/service.
- To articulate issues, concerns and positions from their own party group in discussion with relevant portfolio holders and sounding boards in the development of London Councils' policy and work.
- To act, where required, as one of London Councils' nominees on external and mayoral bodies relevant to the portfolio area.

London Councils

Digital Member Champion – Role Profile

3. Purpose of the Role

To champion at political level London Councils' work on promoting and facilitating the use of digital data, tools and technology by London local government, in order to enhance the quality, accessibility and cost-effectiveness of local public services.

To actively engage with the political leadership of boroughs and other partner organisations, including the GLA, NHS and Government, in developing this work.

4. Key Tasks

- To have a clear understanding of the digital agenda, to help establish London Councils' policies, positions and services in respect of that theme, and to lead on securing any required cross borough, cross party agreement.
- To engage with relevant London borough digital portfolio holders or Leads via email updates and/or meetings on key issues.
- To engage with a small, cross party sounding board of leading members on issues related to the digital agenda to help inform the development of London Councils' positions, services and work. It is envisaged that some of this may be via physical meetings but will also be achieved via digital exchange.
- To work in collaboration with members of the Executive on cross-cutting activities and to help realise the opportunities that digital technology and innovation can bring to services within their portfolios.

Appendix C

Principles to be applied in making appointments

Agreed by London Councils Leaders' Committee Executive 29 May 2012

Introduction

Appointments to outside bodies have been delegated by members to the Chief Executive. These appointments will be made by the Chief Executive in consultation with members as appropriate. In making appointments the Chief Executive will apply the Particular Principles (1, below) first but will also seek to ensure that nothing is done to depart from the General Principles (2, below). General Conditions (3, below) are included for guidance.

1 Particular Principles

a) In cases where a single appointment is required

- (i) In first instance the relevant portfolio-holder will be considered and if that is not a suitable appointment then the Chief Executive will consult members on an alternative candidate.

b) In cases where an outside body requires more than a single appointment

- (i) The first principle to be applied in such cases is any reasonable external requirement placed on London Councils in making the appointments¹.
- (ii) The second principle to be applied, if the first principle does not obtain, is that the number of appointments made from each political party reflects the balance of the parties on Leaders' Committee² at that time.

¹ For example, the mechanism employed in determining the number of appointments for each political party made by London Councils to the former London Fire and Emergency Planning Authority was set out in legislation – the Greater London Authority Act 1999.

² This will be determined by the application of the d'Hondt formula.

2 General Principles

- (i) When the Chief Executive is applying the particular principles set out above, they will seek to reflect any particular interest that the body to be appointed to has expressed to London Councils³.
- (ii) The Chief Executive will also be mindful of other factors that it would be reasonable or proper for London Councils to consider, for example specialist knowledge, stability of service, diversity as well as applying the Nolan principles set out below and the Chief Executive may - in consultation with members – override the principles set out above when there is a compelling case to do so.
- (iii) All public bodies are under a duty to follow the *Seven Principles of Public Life* set out by the Committee for Standards in Public Life, formerly chaired by Lord Nolan (the principles are often called the *Nolan Principles*). In particular, the Chief Executive will seek to ensure that the following three Nolan principles are applied:

Objectivity

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

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.⁴

Openness

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

³ For example, outside bodies occasionally ask for cross-party appointments.

⁴ Members will be expected to regularly attend meetings of the bodies they are appointed to and may be accountable to and from, London Councils for their actions in that capacity.

- (iv) The Chief Executive will give consideration to the members of the Corporation of London when making any appointments to outside bodies.

3 General conditions

- (i) When an appointment to an outside body ceases to be a member of a London local authority, London Councils will, in general, take whatever steps are necessary to remove them from that outside body.
- (ii) At a freeze date, being the date of the meeting of the London Councils Executive in May of each year, a report will be brought to that meeting setting out the total number of appointments made to outside bodies for each of the political parties with a calculation of how this reflects the agreed principles (above) for appointments and the variation from the balance of the parties on Leaders' Committee.
- (iii) Any variations in proportionality to be dealt with by the groups and whips.

Media Protocol

1. DAY TO DAY CONTACT WITH JOURNALISTS

Who speaks to the media?

The press office should be the first point of contact for any media enquiry received by London Councils.

The press office will then liaise with the relevant officer to formulate the appropriate response. Heads and directors are encouraged to develop links with journalists in their own areas of speciality – with the support of the press office. While this means they will sometimes be contacted directly by journalists, or make contact directly with journalists themselves, the press office should be informed at all times.

When should officers talk to the media?

The press office may need an officer to speak to a journalist to give them a technical briefing on an issue or to answer any technical questions a journalist may have. The officer with the best knowledge of the subject area will be the first point of call for briefing journalists. This person should be agreed by the press office and the relevant head/director.

Whoever provides the briefing to the media should follow the lines agreed with the press office.

Senior officers (heads or above) will build up their own network of contacts as a result of any media work they undertake. If a known and trusted media contact approaches a senior officer directly, it is important that the press office is informed as soon as possible. The press office will need to know who the journalist was, where he/she was from, and what was said.

If a senior officer does not know the journalist, then the journalist should be referred to the press office.

Lines given by policy officers to the press office for use in the media

Any lines provided by officers to assist the press office to respond to any media enquiries must be agreed by the policy lead officer and the lead member before it is provided to the press office.

The press office should not be the conduit for clearing previously unused lines and views with politicians before they are given to the media.

2. CLEARANCE PROCEDURE

The protocol for media clearance is predicated on members of the Executive acting in the interests of London Councils. The Chair and Executive or leading members will develop lines which represent the agreed views of the organisation and not of a particular political group or individual authority. Responses to emerging issues will also be developed with reference to the cross-party nature of the Executive.

There will be occasions when members will be approached to comment on issues in their role as group leaders or party-political figures. As long as it is made clear that they are commenting in that capacity and not on behalf of London Councils this is acceptable.

Where a position has been agreed by Leaders' Committee, the Executive, or other formal 33-member meetings

Material only needs to be cleared by the Chair (for issues on which they are leading) or the lead member (for a portfolio-related issue) and his/her political adviser (if there is one). The press office will contact members directly and copy political advisers into all correspondence. Copies of all agreed statements will be shared with political advisers.

Emerging issues (where the view of a 33-member grouping is unknown, but the issue requires an immediate response)

London Councils' relevant lead policy officers will first of all agree the line to take with the Chair (for issues on which they are leading) or the lead member (for portfolio issues) and the relevant group Adviser.

The press office will then draft a response which will then be cleared by the lead member and the relevant Group Adviser and shared with the other Group Advisers with a realistic deadline in which to respond.

Where an issue will ultimately be going to one of the three Joint Committees or their respective Executives for decision it must be agreed by at least two of the groups before a statement can be issued.

If the appropriate lead member is not available to clear press lines on an emerging issue the press office will clear the line with the Chair and then share that line with the political advisers.

If an issue requires an even quicker response it may be impractical to give the political advisers of the other groups an hour to respond. However, every effort will be made to ensure that they get an opportunity to see a response, and not doing so will be the exception and not the rule.

3. FILMING AND RECORDING AT LONDON COUNCILS MEETINGS

Cameras and recordings at meetings

The final decision on whether filming or any other recording can take place at a London Councils meeting (either held here or at alternative venues) will be made by the chair of the relevant committee.

For any meetings held at London Councils:

- When sending out meeting agendas, the press office will tell broadcast media that if they want to attend with cameras or any other recording equipment, they must inform the press office by 10am on the day before the committee is scheduled to be held. They would be advised that their filming/recording is at the discretion of the committee chair and that they should also indicate which item they are interested in;
- Any crews failing to inform the press office by this time or simply turning up with a camera may not be permitted into the meeting;
- If any bids are made, the press office will contact the chair of the relevant committee to check they are happy for the broadcast media to attend the committee;
- A decision on whether to allow any recording of a meeting should if possible be made by 1pm on the day before committee;
- Once a decision has been made the press office will inform the relevant media outlet;
- Due to constraints on space in the conference suite and meeting rooms at London Councils there is only room for one camera. If more than one camera crew approaches

London Councils for access to a meeting they would need to discuss pooling arrangements between themselves;

- The number of cameras that can attend London Councils meetings held in external venues would be governed by the size of the venue;
- The camera crew attending committee should arrive no later than 15 minutes before the start of the committee to set up. Access to the meeting room will also be governed by when any group meetings being held in the meeting room finishes.

Informing people of possible filming/recording

- The committee listings page on the London Councils website will carry a notice that all meetings may be recorded by broadcast media at the discretion of the committee chair;
- It will be the responsibility of any policy officer arranging for a person to carry out a presentation at a committee to inform them that our meetings may be filmed or recorded;
- There could be an issue at this stage with people declining the offer of attending the meeting because of the possibility of proceedings being filmed or recorded. If this happens, a decision would need to be taken by the chair of the committee as to whether they will want the broadcast media at the meeting;
- London Councils press office will inform the relevant organisation's press office of the possibility that cameras or other recording equipment will be at the meeting. London Councils press office would also inform the organisation's press office of any media interest should it arise;
- London Councils press office will keep the Chief Executive and senior members and relevant officers (including political advisers) informed about filming and recording requests.

Advised protocol for meetings where cameras/media are attending

- For the benefit of the other committee members and the audience, the chair of the committee should announce at the start of any meeting where the media are attending that they are there;
- Once the item the camera crews are interested in has finished a short adjournment should be taken to allow the broadcast media to pack up and leave.

4. BROADCAST INTERVIEWS

London Councils often needs to put spokespeople up for broadcast media interviews. It is the responsibility of the press office to organise a spokesperson for any interviews. Any London Councils officer approached by the media to take part in any interviews should direct the request to the press office.

London Councils policy is that all broadcast interviews should be carried out by members, unless the relevant lead member agrees that a senior officer can do it instead.

Broadcast interviews should be conducted by the Chair or appropriate lead member. When the Chair or lead member agrees, they can be conducted by the chief executive or a director. Only in exceptional circumstances can any other officer give a broadcast interview, and this will need to be cleared by the Director of Communications. Only those who have completed a media training course will be offered for broadcast interviews.

Briefing media spokespeople

As with any media interview the press office will be responsible for liaising with the spokesperson over the arrangements for the interview. The press office will also be responsible for providing the key messages the spokesperson would use in the interview.

The relevant London Councils policy officer would be responsible for ensuring the briefing has the correct background information and statistics.

Informing boroughs/London Councils officers

If a member is being put forward as a spokesperson, London Councils press office is responsible for informing that member's borough press office of the scheduled interview. Depending on the media request, London Councils press office should also consider informing all borough press offices in case they are subsequently approached for views.

Repeating spokespeople

There may be some circumstances where the media need regular interviews – e.g. providing hourly updates.

If this is required, to maintain the continuity, the spokesperson put up in the first instance should be available throughout the time of the incident.

If this cannot be achieved, care should be taken not to put up a senior member or officer for the initial update if a more junior member or officer will be used for the other interviews.