



City of Westminster Standards Committee

Date:	13 July 2010
Classification:	For General Release
Title:	Review of the Code of Governance following the decision of the Standards (Hearings) Sub-Committee
Report of:	The Head of Legal Services
Wards Involved:	All
Policy Context:	High Ethical Standards
Financial Summary:	There are no financial implications arising
Report Author:	Reuben Segal
Contact Details:	Tel: 020 7641 3160 Email: rsegal@westminster.gov.uk

1. Executive Summary

- 1.1 This report sets out details of a forthcoming review of the City Council's Code of Governance to ascertain what updating is necessary, and will consider in particular what further guidance could usefully be given on the publication of ward newsletters.
- 1.2 The outcome of the review will be reported to the Standards Committee at its meeting on the 15 November.

2. Recommendations

- 2.1 That the Committee note the report and consider whether there are any particular areas covered by the Code of Governance which should be addressed in the review.

1. Background

- 1.1 There is a need for a review of the Code of Governance arising from a request by the Standards (Hearing) Sub-Committee of Westminster City Council's Standards Committee following the conclusion of a hearing into an investigation of a complaint. The complaint alleged that council facilities had been used in connection with party political matters, produced newsletters for circulation to the public on a large scale and had sought officer assistance to do so.
- 1.2 The Sub-Committee requested, as part of its findings, that a review should be undertaken of the relevant parts of the Code of Governance to ascertain if any updating was necessary and that consideration be given to what further guidance could be given on the publication of ward newsletters, the outcome of such a review should be presented to the Standards Committee.
- 1.3 The review which has been requested presents an opportunity for a wider review of the Code if the Committee considers it appropriate.

2. Review of the Council's Code of Governance

- 2.1 The City Council's Code of Governance was first issued in 1998 and is kept under review and updated in accordance with the principles and requirements of the CIPFA/SOLACE revised framework which itself builds on governance work both in the public and private sectors and in particular "The Good Governance Standard and Public Services" drawn up by the Independent Commission on Good Governance in Public Services.
- 2.2 The City Council's Code of Governance was last reviewed in 2006 and is updated as necessary to reflect organisational changes. The request of the Standards (Hearing) Sub-Committee provides a timely opportunity to review the Code so as to provide greater clarity to Members and also Officers of what is expected of them when representing the Authority.
- 2.3 Issues currently addressed in the Code are as follows:

Section 1 - General Information Relating to the Council's Overall Decision Making Process

The Council's Constitution
Citizens' Rights
Standing Orders
Terms of Reference
The Forward Plan
The Council
The Role of the Leader of the Council
The Executive (or Cabinet)
Individual Cabinet Member
Informal Meetings of Cabinet Members
Cabinet Committees
Cabinet Working Parties

Policy and Scrutiny Committees
Policy Development and Review Role
Scrutiny Role
Area Forums
Regulatory and other Committees
Standards Committee
Audit and Performance Committee
General Purposes Committee
Joint Arrangements
The Lord Mayor of Westminster
The Lord Lieutenant

Section 2- The Officer Structure

Who's who in Westminster
The Departments of the Council
Statutory Officers
Functions of the Head of Paid Service (i.e. the Chief Executive)
Functions of the Monitoring Officer
(i.e. the Strategic/Head of Legal Services)
Functions of the Chief Financial Officer
(i.e. the Director of Finance and Resources)
Functions of the Strategic/Head Director of Children's Services
Functions of the Strategic/Head Director of Adult Services

Section 3- The Framework within which Decisions are made

Financial Regulations
Personnel Regulations
Procurement Code & Contracts Code
Audit Commission
Performance Planning and Best Value

Section 4- Roles/Relationships

Principles underlying Member/Officer Relations
Relationship between Lord Mayor and Officers
Relationship between Leader and other Members of Cabinet and Officers
Relationship between Chairman and Members of Policy and Scrutiny Committees and Officers
Role of Chairmen generally including relationship with Officers
Officer Relationship with Party Groups
Members in their Ward role and Officers
Deputy Cabinet Members and Lead Members

Section 5 - Officer Support for Members

Cabinet Support
Cabinet, Committee and Scrutiny Secretariat
Corporate Management Board (CMB) Ward Champions
Neighbourhoods and Engagement Team
Scrutiny Research Analyst
The Leader of the Opposition's Secretary

Support to the Lord Mayor of Westminster
Clerk to the Lord-Lieutenant of Greater London
Handling the Media
Attendance at Meetings Generally
Handling Correspondence
Briefings
Handling Complaints by Telephone
Mayor of London/Greater London Authority
Local Government Associations
Inward Visits
Code of Conduct for Councillors
Appointments to Outside Bodies
Foreign and Other Visits by Members and Officers
Visitors to Westminster
Visits from Westminster
Criteria for accepting invitations
Procedure
Officers

Section 6- The Process of Decision Making

Information Reports
Callover Processes (Policy & Scrutiny Committees, General
Purposes Committee and Audit and Performance Committee)
Individual Cabinet Member Reports

Section 7- When Things Go Wrong

Corporate Complaints Procedure
The Local Government Ombudsman
"Ex Gratia Payments"
Complaints about Member Conduct

Section 8- Customer Care Standards

Answering Correspondence
Answering the telephone
Use of voicemail/answer machines
Email
Published e-mail addresses
Security Passes/Name Badges
Complaints handling procedures
Published phone number, web and e-mail addresses and faxes

- 2.3 As part of the review officers will consult Party Whips on the issue of the production of ward newsletters and any other significant changes. Their views will be included in the report presented to Committee.
- 2.4 Following consideration of the report by the Standards Committee any revisions agreed to the Code of Governance will be made and published on the Council's website and a summary of key changes circulated to Members and officers of the Council.

3. Legal Implications

- 3.1 The City Council's revised Members Code of Conduct sets out the conduct which is expected of members and co-opted members of an authority came and into effect from 5 September 2007. It supersedes the original Code adopted by the City Council in 2002 and thus complies with Section 51(2) of the Local Government Act 2000.
- 3.2 The Council may include other provisions which are consistent with those of the revised model code issued in 2007.

4. Financial Implications

- 4.1 There are no financial implications arising from this report.

5. Conclusion and Reason for Decision

- 5.1 The review will respond to the request of the Standards (Hearing) Sub-Committee and will offer an opportunity to consider how the Code of Governance could be improved so as to provide greater clarity to Members and also Officers of what is expected of them when representing the Authority.

If you wish to inspect one of the background papers please contact Reuben Segal, email regal@westminster.gov.uk

Background Papers

Consideration of Investigation into a complaint against Councillors Barbara Grahame and Aziz Toki - Report to the Standards Sub-Committee (2) dated 15 December 2009 (**confidential**)