

<p><b><u>MEETING</u></b></p> <p><b>COUNCIL</b></p>
<p><b><u>DATE AND TIME</u></b></p> <p><b>TUESDAY 16TH JULY, 2013</b></p> <p><b>AT 7.00 PM</b></p>
<p><b><u>VENUE</u></b></p> <p><b>HENDON TOWN HALL, THE BURROUGHS, NW4 4BG</b></p>

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
4.4	Report from the Constitution, Ethics and Probity Committee - 8 July 2013	1 - 38

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# Report from the Constitution, Ethics and Probity Committee

8 July 2013

AGENDA ITEM 4.4

\*Councillor Melvin Cohen (Chairman)  
\*Councillor Joan Scannell (Vice-Chairman)

*Councillor Jack Cohen	*Councillor Alan Schneiderman
*Councillor Richard Cornelius	*Councillor Mark Shooter
*Councillor Anthony Finn	*Councillor Andrew Strongolou
*Councillor Alison Moore	*Councillor Claire Farrier (In place of Barry Rawlings)
Councillor Barry Rawlings	

\*denotes Member present

## 1. REVIEW OF RESIDENT FORUMS

The Head of Governance introduced the report. Public comments were received on this item from Mr Dix and Ms Musgrove.

The Committee agreed that Officers should review the publicity for Resident Forums and do whatever was necessary to increase awareness of the existence of Residents Forums.

RESOLVED - That the Committee having considered the suggestions in the report for improving Resident Forums, together with feedback from consultation including at the round of Forums held on 25 June 2013, agreed that the below changes be recommended to full Council for adoption:

- i) The start time of the Residents Forum to be at 6.30pm and the Area Environment Sub-Committees to start at 8.30pm or at the conclusion of the Resident Forum, whichever is earlier.
- ii) Residents may raise any matters relevant to the Council except for matters relating to specific planning applications.

## 2. CONSTITUTIONAL REVIEW

The Head of Governance introduced the report. Public comments were received on this item from Mr Hope.

RESOLVED - The Committee having considered the proposed changes to the Constitution as set out in the report, agreed that the below changes be recommended to full Council for adoption:

### Section of Report

Paragraph 9.4 - Management of Assets, Property and Land and Responsibility for Functions

### Proposed Change(s)

Regularise the two minor inconsistencies between the provisions of Management of Assets, Property and Land Appendix 1, Table A and paragraph 7.13 of Responsibility for Functions.

Paragraph 9.5 – Council Question Time	Propose retaining existing arrangements whereby questions to Cabinet Members from an Independent (non-aligned) Member are taken after all of those from the party groups.
Paragraph 9.6.4 – Contract Procedure Rules – Waiver of Requirement for two written quotes and additional definition of ‘Individual Placement Agreement	Defer to the next meeting of the Committee.
Paragraph 9.6.8 – Contract Procedure Rules – Waiver of Requirement for two written quotes and additional definition of ‘Individual Placement Agreement	Agreed – Include the definition of “Individual Placement Agreement”.
Paragraph 9.7 – Overview and Scrutiny- Terms of Reference of Contract Monitoring Overview and Scrutiny Committee	Agreed – subject to taking out the reference to “Public Health”.
Paragraph 9.8 – Appointment of School Governors	That the Committee note the report and that Officers (i) prepare a schedule of all Schools and Governors and this be reported to the next meeting of General Functions Committee on 22 July 2013 (ii) Governor Clerking Service should give School Governors advance notice one term before their term of office is due to expire.
Addendum – Public Participation and Engagement	Additional paragraph 3.4 added: “Members of the public making comments are able to send a substitute if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing”.

Meeting	Constitution, Ethics and Probity Committee
Date	8 July 2013
<b>Subject</b>	<b>Review of Resident Forums</b>
Report of	Assurance Director Head of Governance
Summary	This paper sets out options for enhancing Resident Forums to make them more engaging, as requested by this Committee at its last meeting.

Officer Contributors	Maryellen Salter, Assurance Director Andrew Nathan, Head of Governance
Status (public or exempt)	Public
Wards Affected	All
Key Decision	N/A
Reason for urgency / exemption from call-in	N/A
Function of	Council
Enclosures	None
Contact for Further Information:	Andrew Nathan 020 8359 7029 <a href="mailto:andrew.nathan@barnet.gov.uk">andrew.nathan@barnet.gov.uk</a>

## **1. RECOMMENDATIONS**

- 1.1 That the Committee consider the suggestions in this report for improving Resident Forums, together with feedback from consultation including at the round of Forums held on 25 June 2013.**
- 1.2 That the Committee recommend any changes to Full Council.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Special Committee (Constitution Review), 14 April 2011, agreed proposals for reform of Resident Forums
- 2.2 Constitution, Ethics and Probity Committee, 10 April 2013- agreed that a review of resident Forums, including consultation with the Forums, be brought back to this meeting.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 To ensure that the Council has robust corporate governance arrangements, that enable the Council to deliver its objectives set out in the Corporate Plan, the Council's decision making structures should be kept under review to ensure that they provide effective opportunities for resident participation and engagement.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 There is a risk that, without effective channels of participation and engagement, resident satisfaction with their ability to influence decisions, and with the Borough as a whole, will decline and hinder the achievement of the Council's corporate objectives.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 The decision making processes of the Council, as enshrined within the Constitution, need to be transparent and accessible to all sectors of the community. This review of the Constitution will help ensure that this is the case and ensure the Council is meeting its equality obligations. The results of the consultation will inform the equalities impact assessment.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 The proposals in this report must be achieved within existing financial and staff resources.

## **7. LEGAL ISSUES**

- 7.1 There are no specific legal requirements to hold Resident Forums.

## 8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Council Constitution, Article 9- sets out arrangements for Area Committees, Forums and Local Strategic partnerships
- 8.2 Council Constitution, Part 3, Section 3 – details the functions of the Constitution, Ethics and Probity Committee, which are to “proactively to review and keep under review all aspects of the Council’s Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council”.
- 8.3 This is not a ‘key decision’.

## 9. BACKGROUND INFORMATION

- 9.1 At the Constitution, Ethics and Probity Committee meeting on 10 April 2013, it was agreed that as part of the review of the Constitution in 2013/14 that proposals relating to Area Sub-Committees and Forums be brought back to this meeting for further consideration and that residents be asked for their views.
- 9.2 This item was on the agenda for the 25 June round of Resident Forums and a questionnaire circulated and discussed. A number of questionnaires were handed in on the evening, but, at the time of statutory publication of this agenda, others were still arriving and further consultation is taking place through the Council’s website with those that did not attend the Forums. As a result a further paper will be issued as an addendum with results of the consultation to date.
- 9.3 The following process improvements are also suggested for the Committee’s consideration:
  - 9.3.1 Allow for items raised at Resident Forums to be placed on the next relevant Area Environment Subcommittee agenda, at the chair’s discretion
  - 9.3.2 Reviewing how attendance at the Forums can be improved and bring in a wider spectrum of people through better and more targeted consultation **including the use of social media.**
  - 9.3.3 Greater use of the Forums by the Council, and possibly other partners, to provide advice and information on subjects that residents may find useful- eg changes to recycling as discussed in June.
- 9.4 The role of Resident Forums will require considering ‘in the round’ as part of the New Governance System project, and specifically how residents engage with the Council in the new structure. Any proposals agreed as a result of this report are designed to be able to be implemented swiftly and easily, while allowing these wider issues to be considered during 2013/14.

9.5 Any changes proposed will require constitutional amendment and hence will be recommended to Council on 16 July 2013.

**10. LIST OF BACKGROUND PAPERS**

10.1 None.

<b>Cleared by Finance (Officer's initials)</b>	<b>AD</b>
<b>Cleared by Legal (Officer's initials)</b>	<b>LC</b>



**APPENDIX 'A' to addendum to item No. 7**

**RESIDENTS FORUM SURVEY FEEDBACK TO DATE (AS AT 5 JULY)**

**Summary:**

**Total: 52 respondents** (17 attending Barnet, 17 Hendon, 17 Finchley and Golders Green, and 1 location not stated )

**How often do you attend?:**

- Don't remember/no response: 111 (3, 6%)
- First meeting: 111111111111 (13, 25%)
- Each meeting : 1111111111111 (14, 27%)
- 1 or 2 a year: 111111111111111 (17, 33%)
- Less than once a year: 1111 (5, 10%)

**Satisfaction?:**

- Very satisfied
- Fairly satisfied 1111111111 (12, 23%)
- Neither 1111 (4, 8%)
- Fairly dissatisfied 1111111111111 (15, 29%)
- Very dissatisfied 1111111111111111 (19, 37%)
- No response 11 (2, 4%)

**Summary of trends in response comments:**

**Start times:** Of those commenting on the start time of responses all (18) were in favour of a slightly later start time (of between 6.30-7.30) to allow people to commute from work. Two respondents also suggested the council could experiment with holding at weekends.

**Inclusion of policy matters/ability to discuss all matters**– all but one of respondents were in favour of opening up the discussion remit of Forums to include wider council policy matters, and the majority specified they thought there should be no restrictions on what concerns could be raised. Many respondents considered participation and engagement levels would improve if it were allowed for issues to be taken from the floor

**Summary table of suggested enhancements to improve publicity of Residents Forums:**

<b>Suggestion</b>	<b>Numbers</b>	<b>Specific comments</b>
<b>Social media (Facebook and Twitter)</b>	111111	
<b>Email</b>	111111	Start an email database Could use the emails of many residents Ability to sign up to email and social media alerts
<b>More prominence on Barnet council website</b>	11	The Forums should be given more prominence on the Barnet online home page. Make it easier to find online
<b>Post (to residents)</b> <ul style="list-style-type: none"> <li>• Include with Council Tax demands (11)</li> <li>• Promote within the annual council report that is delivered to all households (1)</li> <li>• Include within other correspondence sent to residents (1)</li> </ul>	1111111	Include information and dates with Council Tax demands Direct mail to residents Put notices in with correspondence sent to residents. Perhaps could be promoted in annual council report that is delivered to all households. When council tax demands are sent out next year a leaflet could be enclosed asking for those interested to email Barnet to request they be put on the forum mailing list
<b>Local library</b>	11111111	Notice board/ at enquiries desk
<b>Local newspaper</b>	1111	Notice in local paper needs to be more prominent, and earlier. Give notice much more prominence Not seen local paper ads – should put on the front pages. Never seen it in the paper and don't have online access – needs to be more prominent.
<b>Council buildings notice boards</b>	11111	Re-establish local council notice boards across the borough for notices of meetings Advertise on notice boards in council offices with public access and in council properties. All council offices should display notices Better signage at location where they are
<b>Council magazine</b>	11	In the newsletter that goes in peoples' door
<b>Posters/notice boards (other locations):</b>		

<b>Suggestion</b>	<b>Numbers</b>	<b>Specific comments</b>
<ul style="list-style-type: none"> <li>• Train/tube stations</li> </ul>	1	Flyer at local tube/train stations/houses.
<ul style="list-style-type: none"> <li>• Supermarkets</li> </ul>	1111	Ask supermarkets to display an A4 poster 2 weeks ahead of the meeting on the wall of its café, its entrance and its toilets (could be emailed to them). Future planning application by supermarkets and other establishments should include the requirement to have a council noticeboard if requested.
<ul style="list-style-type: none"> <li>• Local shops</li> </ul>	11111	Advertise the forum locally in high street shops. Have an advertising board in Brent Cross shopping centre Posters giving time, date at location, put up in public places such as the Spires
<ul style="list-style-type: none"> <li>• Local cafes</li> </ul>	1	
<ul style="list-style-type: none"> <li>• Local post offices</li> </ul>	1	Via posters and notices
<ul style="list-style-type: none"> <li>• Health centres</li> </ul>	111	Drs surgeries, dentist etc NHS noticeboards
<ul style="list-style-type: none"> <li>• Leisure centres</li> </ul>	1	
<ul style="list-style-type: none"> <li>• Parks notice boards</li> </ul>	1	
<ul style="list-style-type: none"> <li>• Street posters</li> </ul>	11	
<ul style="list-style-type: none"> <li>• Other organisations working in Barnet (eg pubs, churches, mosques, community groups, community centres etc)</li> </ul>	11	Organisations could display a poster in their office or email it to their members Faith groups and community centres etc
<b>Schools</b>	11	School newsletters School noticeboards
<b>Contact Resident Associations</b>	1111	Use neighbourhood watch/ Resident Association networks. You could write something now and again in Residents Association Newsletters or websites Give us more notice of the date and ask residents' associations to circulate the information to their members via email and via a leaflet.
<b>Ask neighbourhood watch to advertise</b>	11	Use neighbourhood watch/ Resident Association networks.

Full comments table:

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
<b>CHIPPING BARNET</b>							
1	Find out what is				Facebook, twitter, library	Move them around again	Yes
2	Road safety in Manor Drive N20						
3	To find out about local issues and how the council deals with them. Occasionally to ask questions	I have been disappointed in the past about answers I have received and whether there is any point			Notices in library? Examples of where actions have been taken as a result of issues raised at the Forum made more public	Have info about the event and previous events available on the internet eg I looked today and could not find the agenda for this meeting or previous minutes of last meeting	Yes
4	To discuss any local issues		Should be later start – 7pm		Via health centres – Drs surgeries, dentist, local shops, school newsletters	By changing the restrictive rules on what can be discussed	Yes
5	To hear what is going on	Be able to discuss more issues			Ask RAs, neighbourhood	To be more	Yes

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
					watches etc to also advertise it	relevant	
6	To stay informed about local affairs and to participate in the discussions, to promote and protect democracy	Because sometimes issues cannot be resolved on the night, which is understandable but there is no follow up. Waiting 3 months to ask a question or raise an issue again is not good enough. However the way the meeting itself is run is very good	6.30 would be more convenient		Posters and leaflets in local post offices	Let people raise any issue they want even on the night – as it can be discussed even if a question cannot be answered on the night	Yes
7	Concern over local issues				Re-establish local council notice boards across the borough for notices of meetings	Have a 'any other business' item at end of meeting	
8			7.30pm			Wider issues of council policy should be discussed provided they are not allowed to become a 'political soap box'	Yes
9	Because the information that is given to the residents of ~Barnet is very limited and difficult to access	I have never had the opportunity to attend a Forum and I would like information about what is happening in the borough and see what the council is doing on our behalf			Don't always receive the local paper and have never heard of Barnet Online	Let us know what is going on – feel ignored unless it is election time	Yes
10	To have input into Borough				Include information and		Yes

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
	affairs				dates with Council Tax demands		
11	To listen to and raise issues of local concern	Treat residents with courtesy and respect. The council should represent the electorate and encourage engagement with residents.  Currently what we have are council forums not resident forums			Libraries, health centres, large supermarkets, notice in local paper needs to be more prominent	1-2 weeks' notice of forums needed to allow residents time to plan/make arrangements to attend	Yes
12	To get information otherwise unpublicised by the council. To voice concern about council actions and behaviour	Mark it a genuine dialogue between council and residents, particularly by 1) widening the forum's remit, 2) listening respectively to questions and concerns and 3) acting effectively in response			More easily find information online. Notices (and ideally dates) in the council magazine.	Genuine commitments to dialogue	Yes
13.	To find out what is going on in my locality To ask questions on issues that interest me	Many topics cannot be discussed at residents forums. This is extremely undemocratic and should be revised	7-7.30pm		Posters sent to libraries, put up in leisure centres, supermarkets, sent to faith groups, community centres. Better signage at location where they are – at the moment it is atrocious	See previous. Hopefully this would lead to less apathy	Yes
14.	To know what is going on in the area				Posters giving time, date at location, put up in public places such as the Spires		Yes
15.							

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
16.							
17	To talk about local problems to seek resolutions with councillors officers and police	Need to be open to discussion of wider council policy - how else can we let the council know about the impact of their service plans. Also what can we do to make things better.		A church in East Barnet or the community hall in Margaret Road	I don't check Barnet online – how about notices in libraries, NHS noticeboards, school boards – shops?	A spirit of cooperation – whoever runs services to respect they are being paid for by our money – access to all	Yes
<b>LOCATION NOT STATED</b>							
18							
<b>HENDON</b>							
19	To raise issues	The solutions to the issues are not implemented soon, The issues are raised time again because the council does not act quickly.  Wider issues should be considered so that it will be worthwhile for members to attend the meeting		Should be held in various parts of Hendon where residents could attend easily	Notices in the newspapers is too late. If you could hold forums in different venues you could advertise it by leaflets in the local area	Questions should be taken by the forum after its published agenda items are completed	Yes
20	To better understand what is happening in my locality	Many significant issues may not be discussed; other important issues are given only a cursory response.  Matters relating to local public works are inevitably affected by	6pm not convenient for everyone who works		The Forums should be given more prominence on the Barnet online home page. The issues list should be up on the website in advance of each meeting	More councillors and officers should attend. Forums should be more frequent than 4 times a year	Yes

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
		council policy, it is a nonsense that policy cannot be addressed					
21	To bring issues of concern	More consultation with residents appropriately on a regular basis	6.30-7pm better (too early for people at work)		Twitter and local media	Bring back each forum in the wards	Yes
22	To get local information. To raise any question						Yes
23	Current issues relating to Mill Hill	Matters for discussion were curtailed	Held a little early – 6.30pm better			I used to attend Forums very regularly but became disenchanted and the same people were posing questions and the same issues being raised - the Forums seemed to be a PR exercise but not much was getting done	Yes
24	A local issue that affected me personally	Have a roving microphone so everyone can hear. Panel should not converse if a member is speaking. Residents should be able to raise any concerns they have and for it to be put on the	Hold later in the evening		Direct mail to residents		Yes



No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
25	As council candidate (prospective) for next year's elections, to learn about how the council works	next agenda and forum	Later start				No
26	To keep in touch with important local issues and hear what ordinary residents say. Also I may wish to contribute	Stop gagging about the One Barnet Plan			Notice should be given in a very prominent place in local papers. You have the emails of many residents, you could use these	No gagging	Yes
27	Interest in local issues	I first saw the forum in the local paper at 18.00hrs on Friday 21/6. I contacted your office on 24/6, my first opportunity – but was told I could not raise Qs. Meeting was over in an hour instead of 2. Be more receptive to issues raised by the residents			Perhaps 10 days notice in the local papers and only 24 hours notice required for questions such as traffic congestion		Yes
28	To find out what the council is doing in my area				By email		Yes
29	To raise local issues with the council and to ask why certain policy is being applied	The forums place unnecessary restrictions on how the public can engage with the councillors and council officials rendering the forums useless	7.30pm		Council noticeboards and email	Make them genuinely open by not restrictions can be discussed	Yes
30	The litter and flytipping problems and the Council's neglect in maintaining the area	Please ask your councillor to be respectful of residents and their concerns and not patronise or ridicule. Mandate council officers to provide tangible results instead smokescreen answers	7.30pm to enable more working people to attend		Advertise the forum locally in high street shops and in tube stations	If the councillors treated people with more respect and as equals more would attend	Yes

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
31	To find out about borough developments and give some views	To begin by making a commitment to listen to the views of residents.  Essential to be able to discuss public policy - There can be no buy in to Council decisions and appreciation of the difficulties that Councils face if there is not a commitment to representation		Friern Barnet and Finchley areas	Use email	More time for commentary from residents. Each commentator given a restricted period of time	Yes
32	To keep informed of what is going on and what the council is doing	Discuss wider issues whilst accepting that forums do not set these policies (but allows the public to be aware of the issues)			Advertise on notice boards in council offices with public access and in council properties	Invite more audience participation	Yes
33	Municipal theatre. I'm nose						
34	Concerns and issues of importance long overdue that the council needs to address	Prompt attention, information on progress – if we pay we should receive.  Discuss wider issues - comments/question can be directed to whoever should deal with them				Deal with the concerns and problems that Barnet citizens bring to attention. Officers and councillors should be more polite and to the point in response to questions	Yes
35			Slightly later than 6pm to give		Flyer at local tube/train stations/houses. Put notices in with correspondence	Better publicity/timings	-

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
			people time to get here after work		sent to residents. Start an email database		
<b>FINCHLEY AND GOLDERS GREEN</b>							
36	Refuge required in Regents Park Road			Avenue would be better location			
37	Hear of and engage with other residents on issues regarding life in the borough	Like it to include all issues – borough wide as well as policy issues and local. Issues should be submitted maximum by the day before as used to be or on the night even if it means that a follow up will be done post meeting. Should be more frequent.			Street posters and parks notice boards and cafes		Yes – the forum can feed into policy making
38	Listen to views	Allow policy discussions, allow Qs on the day, allow floor comments at Area Committees		Somewhere in East Finchley	Facebook, twitter, letter	More openness and democracy, let people speak opinions at Env forum	Yes
39	Hear views	Let people have a proper discussion, why can't we discuss policy?				Let people talk and raise issues at the meeting	Yes
40	To keep myself informed of local issues and raise issues of concern	Allow full discussion of all topics of interest, including policy – schools, social services health and	7 or 8pm to allow commute		Use neighbourhood watch/ Resident Association networks. Change format to	Being able to talk about what residents want to	Yes

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
		road safety. Allow residents to raise issues at the meeting	from work		allow full participation on all issues	discuss	
41	To being a specific road safety matter			Avenue House			-
42	Crossing Regents Park road						-
43	Discussing local issues, raise Qs, getting involved	More frequent meetings, regional meetings – gluing together such distances as GG and Finchley is bizarre and unhelpful. Discuss policy issues – there are no other places to discuss those and Cabinet, full council and committees meeting do not allow meaningful discussion. No time limit on repeating questions. It is ridiculous not to allow a repeating Qn with such frequencies of meetings. Longer meetings – 1- 1.5 hours do not allow enough time. Councillors should stop running meetings like czars and show respect to the residents		More meetings in regional locations, running from GG to Finchley is cumbersome	Not seen local paper ads – should put on the front pages. Meetings should encourage discussions, councillors should stop looking at their watches. Issue meaningful reports of the meetings and report follows up on the council website		Yes
44	Dissatisfaction at undemocratic actions of council	Give residents awareness of the existence of the Forums. Give all residents the democratic opportunity to raise any issue	7pm or weekends	Golders Green /Childs Hill area	Posters in the street, mailings through doors	Residents being made aware of the existence of Forums. More Forums local to our area	

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
45	I am interested in local decision making and care about my community. I have lived in the borough for 59 years.		Evenings are best		In the newsletter that goes in peoples' door. More prominently in the paper – I have never noticed this and do not access Barnet online, Needs much more publicity	They need to be open and welcoming and genuinely consultative and responsive	Yes
46	To keep informed of what's happening in my local area and attempt to keep a dialogue going between residents and council to achieve satisfactory outcomes when problems arise or changes made	Send round or email proposals of change, works etc to chairs of Residents Association so that they may discuss with residents (eg new recycling system). Send out agenda at least a week before the meeting. I always feel, though the council claim to consult, decisions have already been made. It takes longer to consult on issues but in the end more effective as residents will be behind the council with their support.	7pm	Crown Moran, Cricklewood Broadway	You could write something now and again in Residents Association Newsletters or websites	Competent chairing, when people feel they have had their say not have to listen to 'hobby horses'. Breaking down 'them and us' feeling	Yes
47	To ensure local issues are heard by councillors and officers and acted upon. Issues often seem to be addressed more quickly if raised at the forum. It is also very useful to meet council officers. This is especially important if you represent a	Needs to have a much wider agenda – it is so restricted that residents believe Barnet is trying to dispense with the meeting and side step democracy. We should be able to raise items from the floor and raise any items including planning, policy etc. It is no longer democratic. It is not	Not when it is in North Finchley. 6.30 would be better, or experiment with having a forum at	The Greek Cypriot centre is very inconvenient The Crown in Cricklewood	Give us more notice of the date and ask residents' associations to circulate the information to their members via email and via a leaflet. Have an advertising board a) in Brent Cross shopping centre	Better venues – more conveniently located Better timing Being allowed to raise an item from the floor Circulating the agenda in advance	Yes

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
	<p>residents association and are about where you live, your neighbours and your community. Equally important is the opportunity for officers to meet residents and understand different community needs. It helps 2 way communication and greater understanding on both sides. Residents are the experts on their community</p>	<p>essential for officers to be able to address every issue raised at the meeting. Many residents would be happy to hear that a council officer will look into an issue and get back to them. We are all human being , can and should respect and understand each other.</p>	<p>a weekend</p>	<p>probably be prepared to host a meeting at a very reduced cost or even for free. It has some good meeting spaces. Given that residents of Cricklewood are expected to travel it seems fair that residents from other parts of the borough should travel to Cricklewood. Another</p>	<p>B) in the large supermarkets in the borough and c) at underground and rail stations By advertising board, I don't mean a huge poster, I mean asking supermarkets to take a poster and take responsibility for displaying it 2 weeks ahead of the meeting on the wall of its café, its entrance and its toilets – an A4 size poster could be emailed to them. Supermarkets are always keen to show their corporate responsibility and community mindedness. Future planning application by supermarkets and other establishments should include the requirement to have a council noticeboard if requested. The same approach could be adopted with many organisations working in Barnet which could display a poster in their office or email it to</p>	<p>Better notice of forthcoming meetings Not being fobbed off because your item is sent to council at 4pm instead of by 10pm eg a more sensitive response with an understanding that people have jobs and other commitments so cannot always run to council timetables More frequent meetings A wider agenda with residents able to raise any item they choose</p>	

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
				option would be St Agnes church hall which has a large meeting room and a car park.	their members (eg pubs, churches, mosques, community groups etc). When council tax demands are sent out next year a leaflet could be enclosed asking for those interested to email Barnet to request they be put on the forum mailing list. All libraries and council offices should display posters for the forum.		
48	To raise issues of concern in local neighbourhood	Issues not investigated or dealt with thoroughly. Questions left unanswered and subsequently 'disappear' off the system. System is laborious. Officers seem 'out of touch' with community	Depends on venue. If in the wilds of North Barnet should be no earlier than 7pm	St Michaels in Golders Green is ok	It is adequate, providing venues are always convenient. Many people who have a job can't make 6pm	Too cumbersome management of meeting. Officers should be able to answer some of the questions raised and on the agenda at the meeting	Yes - The change was not for the better
49	I am trying to get residents parking outside our flats and advised to bring it to the forum	Why can't responses be sent to petitioners before the meeting so there is time to prepare to comment. The reasons for not agreeing to our request are not acceptable.			Did not know about forums before the issue, so not have computer. Perhaps could be promoted in annual council report that is delivered to all households	Too long a time elapses between issues raised and answers. There seems to be a lot of frustration amongst those	Yes – though the meetings would need to be more frequent. They would

No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
50.	To participate in the 'democracy' of Barnet! To help the council to administer the rules fairly and economically	I did write a letter to the councillor – but I got no reply so I wonder what 'attitude' you will take about this form!  Barnet residents and workers of the council wish to cooperate with local government but for that to happen people with power should not abuse that power; pennywise proud foolish polities are counter-productive. Unison's analysis of Council's wasteful privatisation should be taken seriously			At a predicatable space – in every public library eg enquiries desk. Increase the time allocated to free access at libraries (currently not long enough to allow viewing of council webpages). Give space also to BAPS campaign as they are more informative generally	addressing the panel about getting responses to issues.  Procedure of meetings should show clearly the spirit of inclusion eg my concerns are sidelined. I want to hear both sides views.	need to be themed and well promoted  Yes
51	I attended a forum a few years ago to raise an issue to do with school places, but I found the chair and council staff so rude I haven't bothered attending again. I felt I was treated very disrespectfully.	There has got to be open dialogue and a feeling that residents concerns are being recorded and listened to. I felt embarrassed at the way other residents were spoken to, particularly older residents		Golders Green is not easy to get to from E Finchley – Avenue Hse better or East Finchley library	Direct emails. I never know when the forums are taking place. If I could sign up for a direct alert/text//tweet/email that would be great, something I can interact with instantly	A feeling that the council is really listening, is engaged and wants to help. Pleasant chair. Less intimidating for new participants. People only attend	Yes



No	Main reason you attend	Suggestions to improve (if dissatisfied)?	Other time (ID)?	Other location	Publicity suggestions	Changes to way forums run	Discuss wider council policy?
						if they feel it will make a difference	
52							

## CONSTITUTION ETHICS AND PROBITY COMMITTEE

8 JULY 2013

### ADDENDUM TO ITEM 7; REVIEW OF RESIDENT FORUMS

1. Section 9.2 of the report at this item states that a further report would be prepared on results to date from the consultation which included a questionnaire supplied at the 25 June 2013 round of Residents Forums and also posted on the Council's website.

2. This addendum summarises the consultation to date. 52 replies have been received as of 5 July 2013, with a similar number from each of the three Forum areas. Respondents were a mix of people who attended every meeting, attended sometimes or were attending their first Residents Forum:

Attendance	Number	%
Each Meeting	14	27
1 or 2 a year	17	33
Less than once a year	5	10
First meeting	13	25
Don't Remember/No response	3	6

However there were generally low satisfaction levels with Forums currently.

Satisfaction Level	Number	%
Very Satisfied	0	0
Fairly Satisfied	12	23
Neither	4	8
Fairly Dissatisfied	15	29
Very dissatisfied	19	37
No response	2	4

3. The recurring themes appear to be:

- Start time- 6.00pm is seen as too early and many residents are suggesting times between 630pm and 730pm;
- Issues - Many residents state they attend to find out about issues of local concern. There seems to be a groundswell of opinion that wider Council issues should be discussed or debated, even if there is also recognition that Forums do not have the authority to determine policy or provide instant answers. In addition, a number of people wanted the opportunity to raise issues from the floor without advance notice.
- Publicity - a wide variety of useful suggestions were received for better promotion of the Forums. These included 'traditional' means such as including

information with Council Tax demands and other Council correspondence and greater use of Libraries and Council noticeboards, and cascading information through Resident Groups, in addition to more effective use of social media.

4. A copy of all responses, grouped by theme, is attached at Appendix 'A.'
5. The deadline for return of the online questionnaire is Monday 15 July 2013. The Committee are therefore requested to agree that the report to Council on 16 July 2013 from this Committee will include as an Appendix an updated summary of the findings, to allow all comments to be taken into account.

Andrew Nathan

Head of Governance

5 July 2013

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Meeting	Constitution, Ethics and Probity Committee
Date	8 July 2013
<b>Subject</b>	<b>Constitutional Review</b>
Report of	Assurance Director
Summary	This paper makes a number of recommendations for further changes to the Constitution that was agreed by this Committee on 10 April 2013 and Council on 16 April 2013.

Officer Contributors	Maryellen Salter, Assurance Director Andrew Nathan, Head of Governance
Status (public or exempt)	Public
Wards Affected	None
Key Decision	Not applicable
Reason for urgency / exemption from call-in	Not applicable
Function of	Council
Enclosures	Tracked changes of sections proposed
Contact for Further Information:	Andrew Nathan, Head of Governance, 020 8359 7029, andrew.nathan@barnet.gov.uk

## **1. RECOMMENDATIONS**

- 1.1 That the Committee consider the proposed changes to the Constitution as set out in the report, and discuss the recommendations proposed.**
- 1.2 That under Article 4.02 of the Constitution, these changes are recommended to Full Council on 16 July 2013 for adoption.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Constitution, Ethics and Probity Committee, 22 October 2012, Constitution Review – the Committee agreed that a full review of the constitution should be undertaken to reflect the new organisational structure and incorporate changes required as a result of the Localism Act 2011 and other legislative changes.
- 2.2 Constitution, Ethics and Probity Committee, 10 April 2013, Constitution Review – the Committee agreed changes to the Constitution for recommendation to Council
- 2.3 Council, 16 April 2013, item 4.3- agreed the above recommendations.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 To ensure that the Council has robust corporate governance arrangements, that enable the Council to deliver its objectives set out in the Corporate Plan, the Constitution should be kept under review and subject to amendments and alterations periodically to ensure that it continues to be a living document and reflects the pace of change of the organisation as a whole.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 Without effective governance arrangements in place, there is a risk of delays in decision making that may adversely impact the ability of Commissioners and Delivery Units to deliver outcomes for local people.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 The decision making processes of the Council, as enshrined within the Constitution, need to be transparent and accessible to all sectors of the community. The regular review of the Constitution will help ensure that this is the case and ensure the Council is meeting its equality obligations.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 The Constitutional Review is being undertaken, in consultation with Members, with senior management involvement across the Council. There are no specific budget implications arising from this review, and the impact on

arrangements for decision making involving finance, procurement, human resources and property will be within existing resources.

## **7. LEGAL ISSUES**

- 7.1 Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 made several changes such as removing the requirement for local authorities to produce a Forward Plan of key decisions and replaced with a requirement to publish an Advanced Notice of Proposed Decisions Under Executive Functions; requirements to publish the intention to hold private meetings, to publish Background papers electronically, and additional rights to Members of Overview and Scrutiny to request documents..
- 7.2 The Localism Act requires that every Council has a Code of Conduct for Members and a procedure for investigating complaints. These changes had previously been accounted for and adopted by Full Council and are excluded from this review.
- 7.3 This Review does not suggest any legislative changes to the Constitution, but it is important that the Constitution is clear and concise.

## **8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)**

- 8.1 Council Constitution, Article 12, paragraph 12.03 (a) – one of the functions of the Monitoring Officer is to maintain an up-to-date version of the Constitution and ensure that it is widely available for consultation by members, staff and the public.
- 8.2 Council Constitution, Part 3, Section 2 – details the functions of the Constitution, Ethics and Probity Committee, which are to “proactively to review and keep under review all aspects of the Council’s Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council”.

## **9. BACKGROUND INFORMATION**

- 9.1 At the Constitution, Ethics and Probity Committee meeting on 22 October 2012 it was agreed that a major review be undertaken of the Constitution to ensure that it meets the needs of the new organisation following the senior management restructure.
- 9.2 This review was overseen by this Committee, which established a Working Group to review every section of the Constitution in detail. As a result, this Committee on 10 April 2013 agreed to recommend a series of changes to the Constitution, which was adopted by Council on 16 April 2013.
- 9.3 It was always intended that the constitution be kept under constant review to ensure it is fit for purpose. A number of issues have already been identified since that date and the Committee are requested to consider these and whether to recommend further changes.

## **9.4 Management of Assets, Property and Land and Responsibility for Functions**

- 9.4.1 There are currently two minor inconsistencies between the provisions of Management of Assets, Property and Land Appendix 1, Table A and paragraph 7.13 of Responsibility for Functions.
- 9.4.2 The table, at Point C, provides that acquisitions of land for £25,000 or under may be taken by a Director/Chief Operating Officer and recorded through a summary Delegated Powers Report. However the powers delegated to the Chief Finance Officer, in consultation with the Head of Legal Practice - HB Law, as provided in the latter, only authorise acquisitions of less than £10,000 per annum and leases of less than 25 years. It is suggested that the authorisation level 'C' for acquisitions be amended to the same as for level 'D' (Cabinet Member) to make the two consistent.
- 9.4.3 Likewise, Paragraph 7.13 empowers the Section 151 officer to enter into new leases with a consideration between £25,000 and £50,000. This is not reflected in the Table in the Asset, Property and Land Rules which require all leases over £25,000 to be authorised by a Cabinet Member DPR. It is suggested that the authorisation level 'D' for new leases be amended to reflect this threshold. The titles of Officers have also been changed to ensure consistency with the Responsibility for Functions.
- 9.4.4 A tracked version of the Table which makes these changes is appended at Appendix 'A'.

## **9.5 The Council - Question Time**

- 9.5.1 Paragraph 19.2 of 'The Council' Section provides that "Questions will be put to the appropriate Cabinet member in the order in which they are received by the Head of Governance, except that questions shall be ordered so that a question from one political group is followed by a question from another group until all groups have placed one question each. This sequence shall be maintained until all questions have been dealt with or the time limit for question time is reached".
- 9.5.2 At present, in the absence of any explicit reference to an Independent (non-aligned) Member's questions, such questions are taken after all of those from the party groups. Views are requested on the following as possible options:
- (i) Taking them every 4<sup>th</sup> question
  - (ii) Taking them at a suitable interval, for example, every 25<sup>th</sup> question
  - (iii) Retaining existing arrangements.

## **9.6 Contract Procedure Rules – Waiver of Requirement for two written quotes and additional definition of 'Individual Placement Agreement'**

- 9.6.1 Two issues have been identified. The first issue regards single source of supply and the procedure to be adopted when the market has been fully tested but there is only one bidding vendor. Footnote ii of Appendix I, Table A allows the Head of Procurement to authorise the acceptance of a procurement based upon this scenario for contract values of less than £75,000.



- 9.6.2 There is no provision within the footnote for the same scenario for contract values above £75,000. Hence, such an Acceptance decision would require a Waiver from the Rules by CRC report (section 15.1) in order to proceed to contract.
- 9.6.3 The key principle here is that the market has been fully tested on the basis set out within the Authorisation decision. This variation to Table A will not dilute the force of the provision for Single tender action (section 9) because it applies to the Acceptance rather than the Authorisation decision.
- 9.6.4 It is recommended that either Footnote ii is amended or an additional Footnote included within Table A which states the following:

Over £75,000 the Commercial Lead may waive requirement of 2 written quotes subject to assurance that the market place has been fully tested.'

- 9.6.5 In such circumstances final sign off will be governed through the Contract Procedure Rules process, and therefore for contracts over £500,000 a report would go to Cabinet Resources Committee with the officer recommendation.
- 9.6.6 The second issue is of a definition, which refers to section 14.1, and regards the treatment of Placement Agreements for Individuals. Section 14 determines the principles applying to Contract Variations and Extensions. Under normal circumstances a contract that is varied or extended more than once would require a Waiver report. The purpose of 14.1 is to recognise that there is a special form of contract where a high level of variation is expected, the "Individual Placement Agreement".
- 9.6.7 This term has not been defined within the new CPRs and Central Procurement believes that the special characteristics of such a contract requires further clarification for Officers during routine operations.

- 9.6.8 The proposed definition is:

***"Individual Placement Agreement"** is a contract of care need assigned to a specific individual. It can change significantly over time in terms of its duration, extent and scope. An Individual Placement Agreement award would be made to an approved Service Provider under terms and conditions already agreed commercially through an approved procurement process. They may be viewed as 'call-off' orders against pre-existing framework or similar umbrella commercial agreements.*

## **9.7 Overview and Scrutiny- Terms of Reference of Contract Monitoring OSC**

- 9.7.1 The Contract Monitoring Overview and Scrutiny Committee was established, on the recommendation of this Committee, by Council on 16 April 2013. It met for the first time on 18 June 2013 and recommended that its Terms of Reference be strengthened, to allow scrutiny of major contracts other than those specifically listed in the Terms of Reference, examples being Kier PFI contract, the Street Lighting PFI contract and the Public Health contract; and to make more explicit the ability of the Committee to challenge the external delivery providers. In addition changes of wording are proposed to reflect the fact that the client management of some contracts within the remit of the

Committee sit with in-house Delivery Units rather than the Commissioning Group, and that therefore both parts of the organisation need to be included.

9.7.2 Proposed track changes are attached at Appendix 'B' for the Committee's views.

## **9.8 Appointment of School Governors**

9.8.1 On 24<sup>th</sup> June 2013, Cabinet considered the report of the Education Strategy Overview and Scrutiny Panel. At the meeting, Cabinet noted the following recommendation: "The Panel recommend that the Cabinet endorse the proposal to adopt a streamlined approach to nominating Local Authority Governors (as set out in the Annex)." These changes have been proposed to speed up and improve the process for appointing Local Authority Governors to vacancies. Cabinet noted that this matter was to be considered by this Committee and the General Functions Committee.

9.8.2 Council Constitution, Responsibility for Functions, Section 3 (Responsibility for Council Functions), Terms of Reference of Committees – sets out the responsibilities of the General Functions Committee which includes: "All other Council functions that are not reserved to Council including appointing representatives to School Governing Bodies."

9.8.3 The views of the Constitution, Ethics and Probity Committee are sought on this proposal. Details are attached at Appendix 'C'. Subject to the Committee's endorsement, the proposals will be considered by the General Functions Committee on 22<sup>nd</sup> July 2013 and Council on 10<sup>th</sup> September 2013.

## **10. LIST OF BACKGROUND PAPERS**

10.1 None.

<b>Cleared by Finance (Officer's initials)</b>	<b>AD</b>
<b>Cleared by Legal (Officer's initials)</b>	<b>JF</b>

## APPENDIX A

PROPOSED CHANGES TO APPENDIX 1- TABLE A- Authorisation Delegated Powers in 'the Management of Asset, Property and Land Rules'

Authorisation Level <sup>1</sup>	Acquisitions	Lease in	Lease out for Rent or Consideration	Licences, Easements and Consents	Compensations, Settlements and Covenants	Disposals
A Less than £5000	Summary DPR -Lead Commissioner/Chief Operating Officer	Summary DPR - <u>Chief Finance</u> <u>officer in</u> <u>consultation with</u> <u>Head HB Public</u> <u>Law</u>	Summary DPR -Lead Commissioner/Chief Operating Officer	Summary DPR -Lead Commissioner/Chief Operating Officer	Summary DPR -Lead Commissioner/Chief Operating Officer	Summary DPR – Cabinet Member – note to CRC
	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR – <u>Chief Finance</u> <u>officer in</u> <u>consultation with</u> <u>Head HB Public</u> <u>Law</u>	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR –Asst Director/Chief Operating Officer	
B £5001 to £10000	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR – <u>Chief Finance</u> <u>officer in</u> <u>consultation with</u> <u>Head HB Public</u> <u>Law</u>	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR –Asst Director/Chief Operating Officer	
	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR – <u>Chief Finance</u> <u>officer in</u> <u>consultation with</u> <u>Head HB Public</u> <u>Law</u>	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR –Asst Director/Chief Operating Officer	Summary DPR –Asst Director/Chief Operating Officer	
C £10001 to £25000	Full DPR – Cabinet Member – note to CRC	Summary DPR – <u>Chief Finance</u> <u>officer in</u> <u>consultation with</u> <u>Head HB Public</u> <u>Law</u>	Summary DPR - Director/Chief Operating Officer	Summary DPR - Director/Chief Operating Officer	Summary DPR - Director/Chief Operating Officer	
		Summary DPR – <u>Chief Finance</u> <u>officer in</u> <u>consultation with</u> <u>Head HB Public</u> <u>Law</u>	Summary DPR - Director/Chief Operating Officer	Summary DPR - Director/Chief Operating Officer	Summary DPR - Director/Chief Operating Officer	

**Deleted:** ¶

**Deleted:** Lead Commissioner/Chief Operating Office

**Deleted:** Asst Director/Chief O

**Deleted:** Summary DPR - Director/Chief Operating Officer

**Deleted:** operating Officer

**Deleted:** Director/Chief Operating Officer

<sup>1</sup> These values may be either Capital or Annualised Income/Expenditure

- D** £25001 to £100000
- Full DPR – Cabinet Member – note to CRC
- Between £25,000 and £50,000- Summary DPR –Section 151 Officer (in consultation with Cab Member)
- Full DPR – Cabinet Member – note to CRC
- Summary DPR – Cabinet Member – note to CRC
- Summary DPR – Cabinet Member – note to CRC
- Full DPR – Cabinet Member – note to CRC
- Summary DPR – Cabinet Member – note to CRC

<b>E</b>	More than £100000	CRC Report	CRC Report	CRC Report	CRC Report	CRC Report	CRC Report
<b>F</b>	Variations post Authorisation	Delegated Powers Report Approval needed at the NEXT highest threshold above the original decision					

**Contract Monitoring Overview and Scrutiny Committee**

PROPOSED CHANGES TO TERMS OF REFERENCE TRACKED

**Responsibilities:**

1. To receive and scrutinise reports from the Commissioning Group, Delivery Units and Lead Commissioners detailing the performance against targets that are included within the Corporate Plan and otherwise relating to the services provided by the New Support & Customer Services Organisation, Development & Regulatory Services, The Barnet Group Ltd, HB Public Law (external delivery units), NSL and other major contracts, and to be able to challenge external providers.

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Deleted: Joint Legal Service

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2. To receive and scrutinise reports from the Commissioning Group, Delivery Units and Lead Commissioners detailing the financial performance of the external delivery units against savings targets detailed in the Budget and Medium Term Financial Strategy.

Deleted: and

3. To receive and scrutinise change requests and contract variations between the Council and external service providers to include (but not be limited to) the introduction of new key performance indicators, delivery of new commissions via the external delivery units, changes required due to new legislation and commercial development opportunities.

Deleted: delivery units

4. To engage with partner organisations, other relevant public sector bodies, private sector organisations, trade unions, local residents or any other appropriate witnesses when fulfilling the overview and scrutiny role in relation to the monitoring of contracts for services provided by external service providers.

Deleted: delivery units

## Other Responsibilities

5. To ensure that overview and scrutiny in Barnet is reflective of Council priorities as evidenced by the Corporate Plan and the programme being followed by the Executive.
6. To contribute to producing an annual report on the overview and scrutiny function in Barnet in accordance with the provisions of Overview & Scrutiny Procedure Rule 7.
7. Additionally and insofar as relating to matters within its remit, to perform the overview and scrutiny role in relation to:
  - The Council's leadership role in relation to diversity and inclusiveness; and
  - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

## PROPOSED LOCAL AUTHORITY GOVERNOR APPOINTMENT PROCESS

### Current Practice in Barnet

In Barnet, the current process for appointing Local Authority (LA) Governors is as follows:

- In the first instance, nominations from political parties are invited for consideration by the Council;
- If vacancies are not filled in a predetermined time period (of three months), the field of candidates is widened to incorporate applications from members of the local community, local groups and Council employees;

Applications from the wider community are screened by Governor Services according to the appointment criteria.

### The School Governance (Constitution) (England) Regulations 2012

School Governance (Constitution) (England) Regulations 2012 set out new arrangements for the constitution of the governing body of those maintained schools in England:

- that are established on or after 1 September 2012; or
- whose instrument of government is varied following a decision to vary made on or after 1 September 2012.

The School Governance (Constitution) (England) Regulations 2007 continue to apply to existing governing bodies until such time as it is decided to vary the instrument of government.

Under the new regulations, the number of Authority Governors per Governing Body must not exceed one. The Authority Governor is to be nominated by the local authority but appointed by the Governing Body, based on eligibility criteria. An individual eligible to be a staff governor may not be appointed as an Authority Governor. Removal from office would be by the local authority that nominated them.

### Current Practice in London

As part of the review, information was obtained from London boroughs with regard to their LA Governor appointment practices. The majority of appointments are non-party political as set out below. Practice among other boroughs includes

- a panel with one minority and one majority party councillor meet together with Governor Service manager to decide on appointments based on an

application form, CV and comments from the chair of governors regarding desirable skills and experience. Candidates are asked to visit the school to confirm that they understand the role and can make the commitment before finalising the appointment.

- individuals in the community nominate themselves by completing an application form. These applicants are not from political parties, but are members of the community. The application form is considered by a panel of five councillors. If they agree, the person is then appointed by the Director to a vacancy. Parents are not appointed to schools where they have a child and the head teacher's agreement is sought if the applicant is known to the school (e.g. ex-governor).
- the Cabinet Member for Education and Children's Services has power to appoint after Governor Services recruit and nominate. Appointments are made on a non-political basis. Under the new 2012 regulations for schools that have reconstituted, the Cabinet Member has the power to nominate a candidate after Governor Services has identified candidates. The governing body then chooses whether to appoint or not.
- LA Governors appointed by Appointment Panel comprising representative from Council, Representative HT and Representative Governor

### **Proposal for New Appointment Process in Barnet**

It is proposed that Barnet adopts an amended system for LA Governor appointments. Details are set out below:

A Panel with one minority and one majority party councillor would meet together with the Governor Services Manager to decide on appointments. First preference would be given to Ward Members who have put themselves forward. If a ward member is not put forward, other candidates will be assessed for suitability based on an application form and CV, together with comments from the Chair of Governors regarding desirable skills and experience being sought.

The Ward Member/proposed candidate would be invited to visit the school to confirm that they understand the role and can make the commitment before finalising the appointment. The candidate is then appointed to a vacancy, either by the Director of Children's Services (under The School Governance (Constitution) (England) Regulations 2007), or by the Governing Body (under School Governance (Constitution) (England) Regulations 2012).

The proposed new arrangements would: be in accordance with the 2007 and 2012 Regulations; streamline the current process; and would further enhance the promotion of effective governance through the recruitment and appointment of suitably skilled Governors.