

Qn No	Order No.	Questioner	Question
1	1.1	Mr Daniel Hope Item 7 Appendix 1	How many versions of the Lloyd-Jones report were / are there? <b><u>Answer:</u></b> This is a matter for Ms Lloyd Jones, who is independent of the Council.
2	1.2	Mrs Barbara Jacobson Item 7	5.3.1 The Council needs to make appropriate arrangements for corporate governance, including via the appointment of a Monitoring Officer with resources sufficient to deliver statutory functions. Ms Clear Lloyd-Jones' report states 'The MO's statutory role remains as the person who polices the lawfulness of an authorities [sic] conduct and decisions' and has made clear that the Monitoring Officer's lack of legal qualifications was a factor in the situation being addressed. Given this, how can the council – and more importantly, the residents – accept that this Monitoring Officer was an appropriate adjudicator in the complaint brought against Cllr Rayner, particularly given her decision to ignore certain parts of the complaint against independent advice? <b><u>Answer:</u></b> The Monitoring Officer's decision-making in this matter was fully supported by legal advice.
3	1.3	Ms Anna Slater Item 7	Is Barnet Borough Council's monitoring officer, Maryellen Salter, still employed by the authority? If not, when was her last date of employment? <b><u>Answer:</u></b> No. 9 October 2014
4	1.4	Mrs Theresa Musgrove Item 7	In view of the unprecedented level of criticism levelled at the standard of governance and legal services in this authority, does the Chief Executive still retain the full confidence of the Chair, and the Conservative administration, and if not, have they asked for his resignation, or has he offered to resign? <b><u>Answer:</u></b> Yes N/A N/A

5	2.1	Mr Daniel Hope Item 7 Appendix 1	<p>When was the first received?</p> <p><b><u>Answer:</u></b> The first report draft was first received 30 July 2014 and the second report draft received 2 October 2014.</p>
6	2.2	Mrs Barbara Jacobson Item 7	<p>5.3.1 Which councillors or council staff were responsible for appointing as Monitoring Officer someone with no legal qualifications and why did they do so?</p> <p><b><u>Answer:</u></b> The senior management structure of the Council was agreed by General Functions Committee in April 2012, with implementation delegated to the Chief Executive save for the appointment of Chief Officers. The Assurance Director was appointed by Remuneration Committee in October 2012.</p>
7	2.3	Ms Anna Slater Item 7	<p>If she is not still employed by the council, did she resign of her own accord or was she asked to leave?</p> <p><b><u>Answer:</u></b> Maryellen Salter left by mutual agreement.</p>
8	2.4	Mrs Theresa Musgrove Item 7	<p>The report has very serious implications for a long sequence of decisions sanctioned by the Monitoring Officer and HBPUBLIC Law: since the findings of the report were known, has the authority taken steps to ensure the legal basis of any of those decisions, but in particular:</p> <ul style="list-style-type: none"> <li>• all decisions made by the new committee structure which were said to be lawful, despite the non constitutional basis in which they were made?</li> <li>• the dispensations Tory members have arranged from the Monitoring Officer to hide their pecuniary interests rather than declare them at council meetings</li> <li>• the constitutional basis of the working groups and failure to extend the rights of members of the public in regard to council meetings</li> <li>• the dismissal of certain allegations made before the decision to put other charges before the Mayor's panel hearing</li> </ul> <p><b><u>Answer:</u></b> Decisions of the Monitoring Officer were supported by legal advice, including external legal advice and advice from leading Counsel. There is no intention to revisit those decisions.</p>

9	3.1	Mr Daniel Hope Item 7 Appendix 1	What changes were made between the versions? <b><u>Answer:</u></b> This is a matter for Ms Lloyd Jones, who is independent of the Council.
10	3.2	Mrs Barbara Jacobson Item 8	5.3.1 What assurances can the council give the residents that none of the other decisions made or overseen by the Monitoring Officer are not flawed as a result of her lack of legal qualifications? <b><u>Answer:</u></b> The Monitoring Officer was supported by legal advice in all aspects of her role.
11	3.3	Ms Anna Slater Item 7	Has Maryellen Salter been suspended? <b><u>Answer:</u></b> No
12	3.4	Mrs Theresa Musgrove Item 7	The findings of the report by Ms Lloyd-Jones, commissioned in June, have been known since August, yet no public statement was issued in the form of a press release, and nothing known until October, when the matter was slipped into a report to this meeting. How is such an action compliant with the requirements of transparency and accountability to the residents and taxpayers of this borough? <b><u>Answer:</u></b> The full report of Ms Lloyd-Jones is being presented to the first available Policy and Resources Committee meeting.
13	4.1	Mr Daniel Hope Item 7 Appendix 1	What is the understanding as to why previous reports to Annual Council meetings in Barnet for years weren't used as a template to the 2014 Council Meeting which contained quite comprehensive references to the appropriate statutes? <b><u>Answer:</u></b> Ms Lloyd-Jones has produced her report which sets out her conclusions as to the reasons for the issues at the Annual Council meeting.

14	4.2	Mrs Barbara Jacobson Item 8	<p>2.5 Many of the Council's responses are clear and direct. It is, therefore, disappointing to find some that are not.</p> <p>Bullet point 7 (• Resident Outputs for Development Schemes) The response merely reiterates that the HCA calculator 'is considered the most practical approach'. Thus the 'concern' has not been addressed. Who is doing the considering' and why is it better than using a 'Barnet specific' approach, since the need is to reflect the needs of this area?</p> <p><b><u>Answer:</u></b></p> <p>The HCA calculator is able to link elements of employment and skills activities with the development value of a scheme. It therefore is applicable to Barnet's circumstances as it reflects local variations of such value. Developers will be familiar with the HCA calculator from their work in other authorities. The Council considers this approach to be the most practical and realistic in securing the benefits via the SPD</p>
15	4.3	Ms Anna Slater Item 7	<p>If so, was she suspended on full pay?</p> <p><b><u>Answer:</u></b></p> <p>N/A</p>
16	5.1	Mr Daniel Hope Item 7 Appendix 1	<p>When was the last time that the competencies (especially in relation to quite basic local government statute) of those in the Governance service were assessed?</p> <p><b><u>Answer:</u></b></p> <p>For staff at Head of Service level and above, through the recruitment process to the new senior management structure in 2012. For other staff, when they were recruited to their current positions. The competency of all staff is assessed on an on-going basis through the performance management process.</p>
17	5.2	Mrs Barbara Jacobson Item 8	<p>2.4 Forecaasting ... A minimum of a month's notice of job availability sounds very short, particularly as some months include various holidays. Is there any reason why this notification cannot be stated in 'working days', which would take account of different lengths of months and public holidays?</p> <p><b><u>Answer:</u></b></p> <p>It is a minimum notice and it would be reasonable to expect developers to account for public holidays at Easter and Christmas</p>

18	5.3	Ms Anna Slater Item 7	Is Maryellen Salter on gardening leave? <b><u>Answer:</u></b> No
19	6.1	Mr Daniel Hope Item 7 Appendix 1	The former Director of Corporate Governance, Mr Lustig, told General Functions Cttee on 23 April 2014 (7mins in) <a href="http://vimeo.com/41746200">http://vimeo.com/41746200</a> there would be more lawyers available through the HBPL arrangement and that it was anticipated many of lawyers will spend good deal of their time working in Barnet. The report seems to identify the lack of presence of lawyers in Barnet officers as a weakness. How comes the anticipated larger presence of lawyers in Barnet didn't come to fruition? <b><u>Answer:</u></b> The pool of lawyers available to Barnet increased as a result of the shared service agreement. The shared service is based at Harrow, but lawyers from the service do spend time at Barnet's offices, and there is accommodation at North London Business park to enable this.
20	6.2	Mrs Barbara Jacobson Item 8	2.4 Local labour target 'Where there are skills gaps or a lack of work ready candidates we will accept other forms of support.' What other forms in addition to the one example given? <b><u>Answer:</u></b> Other forms of support could include more focus on jobs brokerage and skills training. For Local Employment Agreements to be effective they have to be flexible in their application and responsive to changes in the jobs market.
21	6.3	Ms Anna Slater Item 7	Who was the nominated monitoring officer present at the full council meeting on September 23? <b><u>Answer:</u></b> The Monitoring Officer did not attend the meeting on 23 September. Legal advice at the meeting was provided by Hugh Peart from HB Public Law.

22	7.1	Mr Daniel Hope Item 7 Appendix 1	<p>Cllr Marshall asked you a question <a href="http://www.youtube.com/watch?v=kaQQIC9A8Ok">http://www.youtube.com/watch?v=kaQQIC9A8Ok</a> at the 15 July Council meeting asking for you agree with him that the problems with Governance in Barnet stretched back many municipal generations, even back before 2002. I do not recognise this assertion and the report doesn't even hint at such longstanding issues. Have you had time to reconsider the answer you gave at that time?</p> <p><b><u>Answer:</u></b></p> <p>When I answered Cllr.Marshall, I was indeed afraid and believed that there might be a long chain of errors going back many many years. I am relieved that this is not so. I am happy to correct my answer.</p>
23	7.2	Mrs Barbara Jacobson Item 8	<p>'This may include a lower number of local jobs in return for a higher level of support for candidates to access the jobs market.'</p> <p>Please explain what this means in practical terms.</p> <p><b><u>Answer:</u></b></p> <p>It has already been made clear that for Local Employment Agreements to be effective they have to be flexible in their application and responsive to changes in the jobs market. Getting the balance right is the priority for negotiating Local Employment Agreements with developers.</p>
24	7.3	Ms Anna Slater Item 7	<p>Does Barnet Borough Council currently have a monitoring officer in place?</p> <p><b><u>Answer:</u></b></p> <p>Yes</p>
25	8.1	Mr Daniel Hope Item 7 Appendix 1	<p>At 4.5 the report states, "The Barnet MO was also to be the legally qualified professional client in Barnet for the purposes of monitoring the IAA." but this clearly didn't come to pass. Who took the decision that the MO need (should) not be legally qualified and when?</p> <p><b><u>Answer:</u></b></p> <p>The Council's senior management structure was agreed by the General Functions Committee in April 2012. Implementation was delegated to the Head of Paid Service (Chief Executive), save for the appointment of Chief Officers which is a function of the Remuneration Committee. The appointment of Maryellen Salter to the Assurance Director Role was agreed by Remuneration Committee on 24 October 2012.</p>

26	8.3	Ms Anna Slater Item 7	<p>If so, what is their name?</p> <p><b><u>Answer:</u></b> Peter Large</p>
27	9.1	Mr Daniel Hope Item 7 Appendix 1	<p>4.9 states: “High level legal advice needs to be made available to the most senior officers and members during and before decisions are made internally, assessing the risk of legal challenge. This is a role usually carried out by the MO.”. Who took the MO’s place in this role?</p> <p><b><u>Answer:</u></b> Legal advice was provided by the shared service, and on occasion by external lawyers.</p>
28	9.3	Ms Anna Slater Item 7	<p>If this is not Maryellen Salter, when were they appointed?</p> <p><b><u>Answer:</u></b> 9 October 2014</p>
29	10.1	Mr Daniel Hope Item 7 Appendix 1	<p>4.12 states “The MO role is no longer part of the corporate management of the Council because the role is not part of the top table of the most senior officers.”. The former Chief Executive proposed this structure to General Functions Cttee on 23 April 2012 <a href="http://vimeo.com/41749576">http://vimeo.com/41749576</a> (6 mins in). What were the risk management issues considered in making that change?</p> <p><b><u>Answer:</u></b> Risk management issues were considered at paragraph 4 of the report. The Strategic Commissioning Board meets regularly for Assurance purposes and the Assurance Director attends those meetings.</p>
30	10.3	Ms Anna Slater Item 7	<p>Will the leader, Richard Cornelius, and chief executive, Andrew Travers, be resigning over the report into the council’s failings, as published last Monday?</p> <p><b><u>Answer:</u></b> No</p>

31	11.1	Mr Daniel Hope Item 7 Appendix 1	<p>At 4.16 “HBPL is monitored quarterly at a meeting attended by officers including the 2 MOs and the 2 Chief Executives.”. Why why is HBPL only monitored in this way by Officers and not be a Committee of Councillors (separate to KPI management at the Contract Ctte) as such services (including Governance) were open to regular public scrutiny / accountability by Cllrs in the past by General Functions Committee or similar?</p> <p><b><u>Answer:</u></b></p> <p>The Contract Monitoring regime for HB Public Law replicates that put in place for all of our major contract and includes but is not limited to;</p> <ul style="list-style-type: none"> <li>• Monthly performance review meetings with HBPL</li> <li>• Monthly meetings are offered to delivery units which have the purpose of validating hours used and, monitoring of core hours budget profile and providing a forum to raise issues regarding quality/service.</li> <li>• Quarterly Performance against the IAA is formally reported via the Quarterly performance reports presented to the performance &amp; Contract Monitoring Committee.</li> <li>• Quarterly meetings of the Strategic Monitoring Board which is attended by the two Chris Executives which amongst other things monitors the delivery and performance of the Service as well as scrutinising the Initial Business Plan.</li> </ul> <p>Performance reports are then presented to the Performance and Contract Monitoring Committee alongside all other Delivery Unit performance reports</p>
32	11.3	Ms Anna Slater Item 7	<p>Who is to blame for the council’s failings, as per the report published last Monday?</p> <p><b><u>Answer:</u></b></p> <p>Ms Lloyd-Jones’ report covers this territory.</p>



33	12.1	Mr Daniel Hope Item 7 Appendix 1	Report states at 4.17 "...Political proportionality on the new Committees, and a change in Members Allowances, could (and should) have been brought to members' attention by officers as part of that process." – Do you agree and further that had these been public, and not private meetings, the discipline may have led to these matters being broached? <b><u>Answer:</u></b> Yes, and possibly but not necessarily.
34	12.3	Ms Anna Slater Item 7	Does the authority still believe its members' allowance scheme was legal? <b><u>Answer:</u></b> Yes
35	13.1	Mr Daniel Hope Item 7 Appendix 1	5.2 states (without supporting authority) "Barnet's governance team and their line manager, the MO are responsible for the production of Council reports.". It was understood to be the position that all reports are published under the authority of the Chief Executive. Has this changed and can you confirm when it changed? <b><u>Answer:</u></b> As Head of paid Service, the Chief Executive is ultimately responsible for all officer activity.
36	13.3	Ms Anna Slater Item 7	Was the role of monitoring officer advertised in 2012? <b><u>Answer:</u></b> No, it was filled as part of the Council's reorganisation which provided for internal appointments following an assessment centre, with remaining vacancies advertised externally. Chief Officer posts were subject to Member decision. The process was agreed by General Functions Committee in April 2012, and Ms Salter was appointed to the post by the Remuneration Committee in October 2012.
37	14.1	Mr Daniel Hope Item 7 Appendix 1	From 5.2 "ning the financial, legal and other relevant advice, meet the correct deadlines and preferably be in plain English". Have you yet encountered a Barnet report written in this language? <b><u>Answer:</u></b> Yes, occasionally.

38	14.3	Ms Anna Slater Item 7	How many people applied for this role? <b><u>Answer:</u></b> Two
39	15.1	Mr Daniel Hope Item 7 Appendix 1	Is not 5.6 incorrect in that the legal position regarding proportionality on Committees were the same just applying to fewer bodies as the Executive was exempt? <b><u>Answer:</u></b> 5.6 is correct, and states that.
40	15.3	Ms Anna Slater Item 7	How many were internal candidates? <b><u>Answer:</u></b> Two
41	16.3	Ms Anna Slater Item 7	Where was it advertised? <b><u>Answer:</u></b> The post was filled as part of an internal process.
42	17.3	Ms Anna Slater Item 7	How many were shortlisted? <b><u>Answer:</u></b> Two
43	18.3	Ms Anna Slater Item 7	Of those shortlisted, how many were invited to take part in psychometric testing, written tests and a technical interview? <b><u>Answer:</u></b> Both candidates were assessed against the criteria within the role profile and were deemed suitable to progress to the assessment centre stage. Both candidates were assessed via a number of methods at the assessment centre; these included a meeting exercise, written exercise, behavioural interview following completion of Wave and Hogan psychometric testing and a technical interview. Following this process one candidate withdrew and the other was deemed suitable to move through to the officer interview panel.
44	19.3	Ms Anna Slater Item 7	How many were invited to a final interview panel? <b><u>Answer:</u></b> One

45	20.3	Ms Anna Slater Item 7	How many of these people had a legal background? <b><u>Answer:</u></b> One
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