

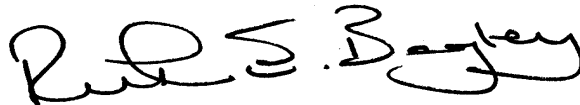
Date of despatch: 10th April, 2014

To the Members of Slough Borough Council

Dear Councillor,

You are summoned to attend a Meeting of the Council of this Borough which will be held in the Flexi Hall, The Centre, Farnham Road, Slough, SL1 4UT on **Tuesday, 22nd April, 2014 at 7.00 pm**, when the business in the Agenda below is proposed to be transacted.

Yours faithfully



RUTH BAGLEY
Chief Executive

PRAYERS

AGENDA

Apologies for Absence

PAGE

1. Declarations of Interest

All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.

The Mayor will ask Members to confirm that they do not have a declarable interest.

All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.

2. To approve as a correct record the Minutes of the Council held on 18th February and 25th March 2014 1 - 18
3. To receive the Mayor's Communications.

Public Questions

4. Questions from Electors under Procedure Rule 9.

Recommendations of Cabinet and Committees

[Notification of Amendments required by 10 a.m. on Thursday 17th April 2014]

5. Recommendation of the Cabinet from its meeting held on 14th April 2014 - Corporate Plan 2014/15
 - Corporate Plan 2014/15TO FOLLOW
6. Recommendation of the Standards Advisory Committee from its meeting held on 18 March & Overview and Scrutiny Committee meeting held on 8th April 2014 19 - 50
 - Annual Reports 2013/14 – Scrutiny and Standards

Officer Reports

7. Review of Constitution and Related Matters 51 - 200

Motions

8. To consider Motions submitted under procedure Rule 14. 201 - 202

Member Questions

9. To note Questions from Members under Procedure Rule 10 (as tabled).

MINUTES OF COUNCIL PROCEEDINGS

At an Extraordinary Meeting of the Council for the Borough of Slough held at the Flexi Hall, The Centre, Farnham Road, Slough, SL1 4UT on Tuesday, 18th February, 2014 at 7.00 pm

Present:- The Worshipful the Mayor (Councillor Bains), in the chair; Councillors Anderson, Bal, Brooker, Carter, Chaudhry, Chohan, Coad, Dar, Davis, A S Dhaliwal, Dhillon, Grewal, P K Mann, Matloob, Mittal, Munawar, Nazir, Pantelic, Parmar, Plenty, Rasib, Sandhu (arrived at 7.18 pm), Shah, Sharif, Small, Smith, Sohal, Strutton (arrived at 7.18 pm and left at 8.22 pm), Swindlehurst and Wright

Apologies for Absence:- Councillors Abe, Aujla, S K Dhaliwal, Hussain, Malik, M S Mann, O'Connor, Plimmer and Walsh

52. Declarations of Interest

Councillors Bal, and Munawar declared a personal interest in that members of their family were employed by Slough Borough Council. Councillor Chaudhry declared a personal interest in that a member of his family was employed by Arvato.

53. Meeting Procedure

A suggested procedure for debating the item on the Medium Term Financial Strategy had been circulated to all members of the Council.

It was moved by Councillor Anderson,
 Seconded by Councillor Swindlehurst,

“That in accordance with procedure rule 27.1, rule 16.5 on rules of debate be suspended insofar as is necessary to enable the procedure as circulated to be adopted and that the council consent to:

- Members of the Leadership speaking for up to 40 minutes in total on the Medium Term Financial Strategy 2014-18.
- Members of the Opposition speaking for up to 20 minutes in total on the same item, and
- All subsequent speeches in the debate being limited to 3 minutes, other than the winding up speech by the Leader of the Council which shall not exceed 10 minutes.”

The procedural motion was put and carried.

Resolved – That the proposed procedure for the debate on the Medium Term Financial Strategy 2014-18 be approved and adopted.

54. Medium Term Financial Strategy 2014-18

The Leader of the Council and the Commissioners for Community & Leisure; Health & Wellbeing; Performance & Accountability; Social & Economic Inclusion; Education & Children; Environment & Open Spaces and Neighbourhoods and Renewal presented the Leadership Proposals for the Medium Term Financial Strategy 2014-18. On completion of the presentation:

It was moved by Councillor Anderson,
Seconded by Councillor Swindlehurst,

“That the MTFFS 2014 –18 as set out at Appendix A of the report be approved”.

The Leader of the Conservative Group and Councillor Mittal then made a presentation to the Council on the Medium Term Financial Strategy.

No amendments were put and the recommendation was opened up to debate. Councillor Smith requested that members of public who are afforded the right to inspect the Council’s accounts should be allowed to ask questions at the Annual Budget Council meeting. It was agreed that this would be considered by the Member Panel on the Constitution and if necessary referred back.

The recommendation was put and carried and, on a show of hands, a prior request having been made for a record of the voting:-

There voted for the recommendation:-

Councillors Anderson, Bal, Brooker, Carter, Chaudhry, Chohan, Dar, Davis, A S Dhaliwal, Dhillon, Grewal, P K Mann, Matloob, Munawar, Nazir, Pantelic, Parmar, Plenty, Rasib, Sandhu, Shah, Sharif, Small, Sohal, and Swindlehurst25

There voted against the recommendation:-

Councillors Coad, Mittal, Smith and Wright4

There abstained from voting:-

The Worshipful the Mayor 1

Resolved - That that the Medium Term Financial Strategy 2014 – 18 as set out at Appendix A of the report be approved.

55. Treasury Management Strategy 2014-15

It was moved by Councillor Anderson,
Seconded by Councillor Swindlehurst,

“That the Treasury Management Strategy for 2014/15 be approved as set out at Appendix A of the report”.

Council - 18.02.14

The recommendation was put and carried and, on a show of hands, a prior request having been made for a record of the voting:-

There voted for the recommendation:-

Councillors Anderson, Bal, Brooker, Carter, Chaudhry, Chohan, Dar, Davis, A S Dhaliwal, Dhillon, Grewal, P K Mann, Matloob, Munawar, Nazir, Pantelic, Parmar, Plenty, Rasib, Sandhu, Shah, Sharif, Small, Sohal, and Swindlehurst25

There voted against the recommendation:-

Councillors Mittal, Smith and Wright3

There abstained from voting:-

The Worshipful the Mayor 1

Resolved - That the Treasury Management Strategy for 2014/15 as set out at Appendix A of the report be approved.

56. Capital Strategy 2014-19

It was moved by Councillor Anderson,
Seconded by Councillor Swindlehurst,

- (a) "That the capital strategy of £147.7m be approved.
- (b) To note that the costs of the capital programme to the revenue budget will be an increase of £1.2m per annum commencing during the period of the capital strategy to fund borrowing of £21.5m be noted.
- (c) That the principles underpinning the capital programme in paragraph 5.1.2 of the report be approved".

The recommendations were put and carried and, on a show of hands, a prior request having been made for a record of the voting:-

There voted for the recommendations:-

Councillors Anderson, Bal, Brooker, Carter, Chaudhry, Chohan, Dar, Davis, A S Dhaliwal, Dhillon, Grewal, P K Mann, Matloob, Munawar, Nazir, Pantelic, Parmar, Plenty, Rasib, Sandhu, Shah, Sharif, Small, Sohal, and Swindlehurst25

There voted against the recommendations:-

Councillors Mittal, Smith and Wright3

There abstained from voting:-

The Worshipful the Mayor 1

Resolved -

- (a) That the capital strategy of £147.7m be approved.
- (b) That the costs of the capital programme to the revenue budget will be an increase of £1.2m per annum commencing during the period of the capital strategy to fund borrowing of £21.5m be noted.
- (c) That the principles underpinning the capital programme in paragraph 5.1.2 of the report be approved.

57. Revenue Budget 2014-15

It was moved by Councillor Anderson,
Seconded by Councillor Swindlehurst,

“That the budget as set out be approved and:

Council Tax Resolution – In relation to the Council Tax for 2014/15

- (a) That in pursuance of the powers conferred on the Council as the billing authority for its area by the Local Government Finance Acts (the Acts), the Council Tax for the Slough area for the year ending 31 March 2015 be as specified below and that the Council Tax be levied accordingly.
- (b) That it be noted that at its meeting on 16 December 2013 Cabinet calculated the following Tax Base amounts for the financial year 2014/15 in accordance with Regulations made under sections 31B(3) and 34(4) of the Act:
 - (i) 37,376.2 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012 (the Regulations) as the Council Tax Base for the whole of the Slough area for the year 2014/15; and
 - (ii) The sums below being the amounts of Council Tax Base for the Parishes within Slough for 2014/15:

| | |
|-----------------------------------|---------|
| a) Parish of Britwell | 1,411.7 |
| b) Parish of Colnbrook with Poyle | 1,755.2 |
| c) Parish of Wexham | 1,244.4 |
- (c) That the following amounts be now calculated for the year 2014/15 in accordance with sections 31A to 36 of the Act:

Council - 18.02.14

- (i) £368,402,617 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2)(a) to (f) of the Act. (Gross Expenditure);
- (ii) £ 324,358,321 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(3) (a) to (d) of the Act. (Gross Income);
- (iii) £44,044,296 being the amount by which the aggregate at paragraph c (i) above exceeds the aggregate at paragraph c (ii) above calculated by the Council as its council tax requirement for the year as set out in section 31A(4) of the Act. (Council Tax Requirement);
- (iv) £1,178.40 being the amount at paragraph c(iii) above divided by the amount at paragraph b(i) above, calculated by the Council, in accordance with section 31B(1) of the Act, as the basic amount of its Council Tax for the year, including the requirements for Parish precepts.
- (v) That for the year 2014/15 the Council determines in accordance with section 34 (1) of the Act, Total Special Items of £ 192,056 representing the total of Parish Precepts for that year.
- (vi) £1,173.27 being the amount at paragraph c (iv) above less the result given by dividing the amount at paragraph c (v) above by the relevant amounts at paragraph b (i) above, calculated by the Council, in accordance with section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.
- (vii) Valuation Bands

| Band | Slough Area £ | Parish of Britwell £ | Parish of Colnbrook With Poyle £ | Parish of Wexham Court £ |
|------|------------------|-------------------------|-------------------------------------|-----------------------------|
| A | 782.18 | 44.06 | 31.80 | 24.48 |
| B | 912.54 | 51.41 | 37.1 | 28.56 |
| C | 1,042.91 | 58.75 | 42.4 | 32.64 |
| D | 1,173.27 | 66.10 | 47.70 | 36.72 |
| E | 1,434.00 | 80.79 | 58.3 | 44.89 |
| F | 1,694.72 | 95.47 | 68.9 | 53.05 |
| G | 1,955.45 | 110.16 | 79.5 | 61.21 |
| H | 2,346.54 | 132.19 | 95.4 | 73.45 |

Being the amounts given by multiplying the amounts at paragraph c (iv) and c (vi) above by the number which, in

the proportion set out in section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with section 36 (1) of the Act, as the amount to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (viii) That it be noted that for the year 2014/15 the Thames Valley Police Authority have provisionally stated the following amount in precept issued to the Council, in accordance with section 40 of the Act, for each of the categories of dwellings shown over leaf:

| BAND | Office of the Police and Crime Commissioner (OPCC) for Thames Valley |
|-------------|---|
| | £ |
| A | 107.01 |
| B | 124.84 |
| C | 142.68 |
| D | 160.51 |
| E | 196.18 |
| F | 231.85 |
| G | 267.52 |
| H | 321.02 |

- (ix) That it be noted that for the year 2014/15 the Royal Berkshire Fire Authority has provisionally stated the following amount in precept issued to the Council, in accordance with section 40 of the Act, for each of the categories of dwellings shown below:

ESTIMATE – Update provided when confirmed

| BAND | Royal Berkshire Fire Authority |
|-------------|---------------------------------------|
| | £ |
| A | 40.44 |
| B | 47.18 |
| C | 53.92 |
| D | 60.66 |
| E | 74.14 |
| F | 87.62 |
| G | 101.1 |
| H | 121.32 |

- (x) Note that arising from these recommendations, and assuming the major precepts are agreed, the overall Council Tax for Slough Borough Council including the precepting authorities will be as follows:

| Band | Slough | Office of the Police and Crime Commissioner (OPCC) for Thames Valley | Royal Berkshire Fire Authority | TOTAL |
|----------|----------|--|-----------------------------------|----------|
| | £ | £ | £ | £ |
| A | 782.18 | 107.01 | 40.44 | 929.63 |
| B | 912.54 | 124.85 | 47.18 | 1,084.57 |
| C | 1,042.91 | 142.68 | 53.92 | 1,239.51 |
| D | 1,173.27 | 160.52 | 60.66 | 1,394.45 |
| E | 1,434.00 | 196.19 | 74.14 | 1,704.33 |
| F | 1,694.72 | 231.86 | 87.62 | 2,014.20 |
| G | 1,955.45 | 267.53 | 101.1 | 2,324.08 |
| H | 2,346.54 | 321.04 | 121.32 | 2,788.90 |

- (xi) That the Section 151 Officer be and is hereby authorised to give due notice of the said Council Tax in the manner provided by Section 38(2) of the 2012 Act.
- (xii) That the Section 151 Officer be and is hereby authorised when necessary to apply for a summons against any Council Tax payer or non-domestic ratepayer on whom an account for the said tax or rate and arrears has been duly served and who has failed to pay the amounts due to take all subsequent necessary action to recover them promptly.
- (xiii) That the Section 151 Officer be authorised to collect (and disperse from the relevant accounts) the Council Tax and National Non-Domestic Rate and that whenever the office of the Section 151 Officer is vacant or the holder thereof is for any reason unable to act, the Chief Executive or such other authorised post-holder be authorised to act as before said in his or her stead.
- (xiv) The above figures assume a council tax freeze for both the Royal Berkshire Fire Authority and Britwell Parish. If this is not the case this report requests the Section 151 or nominated officer be authorised to adjust the council tax charges in line with final figures.

Discretionary and Hardship Relief Policy –

- (d) That the Discretionary and Hardship Relief Policy for 2014/15 be approved (as detailed in appendix J) so that no charity or non profit making body receives more than 80% of their Business Rates as relief and to note the policy will be amended for 2015/16 to reflect that no charity or non profit making bodies receives more than 80% charity relief.

HRA Rents and Service Charges –

Council - 18.02.14

- (e) That the proposed increase in Housing Revenue Account rents and service charges for 2014/15 be as follows:
 - (i) Council house dwelling rents for 2014/15 increase by an **average of £4.85 per week** (5.0% average increase) with effect from Monday 7th April 2014. This is in line with current government guidelines on rent increases, linked to September RPI+0.5%, and restructuring (the government is proposing to change its guidelines on rent increases from 2015/16 to an annual increase of CPI plus 1%, removing the restructuring policy);
 - (ii) Garage rents, heating, utility and ancillary charges **increase by 3.2%** with effect from Monday 7th April 2014. This is based upon the September RPI figure used in rent setting.
 - (iii) Service charges **increase by 3.7%** with effect from Monday 7th April 2014. This is based upon the RPI+0.5% uplift used for rent setting.
 - (iv) 'Other committee' property rents increase by an average of 5.0% from Monday 7th April 2014 in line with the average increase of all housing properties.

The recommendations were put and carried and, on a show of hands, a prior request having been made for a record of the voting:-

There voted for the recommendations:-

Councillors Anderson, Bal, Brooker, Carter, Chaudhry, Chohan, Dar, Davis, A S Dhaliwal, Dhillon, Grewal, Matloob, Nazir, Pantelic, Parmar, Plenty, Rasib, Sandhu, Shah, Sharif, Small, Sohal, and Swindlehurst23

There voted against the recommendations:-

Councillors Mittal, Smith and Wright3

There abstained from voting:-

The Worshipful the Mayor 1

Resolved - That the budget as set out be approved and:

Council Tax Resolution – In relation to the Council Tax for 2014/15

- (a) That in pursuance of the powers conferred on the Council as the billing authority for its area by the Local Government Finance Acts (the Acts), the Council Tax for the Slough area for the year ending 31 March 2015 be as specified below and that the Council Tax be levied accordingly.

Council - 18.02.14

- (b) That it be noted that at its meeting on 16 December 2013 Cabinet calculated the following Tax Base amounts for the financial year 2014/15 in accordance with Regulations made under sections 31B(3) and 34(4) of the Act:
- (i) 37,376.2 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012 (the Regulations) as the Council Tax Base for the whole of the Slough area for the year 2014/15; and
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- (c) That the following amounts be now calculated for the year 2014/15 in accordance with sections 31A to 36 of the Act:
- (i) £368,402,617 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2)(a) to (f) of the Act. (Gross Expenditure);
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 - (v) That for the year 2014/15 the Council determines in accordance with section 34 (1) of the Act, Total Special Items of £ 192,056 representing the total of Parish Precepts for that year.
 - (vi) £1,173.27 being the amount at paragraph c (iv) above less the result given by dividing the amount at paragraph c (v) above by the relevant amounts at paragraph b (i) above, calculated by the Council, in accordance with section 34 (2) of the Act, as the basic

amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.

(vii) Valuation Bands

| Band | Slough Area | Parish of Britwell | Parish of Colnbrook with Poyle | Parish of Wexham Court |
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| | £ | £ | £ | £ |
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| D | 1,173.27 | 66.10 | 47.70 | 36.72 |
| E | 1,434.00 | 80.79 | 58.3 | 44.89 |
| F | 1,694.72 | 95.47 | 68.9 | 53.05 |
| G | 1,955.45 | 110.16 | 79.5 | 61.21 |
| H | 2,346.54 | 132.19 | 95.4 | 73.45 |

Being the amounts given by multiplying the amounts at paragraph c (iv) and c (vi) above by the number which, in the proportion set out in section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with section 36 (1) of the Act, as the amount to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(viii) That it be noted that for the year 2014/15 the Thames Valley Police Authority have provisionally stated the following amount in precept issued to the Council, in accordance with section 40 of the Act, for each of the categories of dwellings shown:

| BAND | Office of the Police and Crime Commissioner (OPCC) for Thames Valley |
|-------------|---|
| | £ |
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| C | 142.68 |
| D | 160.51 |
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| F | 231.85 |
| G | 267.52 |
| H | 321.02 |

(ix) That it be noted that for the year 2014/15 the Royal Berkshire Fire Authority has provisionally stated the following amount in precept issued to the Council, in accordance with section 40 of the Act, for each of the categories of dwellings shown below:

ESTIMATE – Update provided when confirmed

| BAND | Royal Berkshire Fire Authority |
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| | £ |
| A | 40.44 |
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| C | 53.92 |
| D | 60.66 |
| E | 74.14 |
| F | 87.62 |
| G | 101.1 |
| H | 121.32 |

- (x) Note that arising from these recommendations, and assuming the major precepts are agreed, the overall Council Tax for Slough Borough Council including the precepting authorities will be as follows:

| Band | Slough | Office of the Police and Crime Commissioner (OPCC) for Thames Valley | Royal Berkshire Fire Authority | TOTAL |
|-------------|---------------|---|---|--------------|
| | £ | £ | £ | £ |
| A | 782.18 | 107.01 | 40.44 | 929.63 |
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| C | 1,042.91 | 142.68 | 53.92 | 1,239.51 |
| D | 1,173.27 | 160.52 | 60.66 | 1,394.45 |
| E | 1,434.00 | 196.19 | 74.14 | 1,704.33 |
| F | 1,694.72 | 231.86 | 87.62 | 2,014.20 |
| G | 1,955.45 | 267.53 | 101.1 | 2,324.08 |
| H | 2,346.54 | 321.04 | 121.32 | 2,788.90 |

- (xi) That the Section 151 Officer be and is hereby authorised to give due notice of the said Council Tax in the manner provided by Section 38(2) of the 2012 Act.
- (xii) That the Section 151 Officer be and is hereby authorised when necessary to apply for a summons against any Council Tax payer or non-domestic ratepayer on whom an account for the said tax or rate and arrears has been duly served and who has failed to pay the amounts due to take all subsequent necessary action to recover them promptly.
- (xiii) That the Section 151 Officer be authorised to collect (and disperse from the relevant accounts) the Council Tax and National Non-Domestic Rate and that whenever the office of the Section 151 Officer is vacant or the holder thereof is for any reason unable to act, the Chief Executive or such other

authorised post-holder be authorised to act as before said in his or her stead.

- (xiv) The above figures assume a council tax freeze for both the Royal Berkshire Fire Authority and Britwell Parish. If this is not the case this report requests the Section 151 or nominated officer be authorised to adjust the council tax charges in line with final figures.

Discretionary and Hardship Relief Policy –

- (d) That the Discretionary and Hardship Relief Policy for 2014/15 be approved (as detailed in appendix J of the report) so that no charity or non profit making body receives more than 80% of their Business Rates as relief and to note the policy will be amended for 2015/16 to reflect that no charity or non profit making bodies receives more than 80% charity relief.

HRA Rents and Service Charges –

- (e) That the proposed increase in Housing Revenue Account rents and service charges for 2014/15 be as follows:
 - (i) Council house dwelling rents for 2014/15 increase by an **average of £4.85 per week** (5.0% average increase) with effect from Monday 7th April 2014. This is in line with current government guidelines on rent increases, linked to September RPI+0.5%, and restructuring (the government is proposing to change its guidelines on rent increases from 2015/16 to an annual increase of CPI plus 1%, removing the restructuring policy);
 - (ii) Garage rents, heating, utility and ancillary charges **increase by 3.2%** with effect from Monday 7th April 2014. This is based upon the September RPI figure used in rent setting.
 - (iii) Service charges **increase by 3.7%** with effect from Monday 7th April 2014. This is based upon the RPI+0.5% uplift used for rent setting.
 - (iv) ‘Other committee’ property rents increase by an average of 5.0% from Monday 7th April 2014 in line with the average increase of all housing properties.

58. Council Membership

The Mayor advised that there was no requirement to consider the item as Councillor Small was in attendance.

Resolved - That agenda item 6 be withdrawn.

59. Appointment of Electoral Registration Officer, Acting Returning Officer and Returning Officer

Council - 18.02.14

It was moved by Councillor Anderson,
Seconded by Councillor Swindlehurst,

- (a) "That Kevin Gordon, Assistant Director (Professional Services), be appointed to the roles of Electoral Registration Officer, Acting Returning Officer and Returning Officer for Parliamentary and Local Elections respectively with effect from 19th February 2014.
- (b) That the Scheme of Delegation be amended to reflect the above changes".

The recommendations were put and carried unanimously.

Resolved -

- (a) That Kevin Gordon, Assistant Director (Professional Services), be appointed to the roles of Electoral Registration Officer, Acting Returning Officer and Returning Officer for Parliamentary and Local Elections respectively with effect from 19th February 2014.
- (b) That the Scheme of Delegation be amended to reflect the above changes.

60. Calendar of Meetings 2014/15

It was moved by Councillor Anderson,
Seconded by Councillor Swindlehurst,

- (a) "That the calendar of meetings for the 2014/15 municipal year attached at Appendix A of the report be approved.
- (b) That the Head of Democratic Services be authorised to make amendments to the calendar resulting from any constitutional changes that may be agreed, in accordance with the provisions of the Constitution".

The recommendations were put and carried unanimously.

Resolved -

- (a) That the calendar of meetings for the 2014/15 municipal year attached as Appendix A of the report be approved.
- (b) That the Head of Democratic Services be authorised to make amendments to the calendar resulting from any constitutional changes that may be agreed, in accordance with the provisions of the Constitution.

Chair

(Note: The Meeting opened at 7.00 pm and closed at 8.45 pm)

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MINUTES OF COUNCIL PROCEEDINGS

At an Extraordinary Meeting of the Council for the Borough of Slough held at the Flexi Hall, The Centre, Farnham Road, Slough, SL1 4UT on Tuesday, 25th March, 2014 at 7.00 pm

Present:- The Worshipful the Mayor Councillor Bains, in the chair; Councillors Abe, Anderson, Bal, Brooker, Chaudhry, Chohan, Coad, Dar, Davis, S K Dhaliwal, Grewal, Hussain, Malik, P K Mann, Matloob, Minhas, Mittal, Munawar, Nazir, O'Connor, Pantelic, Parmar, Plenty, Rasib, Shah, Sharif, Smith, Sohal, Strutton, Swindlehurst, Walsh and Wright

Apologies for Absence:- Councillors Aujla, Carter, A S Dhaliwal, Dhillon, M S Mann, Plimmer, Sandhu and Small

61. Declarations of Interest

Councillors Bal, S Chaudhry and Munawar declared a personal interest in that Members of their families are employed by Slough Borough Council.

62. Motions

Motion (A) – Council Procedure Rules – Rules of Debate

It was moved by Councillor Strutton,
Seconded by Councillor Wright,

“This Council resolves:-

to lift standing orders on the 'rules on debate' at paragraph 16.6 of the constitution, to allow members to speak without time restriction and on multiple occasions if they so chose for the purpose of fully debating all the motions on this agenda.”

It was moved by the Leader, as an amendment,
Seconded by Councillor Walsh,

“This Council resolves:-

to lift standing orders on the 'rules on debate' at paragraph 16.6 of the constitution, to allow members to speak without time restriction and on multiple occasions if they so chose for the purpose of fully debating **motion B** on this agenda **following a presentation from the Leader.**”

The amendment was agreed by the proposer and seconder and this became the substantive motion.

The substantive motion was put and carried unanimously.

Resolved - To lift standing orders on the 'rules on debate' at paragraph 16.6 of the constitution, to allow members to speak without time restriction and on multiple occasions if they so chose for the purpose of fully debating motion B on this agenda following a presentation from the Leader.

Motion (B) – OFSTED Inspection

The Leader made a presentation to the Council and answered a number of questions from Members. Following the presentation and questioning

It was moved by Councillor Wright,
Seconded by Councillor Strutton,

“This Council resolves:-

that as the shocking OFSTED inspection report of 11th February 2014 about SBC's Safeguarding of Vulnerable and Looked-After Children, shows the work of the Council's Children's Services Department to be "Inadequate" for a third successive time under his watch, the Leader of the Council should acknowledge responsibility and resign."

The motion was put to the vote and lost by 24 votes to 6 votes with 2 abstentions.

Resolved – That motion B be rejected.

Motion (C) – OFSTED Inspection

It was moved by Councillor Smith,
Seconded by Councillor Abe,

“This Council resolves:-

that the Council's Education and Children Services Department should produce, for Scrutiny and Cabinet consideration, a report outlining the Council's plans for change: to address the most recent Ofsted findings; to outline what actions have already been taken to ensure improvements; and to consider what more can be done, including from a list of actions and alternatives that might be appropriate over the longer term."

It was moved by the Leader, as an amendment,
Seconded by Councillor Swindlehurst,

“This Council resolves:-

that the Council's Education and Children Services Department should produce, for **Education and Children's Services** Scrutiny and Cabinet, a report outlining the Council's plans for change: to address the most recent Ofsted findings; to outline what actions have already been taken to ensure improvements; and to consider **what form the next stage of improvement will take following discussions with the Department for Education.**"

Council - 25.03.14

The amendment was agreed by the proposer and seconder and this became the substantive motion.

The substantive motion was put and carried unanimously.

Resolved - That the Council's Education and Children Services Department should produce, for Education and Children's Scrutiny and Cabinet, a report outlining the Council's plans for change: to address the most recent Ofsted findings; to outline what actions have already been taken to ensure improvements; and to consider what form the next stage of improvement will take following discussions with the Department for Education.

Motion (D) – OFSTED Inspection

It was moved by Councillor Abe,
Seconded by Councillor Coad,

“This Council resolves:-

that a special meeting should be arranged by the Members Services Department as soon as possible at which members of the public may ask the Leader, Commissioners, Chairs or Group Leaders questions about Ofsted's evaluation of Children's Services in Slough to allow open discussion on this matter of grave public concern.”

The motion was put to the vote and lost by 22 votes to 6 votes with 1 abstention.

Resolved – That motion D be rejected.

Motion (E) – Female Genital Mutilation

It was moved by Councillor Coad,
Seconded by Councillor Abe,

“This Council resolves:-

to condemn the barbaric practice of Female Genital Mutilation (FGM) and resolves to safeguard girls by implementing an action plan to stop this crime from happening in the borough; Council accordingly calls for examination of the reporting duties for medical professionals and teachers in referring possible FGM cases to the police; and further calls on SBC officers to formulate a strategy to raise awareness of this issue.”

It was moved by the Leader as an amendment,
Seconded by Councillor Swindlehurst,

“This Council resolves:-

“to condemn the barbaric practice of Female Genital Mutilation (FGM) and resolves to **work with partners to formulate** an action plan to stop this crime from happening in the Borough; Council accordingly calls for **scrutiny to**

Council - 25.03.14

examine the reporting duties for medical professionals and teachers in referring possible FGM cases to the police; and **to receive the planned LSCB strategy for raising** awareness of this issue.”

The amendment was agreed with the inclusion of ‘safeguard girls by working’ after resolves in the second line by the proposer and seconder and this became the substantive motion.

The substantive motion was put and carried unanimously.

Resolved - This Council resolves to condemn the barbaric practice of Female Genital Mutilation (FGM) and resolves to safeguard girls by working with partners to formulate an action plan to stop this crime from happening in the Borough; Council accordingly calls for scrutiny to examine the reporting duties for medical professionals and teachers in referring possible FGM cases to the police; and to receive the planned LSCB strategy for raising awareness of this issue.

Chair

(Note: The Meeting opened at 7.00 pm and closed at 10.00 pm)

SLOUGH BOROUGH COUNCIL

REPORT TO: Council

DATE: 22nd April, 2014

CONTACT OFFICER: Sarah Forsyth – Scrutiny Officer
(For all enquiries) (01753) 875657
Catherine Meek – Head of Democratic Services
(01753 875011)

WARD(S): All

PART I
FOR DECISION

ANNUAL REPORTS 2013/14 – SCRUTINY AND STANDARDS

1 Purpose of Report

To present the Annual Scrutiny Report 2013/14 and Annual Standards Review 2013/14.

2 Recommendation/Proposed Action

The Council is requested to Resolve:

- (a) That the Annual Scrutiny Report 2013/14 be received.
- (b) The Annual Standards Review 2013/14 be received.

3 Sustainable Community Strategy Priorities

The Code of Conduct forms the bedrock of the conduct regime for Members and aims to ensure that ethical behaviour and governance of the highest order is maintained as this contributes to open, transparent and fair decision making

Overview and Scrutiny is a process by which decision-makers are accountable to local people, via their elected representatives for improving outcomes relating to all priorities for the Borough and its residents. Scrutiny seeks to influence those who make decisions by considering the major issues affecting the Borough and making recommendations about how services can be improved. The Annual Scrutiny Report supports the Scrutiny function by providing a record of the work carried out during the year and plans for the future year.

4 Other Implications

- (a) Financial – None
- (b) Risk Management – None

5 Supporting Information

Overview and Scrutiny

- 5.1 Annual reports are an opportunity to review the scrutiny work for the previous year and help us to understand the nature of the work undertaken by Overview and Scrutiny and to assess its effectiveness. It also gives an opportunity to reflect on any lessons learned during the year to help guide future work. The production of an Annual Report is a requirement of the Constitution.
- 5.2 The report highlights some key achievements from the year where Scrutiny has made a difference, as well as including brief summaries of some of the challenges that lie ahead both externally and internally.
- 5.3 There is scope to build on and develop different methods of scrutiny in the coming year; particular attention being given to evidencing how Scrutiny makes a difference and forward planning, along with working to engage with the local communities.
- 5.4 The Local Authority, through its Overview and Scrutiny function, has an influential, as well as statutory, role in scrutinising the activities and performance of the Executive and External Bodies. The Annual Scrutiny Report provides an opportunity to communicate the work the Committee and its Panels have undertaken, challenges faced and the improvements made as a result of scrutiny.
- 5.5 The Overview and Scrutiny Committee endorsed the Annual Report at its meeting on 8th April 2014 and the report is attached at Appendix A.

Standards Annual Review

- 5.6 The Council's Constitution requires the Standards Advisory Committee to produce an Annual Review of its work. The Committee considered a draft Annual Review Report at its meeting on 18th March 2014. The Report summarises the activity and action over the last year and looks ahead to activities planned in the year ahead.
- 5.7 The Annual Review is attached at Appendix B.
- 5.8 Once approved, the Annual Review will be made widely available and accessible to the Council's partners, stakeholders and the public at large through publication on the website and intranet and available in local libraries.

6 Appendices Attached

- Appendix A - Annual Scrutiny Report 2013/14.
Appendix B Annual Standards Review 2013/14

7 Background Papers

None.

Annual Scrutiny Report

2013/2014



Foreword

It gives me great pleasure to introduce the 2013/2014 Annual Scrutiny Report. The report highlights the key areas of work that each Panel and the main committee have concentrated on during the past municipal year.

The Main Committee and each of the panels have had a busy year. This report highlights their key achievements. I hope it accurately reflects the level of detailed work undertaken by the panels and Committee.

Issues I would like to highlight in particular are: the excellent work of the Health Scrutiny Panel on Accident and Emergency provision at Wexham Park Hospital. A very professional and thorough examination of the issues by a specially formed Task and Finish Group. The panel also looked in detail at the Hospital Quality Issues at Wexham Park Hospital and are committed to scrutinising this area on a continuing basis. The Neighbourhoods and Community Panels impressive commitment to examining all areas of housing services continues. With close scrutiny of the Housing Allocations Policy and the Management of Houses in multiple occupancy as two main examples. The Education and Children's panels continues its high quality

scrutiny into wide ranging issues. Such as continuing to provide key challenge to the work being done on the Improvement Plan. They have also looked in detail at the role of Grammar Schools in the town as well as the very important area of childhood immunisations.

The Main Committee conducted a comprehensive review and analysis of childhood obesity in the borough and produced a set of practical and workable solutions.

I hope the report does justice to the quality of the work carried out by the panels this year and gives an insight into the diverse nature of the areas which have been scrutinised.

I would like to thank my own Vice Chair as well as the Chairs and Vice Chairs of all the panels for their support and leadership throughout the year. On behalf of all the Chairs and Vice Chairs I would also like to thank sincerely all members, officers and partners who have contributed to the work of the Overview and Scrutiny function over the past year.

Cllr Patricia O'Connor



Introduction

In 2002, the Office of the Deputy Prime Minister set out what Overview and Scrutiny is, its powers and work.

"Overview and Scrutiny is potentially the most exciting and powerful element of the entire local government modernisation process. It places Members at the heart of the way in which Councils respond to the demands of modernisation. In addition, Overview and Scrutiny is the mechanism by which Councils can achieve community leadership, good governance and by which Councillors can become powerful and influential politicians."

In order to do this, Scrutiny Committees have three key roles:

- Holding the Cabinet to account
- Policy development and review
- External scrutiny

Through requesting information and questioning decision-makers an Overview and Scrutiny Committee can review the quality of local services, hold decision-makers to account (whether the Cabinet or other statutory bodies such as NHS Trusts), and put forward ideas for developing and improving services.



The Centre for Public Scrutiny has set out the four principles for effective scrutiny as:

- critical friendship to decision-makers
- engaging the public, enabling the voice of the public and communities to be heard in the process
- owning the process with non-Executive Members driving the scrutiny process
- making an impact through driving forward improvements in public services

To achieve the desired quality of effective scrutiny, an Overview and Scrutiny function must:

- be independent
- be robust, rigorous and challenging
- fully engage all non-Executive Members
- come from a positive culture that supports and promotes the process
- involve local citizens and service users
- ensure that its purpose is clear and widely understood
- demonstrate the value added
- be creative in its ways of monitoring service performance
- have dedicated resources
- bring the conclusions of its Reviews to the attention of Full Council
- have a comprehensive Member Development programme

The questions an Overview and Scrutiny Function must ask itself in terms of its own effectiveness are:

- Is it effectively holding decision-makers to account?
- Is it helping to improve services?
- Is it building links between the Council, its partners and the community?
- Is it helping to improve the quality of life for local people?
- Is it adding value?

The Annual Report looks to assess the effectiveness of the work done by the Overview and Scrutiny Function at Slough Borough Council in the 2013/14 municipal year.

Overview and Scrutiny at Slough Borough Council

The Overview and Scrutiny Function at Slough Borough Council is made up of the Overview and Scrutiny Committee and three standing Panels: Health Scrutiny Panel, Neighbourhoods and Community Services Scrutiny Panel, and Education and Children's Services Scrutiny Panel.

The Panels enable greater focus on specific subject matter, while the overarching Overview and Scrutiny Committee focuses on cross-cutting issues, corporate, financial and performance management of the Council. The Committee and Panels look to work closely together, using joint meetings where appropriate, to develop their work programmes and effectively scrutinise the work of the Council and its partners.

Members on the Overview and Scrutiny Committee and three Panels receive research and administrative support from a dedicated Scrutiny Officer; with Democratic Services also providing committee administration to the main Committee and Health Scrutiny Panel.

Getting involved

The Overview and Scrutiny Committee and all three Panels meet in public, and welcome members of the public who wish to observe proceedings.

The agendas and related papers are published on the Slough Borough Council website five working days in advance of any meeting and are available to download for free.



Overview and Scrutiny Committee

Membership

Councillor O'Connor (Chair)
 Councillor Smith (Vice Chair)
 Councillor Bal
 Councillor Davis
 Councillor Hussain
 Councillor Malik
 Councillor M Mann
 Councillor Minhas
 Councillor Nazir

Constitutionally, the Overview and Scrutiny Committee will undertake the following:

- review and scrutinise the decisions made by and performance of the Executive, Committees and Council Officers both in relation to individual decisions and over time;
- review and scrutinise the performance of the Council in relation to its policy objectives, performance targets, data quality and/or particular service areas;
- question Members of the Executive, Committees and Directors about their decisions and performance, whether generally in comparison with service plans and targets over a period of time or in relation to particular decisions, initiatives or projects;
- make recommendations to the Executive and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Committee and local people about their activities and performance; and
- question and gather evidence from any person (with their consent).

In order to undertake this work, the Overview and Scrutiny Committee has appointed three Standing Panels to cover specific remits of works:

- Health Scrutiny Panel - undertaking the Council's statutory responsibility to scrutinise provision of healthcare in the local area, as well as the Cabinet portfolio for Health and Wellbeing.

- Education and Children's Services Scrutiny Panel - scrutinising the Cabinet portfolio for Education and Children.
- Neighbourhoods and Community Services Scrutiny Panel - scrutinising the Cabinet portfolios for Neighbourhoods and Renewal, Community and Leisure, and Environment and Open Spaces.

This delegation of work allows the Overview and Scrutiny Committee to take an overarching view of the work of the council and its partners, as well as specifically focusing on the Cabinet portfolios of Finance and Strategy, Performance and Accountability, and Social and Economic Inclusion.

Review - Childhood Obesity

On 27 November 2012, the Council resolved the following:

"that the health and wellbeing priorities of the Sustainable Community Strategy (2011) and other relevant national and regional guidance in relation to improve the health of children be expanded by considering ways to prevent any new premises with A5 from opening within 300-500 metres of any school within the Slough borough borders and that consideration of the issue takes place through referral to the O&S Committee for Member input and appropriate recommendations be made to the Planning Committee on new policy."

The Overview and Scrutiny Committee decided to undertake an investigation into the scale of the childhood obesity problem in Slough, what current programmes of work were being used to tackle the problem, and what alternative approaches could be used to improve the levels of childhood obesity being seen across the borough.

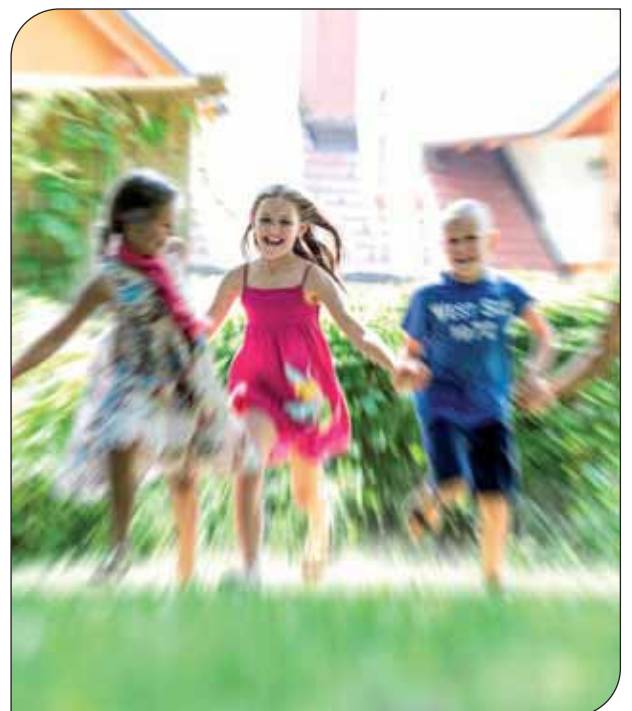
The Review was broken down into a series of specific questions; with the Committee's main meetings being used to hold evidence gathering sessions which focused on an individual question, calling on expert witnesses in each case to provide information:

- Does Slough have a problem with childhood obesity?
 - Dr Onteeru Reddy - Programme Manager, Public Health and Wellbeing, Slough Borough Council
 - Dr Angela Snowling - Consultant in Public Health (Slough), Slough Borough Council

- What options are there to alter the physical environment?
 - Shabnam Ali - Economic Policy Development Officer, Slough Borough Council
 - Ginny de Haan - Head of Consumer Protection and Business Compliance, Slough Borough Council
 - Paul Stimpson - Strategic Lead Planning Policy and Projects, Slough Borough Council
- What is the role of schools and how can we support them? How can we encourage more physical activity?
 - Laura Brookstein - Network Manager, Slough School Sport Network (SSSN)
 - Alison Hibbert - Head of Culture and Sport, Slough Borough Council
 - Jo Ricketts - Nutritional Adviser, Slough Borough Council
 - Mary Sparrow - Head of Wexham School Specialist Sports College and Chair of the SSSN
- What role can GPs and other primary care professionals play in tackling childhood obesity?
 - Jean Cameron - Development manager, Children's Centres, Slough Borough Council
 - Philippa Collings - Public Health Nutrition Lead, Slough Borough Council
 - Sarah Parsons - Locality Manager from Children and Families Services, Berkshire Healthcare NHS Foundation Trust
 - Dr Sabina Shaik - Paediatric Lead, Slough Clinical Commissioning Group
- Working with local businesses to improve their healthy offers across a range of prices should be a priority.
- There was a tremendous amount of work being done within schools to tackle the problem of childhood obesity and this work should be supported by the council, along with encouraging them to take things further, such as with cooking classes.
- The Committee recognised the scale of work taking place in schools and across the council to increase activity levels amongst children in the borough, and believed that there were two key focus points:
 - Increasing the level of activity in a child's everyday life; and
 - Improved marketing of the leisure offer available in the borough to increase uptake.
- The Clinical Commissioning Group (CCG) needed to take a more proactive role in tackling the problem of childhood obesity, acting on areas of weakness in practices such as referrals. In particular, improvements needed to be made in how the CCG communicated with other primary care, council and schools programmes of work in this area.

The Committee formed a series of key conclusions:

- The figures for childhood obesity in Slough demonstrated that there were significant levels amongst the child population in Slough.
- With limited national evidence around the effectiveness of A5 hot food takeaway exclusion zones around the borough's schools, currently, and with the current levels of existing A5 businesses and convenience stores within the potential exclusion zones across the borough, the Committee felt that the impact on child access to fast food would be minimal.



In summing up the findings, the Committee recognised the highly sensitive nature of this subject, and the remaining element of stigma which may stop people seeking help for themselves and/or their children; and the need for involvement from all key partners tackle this problem. There was one clear message that came out of the Review, and that was that doing nothing was not an option.

The Committee made the following recommendations, but as yet, have not had the opportunity to evaluate the implementation of these and their effectiveness:

- a) That the Cabinet agree the prioritising of work currently underway to improve the scope of healthy offers across a range of price levels by local retailers, specifically within the vicinity of local schools.
- b) That, in the municipal year 2015/16, the Overview and Scrutiny Committee review the childhood obesity levels data from areas that have introduced exclusion zones around schools, to assess evidence of their impact and re-consider the options for such a policy to be introduced in Slough.
- c) That the council work with all schools to encourage the inclusion of cooking classes and nutritional education in the curriculum for all schools in the borough.
- d) That the Slough Headteachers look to prioritise their School Transport Plans, co-ordinating with each other for maximum effect, and raising the profile of the options available to parents.
- e) That the council, through the Transport Working Party, provide support to the schools for initiatives to improve the use of sustainable travel to and from schools, recognising not only the health benefits, but also the congestion and environmental benefits improved School Transport Plans can have.
- f) That the council look at its methods of advertising the local leisure offer, particularly the available open spaces for 'unorganised' sporting activities, and include details of how improvements can/have been made when the Overview and Scrutiny Committee review the initial effectiveness of the new Physical Activity and Sport Strategy 2013-15 in autumn 2014.
- g) That the Cabinet commission officers to undertake a piece of work reviewing the balance of the leisure offer in the borough to ensure an appropriate mix for both boys and girls.
- h) That a formalised process for information sharing on initiatives to tackle childhood obesity be developed between the CCG, children's centres, health visitors, SBC's Culture and Sport team and schools. This Review recommends that the CCG leads on this, to ensure their engagement, as they would be able to develop an overall picture of health and refer patients to the most appropriate services or initiatives that are available.
- i) That the Overview and Scrutiny Committee receive an update in January 2015 from the CCG on the progress made to implement the areas of work recognised as needing improvement:
 - referrals, and the monitoring of progress through the system following a referral;
 - the introduction of a system of regular health checks for children up to the age of 16 across all surgeries; and
 - the need for closer liaison with Public Health, Health Visitors and School Nurses, and Children's Centres.
- j) That the Overview and Scrutiny Committee write to the Care Quality Commission to request that the new inspection regime for GP practices include assessment of their provision for tackling childhood obesity as it is a contributory factor in so many related serious illnesses.

The Committee will be monitoring the acceptance and impact of its recommendations over the coming years to assess whether the levels of childhood obesity in the borough decline, and what role this Review has played in supporting that decline.

Other specific focuses of work

Budget Pressures

The Overview and Scrutiny Committee has been monitoring the work taking place to meet the challenges of service provision in an era of tightening budgets.

The Committee have regularly received quarterly performance and finance monitoring reports where the Committee have questioned the plans that have been put in place to draw back a predicted overspend during the financial year.

In addition, the Committee also reviewed the likely impact on the Council's Medium Term Financial Strategy of the Government's Spending Review, noting that all savings proposals and growth items being developed as part of the budget process were under review, and adjustments made to incorporate known budget pressures. With such a challenging financial outlook, the Committee registered particular concern at the decreasing levels of the Revenue Support Grant, and that despite some predicted modest growth in business rates, that the levels of savings that the council would need to find up to 2017/18 would be in the regional of £30m. The Committee is committed to continuing to monitor how these savings will be found, looking at ways to minimise the impact on service delivery.

Leisure Services Strategy/Future of Montem Leisure Centre

The Committee has been keeping a watching brief on the development of proposals for the future provision of leisure services in the borough. With the plans at an early stage, this is an issue that the Committee hopes to influence in terms of the direction taken.

Thus far the Committee considered the development of an overarching leisure strategy to address the community needs and priorities for the Council's role in increasing levels of physical activity in Slough, a subject the Committee has been particularly passionate about in light of its findings during its Childhood Obesity Review.

The Committee expressed specific views around:

- the development of the leisure strategy which should detail the research undertaken into the reasons for falling, or static, rates of participation and setting out effective ways of increasing the

number of physically active people in Slough, particularly in the key priority groups identified;

- the continued efforts which needed to be made to work with schools, clubs and other providers to maximise public access to local leisure facilities and wider access to facilities not currently open to the public; the Committee stressed that Council facilities not duplicate other provision;
- the importance of small, accessible and local play space for children in residential areas, suitable for ball games and informal play;
- the need for the swimming offer provided in any new facility to be as attractive as possible to encourage a broad range of users, with consideration given to such measures as free swimming for children; and
- the need to keep the broader picture regarding the increasing pressure on the council's budget firmly in mind when considering the options, and especially in the preparation of any business case for new leisure and community facilities.

This is an ongoing piece of work.

Note: The full work programme for the Overview and Scrutiny Committee for the 2013/14 municipal year is attached as Appendix A.



Health Scrutiny Panel

Membership

Councillor S Dhaliwal (Chair)
 Councillor Strutton (Vice Chair)
 Councillor Chohan
 Councillor Davis
 Councillor Grewal
 Councillor Plimmer
 Councillor Sandhu
 Councillor Shah
 Councillor Small
 Arvind Sharma (Healthwatch Slough)
 Councillor Hazel (Buckinghamshire County Council,
 Health and Adult Social Care Select Committee)

The Overview and Scrutiny Committee appoints the Health Scrutiny Panel to undertake its constitutional role looking at the specific Cabinet Portfolio for Health and Wellbeing. In addition, the Health Scrutiny Panel also undertakes the statutory Council responsibility to scrutinise the provision for healthcare in the local area.

Review - Accident and Emergency Provision at Wexham Park Hospital

For the past 18 months, in particular, the condition of Accident and Emergency (A&E) departments across the UK have come up intense scrutiny, with growing pressures culminating in a level of crisis during the winter of 2012/13, a situation that was expected to be repeated in the winter of 2013/14. A Review by The King's Fund in the autumn of 2012 had found that the number of people facing long waits when attending A&E had risen by 21% over the previous year, and the national target for 95% of patients to be seen within four hours was not being met at a number of hospitals, Wexham Park Hospital amongst them.

In addition to the above performance information, on the 17 July 2013 the Care Quality Commission (CQC) published its findings from an inspection of Wexham Park Hospital in May 2013. This inspection raised a number of serious issues relating to the A&E department around:

- patients' privacy, dignity and independence not always being respected;
- patients not always having their care needs adequately assessed, planned, and delivered;
- the standards of cleanliness and infection control in some areas;

- there not being enough qualified, skilled and experienced staff to meet people's needs;
- the failure of the Trust to ensure the quality of patient care in managing the high demand in A&E and the knock on effect on in-patient beds; and
- the accurate and appropriate maintenance of patient records.

The Task and Finish Group decided to break the Review down into the following key areas:

- Demand and Capacity
- Resources/Staffing
- Patient Flow
- Unnecessary attendances at A&E

(The Task and Finish Group recognised the importance of patient views, unfortunately, with Healthwatch only newly established the timing of the Review did not allow for a joint piece of work to gather patient views. This is likely to be looked at as part of follow up work.)

The Task and Finish Group undertook a series of meetings to look at performance data for the A&E department and to gather information from two expert witnesses:

- Grant MacDonald (Deputy Chief Executive, Heatherwood and Wexham Park Hospitals NHS Foundation Trust)
- David Williams (Director of Strategy and Development, East Berkshire Clinical Commissioning Groups)

The Task and Finish Group formed a series of key conclusions:

Capacity and Demand

- That the nature of demand for unscheduled care means it cannot be regulated, making capacity planning extremely challenging, with two specific aspects involved:
 - Increasing capacity within the A&E department
 - Increasing capacity of admitting departments
- That Wexham Park Hospital had undertaken a reorganisation of its A&E department to increase capacity whilst improving its ability to deal with issues around patient dignity and privacy.

- That the reorganisation of the layout of the department had not yet provided a collecting area for patients who were returning to the department from having tests done.
- That steps were being taken to increase admitting ward capacity, but that this would take time.
- That a 'whole system' approach was needed to ease the capacity issues within the Hospital system.

Staffing

- That Wexham Park Hospital's A&E department worked on a staffing rota split into 5 overlapping shifts, with staffing levels above the national average when compared against the national acuity tool.
- That, despite the above average staffing levels, there needed to be improvements in the optimisation of staff within individual shifts, especially when it comes to the wider patient experience.
- That there needed to be a refocus on the traditional wider elements of care, in addition to high quality clinical treatment.

Patient Flow

- Patient flow is key to improving patient experience and a measure of staffing effectiveness.
- At the time of the Review, Wexham Park Hospital was trialling a new triage process known as 'Rating' (Rapid Assessment and Treatment). It is expected that the Health Scrutiny Panel will review the results of this trial.
- That the lack of an effective electronic patient record system was an issue that should be addressed by Heatherwood and Wexham Park Hospitals NHS Foundation Trust as a priority.

Avoiding Unnecessary Attendances

- That the Slough Clinical Commissioning Group (CCG) is vital to ensuring that only those who truly need to use A&E attend.
- That primary care options needed to be more effective, accessible and better understood by the local population, through such measures as:
 - additional appointments;

- linking the GP appointment system with NHS 111; and
- using the 'Talk Before You Walk' campaign to signpost residents to the most appropriate service for their need.

In summing up its findings, the Panel welcomed the collaborative approach to tackling these issues, and the steps that had already been taken to improve the situation. There was an overall recognition of the need for the system to work as a whole to tackle the problem primary, secondary and community/social care.

The Task and Finish Group made the following recommendations, but as yet, have not had the opportunity to evaluate the implementation of these and their effectiveness:

- a) That the Health Scrutiny Panel assess the impact of the redesign of the A&E department's layout on the capacity of the Department to manage high levels of demand over the winter period following the end of the financial year 2013/14.



- b) That the Health Scrutiny Panel undertake a line of questioning in March 2014, when discussing improvements in the quality of care provision at the Trust, on the effectiveness of the discharge processes at the hospital and how the hospital staff and social care staff co-ordinate ongoing care needs.
- c) That the Health Scrutiny Panel monitor the effectiveness of the Trust's plans for recruiting qualified, skilled, experienced staff and retaining them; and how the Trust is being established as employee of choice in a highly competitive market.
- d) That Heatherwood and Wexham Park Trust consider using HCSs, Porters and other support staff in A&E to improve the overall patient experience through the provision of 'hotel'-type strands of work, such as providing drinks to patients or ensuring patients are comfortable and properly clothed etc.
- e) That the Health Scrutiny Panel assesses the impact of the Rat-ing triage system after six months.
- f) That the introduction of an electronic patient records system, currently within the medium term plans of the Trust, is brought forward.
- g) That plans for improving diagnostic and pharmaceutical support in order to speed up the flow of patients through the hospital system are considered by the Health Scrutiny Panel, particular in relation to weekend service provision, in the 2014/15 municipal year.
- h) That the Health Scrutiny Panel review the Urgent Care Action Plan at six monthly intervals in order to assess the impact the changes are having on service delivery and levels of attendances at Wexham Park Hospital Accident and Emergency.
- i) That the CCG review the accessibility of surgery numbers in Slough and work with individual surgeries where the 084 numbers are still in operation to phase these out, and confirm to the Health Scrutiny Panel a timetable for completing.
- j) That a public survey is undertaken one year after the launch of the Talk Before You Walk campaign to begin to assess the penetration of the campaign and the understanding of the messages being given. This can then be used by the Health Scrutiny Panel to inform and evaluate how behaviour may be changing over time to assess the effectiveness of the campaign.
- k) That the CCG consider a pilot scheme, along the lines of that undertaken in Walsall, to introduce a payment to surgeries who will provide an additional three hour evening session, weekly, offering a range of clinical appointments (GP, nurse practitioner, practice nurse) for that period. The advertising of this pilot scheme should be targeted specifically at full-time workers. The pilot would enable an assessment of need for this particular patient-group, and once the need has been judged a decision could be taken as to whether the additional service hours should be permanently introduced across the borough, with surgeries deciding individually whether to opt out of providing the service.

The Health Scrutiny Panel accepted the recommendations relating to it's work programme, and the CCG confirmed that the single GP surgery using an 084 number had agreed to phasing the use of this out to be replaced with a local number. At the time of writing, no formal response to the recommendations had been received from the Slough CCG or Heatherwood and Wexham Park Hospitals NHS Foundation Trust.

The Panel will be monitoring the acceptance and impact of its recommendations over the coming year(s) to assess the impact of this piece of work on the use of NHS services across the borough.

Other specific focuses of work

Hospital Quality Issues

In July 2013 the Care Quality Commission (CQC) published its findings from an inspection in May 2013. This report set out actions required under six of the seven standards judged, with enforcement action taken on the seventh. The Health Scrutiny Panel requested that the Chief Executive of the Hospital Trust attend its next meeting to provide an immediate response and details of an action plan to address the concerns raised by the CQC. This initial discussion was followed up in September 2013 with a review of the Action Plan and discussions regarding the progress being made around quality processes, cleanliness and capacity issues. A further CQC inspection in October 2013 raised more concerns, and the Panel has continued to scrutinise the work being done at the Trust to rectify the problems it is facing, through the A&E Review (detailed above) and a further evidence gathering/questioning session at its meeting in January 2014. Further discussions with the Trust are programmed in for the coming months, and this will continue, and likely dominate, the Panel's work programme for the coming municipal year.

Adult Social Care

Whilst the issues at Wexham Park Hospital have, to a large extent, dominated the Panel's work programme this year, it has also kept a watching brief on the changes taking place in Adult Social Care, especially through the Care Bill 2013-14 and the related introduction of the Better Care Fund. The Panel has long had an interest in realising the benefits of more integrated care provision, and whilst it is important to review the fine detail, the Panel welcomes the prospect of realising this arrangement.

On the wider Adult Social Care agenda the Panel:

- reviewed the work of the Safeguarding Board, drawing particular attention to:
- the strong training agenda for staff that was in place, and aimed at improving the identification of abuse, with simple and effective means of making referrals;
- the emphasis being placed on getting the message across and a communications strategy aimed at delivering wider safeguarding messages to Slough residents had been made a priority for 2013/14;
- that health care workers in care homes and providing domiciliary care were subject to strict disciplinary measures and any incidents that occurred were dealt with promptly; and
- that all providers were required to ensure their staff were given the DBS check.
- endorsed the Local Account and priorities for 2013/14; and
- endorsed the refreshed Slough Commissioning Strategy for Older People 2013-2018.

Note: The full work programme for the Health Scrutiny Panel for the 2013/14 municipal year is attached as Appendix B.



Neighbourhoods' and Community Services Scrutiny Panel

Membership

Councillor Minhas (Chair)
Councillor Wright (Vice Chair)
Councillor Dar
Councillor Dhillon
Councillor Malik
Councillor M Mann
Councillor Plenty
Councillor Shah
Councillor Sohal
Naomi Owens (Leaseholder Forum)
Terry Conroy (Slough Federation of Tenants and Residents)
Vivianne Royal (Customer Senate)

The Overview and Scrutiny Committee appoints the Neighbourhoods' and Community Services Scrutiny Panel (NCS Scrutiny Panel) to undertake its constitutional role looking at the specific Cabinet Portfolios for neighbourhoods and renewal, community and leisure, and environment and open spaces.

The NCS Scrutiny Panel did not undertake a Review this year, but did create a work programme which included a number of key issues of the local area.

Housing Services

The Panel has taken the approach of looking at various specific aspects of the Housing Service over the year:

- Sheds with Beds - an ongoing piece of work assessing the impact of the council's programme to identify and close inappropriate accommodation in outbuildings
- Housing Allocations Scheme - the Panel endorsed the council's new Housing Allocations Scheme with a recommendation for the inclusion of a one offer policy, with a 24 month suspension from the Register if an offer was refused. Cabinet amended this to two offers, but agreed with the 24 month suspension.
- Role of wardens/caretakers in supporting neighbourhoods
- Tenant Scrutiny in Slough - looking at the development of the Customer Senate and support structure

- Star Survey - reviewing the key messages from residents about Housing Services.
- Management of Houses of Multiple Occupancy (HMO) - the Panel looked at how we could incentivise becoming licensed for a landlords; how premises were inspected prior to becoming licensed; and how Members could access the register of HMOs on line so they could report any properties which they felt should be considered for inclusion in the register.
- Older People's Housing Offer - a concern for the Panel was how the 'offer' to older people had developed over recent years, and in particular the move to alter the status of some housing blocks so that they were just for older residents, and how changes were consulted on.
- Voids Performance - a major concern for the Panel was the performance of the contractor in turning around empty properties. Linked to this was a broader discussion around the contract the council had entered into for a significant period of time, which did not provide the council with sufficient enforcement over performance. This will be an ongoing monitoring of how this contract is performing and the preparations of a new contract for the future.

Slough's Relationship with Heathrow Airport

The Panel held an extraordinary meeting in October 2013, to look at Slough's relationship with Heathrow Airport. Members considered the results of a small residents' survey, economic studies that had been undertaken by the Thames Valley Berkshire Local Enterprise Partnership, and the results from a consultant commissioned by Slough Borough Council to look at Slough's specific economic relationship to the airport. Members commented on the importance of Heathrow to the local employment market, especially when looking at the level of potential job losses should the decision be taken to close the airport. The Panel recognised the importance of Heathrow economically when it was calculated at 32% of Slough residents' employment was either directly or indirectly linked with the borough's proximity to the airport.

However, whilst recognising the economic importance of Heathrow's proximity to Slough, Members were concerned that, as yet, little detailed information was available on the noise and other environmental impacts of the current arrangements at Heathrow, concerns that would increase should a decision be taken to expand the airport's capacity. Recommendations were made to Cabinet that pieces of work to rectify this.

Crime and Disorder

The Panel undertook its statutory responsibility to hold a Crime and Disorder Committee during the year in February 2014.

The Panel reviewed the work of the Safer Slough Partnership over the year and the challenges it has faced, highlighting particularly the difficulties faced by a transient population, population density and the relatively young population of Slough.

In assessing the priorities identified by the SSP for the coming year, the Panel was pleased to see that the Joint Strategic Needs Assessment underpinned these, with local targets which included a 2% reduction in burglaries and violent crime. Another priority area Members endorsed was the use of alley gating in crime and anti-social behaviour hotspots, along with a focus on domestic abuse.

The Panel agreed that the SSP was performing well against its targets, but that continued partnership working focusing on joint priorities across the partner organisation, with strong leadership from the council would be key to future success.

Note: The full work programme for the Neighbourhoods' and Community Services Scrutiny Panel for the 2013/14 municipal year is attached as Appendix C.



Education and Children's Services Scrutiny Panel

Membership

Councillor Sohal (Chair)
Councillor Abe (Vice Chair)
Councillor Brooker
Councillor Carter
Councillor Davis
Councillor O'Connor
Councillor Hussain
Councillor Malik
Councillor Matloob
Lynda Bussley (Primary School Teacher Representative)

The Overview and Scrutiny Committee appoints the Education and Children's Services Scrutiny Panel (ECS Scrutiny Panel) to undertake its constitutional role looking at the specific Cabinet Portfolios for education and children, and opportunities and skills.

The ECS Scrutiny Panel did not undertake a Review this year, but did create a work programme which included a number of key issues for the local area.

Children's Services Improvement Programme

A key focus for the ECS Scrutiny Panel over the year, as with the previous two years, has been the programme of improvement in Children's Services, specifically around services to Looked After Children and Safeguarding. The Panel was disappointed, although not surprised by the findings of the Ofsted Inspection during the year; there was a recognition that, whilst the council is on the right track in terms of improvement, progress has not been sufficient. The Panel has been monitoring the improvement plan closely, receiving regular reports on the overarching programme of work, as well as focusing in on individual aspects such as with Early Help.

As part of their scrutiny of the Improvement Programme, the Panel has continued to closely monitor the work of the Local Safeguarding Children Board (LSCB) and especially their work around identifying and tackling child sexual exploitation. In addition, the Panel has had an initial discussion regarding concerns being raised over the potential levels of Female Genital Mutilation (FGM) within the borough and the need for the LSCB to focus on this issue over the coming year.

Grammar Schools

Education has been the other key theme of work the Panel has focused on this year. A particular area of concern for members had been media reports around the numbers of children at Slough's Grammar Schools that were not from the borough itself. This led to a broad discussion in December 2013 on the role of grammar schools in Slough, where the Panel took evidence from two grammar school head teachers, a non-selective secondary school head teacher, and a primary school head teacher.

The discussion focused on how the grammar schools worked as a consortium and established the pass mark for the 11+ exam with a concern at the low numbers of Slough students achieving this; and the decision of Buckinghamshire of introducing a new type of 11+ exam which could not be tutored for. In considering what could make the difference for Slough students in terms of increasing the numbers who take, and pass, the 11+ exam, the Panel endorsed the proposed trial of this alternative 11+ exam in Slough for the coming year. Members also looked at how we could ensure equality of opportunity with the whole system in the borough working together to improve student attainment levels.

Alongside student attainment, the Panel also discussed the difficulties of recruitment, and the need to change the discussion from the focus on numbers attending grammar schools, which implied that the borough's non-selective secondary schools were of a lesser quality which was not the case. The Panel was keen to stress the very good non-selective schools in Slough and the value added scores of these schools demonstrating that the grammar schools were not the only place for aspiration - a message they were keen to hear more.

Childhood Immunisation

The Panel looked at the issue of childhood immunisation twice during the year. The first report they requested came in the wake of national media attention of a number of outbreaks of measles in the spring of 2013. The report to the ECS Panel in July 2013 highlighted the relatively low immunisation rates for the borough and the difficulties Public Health were having in establishing the correct levels due to gaps in the data. The Panel requested that Public Health look at this and report back following Quarter 2. The second report in January 2014 continued to indicate the low levels of immunisation, particularly for MMR2 and the pre-school booster, in Slough.

The Panel noted the work that was still going on to improve the quality of the data available, with an expectation that this would be completed in the following six month, as well as work taking place around introducing a new, and consistent, call/recall system for GPs, and agreed to look at this issue again in the new municipal year.

Note: The full work programme for the Education and Children's Services Scrutiny Panel for the 2013/14 municipal year is attached as Appendix C.



Looking Forward

Coming off an election, the 2014/15 municipal year will be a challenging year for scrutiny, which also offers a number of opportunities as well.

The council faces a number of challenges over the next 12 months, in particular major changes to the way adult social care is configured alongside significant, ongoing budget pressures, and the development of proposals to meet our statutory responsibility to provide sufficient school places as our school-age population increases. These key challenges sit alongside the ongoing challenge for the council to do more with less, and a budget process that is likely to involve difficult decisions going into 2015/16.

New membership on the main committee and standing panels brings in fresh ideas, and skills which can enhance the process of effective scrutiny, alongside the knowledge and skills of those continuing on in the role. The introduction of an engaging Scrutiny Member Development programme will help to tap into those skills as well as develop new approaches, strengthen work programming ensuring the Scrutiny Function delivers defined results, adding value to the work of the council.



Overview and Scrutiny Committee Work Programme 2013/14

| | |
|--|--|
| Meeting Date | Meeting Date |
| 4 June 2013 | 14 January 2014 |
| Administrative Items <ul style="list-style-type: none"> • Appointment of Panels • Work programme Scrutiny Items <ul style="list-style-type: none"> • Cllr Coad Call-In: SD Decision re. Langley Rd, Station Rd and High Street Langley | Scrutiny Items <ul style="list-style-type: none"> • Preparations for individual electoral registration • Bus Station: Lessons Learned • Childhood Obesity - Meeting 5: Sign off report |
| 8 July 2013 | 6 February 2014 |
| Scrutiny Items <ul style="list-style-type: none"> • Childhood Obesity - Meeting 1: "Does Slough have a problem with childhood obesity?" • Cllr Plimmer Call-In: Leaseholder Annual Service Charge Statements | Scrutiny Items <ul style="list-style-type: none"> • Q3 Performance and Finance Report • Budget Papers: <ul style="list-style-type: none"> o Revenue Budget 2014/15 o Medium Term Financial Strategy 2014-2018 o Treasury Management Strategy o Capital Strategy 2014-2019 Administrative <ul style="list-style-type: none"> • Health Scrutiny Panel membership |
| 10 September 2013 | 4 March 2014 |
| Scrutiny Items <ul style="list-style-type: none"> • Childhood Obesity - Meeting 2: "What options are there to alter the physical environment?" • Q1 Performance and Finance Report • Implications of the Government's Spending Review on medium term financial planning <ul style="list-style-type: none"> • Leisure Services Strategy | Scrutiny Items <ul style="list-style-type: none"> • Chief Constable Information Items <ul style="list-style-type: none"> • Social Care Bill |
| 7 October 2013 | 8 April 2014 |
| Scrutiny Items <ul style="list-style-type: none"> • Thames Valley Transactional Service Centre: Update • Local Asset Backed Vehicle Update | Scrutiny Items <ul style="list-style-type: none"> • Leaseholder Services - Update on Improvements • Transactional Services - Performance Update • Corporate Plan Endorsement Item <ul style="list-style-type: none"> • Scrutiny Annual Report For Information <ul style="list-style-type: none"> • Loanshark Service |
| 12 November 2013 | 12 June 2013 |
| Scrutiny Items <ul style="list-style-type: none"> • Childhood Obesity - Meeting 3: "What is the role of schools and how can we support them? How can we encourage greater physical activity amongst children and young people?" • Q2 Performance and Finance Report • Economic Development Strategic Plan | Administrative Items <ul style="list-style-type: none"> • Election of Chair • Election of Vice • Work programme Scrutiny Items <ul style="list-style-type: none"> • Mental Health In-patient Services Transfer • Heatherwood and Wexham Park Hospitals NHS Foundation Trust Quality Account 2012/13 |
| 3 December 2013 | |
| Scrutiny Items <ul style="list-style-type: none"> • Childhood Obesity - Meeting 4: "What is the role of GPs and Primary Care?" • Joint Strategic Needs Assessment | |

Health Scrutiny Panel Work Programme 2013/14

| | |
|--|--|
| Meeting Date | Meeting Date |
| 12 June 2013 | 21 November 2013 |
| Administrative Items <ul style="list-style-type: none"> • Election of Chair • Election of Vice • Work programme Scrutiny Items <ul style="list-style-type: none"> • Mental Health In-patient Services Transfer • Heatherwood and Wexham Park Hospitals NHS Foundation Trust Quality Account 2012/13 | Scrutiny Items <ul style="list-style-type: none"> • Dementia Care Strategy • Public Health Strategy • Healthwatch Business Plan |
| 24 July 2013 | 13 January 2014 |
| Scrutiny Items <ul style="list-style-type: none"> • Care Quality Commission Findings: Wexham Park Hospital (introduced under Members Questions) • Heatherwood/Wexham Park and Frimley Park merger • Shaping the Future: implementation of changes and impact • Health Scrutiny/Slough Wellbeing Board Protocol | Scrutiny Items <ul style="list-style-type: none"> • Social Care Bill and Health Integration • Carers Commissioning Strategy • Tuberculosis in Slough For Information <ul style="list-style-type: none"> • Mental Health In-patient Services Transfer • A&E Review Report |
| 17 September 2013 | 24 March 2014 |
| Scrutiny Items <ul style="list-style-type: none"> • Adult Safeguarding Annual Report 2012/13 • Public Local Account • Older People's Strategy • Heatherwood/Wexham Park CQC Report and Action Plan | Scrutiny Items <ul style="list-style-type: none"> • Quality and Improvement at Heatherwood and Wexham Park Trust • Clinical Commissioning Group • Heatherwood and Wexham Park Hospitals NHS Foundation Trust • Healthwatch Slough • Berkshire Healthcare NHS Foundation Trust Quality Account 2013/14 For Information <ul style="list-style-type: none"> • Winterbourne Action Plan Implementation |

Neighbourhood and Community Services Scrutiny Panel Work Programme 2013/14

| | |
|---|--|
| Meeting Date | Meeting Date |
| 19 June 2013 | 8 January 2014 |
| Administrative Items <ul style="list-style-type: none"> • Election of Chair • Election of Vice Chair • Work programme Scrutiny Items <ul style="list-style-type: none"> • Sheds with Beds: Update on Progress • Waste Strategy 2013-2028 | Scrutiny Items <ul style="list-style-type: none"> • Impact of Benefits Changes incl. impact of London Boroughs policies on housing • Management and Prevention of rent arrears/voids/damage to housing stock For Information <ul style="list-style-type: none"> • Management of service charges for Council tenants |
| 5 September 2013 | 27 February 2014 |
| Scrutiny Items <ul style="list-style-type: none"> • Housing Allocations Scheme • Role of wardens/caretakers in supporting neighbourhoods • Tenant Scrutiny in Slough | Crime and Disorder Committee Scrutiny Items <ul style="list-style-type: none"> • Community Safety Partnership incl. Prostitution • Domestic Violence For Information <ul style="list-style-type: none"> • Performance Indicators for Interserve Contract |
| 30 October | 2 April 2014 |
| Extraordinary Meeting <ul style="list-style-type: none"> • Heathrow Airport Expansion: evidence gathering | Scrutiny Items <ul style="list-style-type: none"> • Transport Working Party - Progress Report |
| 6 November 2013 | |
| Scrutiny Items <ul style="list-style-type: none"> • Star Survey • Management of Houses of Multiple Occupancy • Older People's Housing Offer • Call-in: Management/Control of Highways yellow line/disabled bay line painting contract | |

Education and Children's Services Scrutiny Panel Work Programme 2013/14

| | |
|---|---|
| <p>Meeting Date</p> | <p>Meeting Date</p> |
| <p>1 July 2013</p> | <p>30 January 2014</p> |
| <p>Administrative Items</p> <ul style="list-style-type: none"> • Election of Chair • Election of Vice Chair • Work programme <p>Scrutiny Items</p> <ul style="list-style-type: none"> • Churchmead School: update on improvement • Childhood Vaccinations | <p>Scrutiny Items</p> <ul style="list-style-type: none"> • Child-focused overview of messages from Ofsted Inspection and 2014 calendar year priorities • Corporate Parenting Review and Proposals • SEN: impact of changes in legislation • Childhood Immunisation: Progress |
| <p>10 October 2013</p> | <p>19 February 2014</p> |
| <p>Scrutiny Items</p> <ul style="list-style-type: none"> • Improvement Plan: Update • Early Help in Slough: Getting it Right for Children project update • Annual Report of Independent Reviewing Officers/Child Protection • LSCB Annual Report incl. CSE update <p>Members Question: FGM</p> | <p>Extraordinary Meeting</p> <p>Scrutiny Items</p> <ul style="list-style-type: none"> • Formal feedback from Ofsted Inspection |
| <p>5 December 2013</p> | <p>12 March 2014</p> |
| <p>Scrutiny Items</p> <ul style="list-style-type: none"> • Grammar Schools in Slough: role, relationship with non-selective schools, impact on attainment and accessibility • School Places: Plans for the Future • Vulnerable Children and Education <p>Information Items</p> <ul style="list-style-type: none"> • Community Learning and Skills Services Update • School Results: Preliminary • Schools Services: Contract Update | <p>Scrutiny Items</p> <ul style="list-style-type: none"> • School Results: Validated • Churchmead: Update on Improvements • Community Learning and Skills Services |
| | <p>16 April 2014</p> |
| | <p>Scrutiny Items</p> <ul style="list-style-type: none"> • Slough Local Safeguarding Children Board - Ofsted Inspection Findings <p>For Information</p> <ul style="list-style-type: none"> • Statement of Purpose for Breakaway |

This document can be made available on audio tape, braille or in large print, and is also available on the website where it can easily be viewed in large print.

Annual Scrutiny Report 2013/2014

If you would like assistance with the translation of the information in this document, please ask an English speaking person to request this by calling 01753 875657.

यदि आप इस दस्तावेज़ में दी गई जानकारी के अनुवाद कए जाने की सहायता चाहते हैं तो कृपया किसी अंग्रेजी भाषी व्यक्ति से यह अनुरोध करने के लिए 01753 875657 पर बात करके कहें.

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਦਾ ਅਨੁਵਾਦ ਕਰਨ ਲਈ ਸਹਾਇਤਾ ਚਾਹੁੰਦੇ ਹੋ, ਤਾਂ ਕਿਸੇ ਅੰਗਰੇਜ਼ੀ ਬੋਲਣ ਵਾਲੇ ਵਿਅਕਤੀ ਨੂੰ 01753 875657 ਉੱਤੇ ਕਾਲ ਕਰਕੇ ਇਸ ਬਾਰੇ ਬੇਨਤੀ ਕਰਨ ਲਈ ਕਹੋ।

Aby uzyskać pomoc odnośnie tłumaczenia instrukcji zawartych w niniejszym dokumencie, należy zwrócić się do osoby mówiącej po angielsku, aby zadzwoniła w tej sprawie pod numer 01753 875657.

Haddii aad doonayso caawinaad ah in lagu turjibaano warbixinta dukumeentigaan ku qoran, fadlan weydiiso in qof ku hadla Inriis uu ku Waco 01753 875657 si uu kugu codsado.

اگر آپ کو اس دستاویز میں دی گئی معلومات کے ترجمے کے سلسلے میں مدد چاہئے تو، براہ کرم ایک انگریزی بولنے والے شخص سے 01753 875657 پر کال کر کے اس کی درخواست کرنے کے لئے کہیں۔

SLOUGH BOROUGH COUNCIL

STANDARDS ADVISORY COMMITTEE

ANNUAL REVIEW

MAY 2013 TO MARCH 2014

THE STANDARDS ADVISORY COMMITTEE

Membership of the Standards Advisory Committee is as follows:

Elected Members

Councillor Jagit Grewal (Chair)
Councillor Arvind Dhaliwal
Councillor Mewa Mann (Vice-Chair)
Councillor Fiza Matloob
Councillor Harjinder Minhas
Councillor Wayne Strutton

Co-Opted Independent Members

Ronald Roberts
Alan Sunderland

Parish Council Members

Charles Burke / Scott Bryant (Colnbrook with Poyle Parish Council)
Janice Finn (Britwell Parish Council)
Harjinder Singh Gahir (Wexham Court Parish Council)

Independent Person (Observer only)

Fred Ashmore

Note

Parish Councillors Charles Burke and Janice Finn were newly appointed to the Committee by their respective Parish Councils in May/June 2013. In March 2014 Colnbrook with Poyle Parish Council appointed Scott Bryant in place of Charles Burke.

The Committee met two occasions during the year, on 3rd October 2013 and 18th March 2014. It is pleasing to note that matters around Member Conduct were sufficiently light to enable two Committee meetings during the year to be cancelled owing to insufficient business. Committee agenda papers, reports and minutes are available on the Council's website at www.slough.gov.uk

Kevin Gordon, Assistant Director Professional Services, is the Council's Monitoring Officer, with whom the Committee has joint responsibility to produce this Annual Review.

Introduction by the Chair

2013/14 has been a time for consolidation of the arrangements introduced in the Localism Act 2011 for the regulation of standards of conduct for elected and co-opted members of the Borough Council and Parish Councils. This has allowed a period for Members familiarise themselves with their responsibilities under the new arrangements and in particular the new statutory duty for Members to register their 'Disclosable Pecuniary Interests'. These declarations, together with those arising from the locally imposed duty to notify the Monitoring Officer of other pecuniary and non-pecuniary interests, form the public Register of Members' Interests, available for viewing on the Council's website.

The Standards Advisory Committee has an important role in overseeing the investigation and determination of any complaints against Members where a failure to comply with the Code of Conduct has been alleged. I wish to thank the Members and Co-opted Members of the Committee, and the Independent Person, for their assistance over the year and hope that we may continue to work together to promote and maintain high standards of conduct by all Members.

Councillor Jagit Grewal

Roles and Functions of the Committee

The Committee's main roles and functions revolve around:

- Promoting and maintaining high standards of conduct and assisting Members to observe these as set out in the Council's Ethical Framework and the Code of Conduct.
- Advising and training Members in all matters relating to the Ethical Framework, monitoring the operation of it and Members' performance against it.
- Keeping under review the Code of Conduct and the Whistle-Blowing policy and making recommendations to the Council when revisions are considered to be ready.
- The determination of any written complaints against a Member and the taking of any appropriate action.

Activity and Action in 2013/14

The Localism Act 2011 placed a duty on the Council to adopt a Code of Conduct which must be, when viewed as a whole, consistent with the following principles:

- (a) selflessness;
- (b) integrity;
- (c) objectivity;
- (d) accountability;
- (e) openness;
- (f) honesty;
- (g) leadership.

These principles, known as the Seven Principles of Public Life, were developed by the Committee on Standards in Public Life (originally known as the Nolan Committee), an independent public body which advises government on ethical standards across the whole of public life. The Borough Council in common with most local authorities and other public bodies incorporated the Seven Principles into its Code of Conduct adopted in June 2012, together with the description of each Principle. In its 14th report the Committee on Standards in Public Life set out revised descriptions to a number of the Seven Principles, which generally strengthened the wording and in some cases widened their scope. The Council adopted the revised wording of the Seven Principles for the Code of Conduct on 16th May 2013, on the recommendation of the Standards Advisory Committee.

A further development in the body of advice available to Members came in the shape of the issue by the Department for Communities and Local Government (DCLG) of a revision to its guide for Councillors entitled "Openness and Transparency on Personal Interests". The Guide contained background information on why the Government had brought in the new standards arrangements, and gave useful advice about personal interests, Disclosable Pecuniary Interests, and how a Member affected should act. Two additions to the guide concerned the requirement for a Member to make a specific disclosure of trade union membership. The Committee took the view that the amended guidance raised no issue that was not already covered by the Council's existing arrangements. The Guide was made available to Members and a general reminder was issued through the Members' Bulletin drawing attention to it requesting Members to ensure that their notifications for the register of interests are accurate and up to date.

Committee Membership 2013/14

As noted above, Britwell and Colnbrook with Poyle Parish Councils appointed new representatives to sit on the Committee.

Although not formally a member of the Committee, the Council's Independent Person, Mr Fred Ashmore, was due to stand down during the year as his appointment under the transitional arrangements of the Localism Act became time expired. Steps were taken to advertise for persons interested in taking

up the position of Independent Person, who was expected to work closely with the Monitoring Officer, and be consulted at various stages of the Standards process. The aim was to complete the recruitment process in time for the appointment of the recommended candidate to be confirmed at the Annual Meeting in May 2014.

A vacancy also exists for a third co-opted Independent Member to be appointed and it was the intention to consider this further in the light of interest received in the Independent Person position.

Complaints Activity

It is satisfactory to note that there has been a relatively low level of complaints activity during the year.

There were five complaints pending at the end of the last year which were awaiting initial assessment by the Monitoring Officer. Three of the complaints were in relation to issues involving both Parish and Borough Councillors (where the Borough Councillors were twin-hatted) and the other two related to Borough Councillors. A summary of the complaints and the outcome (in each case reached after consultation with the Independent Person) is:

| Complaint about | No. | Outcome |
|--|------------|--|
| Interests [Section 3 of Code] Queries about decision of Parish Council | 2 | Minutes record that interests were declared. No breach of Code. Queries about decision referred to Parish Clerk. |
| Verbal abuse by Councillor – treating others with respect [2.1 of Code] | 1 | Considered complaint was motivated by malice, tit-for-tat or politically motivated. No further action. |
| Behaviour not open, honest or genuine at a public meeting – maintaining high standards of conduct [2.4 of Code] | 1 | Reminder about good conduct sent to subject councillor and Group Leader. Complainant declined to provide further evidence of breach of code. |
| Alleged behaviour in relation to Union colleague in breach of the Principles of Public Life and the Code of Conduct [1.4 to 1.6 of the Code] | 1 | Allegation did not relate to activity in the role of Councillor. No further action. |

There were seven complaints received in the year, five of which related to Parish Councillors and two related to a Borough Councillor. A summary of the complaints and the outcome (in each case reached after consultation with the Independent Person) is:

| Complaint about | No. | Outcome |
|--|------------|--|
| Failure to treat others with respect [2.1 of Code] | 1 | Reminder about good conduct sent to subject councillor. No further action. |
| Bullying/harassment - failure to treat others with respect [2.1 of Code] | 1 | Considered not appropriate since complaint submitted by a third party. |
| Non disclosure of Disclosable Pecuniary Interest [3.4 of Code] | 1 | Referred for investigation. Considered by Standards (Determination) Sub-Committee – found that the Code had been breached although Member had rectified the notification of his DPI. |
| Bullying; rude and abusive behaviour; failure to treat others with respect [2.1 of Code] | 1 | Reminder letter to Parish Councillor drawing attention to those parts of the Code which his behaviour placed him in breach of. |
| Procedural matters relating to the running of Parish Council meetings | 1 | Not considered to fall within the Code. Response sent to complainant with comments from the Parish Clerk. |
| Non Disclosure of Disclosable Pecuniary Interest [3.4 of Code] | 1 | Referred for investigation. |
| Offensive email; bringing the office into disrepute [2.3 of the Code]. | 1 | Referred for investigation. |

Future Training

In order to promote and maintain high standards of conduct, there is an ongoing need to provide training and guidance for Members, to refresh and renew understanding of and compliance with best practice on standards issues and good governance. There is also a need to bear in mind new Members coming into office through normal electoral turnover. With whole Borough elections programmed for May 2014 it is proposed to build relevant standards training into the induction programme for the new Council.

Further Information

For further information on Standards matters generally or advice in relation to the Code of Conduct, please contact either:

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 22nd April 2014

CONTACT OFFICER: Member Panel on the Constitution
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WARD(S): All

PART I
FOR DECISION

REVIEW OF CONSTITUTION AND RELATED MATTERS

1. **Purpose of Report**

To report the recommendations of the Member Panel on the Constitution (MPOC) on the Review of the Constitution for 2014/15 and agree next steps.

To report the recommendation of the MPOC on the recommendation referred to it with regard to Public Questions at budget meetings.

To report the recommendation of the MPOC on the Motion referred to it with regard to filming/webcasting meetings

2. **Recommendations**

The Council is requested to Resolve:

Review of Constitution

(a) That progress on the Review of the Constitution be noted.

(b) That the proposed changes to the following Sections of the Constitution be approved as set out in the attached Appendices and incorporated in the Constitution to take effect from 1st June 2014:

- Part 4.3 – Budget and Policy Framework Procedure Rules
- Part 4.6 - Financial Procedure Rules
- Audit and Risk Committee - Terms of Reference
- Employment and Appeals Committee - Terms of Reference
- Council procedure rules
- Overview and Scrutiny Procedure rules
- Overarching Scheme of Delegation to Officers (Parts 1,2 and 3).

(c) That it be noted that work on the Employee Code of Conduct and Contracts and Procurement element of the Financial Procedure Rules is ongoing and will be reported to the Council in due course.

- (d) That the actions being taken to revise the Scheme of Delegation to Officers be endorsed.
- (e) That the Head of Democratic Services be authorised to amend the current published Constitution to reflect Council Structures, legislative requirements and other administrative amendments as necessary.
- (f) That the Member Panel on the Constitution be reappointed at the annual meeting in June 2014 to monitor the effectiveness of the Constitution and consider further amendments to it.

Public Questions at Budget meetings

- (g) That no further action be taken on Councillor Smith's recommendation on Public Questions at Budget Council meetings.- paragraphs 5.41 – 5.43 refer.

Webcasting/Filming meetings

- (h) That the draft protocol for filming meetings attached at Appendix 8 be approved subject to any amendments required following the publication of the expected Regulations and any consequential changes be made to the Council Procedure Rules.
- (i) That the Curve is enabled to support webcasting meetings in the future and any budget implications of this proposal be considered in 2014/15.
- (j) That the Council does not commence webcasting of meetings before the completion of The Curve.

3. Community Strategy Priorities

None as this report is administrative in nature.

4. Other Implications

The Constitution meets the Council's requirements and incorporates all necessary legal requirements.

5. Supporting Information

Background – Fundamental Review

- 5.1 The Member Panel on the Constitution agreed that a fundamental review of the Constitution be undertaken in 2013.
- 5.2 Over time the Constitution has been amended to reflect legislative changes and good practice. The original base model has never been updated, despite a number of changes to governing legislation, the last of which was the Localism Act 2011 and whilst legislation was always changing and no model can hope to stay completely up to date, it was felt that the Constitution needed a fundamental review.

5.3 There were also concerns that:

- The Constitution did not enable the effective, efficient and proportionate decision-making which would enable the Council to act effectively in pursuit of its objectives and plans.
- The need for reflective and/or responsive revisions had resulted in proliferation of thoughts and processes with no central anchor.
- The document as it stands was not user friendly.
- There was a lack of clarity over decision making and documentation of clear audit trails.
- The document itself had become fragmented with the key sections setting out processes and procedures sometimes conflicting.
- Complementary and associated processes needed to sit together in more logical and coherent fashion – i.e financial and contract procedure rules, committee codes of conduct etc.
- There needed to be an auditable, timely system for updates.

5.4 The Panel favoured the proposal that the document should revert to being the “authority’s rule book” and be significantly shorter than the current document. The Panel agreed the following principles to inform the review:

- To make all forms of decision making as streamlined and clear as possible.
- To introduce modern best practice wherever possible.
- To make the Constitution a modern, fit for purpose, easily understandable and easily updated document.
- To simplify rules and remove duplication and conflict.
- To redraft officer delegations to empower officers to make decisions in line with corporate procedures with a robust audit trail and clear sub delegation rules.
- To consider the current Overview and Scrutiny process and structure to enhance its role and ability to scrutinise effectively.
- To review financial procedure rules and thresholds for decision making.

Progress on the Review

5.5 The Review is a significant piece of work and the Panel has met to undertake the detailed review work on the Constitution.

Updates to current Constitution

5.6 In May 2013, on the recommendation of the Panel, the Council agreed revisions to the following parts of the Constitution:

- Access to Information Procedure Rules
- Code of Conduct: 7 Principles of Public Life
- Code of Conduct for Members and Officers in relation to Planning and Licensing Matters
- Extract from Financial Procedure Rules re External Audit.

2013/14 Review

5.7 The Panel has met a number of times to consider the proposed amendments to various parts of the Constitution. Each part is dealt with in a separate paragraph below:

Section 4.3 Budget and Policy Framework Procedure Rules

5.8 Proposed amendments to the Budget and Policy Framework Procedure Rules are set out in track changes at Appendix 1.

5.9 A summary of the main changes proposed is set out below:

- Remove reference to Director of Resources, Housing and Regeneration and replace with S151 officer
- Remove some of the outdated financial framework around member challenge
- Update for changes to Council Tax and Business Rates rules

Section 4.6 - Financial Procedure Rules

5.10 Proposed amendments to the Financial Procedure Rules are set out in track changes at Appendix 2.

5.11 A summary of the main changes proposed is set out below:

- Amend responsibility from Director of Resources, Housing and Regeneration to the S151 officer for all financial matters
- S151 officer sets the approved purchase order levels
- Capital spend variations allowable up to 5% of the total scheme or £250k (whichever is lower)
- Allow some ability to move capital schemes from one year to the other so long as no impact on the borrowing requirement (all via the Capital Strategy Board)
- Include element of disciplinary proceeding being taken for not complying with the finance rules of procedure
- Budget virements over £500k to be delegated from full Council to Cabinet
- Responsibility for the payment of salaries and wages changed to the Director of Community and Customer Services, with amended responsibilities for the AD, Professional Services and s151 officer
- The contracts rules of procedure have been updated but will need to be reviewed for amendment to the September Council meeting with clarity on procurement strategy, action plan and further guidance
- Exemption requests amended so that spend over £50k on social care contracts comes to the procurement board in line with internal audit's recommendations
- Some amendments to reflect procurement advice to come from the AD, Procurement
- Clarify the role of the Procurement Board rather than the Director of Resources, Housing and Regeneration as an individual.

Members also requested that the Assistant Director, Procurement consider the contract procedure rules contained within Financial Procedure Rules for report back to the Panel with the aim of simplifying the rules and providing greater clarity over exemption requests and tendering processes

Audit and Risk Committee – Terms of reference

- 5.12 The Constitution provides for an annual review of the Committee's terms of reference to ensure that they are relevant and meet current and expected future needs.
- 5.13 The Council's Annual Accounts and Annual Governance Statement (AGS) are currently considered and approved by Council.
- 5.14 Guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) "Audit Committees: Practical Guidance for Local Authorities" 2005 recommends that Audit Committees assume responsibility for the approval of the AGS and the Annual Accounts. Specifically, the Committee would need to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that needed to be brought to the attention of the Council.
- 5.15 Proposed amendments to the Committee's terms of reference to reflect the changes in responsibility and best practice as outlined above are set out in track changes at Appendix 3. These amendments were reported to the Audit and Risk Committee on 13th March and were recommended to the Council for approval.

Employment and Appeals Committee – Terms of reference and Disciplinary Policy and Procedure

- 5.16 As part of the Councils 'Fit for the Future' Organisational Development Strategy a review of the policy framework for Performance Management of Staff including capability, disciplinary and grievance has been undertaken.
- 5.17 The Employment & Appeals Committee nominated Cllr Brooker to work with staff from HR in examining proposals. Following a working meeting with Cllr Brooker a proposal to amend the appeals process against dismissal has been developed. The proposal will generate a small saving in training costs and the amount of professional support provided to the panel.
- 5.18 The process to replace the current member appeal panel with an officer one has been examined in line with the revised ACAS Arbitration Conciliation Advisory Service guidance. Extract below

Appeals

An employee who wishes to appeal against a disciplinary decision must do so within five working days. The senior manager will hear all appeals and his/her decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

- 5.19 The proposed amendment is to the current process whereby staff appeals against dismissal are heard by a Sub Committee of the Employment and Appeals Committee. Staff have a right of appeal against dismissal under disciplinary, redundancy and sickness policies. The proposal is that final appeals against dismissal are heard by a panel comprising a Strategic Director/Chief Executive/Assistant Director. Arrangements for Strategic Directors are still to be considered.

5.20 Proposed amendments to the Terms of Reference of the Employment and Appeals Committee and are set out at Appendix 4.

Council Procedure Rules

5.21 Proposed amendments to the Council Procedure Rules are set out in track changes at Appendix 5

5.22 The proposed amendments seek to simplify the Rules and give greater clarity to the rule on submission of notices of Motion.

5.23 In summary the proposals

- Clarify the requirement for the submission of Notices of Motion
- Alter the timings of debate so that all speeches are three minutes
- Remove duplication and re-order where necessary for clarity
- Require a recorded vote on any decision relating to the budget or council tax at the Council's annual budget meeting (Regulatory Requirement)

Overview and Scrutiny Procedure Rules

5.24 Proposed revised Overview and Scrutiny Procedure Rules are set out at Appendix 6.

5.25 The new Overview and Scrutiny Procedure Rules are based on 'model' rules provided by an external law firm Dickenson-Dees, and bring together the best-working elements of Slough Borough Council's current Overview and Scrutiny Procedure rules.

5.26 In summary the proposals include:

- Appointment of co-optees - Panels empowered to appoint their own co-optees depending on need and having regard to the positive input an individual/organisation may make to the scrutiny process. (Note: ECS Panel statutory and agreed co-optees relating to education matters remains unchanged.)
- Task and Finish Groups – small amendment so that membership for such groups is agreed by individual committee/panel.
- Overview and Scrutiny Committee Terms of Reference –
 - tidying up and removal of duplication; and
 - remove option to refer a Call-in to a Panel, call-ins will be considered and resolved with by the Committee.
- Terms of Reference of Scrutiny Panels –
 - tidying up; and
 - remove Health Scrutiny Protocol – this will be updated and held by the Scrutiny Office with copies given to Health Scrutiny Panel members at the start of the municipal year.
- Following documents to be removed from Constitution and held by Scrutiny Office

- Protocol for Corporate Planning Framework and Service Reviews
 - Health Scrutiny Guidance
 - Joint East Berkshire Health Overview and Scrutiny Committee Terms of Reference
- Meetings –
 - reduce minimum number of meetings each Committee/Panel must hold each year from 6 to 4. Starting in 2015/16 only 4 meetings for each committee/panel will be programmed in, with additional meetings called as required; and
 - remove twice yearly Chair and Vice Chair Group meetings. These will be held informally in future.
- Work Programme – new paragraph setting out key principles for developing work programme.
- Agendas –
 - strengthening of process;
 - introducing form/information to be included for individual requests and Scrutiny Reviews; and
 - Process for agreeing agendas.
- Members/Officers giving account –
 - removal of list of exceptional circumstances; and
 - removal of questioning paragraph.
- Call-in (both Cabinet and Officer Delegated Decisions) –
 - introducing form/information to be included in any Call-in;
 - members required to call-in decision;
 - call-ins to be considered by Overview and Scrutiny Committee;
 - call-in considered by Chair/Vice Chair to decide whether accepted as legitimate;
 - general strengthening of process to be followed when call-in received; and
 - simplification of decisions Overview and Scrutiny Committee can take in dealing with a call-in.

Scheme of Delegation to Officers

- 5.27 The Panel was concerned that the existing Scheme did not consistently enable, efficient and proportionate decision-making to allow the Council to act effectively in pursuit of its objectives and plans. There was also a lack of clarity over decision making, documentation of clear audit trails and a concern that the financial and contract procedure rules were disjointed and not always in line with delegations.
- 5.27 The aim of reviewing the Scheme was to make all forms of decision making as streamlined and clear as possible, simplify the rules and remove duplication and conflict. Delegations needed to be redrafted to empower officers to make decisions in line with corporate procedures with a robust audit trail and clear sub delegation rules.

Revised Scheme of Delegation - Structure of the Scheme

- 5.28 The proposal is to have a four part scheme. Part 1 is an overarching ‘umbrella document’ that sets out the guiding principles on how the Council will delegate its executive and non executive powers to officers.
- 5.29 Part 2 consists of General Delegations which are common to all parts of the Council and relate to the Finance, Procurement, Human Resources and Property Management functions which support the main work of the Council. For consistency across the Council the General Delegations are delegated to officers at similar levels of authority in the Council’s structure – Levels 1 to 4. Where there are local variations within Directorates with regard to any posts holding comparative responsibilities these will be designated and recorded within the Scheme.
- 5.30 Part 3 lists the ‘Proper Officers’. These are posts which are created by legislation rather than resulting from a chosen structure. The proper officers are listed and cross referenced to officer posts in each directorate.
- 5.31 Part 4 of the Scheme sets out the functions delegated to each Directorate. The Chief Executive and each Strategic Director will establish and maintain a scheme of delegation for his/her directorate or budget area which specifies the function; names of the post which may carry out that delegated decision, and the limits, if any, on the delegation. The directorate delegations will not form part of the Constitution but will be published on the Council’s website.
- 5.32 To ensure consistency the Head of Democratic Services will specify the format for the scheme of delegation and will maintain the current version of the Council’s scheme of officer delegations. A copy will be available on the Council’s website.
- 5.33 All Strategic Directors will have a duty to establish, review and keep the schemes of delegation up to date. They will review arrangements to ensure knowledge of and compliance with, their Scheme of Delegations, annually, or other prescribed statement of internal control.

Maintenance, Review and Change to the Scheme of Delegations

- 5.34 It is proposed that the Head of Democratic Services be authorised to approve changes to the Scheme of delegation. Requests for changes will be made in writing to the Head of Democratic Services in a prescribed format. Requests for changes to the general financial delegations will be referred to the Assistant Director of Finance & Audit for approval. All changes must be approved in accordance with this process for any change to be effective.
- 5.35 The proposed Scheme and mechanism for review will result in a Scheme:
- That is clear on levels of responsibility and the principles that all officers must comply with in making decisions
 - That clearly sets out financial, HR and procurement delegations and limits,
 - That will ensure that there are sufficient, properly authorised, officers to carry out the Council’s business, lawfully and effectively and that everyone: officers, members and the public, knows who they are
 - That will be flexible and responsive to necessary changes

Transition

- 5.36 The detailed Directorate delegations (Part 4) will be worked up over April and May with a view to them being published by 1st July 2014.
- 5.37 The Council is asked to approve Parts 1 (guiding principles), Part 2 (General Delegations) and Part 3 (Proper Officer Appointments).
- 5.38 Any conflict that arises within the transition period between the newly agreed 'umbrella' documents and the existing officer delegations as published in the current Constitution will be resolved in writing by the Monitoring Officer and Section 151 Officer following consultation with the Chief Executive.
- 5.39 A copy of Parts 1, 2 and 3 of the proposed Scheme is set out at Appendix 7.

Ongoing Review of the Constitution

- 5.40 Work on reviewing some parts of the Constitution is ongoing and will be programmed into future Panel Review meetings.

Public Questions at Budget Meetings.

- 5.41 The following recommendation was referred to the MPOC for consideration by the Council on 18th February 2014-04

"Any member of the public who has taken up the opportunity afforded in accordance with the Constitution to inspect the Council's Accounts and related financial documentation, shall be entitled to ask up to three questions and clarifying follow-ons at the Annual Budget Council meeting and/or the Annual Close of Accounts Council meeting, where their inspection has taken place within the current municipal year, in order to promote greater transparency and accountability to residents."

- 5.42 The Panel sought clarification from Councillor Smith on the exact intention of the recommendation and gave the matter consideration at its meeting on 27th March 2014.
- 5.43 The Panel noted the additional information provided by Councillor Smith in support of his recommendations. In considering the proposal the Panel noted that it had recommended that the Terms of Reference of the Audit & Risk committee be amended to allow approval of the Council's accounts and that this would not therefore be a function of the Council in future. It was also confirmed that the public could request information at any time and as such, it was felt that the proposal did not add value to processes already in place. The Panel recommended that no further action be taken regarding the proposal

Webcasting/Filming meetings

- 5.44 The following Motion was referred to the MPOC for consideration by the Council on 26th November 2013.

"That the constitutional panel and Council considers allowing public meetings to be recorded, filmed and photographed for greater transparency and public scrutiny. Thereby, revising Part 4.1 Section

25.1 and Section 25.2 of the Council’s Constitution to allow for the photographing, recording or oral reporting of any proceedings of the Council.”

- 5.45 The Panel considered the options presented for the filming and recording of meetings. Members noted the legal requirements of the Local Audit and Accountability Act 2014 which will allow the Secretary of State for Communities and Local Government to issue regulations in connection with allowing persons to film, photograph or make sound recordings of proceedings at a meeting of a committee/sub committee. The Regulations were expected after the relevant Sections of the Act come into force at the end of March 2014.
- 5.46 Whilst accepting that allowing meetings to be filmed by the press and public had benefits in terms of openness and transparency and could lead to a greater awareness of the Council’s decision-making there were concerns about possible misuse of footage, inappropriate editing and potential disruption of meetings. Given the changes to the legal position that would require Councils to permit filming the Panel considered a draft protocol that sought to address the practical issues raised.
- 5.47 Members agreed the protocol (set out at Appendix 8) and requested that it be reviewed once the Regulations were published for report to Council. It was envisaged that filming would be allowed at meetings that were open to the public following the Annual Council meeting.
- 5.48 Members went on to discuss the advantages of the Council webcasting meetings which included retaining an official record of the meeting. Members noted that there would be cost implications of webcasting particularly as meetings in Slough were held in a number of venues and fixed cameras would not be able to be used. There would also be cost considerations associated with streaming, retention of material etc.
- 5.49 The Panel requested more detailed costing of webcasting which included fitting out current buildings used for meetings such as Chalvey Community Centre and The Centre, Farnham Road, with various fixed and portable cameras. Members also considered the prospect of some council meetings being held at The Curve once it was opened.
- 5.50 The Panel concluded that the most efficient use of funds would be to concentrate on fitting out The Curve to ensure it could support webcasting, as this was to be a modern, primary site to be used for the majority of meetings in future. The Panel agreed to recommend to the Council that the Council does not commence webcasting of meetings before the completion of The Curve.

6 Appendices

- Appendix 1 Budget and Policy Framework Procedure Rules
- Appendix 2 Financial Procedure Rules
- Appendix 3 Audit and Risk Committee Terms of Reference
- Appendix 4 Employment and Appeals Committee Terms of Reference
- Appendix 5 Council Procedure Rules
- Appendix 6 Overview and Scrutiny Procedure Rules
- Appendix 7 Scheme of Delegation to Officers
- Appendix 8 Protocol for Filming Meetings

7. Background Papers None

Part 4.3 Budget and Policy Framework Procedure Rules

1. The framework for Cabinet decisions

The Council will be responsible for the adoption of its Budget and Policy Framework as set out in Article 4. Once a Budget or a Policy Framework is in place, it will be the responsibility of the Cabinet to implement it.

2. Process for developing the framework

The process by which the Budget and Policy Framework shall be developed is:

BUDGET AND POLICY FRAMEWORK PLANNING

- (1) Before the end of June the Cabinet shall report on the revenue and capital budget outturn for the previous year and consider the impact of any over/underspend on the current financial year's budget.
- (2) By the end July the Cabinet will produce for consideration by the Overview and Scrutiny Committee, and interested persons a document summarising: consider the latest financial planning assumptions for the next three financial years and the impact of this on the preparation of future revenue budgets
 - (a)The revenue budget strategy which will include a review of the current Policy Framework and a 3-year financial forecast;
 - (b)Outcome of Round 1 of Member Budget Challenge; and
 - (c)Progress on implementation of objectives and targets within the previous year's Policy Framework.
- (3)By the end of November, Cabinet will consider and agree proposals for achieving the Council's revenue budget strategy, including outcome of final Member Budget Challenge.
- (4)By the end of November, Commissioners will submit to the Cabinet provisional recommendations in respect of:
 - (a)Policy changes and objectives;
 - (b)Service standards and priorities; and
 - (c)Prioritised capital projects.
- (5)(3) By 15th January the Council's Section 151 Officer shall agree the Collection Fund position for the end of the financial year.

(4) By the end of January, the Cabinet shall approve, or delegate the approval of, the Council Taxbase estimates and the estimation of Business Rates income.

~~(6)(5) By the end of January, the Cabinet shall~~By the end of February, but before the full Council meeting, Cabinet shall:

- (a) Report on the impact of the provisional Local Government Finance settlement announced by the Government on the Council's agreed revenue budget strategy;
- (b) ~~Produce a draft~~Consider the impact on the Policy Framework incorporating the ~~Community Strategy Plan~~Wellbeing Strategy objectives, ~~Performance Plan~~Council Plan and other strategic plans achievable within the proposed financial framework.
- ~~(c) Agree the council tax base for the next financial year.~~
- ~~(cd)~~ Consider the resources available to finance capital projects for the next five years together with the Prudential Indicators ;
- ~~(de)~~ Consult on~~approve~~ the capital expenditure programme for the next five years;
- ~~(ef)~~ Consult with the Business community on the Council's budget proposals for the following year; and
- ~~(g) Consult on the revenue budget for the next financial year.~~

~~(7)(6)~~ (a) By 11th March each year the Cabinet shall recommend to the Council:

~~(i) A Policy Framework.~~

~~(ii)(i)~~ The revenue Budget and the level of Council Tax to be set for the following year.

~~(iii)(ii)~~ The cash limits for ~~Departments~~Directorate.

~~(iv)(iii)~~ The capital programme, borrowing limits and the Prudential Indicators for the following five years.

~~(iv)~~ The Treasury Management Strategy for the year ahead

~~(v)~~ The annual recommended rent rise for the Council's Housing stock

- (b) The Overview and Scrutiny Committee shall canvass the views of local stakeholders if it considers it appropriate in accordance with the matter under consideration, and having particular regard not to

duplicate any consultation carried out by the Cabinet. The Overview and Scrutiny Committee shall report to the Cabinet on the outcome of its deliberations.

- (c) Having considered the report of the Overview and Scrutiny Committee, the Cabinet, if it considers it appropriate, may amend its proposals before submitting them to the Council meeting for consideration. It will also report to Council on how it has considered and where appropriate taken into account any recommendations from the Overview and Scrutiny Committee.
- (d) The Council will consider the proposals of the Cabinet and may adopt them, amend them, refer them back to the Cabinet for further consideration, or substitute its own proposals in their place. In considering the matter, the Council shall have before it the Cabinet's proposals and any report from any Overview and Scrutiny Committee/Panel.
- (e) The Council's decision will be publicised and a copy shall be given to the Leader. The notice of decision shall be dated and shall state either that the decision shall be effective immediately (if the Council accepts the Cabinet's proposals without amendment) or (if the Cabinet's proposals are not accepted without amendment), that the Council's decision will become effective on the expiry of 5 working days after the publication of the notice of decision, unless the Leader objects to it in that period.
- (f) If the Leader objects to the decision of the Council, he/she shall give written notice to the Head of Democratic Services to that effect prior to the date upon which the decision is to be effective. The written notification must state the reasons for the objection. Where such notification is received, the Head of Democratic Services shall convene a further meeting of the Council to reconsider its decision and the decision shall not be effective pending that meeting.
- (g) The Council meeting must take place within 7 working days of the receipt of the Leader's written objection. At that Council meeting, the decision of the Council shall be reconsidered in the light of the objection, which shall be available in writing for the Council.
- (h) The Council shall at that meeting make its final decision on the matter on the basis of a simple majority. The decision shall be made public and shall be implemented immediately.
- (i) In approving the Budget ~~and Policy Framework~~ and associated documents, the Council will also specify the extent of virement within the budget and degree of in year changes to the Policy Framework which may be undertaken by the Cabinet, in accordance with paragraphs 5 and 6 of these Rules (virement and

in year adjustments). Any other changes to the Budget and Policy Framework are reserved to the Council.

(7) Any outsourced revenue contracts proposals in excess of £2m in value should include a separate report to Cabinet on the comparative cost of the contract versus existing expenditure

3. Decisions outside the Budget or Policy Framework

- (a) Subject to the provisions of paragraph 5 (virement) the Cabinet, and any officers, discharging executive functions may only take decisions which are in line with the Budget and Policy Framework. If the Cabinet or an officer wishes to make a decision which is contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget approved by the full Council, then that decision may only be taken by the Council, unless the decision is urgent, see paragraph 4 below.
- (b) If the Cabinet, and any officers discharging executive functions want to make such a decision, they shall take advice from the Monitoring Officer and/or [the Strategic Director, Regeneration, Housing and Resources Section 151 Officer](#) as to whether the decision they want to make would be contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget. If the advice of either of those officers is that the decision would not be in line with the existing Budget and/or Policy Framework, then the decision must be referred to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 (urgent decisions outside the Budget and Policy Framework) shall apply.

4. Urgent decisions outside the Budget or Policy Framework

- (a) The Cabinet or officers or joint arrangements discharging executive functions may take a decision which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:
 - i) if it is not practicable to convene a quorate meeting of the full Council; and
 - ii) if the Chair of the Overview and Scrutiny Committee agrees that the decision is urgent.

The reasons why it is considered impracticable to convene a quorate meeting of full Council, and the Chair of the relevant Overview and Scrutiny Committee/Panel's consent to the decision being taken as a matter of urgency, must be noted on the record of the decision. In the absence of the Chair of the Overview and Scrutiny Committee the consent of the Mayor, and in the absence of both, the Deputy Mayor, will be sufficient.

- (b) Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

5. Virement

- (a) The Council shall have the following budget heads:
General Fund (with sub heads for departmental structure, [but excluding support service overhead allocations](#))
Housing Revenue Account
Collection Fund
- (b) Steps taken by the Cabinet, a Cabinet Committee, a Commissioner or officers, or joint arrangements discharging executive functions to implement Council policy shall not exceed those budgets allocated to each budget head. However, such bodies or individuals shall be entitled to vire across budget heads as permitted under the Council's Financial Procedure Rules (Part 4.6) in this Constitution. Approval to any virement in excess of the limits specified across budget heads shall require the approval of the full Council.

6. In-year changes to Policy Framework

The responsibility for agreeing the Budget and Policy Framework lies with the Council, and decisions by the Cabinet, or officers, or joint arrangements discharging executive functions must be in line with it. No changes to any policy and strategy which make up the Policy Framework may be made by those bodies or individuals except those changes:

- (a) which will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;
- (b) necessary to ensure compliance with the law, ministerial direction or government guidance.
- (c) in relation to the Policy Framework in respect of a policy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration.

7. Call-in of decisions outside the Budget or Policy Framework

- (a) Where an Overview and Scrutiny Committee/Panel is of the opinion that an executive decision is, or if made would be, contrary to the Policy Framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer, Strategic Director, Regeneration, Housing and Resources and other appropriate officers.

- (b) In respect of functions which are the responsibility of the Cabinet, the Monitoring Officer's report and/or [Strategic Director, Regeneration, Housing and Resources](#) the [Section 151 officer's](#) report shall be submitted to the Cabinet with a copy to every Member of the Council. Regardless of whether the decision is delegated or not, the Cabinet must meet to decide what action to take in respect of the Monitoring Officer's report and to prepare a report to Council in the event that the Monitoring Officer or the [Section 151 officer Strategic Director, Regeneration, Housing and Resources](#) conclude that the decision was a departure, and to the Overview and Scrutiny Committee if the Monitoring Officer or the [Section 151 officer Strategic Director, Regeneration, Housing and Resources](#) conclude that the decision was not a departure.
- (c) If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the [Section 151 officer Strategic Director, Regeneration, Housing and Resources](#) is that the decision is or would be contrary to the Policy Framework or contrary to or not wholly in accordance with the budget, the Overview and Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within not less than 8 and not more than 15 working days of the request by the Overview and Scrutiny Committee. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the [Section 151 officer Strategic Director, Regeneration, Housing and Resources](#). The Council may either:
- (i) endorse a decision or proposal of the executive decision taker as falling within the existing Budget and Policy Framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Members, or:
 - (ii) amend the Council's Financial Procedure Rules or policy concerned to encompass the decision or proposal of the body or individual responsible for that executive function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Members, or
 - (iii) where the Council accepts that the decision or proposal is contrary to the Policy Framework or contrary to or not wholly in accordance with the budget, and does not amend the existing framework to accommodate it, require the executive decision maker to reconsider the matter in accordance with the advice of the officers.

Part 4.6 Financial Procedure Rules

1. INTRODUCTION

1.1 These Rules outline in broad terms the system of financial administration to operate within the Council at Directorate level. They are complementary to the relevant sections of the Constitution, which seek to prescribe a framework for the effective management of the Council's financial business and to ensure that public accountability and high standards of financial integrity are exercised in the use of public funds. These Financial Procedure Rules are controlled by the Cabinet and are subject to any overriding or general direction by the Council.

1.2 These Rules shall apply to any service carried out by or on behalf of the Council, except where expressly approved by the Council, in any delegation or agency scheme, agreement or other document made with any other authority, body or person.

1.3 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall make recommendations to Cabinet to keep these Rules up to date and ensure that:

- (a) all Members and Officers are aware of their existence and understand that failure to comply with their requirements or with instructions issued under them will constitute misconduct;
- (b) all details of amendments and instructions issued under these Rules are circulated promptly;

1.4 It shall be the duty of each Strategic Director to ensure that these Rules together with any other instructions issued by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ are brought to the attention of and followed by their Directorate employees.

~~1.5 The Strategic Director, Regeneration, Housing and Resources will also issue a matrix of financial management responsibilities based on these Financial Procedure Rules and other relevant guidance. The matrix will summarise the roles of the key participants in financial management processes and the inter-relationships between them.~~

2. GENERAL

2.1 Subject to any directions and authorisations given by the Council, the Cabinet shall:

- (a) oversee, co-ordinate and control the Council's finances ~~and accounts~~;
- ~~(b) as soon as possible after the end of each financial year, but in any event prior to the statutory date, currently 30th June, approve for submission to the External Auditor the statutory Statement of Accounts for the preceding financial year;~~

~~(e) as soon as practicable after receipt, present to the Council the External Auditor's Annual Management Letter and any Letter in the Public Interest together with such comment and recommendations thereon considered appropriate;~~

(e)(b*d*) maintain the Council's Treasury Management Policy Statement having regard to the requirements of the Local Government Act 2003, CIPFA's Prudential Code for Capital Finance and best practice, as set out in the CIPFA Code of Practice for Treasury Management in Local Authorities, with a view to ensuring that the authority's finances continue to be managed on a sound basis;

~~(e)(c)~~ make, keep under review and revise as necessary these Financial Procedure Rules to provide for the proper supervision and control of the finances, accounts, income, expenditure and assets of the Council in conformity with the Constitution and all relevant statutes and best practice.

~~(f*d*)~~ after consultation with the Overview and Scrutiny Committee make any other recommendations to the Council it considers necessary.

2.2 The Cabinet, Commissioners, other Committees and Strategic Directors shall be responsible for the observance of the Council's Financial Procedure Rules throughout all functions and financial areas under its control.

2.3 The Section 151 Officer must, after consultation with the relevant Director report to the Cabinet any significant non-compliance with the Financial Rules that come to their attention.

3. DEFINITION OF TERMS & RESPONSIBILITIES

3.1 Chief Financial Officer

The Assistant Director (Finance and Audit) fulfils the statutory responsibilities of the "Chief Finance Officer" and shall, for the purposes of Section 151 of the Local Government Act 1972, under the general direction of the Cabinet, be responsible for the proper administration of the Council's financial affairs. This will also include duties under Section 73 of The Local Government Act 1985 and Section 112/114 of The Local Government Finance Act 1988 and Sections 25, 27 and 30 of the Local Government Act 2003.

3.2 Monitoring Officer

The Officer designated under Part 1, Section 5 of the Local Government and Housing Act 1989 who is responsible for promoting and maintaining high standards of financial conduct throughout the Council and thus provides support to the Standards Advisory Committee. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or

maladministration to the Council and/or the Executive, and for ensuring that procedures for recording and reporting key decisions are operating effectively. (Further details of the powers and responsibilities of the Monitoring Officer are set out at Part 2 of the Constitution.)

3.3 Strategic Director

Strategic Directors are responsible for budget formulation, allocation and management within their respective Directorates. They are also responsible for the overall accountability and control of employees and the security, custody and control of all other resources including vehicles, plant, buildings, materials, furnishings, cash and stores appertaining to their respective Directorates. Strategic Directors shall be responsible for ensuring the whole system of controls, financial and otherwise, set up within the organisation. This will enable reasonable assurance to be provided to the Section 151 Officer that the Council's financial rules of procedure are being complied with.

3.4 Service Manager

Designated by the Council or nominated by a Strategic Director as being charged with managing a particular service, project or activity. Service Managers are responsible through the Directorate line management structure for the financial management of their area. However, such delegation shall not divest the Strategic Director of the responsibility for the effective, efficient and proper delivery of such matters.

3.5 Lead for Finance

~~The most senior post holder with designated responsibility for finance and financial management within each directorate. They have a line management responsibility to their Strategic Director and a professional responsibility to the Strategic Director, Regeneration, Housing and Resources.~~ nominated Officer by the Section 151 Officer who is the finance representative responsible for the respective directorate.

3.6 Cost Centre Manager

Officers who have designated responsibility for overseeing a cost centre budget. Whilst this officer may have day to day responsibility for overseeing the budget and managing the service, the Service Manager bears ultimate responsibility for ensuring the proper management of the Council's resources.

3.7 Responsible Officers

Officers with financial management responsibilities delegated to them by their Strategic Directors for specific purposes such as approving requisitions, certifying invoices or signing timesheets etc.

3.8 Cost Centre

The budget held on a unique code for an activity, making up part of a service, and an aggregate of the subjective sub-codes. In this context, "budget" must be taken to be the permission to spend given by Council.

3.9 Budget Head

| The budget held on a unique code combination at subjective analysis level. In this context, “budget” must be taken to be the permission to spend given by Council.

4. AUDIT & CONTROL ISSUES

General

- 4.1 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~, the Council's Internal Audit Team and the Council's External Auditors shall have the authority to:
- (a) enter any Council premises or land;
 - (b) have access to all assets, records, documents and correspondence and control systems relating to any financial and other transactions of the Council;
 - (c) access records belonging to third parties, such as contractors, when required;
 - (d) require and receive such explanations as are necessary concerning any matter under examination, and
 - (e) require any employee or agent of the Council to produce cash, stores or any other Council property under their control.
 - (f) Report to the Head of Paid Service, the Audit and Risk Committee or any other officers or members of the council.
- 4.2 ~~All elected Members and members of staff must provide full co-operation All elected members, members of staff and contractors must give access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work and that auditors are provided with any information and explanations that they seek in the course of their duringwork during~~ any audit.

Internal Audit

- 4.3 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall ensure that an effective Internal Audit Team is maintained by the Council. ~~The~~ Head of Audit shall provide assurances on the adequacy of the internal control system and audit work will be conducted to professional standards in accordance with CIPFA and other relevant guidance. ~~The~~ Head of Audit will report on internal control no less frequently than ~~six monthly~~ annually in line with the Accounts and Audit Regulations (2011).
- 4.4 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall:
- (a) ~~A~~ approve the strategic and annual audit plans prepared by internal audit, which take account of the characteristics and relative risks of the activities involved.
 - (b) ~~M~~ maintain a permanent record of internal audit reports which are available for inspection by Members of the Council.

(c) Regularly inform the Audit and Risk Committee of audit reports and corrective action, where appropriate.

~~4.5 All elected members, members of staff and contractors must give access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work and that auditors are provided with any information and explanations that they seek in the course of their work.~~

4.56 Strategic Directors should consider and respond promptly to recommendations in audit reports and ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

4.67 Whenever a matter arising out of any audit activity, or otherwise, comes to the attention of Internal Audit and this reveals, or suggests, the possibility of any irregularity, the Head of Audit shall consult immediately with the Strategic Director of the Directorate concerned, the Section 151 Officer Strategic Director, Regeneration, Housing and Resources and the Monitoring Officer, to determine the nature of any action to be taken and to effect compliance with these Rules.

External Audit

4.78 The Council's External Auditors will be appointed by the Audit Commission in accordance with the Audit Commission Act 1998 and their roles and responsibilities are set out in the Act and the Code of Audit Practice for local government bodies. Their work covers:

- the financial aspects of the Council's corporate governance arrangements
- the Council's financial statements
- a conclusion on the Council's use of resources
- the Council's preparation of grant claims
- ~~• a scored judgement on the use of resources to feed into the Comprehensive Performance Assessment process; and~~
- ~~• a report on arrangements to manage the Council's performance, including the preparation and publication of specified performance information and compliance in respect of the preparation and publication of the Council's best value performance plan (BVPP)~~

4.89 The section 151 Officer shall be responsible for the submission of the Council's accounts to the External Auditor in accordance with the Accounts and Audit Regulations (2011)03 and, ~~in consultation with the Chief Executive, and other such Officers as appropriate, shall submit these to the Council with comments and recommendations as considered appropriate by the 30th June of each year.~~

~~4.104.9~~ The section 151 Officer shall be responsible for preparing and publishing the audited accounts of the Council for each financial year, in accordance with the statutory timetable and with the requirement for the Council, or its delegated committee, to approve the statement of accounts within a timescale determined by legislation.

~~4.10 The section 151 officer shall ensure there is effective liaison between external and internal audit.~~

4.124.10 The section 151 ~~e~~Officer shall work with the external auditor and advise Council, Audit and Risk Committee and Strategic Directors on their responsibilities in relation to external audit.

Internal Control

- ~~4.13 Strategic Directors shall be responsible for ensuring the whole system of controls, financial and otherwise, set up within the organisation provide reasonable assurance that:~~
- ~~(a) the Council's policies are put into practice;~~
 - ~~(b) the Council's values are met;~~
 - ~~(c) The Council carries out all its activities with a view to achieving economy, efficiency and effectiveness;~~
 - ~~(d) laws, rules and regulations both external and internal, are complied with;~~
 - ~~(e) the Constitution, including all Articles, Rules and Codes and Protocols are adhered to;~~
 - ~~(f) financial statements and other published information are accurate and reliable.~~
- ~~4.14 Strategic Directors must obtain prior written agreement from the Strategic Director, Regeneration, Housing and Resources for any new systems or changes to existing financial systems.~~

Risk management

- 4.151 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer will prepare and promote the Council's Risk Management policy.
- 4.162 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer will develop an appropriate corporate Risk Management process, in conjunction with Strategic Directors.
- 4.137 Strategic Directors will take responsibility for managing the risks their directorates face, having regard to advice from the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and other specialist officers as necessary.
- 4.148 Strategic Directors will ensure that regular risk assessments and monitoring of risks are carried out within their Directorates.

Financial Irregularities

- 4.1519 Slough will not tolerate fraud and corruption in any aspect of the way it carries out its responsibilities, whether from inside or outside the Council. ~~The Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer is responsible for developing and maintaining the Council's Anti-Fraud and Corruption Policy which is available at Part 5 of the Constitution.
- 4.1620 Any employee who becomes aware of any breach of the requirements set out in the Constitution, and more particularly these Rules or of any matter that involves or is thought to involve, any potential financial irregularity shall notify immediately their Strategic Director. The Strategic Director shall consult

with the Head of Audit to determine the most appropriate action to be taken. No investigation of potential financial irregularity should take place prior to seeking advice from Internal Audit. Where there is evidence to suggest that a criminal offence may have been committed, it shall be the duty of the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer in consultation with the Chief Executive to refer the matter to the police having taken advice from the Monitoring Officer and the Head of Audit and to inform the relevant Lead Commissioners and Leader of the Council.

4. ~~1724~~ It shall be the duty of a Strategic Director to report to the Chief Executive, the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and the Monitoring Officer when, after proper investigation, if it is determined that the financial sections of the Constitution have not been complied with, or any financial irregularity has occurred. The report shall include details of actions taken and/or proposed. The Chief Executive and the Monitoring Officer will consider whether to report the matter to the Cabinet and the Audit and Risk Committee or to any other Committee such as the Standards Advisory Committee.

Whistleblowing

- ~~4.224.18~~ Slough is committed to the highest possible standards of openness, probity and accountability in the delivery of its services to the people who live and work within the borough. The Council's Whistleblowing Policy provides a safe environment for concern is to be raised confidentially and places an obligation on Council employees to deal with ~~aa~~ allegations appropriately. The Whistleblowing Policy (see Part 5 of the Constitution) is the responsibility of the Monitoring Officer.

5. ACCOUNTING ARRANGEMENTS

- 5.1 Subject to statutory requirements and to any directions given by the Cabinet, the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall determine all the accounting procedures and records of the Council and its officers and be responsible for making judgements and estimates that are reasonable and prudent.
- 5.2 All relevant Members, finance staff and service managers are required to operate within the accounting standards and timetables.
- 5.3 The ~~Section 151 Officer~~, or nominated lead for finance, ~~Strategic Director, Regeneration, Housing and Resources~~ will ensure that all claims for funds, including grants, are made by the due date.

Annual Statement of Accounts

- 5.4 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ is responsible for ensuring that the annual statement of accounts, ~~and accounting policies, are~~ prepared in accordance with the Accounts and Audit Regulations (2011)03 and the Code of Practice on Local Authority Accounting in the United Kingdom: a Statement of Recommended Practice (CIPFA/LASAAC).

5.5 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ is responsible for the preparation and publication of an Annual Governance Statement (AGS), included as part of the statement of accounts, following an annual review of the Council's systems of internal control, in accordance with proper practices.

~~5.6 The Strategic Director, Regeneration, Housing and Resources is responsible for selecting the Council's accounting policies, including any changes to these policies, and ensuring that they are applied accurately and consistently.~~

Accounting Records

5.67 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall be responsible for keeping the principal accounts and financial records of the Council. Directorate financial procedures and records shall be compiled and maintained in accordance with such directions given by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ in consultation with the Directorate Strategic Director, Leads for Finance and Service Managers. All the Council's transactions, material commitments and contracts and other essential accounting information should be recorded completely, accurately and on a timely basis and reconciliation procedures carried out to ensure transactions are correctly recorded.

5.78 The Strategic Directors shall ensure the safe retention of all accounting records, including paid invoices and certificates or media record thereof, for as long as may be statutorily required, currently 7 years for prime records such as invoices and 3 years for budget records.

Accounting systems and procedures

5.98 There must be effective protocols for reconstituting accounting records in the event of a system failure.

5.409 A Strategic Director, Lead for Finance and/or Service Manager shall consult with and must obtain written permission from the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ before introducing, amending or discontinuing any Directorate system, record or procedure that relates to any area covered in these Financial Procedure Rules. No feeder computer system shall be linked into any corporate financial system without the prior consent or authority of the Section 151 Officer or nominated Officer.

Trading Accounts

5.104 The ~~Section 151 Officer, or lead for finance, Strategic Director, Regeneration, Housing and Resources~~ will advise on the establishment and operation of trading accounts. Each trading account will have defined objectives, including the way in which surpluses or deficits will be dealt with.

5.112 The Strategic Directors will observe all statutory requirements in relation to services that maintain trading accounts, including the maintenance of a separate revenue account to which all relevant income is credited and all relevant expenditure, including full recovery of overhead costs, is charged, and to produce suitable information for the statutory disclosure in the final accounts.

~~5.13 The Strategic Directors will ensure that the same accounting principles are applied in relation to trading accounts as for other services unless, in the opinion of the Strategic Director, Regeneration, Housing and Resources, arrangements which are more advantageous to the Council are permissible.~~

Directorate financial management arrangements

5.124 The Strategic Directors in determining the allocation of accounting duties within their Directorates shall observe the following principles:

- (a) the duties of providing information regarding sums due to the Council and the calculating, checking and recording of these sums shall be separated as completely as possible from the duty of collecting or disbursing them;
- (b) employees charged with the duty of examining or checking the accounts of cash transactions shall not themselves be engaged in any of those transactions.

6. BUDGETING

6.1 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ will develop and maintain a Financial Strategy for the Council. This will include an annual revenue budget, a capital strategy and a medium term financial strategy. The procedure leading to the approval by Council of the Capital Programme and Annual Revenue Budget will be determined each year by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources.~~ The annual revenue budget will include the key income assumptions, service pressures, savings and key reserves. This procedure will be consistent with any direction given by the Cabinet which shall fulfil all statutory requirements. The Section 151 Officer will advise Council on his / her opinion of a minimum level of general reserves for the financial year ahead.

~~6.2 The Strategic Director, Regeneration, Housing and Resources will advise Council on policy for and prudent levels of reserves.~~

6.23 Capital and Revenue Budgets shall be prepared by Strategic Directors in conjunction with the relevant Lead for Finance in accordance with directions and ~~cash limits issued by the Strategic Director, Regeneration, Housing and Resources. Service and Cost Centre Managers are expected to maximise resources by identifying and bidding for external grants and funding in accordance with corporately agreed processes.~~ the overall budgetary position as detail by the Section 151 Officer.

~~6.4 The Strategic Directors must review the level of all discretionary and non-discretionary charges within their control annually in line with the preparation of the Revenue Budget.~~

~~6.5 Revenue and capital budget growth bids and savings targets will be subject to the scrutiny and review of a Member/Strategic Director Group that will consider their priority.~~

6.63 The ~~Directorate~~ Capital and Revenue Budgets will be presented to the Corporate Management Team and subsequently the Cabinet by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources for agreement, prior to being submitted to the Council for formal approval.

6.47 No new revenue, capital or grant aided scheme(s) may be committed without the specific approval of the Cabinet and unless a report including full scheme appraisal has been undertaken. The report on the scheme must include a financial and technical appraisal in the format prescribed by the Strategic Director, Regeneration, Housing and Resources, identifying amongst others, alternative(s) to the proposed bid, resources required for delivery, delivery mechanism and timetable.

6.58 Before the report is presented to Members, the Section 151 Officer Strategic Director, Regeneration, Housing and Resources and the Monitoring Officer must be satisfied all financial and contractual arrangements are in order and all Financial Procedure Rules have been complied with.

6.69 Approval of the annual revenue budget and capital programme for the next financial year will confer authority on the Cabinet, Committees, Strategic Directors and Service Managers to incur revenue and capital expenditure.

~~6.9 Additional guidance can be found in the Budget and Policy Framework Procedure Rules, also within the Constitution.~~

7. BUDGETARY CONTROL AND VARIATIONS

Corporate Budgetary Control

7.1 The Section 151 Officer Strategic Director, Regeneration, Housing and Resources shall report regularly quarterly to Overview and Scrutiny Committee and the Cabinet on the Council's overall financial performance and ensure the Cabinet and other Committees are kept adequately informed of the financial implications of their activities.

7.2 The Strategic Directors with the assistance of their Lead for Finance, shall return the monitoring information to ~~Corporate~~ Finance each month in accordance with the agreed format and timetable.

7.3 The Service Managers shall be responsible for ensuring they supply timely information on monthly expenditure, income and commitments to their Lead for Finance.

- 7.4 All ~~e~~Officers producing reports for elected Members must seek support and advice from their Leads for Finance in assessing the financial implications of any actions recommended. -The financial implications of reports must then be cleared with the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ prior to the report being presented to elected Members in accordance with the reporting timetable.

Cost Centre Budgetary Control

- 7.5 The ~~Section 151 e~~Officer~~Strategic Director, Regeneration, Housing and Resources~~ shall ensure an effective system of budgetary control is operated throughout all Directorates.
- 7.6 The Strategic Directors and/or Service Managers must nominate a named manager for each cost centre within their Directorate, known as the Cost Centre Manager.
- 7.7 The Strategic Directors are responsible for the economic, efficient and effective use of resources allocated to their Directorate, including identifying opportunities to minimise resource requirements without having a detrimental effect of service delivery.
- 7.8 Service Managers should delegate day to day responsibility for overseeing the budget and managing the service to the Cost Centre Manager, ~~b~~But, they retain the ultimate responsibility for ensuring the proper management of the Council's resources for their service area and are responsible for the economic, efficient and effective use of resources allocated to them.
- 7.9 The Service Managers and Cost Centre Managers will be assisted in their duties by financial management information, support and advice provided by ~~their Directorate~~the finance section.
- 7.10 The Service Managers and Cost Centre Managers must not spend more than their annual budget and are expected to take corrective action, if necessary, during the course of the year in order to stay within budget. Unauthorised overspend contrary to the financial rules of procedure may lead to disciplinary action being taken against the cost centre manager or Service Manager.
- 7.11 The Lead for Finance shall co-ordinate the information from ~~S~~service ~~M~~managers and submit a regular monitoring report to the Directorate Management Team. -Where a monitoring report highlights a projected overspend, the Strategic Director and Service Managers must produce an action plan to contain that overspend.
- ~~7.12~~ The ~~Section 151 O~~fficer~~Strategic Director, Regeneration, Housing and Resources~~ will determine the rules for considering either carry forward requests or penalties, except for the schools block. Any approved revenue budget unspent at year-end can only be carried forward if approved, initially by the ~~Section 151 O~~fficer~~Strategic Director, Regeneration, Housing and Resources and/or Cabinet~~.
- ~~7.12~~ ~~The Council will be asked to approve the recommended carry forwards as part of the approval of the financial accounts.~~

~~7.13~~

~~7.14 Additional guidance is set out in the Practitioners' Guide to Budget Management issued by the Strategic Director, Regeneration, Housing and Resources.~~

Capital Projects Control

~~7.147.13~~ The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ is responsible for ~~issuing guidance concerning capital schemes and controls reporting against the capital programme~~, and determining the definition of "capital", having regard to government and accounting requirements.

~~7.157.14~~ The ~~Asset Management Capital Strategy Group Board~~ is responsible for co-ordinating the preparation, review and implementation of the Council's Capital Strategy and Asset Management Plan. - The Group is also responsible for evaluating bids for capital funding and the monitoring of the capital programme including Post Project Evaluations.

~~The Asset Management Group may create sub-groups to monitor the various aspects of the capital programme in more detail and thus allow the main Group consisting of senior officer representatives across the Council directorates to concentrate on the overall capital strategy. The sub-groups report to the main Group. The only sub-group currently constituted is the Capital Monitoring Group with responsibility for detailed monitoring of the high profile/spending schemes.~~

~~7.167.15~~ To support the management and delivery of the capital programme:

- (a) Directorates, as the owners and sponsors of individual capital projects, hold the ultimate responsibility and accountability for the delivery of individual capital projects. The ~~Regeneration, Housing and Resources Directorate~~ will help and support the delivery of the overall capital programme. ~~To achieve this, one officer/post must be identified from each service department to lead the overall management and delivery of the department's capital programme. That officer will also report on a regular basis (at least monthly) to the directorate Management Team on the progress of the capital programme and identify and implement corrective measures that may be required.~~
- (b) The ~~D~~irectorate ~~L~~ead ~~O~~fficer on the ~~respective capital programme projects~~ will provide the progress information necessary to enable the ~~Strategic - Section 151 Officer Director, Regeneration, Housing and Resources~~ to present ~~regular overall capital financing monitoring report quarterly capital monitoring~~ to the Members, which will include level of committed budget, ~~where this is defined as situations where, "the contract has been let and the payment either for value of work and goods or grant payment will be accounted for by 31st March of the year in question" and the actual level of service activity provided, e.g. x number of bathroom replacements and any areas of underspend or re-profiling required.~~

~~(c) Individual Directorates will present their capital programme regularly to Overview and Scrutiny Committee and the Cabinet to discuss progress on individual schemes in further detail.~~

Revenue Budget Virement

7.167 Budget provision may be transferred from one budget head to another (known as virement) during the course of the year subject to the following rules:

- (a) the total cost of the proposal is capable of being met from an identified part of that Service Manager's / Managers' approved budget(s);
- (b) the item is not creating new policy or initiatives not identified in approved budgets or service plans;
- (c) the transfer creates no commitment to recurring expenditure;
- (d) there should be no virement to or from employee budgets;

and with the authorisation of the following Officers and Members for these categories which are cumulative (ie up to £250,000 within a Directorate subject to the agreement of the relevant Strategic Director):

| <u>Amount</u> | <u>Approval</u> | <u>Informed</u> |
|--|--|------------------------|
| <u>Up to £100,000 within a Directorate</u> | <u>Strategic Director</u> | |
| <u>Between £100,000 and £250,000 within a Directorate</u> | <u>Strategic Director, Section 151 Officer or Lead for Finance</u> | <u>Commissioner</u> |
| <u>Between £250,000 and £500,000 within or between a Directorate</u> | <u>Cabinet</u> | |
| <u>Up to £250,000 between Directorates</u> | <u>Strategic Director, Section 151 Officer or Lead for Finance</u> | <u>Commissioner(s)</u> |
| <u>Over £500,000</u> | <u>Council, delegated to Cabinet</u> | |

~~Virement of up to £100,000 within the same Directorate~~

~~The individual Service Manager or relevant Service Managers in consultation with the Directorate Lead for Finance.~~

~~Virement of over £100,000 to £250,000 within the same Directorate~~

~~The individual Service Manager or relevant Service Managers in consultation with the Directorate Lead for Finance and with the agreement of the Directorates Strategic Director and the Strategic Director, Regeneration,~~

~~Housing and Resources. The relevant Cabinet Commissioner should be informed of these adjustments.~~

~~Virements of more than £250,000 and less than £500,000 within the same Directorate~~

~~The Directorate Strategic Director in consultation with the Strategic Director, Regeneration, Housing and Resources and the relevant Cabinet Commissioner.~~

~~Virement of up to £250,000 between Directorates~~

~~The relevant Service Managers within the relevant Directorates their respective Lead for Finance and with the agreement of the relevant Directorates Strategic Directors and Strategic Director, Regeneration, Housing and Resources. The relevant Cabinet Commissioner should be informed of these adjustments.~~

~~Virements between directorates of between £250,000 and £500,000~~

~~The Strategic Director in consultation with the Strategic Director, Regeneration, Housing and Resources and the Cabinet.~~

~~All single and cumulative virements whether within or across Directorates above £500,000~~

~~The Cabinet and the Council.~~

7.18 Each virement decision at whatever level needs the written approval of the relevant officers listed. ~~A Budget register for each directorate must be maintained which records all virements. A corporate budget virement register must be kept by Corporate Finance recording virements between Directorates all virements.~~

7.19 The Strategic Directors must report the cumulative value of virements, by service, as part of the regular cost centre budgetary control, as referred to above.

7.20 The following transfers will not count as Virement for these purposes:

- (a) Transfers of budgets when a whole service transfers from one Directorate to another:
- (b) Income and expenditure budgets related to additional grants not included in the Council's approved budget.
- (c) virements completed as a result of Council decisions as part of the budget approval process
- (d) any transfers in respect of support service overhead allocations

Capital Budget Variations

7.21 Capital schemes may last for more than one financial year so variations need to be considered in terms of both the impact on the scheme as a whole and on the agreed annual programme. ~~Q:~~

~~(a)~~ The ~~Strategic Director~~Section 151 Officer, via the approval of the Capital Strategy Board, may authorise a variation(s) to the ~~contract capital project~~ subject to the :

~~(i)~~ overall cost of the scheme ~~(the variation itself, or when added to previous variations)~~; not incurring additional expenditure of more than 10~~10~~% of the total cost of the scheme or £~~2~~50,000 whichever is the lower;

~~(ii)~~ ~~annual cost of the scheme the estimated annual capital payments for the scheme not exceeding the annual amounts included within the Capital Programme by more than 10% or £25,000 whichever is the lower;~~

~~and~~

~~(iii)~~ ~~a copy of the authorisation in the prescribed form being sent to the Strategic Director, Regeneration, Housing and Resources and Head of Legal Services;~~

~~(b)~~ ~~A~~a variation(s) which results in the total or annual cost of the scheme exceeding the above financial limits ~~shall~~must be reported to the Cabinet; a scheme approved in the capital programme for a future financial year may be brought forward into the current financial year, or a current scheme may be varied, subject to:

(i) The overall revenue impact of the capital programme in the current financial year remaining the same, and there being no increase to the underlying borrowing requirement

(ii) Approval by the Capital Strategy Board, the Section 151 Officer, and the respective Commissioner

(iii) Is reported to Cabinet as part of the next quarterly finance paper

7.22 Where completion of a contract is likely to be delayed by more than one-eighth of the contract period, the appropriate Strategic Director shall inform the Monitoring Officer and ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and a joint decision as to whether, and for what reason an extension of time is to be granted or a claim for liquidated damages is to be actioned.

~~7.23 If a scheme underspends its annual budget by either 5% or £10,000 (whichever is the higher), then the directorate must submit a project management~~

case to the Asset Management Group (AMG), including reasons for not delivering the project as originally anticipated and how it proposes to deliver it in the next financial year, including key dates. AMG will consider the project management case and make recommendations on the carry forward of any slippage.

~~7.24 This process is not intended to abort funding for the approved and already started capital schemes, as that may not be in the Council's best interest. The process is designed to ensure that the responsibility and accountability for individual schemes is embraced by service departments and thus resulting in improved levels of the overall delivery of the capital programme. Any re-profiling of capital schemes in year will be reported for Cabinet to consider on the basis that the overall revenue cost of the capital programme is not exceeded. Any re-profiling from previous years is for Cabinet to approve on the basis that funds were set aside for these capital programmes in previous years. Any revenue increase to the Capital Programme or the underlying borrowing requirement must be considered by the full Council.~~

~~7.257.24~~ Where a Directorate has overspent on capital schemes in any one year, it will be expected to have balancing underspends to enable the Council to stay within the overall annual capital programme.

8. **EXPENDITURE**

Authorisation and Certification

8.1. The Strategic Directors shall, having had regard to any guidance issued by the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer, determine which officers in their respective Directorates, shall be duly authorised to certify the following:

- (a) Official Requisitions, Orders and Contracts.
- (b) Invoices, Contract Certificates for Payment and Requests for Cheques.
- (c) Contract Variation Orders / Architect Instructions.
- (d) Documents relating to the remuneration and other conditions of employment of employees.
- (e) Petty Cash and Travelling and Expenses reimbursement claims.
- (f) Stock Sheets.
- (g) Any other purpose as defined or authorised by the Council or Strategic Director that may arise in relation to financial matters.

8.2 The Strategic Directors shall ensure the ~~Section 151 eOfficer~~ Strategic Director, Regeneration, Housing and Resources is provided with an up to date composite list of the names and specimen signatures of all the officers so authorised. Approval at Assistant Director level or above is required where agency staff are included on the authorised signatory list. - The list shall be held

in the format determined by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.

8.3 Before entering into a contract and/or placing an order, the Responsible Officer must ensure there is an approved budget (capital or revenue) sufficient to meet the cost of the contract as specified by a written estimate of the cost of the goods, services or works and any associated annual expenditure.

8.4 The Section 151 Officer will set out appropriate authorisation limits for the authorisation of purchase orders and payments for the organisation.

Payment of Accounts

8.54 Apart from petty cash payments from imprest accounts the method of payment of money due from the Council shall be by ~~cheque~~, bank transfer, Purchasing Card or other instrument drawn on the Council's bank account.

8.65 Accounts for payment by the Council shall be on the supplier's official printed invoice, or on PDF documentation. ~~Photocopies and faxes are not acceptable under any circumstances.~~ ~~Supplier invoices shall not be made out by officers of the Council unless agreed by the~~ Section 151 Officer~~Strategic Director, Regeneration, Housing and Resources~~. Where accounts are made out by officers they shall accord with the requirements of these Rules and shall bear the signature of at least two duly authorised officers prior to certification for payment.

8.76 No officer shall amend or add any item or items to an invoice rendered by a supplier without approval of the Section 151 Officer~~Strategic Director, Regeneration, Housing and Resources~~.

8.87 When goods or services ordered through the procurement finance system have been received, the Directorate requisitioning them will input to the system confirmation that they have been received and match the details on the requisition. Payment will then be generated automatically.

8.89 In exceptional cases, e.g. for utilities, the Directorate issuing a requisition or an order shall be responsible for the examination, verification and certification of the invoice. Certification of invoices for payment can only be undertaken by Officers authorised to do so under the Council's Scheme of Delegation, or the Strategic Director's delegated powers as per 8.1 and 8.4 above. The certification for payment shall mean that the certifying officer is satisfied that:

- (a) The goods have been received, examined and approved as to quality and quantity, or the work has been done or the service provided satisfactorily and that price is reasonable and in accordance with the contract or order.
- (b) The expenditure is within the approved budget or covered by special financial provision and is in accordance with the Constitution.
- (c) The proper entries have been made on the copy order and in the inventory, asset register or stores record as appropriate.
- (d) The account has not previously been certified for payment. Payment must not be made against a faxed or photocopied invoice.

- (e) A duplicate invoice is appropriate since the original has not previously been certified for payment and can no longer be found.
- (f) Any available trade or cash discount, adjustment, credit note, returns or packaging, have been claimed and taken into account.
- (g) In the case of charges for utilities services including gas, electricity, telephone, water or rates any standing charges are correct and that consumption is charged on the most advantageous tariff and is reasonable.
- (h) any VAT included on the invoice has been appropriately included and charged at the correct rate.
- (i) If VAT is charged, that the invoice complies with the requirements of HM Revenues & Customs as per Section 3 of the Council's VAT Manual.
- (j) The account is arithmetically accurate.
- (k) The coding to the appropriate revenue budget or capital scheme, including the VAT amount, shown on the invoice is correct. The invoice shall contain the official order number.

8.109 The Strategic Directors shall arrange a suitable division of staff duties within their Directorates so that the officer who inputs details of receipt of goods or services or certifies an invoice for payment shall not, save in exceptional circumstances as agreed with the Section 151 officer ~~Strategic Director, Regeneration, Housing and Resources~~, be the person who either raised the requisition or placed the order.

8.110 Accounts for payment shall be submitted to and in the manner and frequency prescribed by the Section 151 Officer ~~Strategic Director, Regeneration, Housing and Resources~~.

8.124 The Section 151 Officer ~~Strategic Director, Regeneration, Housing and Resources~~ shall arrange for the prompt payment of all accounts on being satisfied by means of a suitable level of selective checks and enquiries and receiving such information and explanations as may be considered necessary that they have been duly examined and certified and are properly payable by the Council.

8.123 The Strategic Directors and Service Managers shall, notify the relevant Directorate Finance Manager of all due but outstanding revenue and capital payments and receipts relating to the previous financial year in accordance with the closure of accounts guidance notes issued by the Section 151 Officer ~~Strategic Director, Regeneration, Housing and Resources~~.

Leasing arrangements and PFI/PPP arrangements

8.134 Finance and operating lease arrangements or PFI/PPP arrangements shall only be negotiated on behalf of the Council by the Section 151 Officer ~~Strategic Director, Regeneration, Housing and Resources~~ or such other authorised Officer. All such leasing agreements must be signed by the

~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ or such other ~~Officer~~ mandated by these Rules.

- 8.154 Any Strategic Director considering lease finance or PFI/PPP arrangements as a means of funding the acquisition of an item shall consult with the ~~Section 151 eOfficer Strategic Director, Regeneration, Housing and Resources~~ before undertaking any discussions with any lease finance supplier. Arrangements for the supply of items that may be acquired by way of lease finance shall comply with the Constitution and Prudential Indicators.
- 8.165 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall keep all lease or PFI/PPP documentation in safe custody and maintain records of all leases entered into by the Council and retain them for such time as may be required to satisfy statutory requirements.

Payment of Salaries and Wages^[J1]

- 8.176 The Strategic- Director, ~~Regeneration, Housing and Resources~~Customer & Community Services shall make all necessary arrangements, including the issue of guidance and submission timetables, for the preparation and control of all payrolls, and for the payment of all salaries, wages, pensions, compensation or other emoluments to employees, former employees or other persons approved by the Council.
- 8.187 The ~~Strategic Director, Customer & Community Services~~Strategic Director, Regeneration, Housing and Resources shall record and make arrangements for the accurate and timely payment of tax, superannuation and other deductions.
- 8.189 The ~~Strategic Director, Customer & Community Services~~ Strategic Director, Regeneration, Housing and Resources shall ensure that there are adequate arrangements for administering superannuation matters on a day-to-day basis.
- 8.2049 Each Service Manager or other Responsible Officer shall notify promptly to and within the time limits and in the form prescribed by the ~~Strategic Director, Regeneration, Housing and Resources~~Assistant Director, Professional Services, all matters affecting the payment of salaries, wages or other emoluments of Directorate personnel and in particular:
- (a) Appointments, resignations, dismissals, suspensions, secondments/ transfers.
 - (b) Absences from duty for sickness or other reason (including relevant dates) apart from approved leave or training.
 - (c) Changes in remuneration, other than normal increments and pay awards and agreements of general application.
 - (d) Information necessary to maintain records of service for superannuation, income tax and national insurance liability.
- 8.210 The Strategic Directors will ensure adequate and effective systems and procedures are operated, so that:

- (a) Payments are only authorised to bona fide employees.
- (b) Payments are only made where there is a valid entitlement.
- (c) Conditions and contracts of employment are correctly applied.
- (d) Employees' names listed on the payroll are checked at regular intervals.
- (e) Accuracy and completeness is verified.

8.224 The Strategic Directors should give careful consideration to the employment status of individuals employed on a self-employed consultant or sub-contract basis. - The Inland Revenue applies a tight definition for employee status and, in cases of doubt, advice should be sought from the Strategic Director, Regeneration, Housing and Resources Assistant Director, Professional Services

8.232 Appointments of all employees shall be made in accordance with the Rules of the Council and approved budgets, grades and rates of pay.

8.243 Time sheets, bonus sheets and overtime claims for weekly wages or monthly salaries shall be signed by the claiming employee as being a true record of hours worked for the Council. The relevant Service Managers or other authorised officers shall certify, on being satisfied all Procedure Rules have been complied with, such documents and process them in such a manner as determined by the Strategic Director, Customer & Community Services Strategic Director, Regeneration, Housing and Resources within such period before the respective pay day.

8.254 The Strategic Director, Customer & Community Services Strategic Director, Regeneration, Housing and Resources shall arrange for such checks and enquiries, and seek such information and explanations as deemed necessary, so as to be satisfied that these documents have been appropriately examined and certified and are otherwise properly payable by the Council.

8.265 Payment of salaries or wages shall not be made in advance of the normal payment date except in exceptional cases at the discretion of the Strategic Director, Regeneration, Housing and Resources section 151 officer and with the support of the relevant Strategic Director or Service Manager.

8.276 The Strategic Directors shall refer to the Lead for Human Resources and to the Strategic Director, Regeneration, Housing and Resources section 151 officer matters relating to the application of salary and wage scales and other conditions of service including any payments in relation to redundancy, early retirement or any other payments associated with an employee's termination of employment, and no commitment in these matters shall be entered into without their joint agreement. The Strategic Director, Regeneration, Housing and Resources and Lead for Human Resources The Assistant Director, Professional Services and s151 officer shall be jointly empowered to

automatically apply non-discretionary salary and wage awards, expenses and other allowances approved by the various joint negotiating councils’.

- 8.287 No payments may be made to members of staff other than through the payroll unless specifically agreed by the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer.

Payment to Members for Travel, Subsistence and Allowances

- 8.298 Claims by Slough Borough Council’s Members for payment of travelling, subsistence and other allowances shall be submitted to the Monitoring Officer in the form prescribed by the ~~Strategic Director, Customer & Community Services~~ Strategic Director, Regeneration, Housing and Resources duly completed and signed as being a true record by the Member. The Monitoring Officer, on being satisfied such claims are properly payable by the Council, shall certify these claims and pass them to the Strategic Director, Customer & Community Services ~~Strategic Director, Regeneration, Housing and Resources~~ for payment.
- 8.3029 Claims submitted more than two months after the expenses were incurred shall be paid only with the express approval of the Monitoring Officer.
- 8.310 The Monitoring Officer shall provide to the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer details of any approved allowances due to Members.
- 8.324 The ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer and the Monitoring Officer will consider and determine requests by Members for advance payments of their allowances as provided for in the current Members’ Allowances scheme.

Payment to Staff for Travel and Subsistence

- 8.332 Claims by employees’ for payment of car allowances, subsistence allowances, travelling and incidental expenses shall be submitted to the ~~Strategic Director, Customer & Community Services~~ Strategic Director, Regeneration, Housing and Resources, in the appropriate form and supported by receipts, where appropriate, and in the approved timescale. Travel and subsistence claims must not be paid from imprest, petty cash etc.
- 8.343 The claimant must sign to confirm that journeys were carried out on official business, the mileages are correct, the form of transport used was reasonable and any expenses were relevant and properly incurred.
- 8.354 Claims must be counter signed by a Responsible Officer authorised to approve such records. The Responsible Officer shall be satisfied that the journeys made and form of transport used were authorised and that the expenses claimed are reasonable and were necessarily incurred and are properly payable by the Council.

8.365 The ~~Strategic Director, Regeneration, Housing and Resources~~Assistant Director, Professional Services shall arrange for such checks or enquiries and seek information and explanations as deemed necessary so as to be satisfied that allowance and expense claims have been appropriately examined and certified and are otherwise properly payable by the Council. The ~~Strategic Director, Regeneration, Housing and Resources~~ Strategic Director, Customer & Community Services shall process them for payment in such a way as to ensure they are treated correctly for tax, national insurance and VAT purposes.

9. COLLECTION OF INCOME AND WRITING OFF BAD DEBTS

- 9.1 The collection of all money due to the Council shall be under the supervision of the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer who shall ensure adequate arrangements are maintained for:
- (a) ~~The~~ financial organisation and accounting necessary to ensure the proper recording of all sums due to the Council, and
 - (b) ~~The~~ collection, custody, control, disposal and prompt accounting of all cash in all Directorates and establishments of the Council and any bodies acting on the Council's behalf;
 - (c) ~~S~~securing the safety of any employee whom has a responsibility for receiving and looking after money on behalf of the Council.
- 9.2 The Service Managers shall arrange for accounts to be raised promptly in respect of charges for work done or goods or services supplied and for rendering such accounts to the debtors concerned, along with required supporting documentation. Where appropriate, these accounts shall conform to current VAT Rules and instructions issued by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.
- 9.3 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall provide for the setting up and continued maintenance of a periodical income register of all sums regularly due to the Council. Service Managers shall promptly notify the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer of contracts, leases and other agreements and other arrangements entered into which involves the receipt of money by the Council. The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall inspect any documents or other evidence in this connection as considered necessary to verify the accuracy of the register.
- 9.4 The format of all receipt forms, books, tickets and any other documents or vouchers or tokens acknowledging on the Council's behalf the receipt of money or money's worth shall be agreed between Service Managers concerned and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer. Service Managers shall arrange for the ordering, custody and internal issue of such items in a manner approved by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.

- 9.5 All moneys received on behalf of the Council shall be banked daily unless otherwise agreed by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer. All payments shall be made intact. Refunds of overpayments shall be made through the Creditor payments system or, if so authorised by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer, an imprest account.
- 9.6 In the transport of cash for banking or other purpose the Service Manager, in consultation with the Occupational Health Safety and Welfare Manager and the Head of Audit, shall make arrangements for the safety of Council employees and for the proper security of the cash.
- 9.7 Any Officer or other person authorised to receive money on behalf of the Council shall keep such records as may be prescribed by the Strategic Director, Regeneration, Housing and Resources including an accurate and chronological account of all receipts and deposits. Monies received shall not be used in any circumstances to cash personal or third party cheques and must be banked without deductions of any kind.
- 9.8 Every transfer of official money from one employee to another shall be evidenced in the records of the Directorates / sections involved by the signature of the receiving employee and retained for such period as may be determined by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.
- 9.9 The Service Manager in consultation with the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall ensure that proper and secure arrangements are in place for the receipt, opening and discharge of post containing remittances at offices and establishments of the Council. The opening of post shall be in the presence of at least 2 officers. A record shall be kept in such form as may be determined by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer in which details of the remittances shall be entered. A discharge shall be given when remittances are handed over to a cashier for receipting and banking.
- 9.10 Each Officer or other person who deposits money to the credit of any Council account shall enter on the paying in slip and on the counterfoil or duplicate such particulars as are required by the Strategic Director, Regeneration, Housing and Resources.
- 9.11 Where a sum shown as due on the Council's accounts is found to be overstated an allowance may be recorded in respect to the amount overstated where the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer is satisfied that such an allowance is in order.
- 9.12 No debts shall be recommended for write off until all cost effective measures have been taken to try to recover the debt.
- 9.13 Expenditure which is reliant upon the satisfactory recovery of income should not generally be incurred until the income has been received and banked

unless the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer has given prior approval.

Writing off bad debts

- 9.14 Any individual debt of up to £1,000 may be recommended for write off by the relevant Service Manager and Lead for Finance, and approved by relevant Strategic Director.
- 9.15 Any individual debt of up to £15,000 may be recommended for write off by the relevant Strategic Director; ~~or an Assistant Director Finance or a Section Head within Corporate Finance~~Lead Officer for finance and approved by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.
- 9.16 Any individual debt in excess of £15,000 may be recommended for write off by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and approved by the Cabinet.
- 9.17 In any one financial year:
- (a) ~~A~~A Strategic Director may not approve write offs of debt totalling more than £15,000 in aggregate.
 - (b) ~~T~~The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer may not approve write offs of debt totalling more than £500,000 in aggregate.
- 9.18 All debt write offs must be regularly reported to the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer who will report the cumulative debt write off figure quarterly- to Cabinet.
- 9.19 All write off of losses arising from theft must be agreed by the relevant ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer unless the cumulative value involved is in excess of £15,000 then this can only be written off with the approval of the Cabinet.
- ~~9.20 The Strategic Director, Regeneration, Housing and Resources will ensure appropriate accounting adjustments.~~
9.20 All debt written off will be charged back to the originating budgets, unless in exceptional circumstances where approval by Section 151 Officer will be sought.

10. TAXATION

- 10.1 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer is responsible for ensuring the Council is fully compliant with all relevant guidance and statutory responsibilities in relation to all taxation matters.

- 10.2 Strategic Directors are responsible for complying with all guidance and instructions issued by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources to ensure correct accounting records are maintained in relation to:
- VAT
 - Construction Industry Tax
 - Income Tax
 - National Insurance
- 10.3 The Section 151 Officer Strategic Director, Regeneration, Housing and Resources is responsible for making tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.
- 10.4 Strategic Directors are responsible for ensuring all persons employed by the Council are added to the Council's payroll and tax deducted from any payments, except where the individuals have demonstrated they are bona fide self-employed or are employed via a recognised staff agency.

11. BANKING

Banking Arrangements

- 11.1 All arrangements with the Council's bankers shall be made by or under arrangements approved by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources, who shall be authorised to operate such banking accounts as may be considered necessary.
- 11.2 All banking accounts shall stand in the name of Slough Borough Council and not in the name or designation of any officer. No payment including direct credit/debit or standing order shall be made from the Council's banking accounts unless agreed by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources.
- 11.3 All cheque and cheque forms but excluding cheques drawn on authorised imprest accounts, shall be ordered only on the authority of the Section 151 Officer Strategic Director, Regeneration, Housing and Resources who shall be responsible for the safe custody and issue of such forms.
- 11.4 Except in those cases determined by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources all payments by the Council shall be by crossed cheque endorsed "**a/c payee only.**" – Blank cheques should not be signed under any circumstances.
- 11.5 Cheques in excess of £100,000 shall be signed in manuscript by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources and other such officer duly authorised by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources. Cheques signed previously by a duly authorised officer or bearing the facsimile signature of the Section 151 Officer Strategic Director, Regeneration, Housing and Resources which

require a second signature must be signed by one of the other duly authorised signatories.

- 11.6 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ should ensure that similar levels of control operate in respect of electronic funds transfers such as BACS and CHAPS.
- 11.7 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall ensure the Council's banking accounts are reconciled regularly with the Council's accounts.
- 11.8 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ may arrange overdraft facilities from time to time on behalf of the Council within the limit authorised annually by the Cabinet.
- 11.9 Strategic Directors are responsible for following the instructions on banking issued by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~.

Imprest Accounts

- 11.10 ~~The Strategic Director, Regeneration, Housing and Resources~~ The Section 151 Officer shall arrange for the maintenance of a central imprest account(s) for the meeting of urgent minor cash payments.
- 11.11 The ~~Section 151 eOfficer Strategic Director, Regeneration, Housing and Resources~~ after consultation with respective Strategic Directors may make such advances of cash or postage stamps as considered appropriate to such officers of the Council as may need them for petty cash imprests, change floats, postage imprests, etc.
- 11.12 Petty Cash accounts shall be on an imprest system supported by records in a form agreed by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and operated as follows:
 - (a) Aan account with such supporting documents as may be required shall be submitted to the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ on a monthly basis for examination and reimbursement of expenditure; all reimbursement claims shall be certified in manuscript by the officer responsible for the imprest account control and the appropriate authorised Officer;
 - (b) pPayments shall be limited to items of expenditure not exceeding ~~such sums £250 as may be decided from time to time by the Strategic Director, Regeneration, Housing and Resources~~;
 - (c) Cash receipts, other than imprest reimbursements, shall not be paid into any such account but must be paid over to or as directed by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ in accordance with these Rules.

(d) Requests to increase imprests must be made to the Lead for Finance.

(e) All imprest accounts must be accounted for on 31st March each year.

11.13 Where an imprest is operated through a bank account the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall ensure that suitable arrangements are made with the bank which shall include the requirement that all imprest cheques shall bear the signature of two authorised employees. A record of the names and specimen signatures of such employees shall be deposited with the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and updated promptly as changes become necessary.

11.14 No personal cheques shall be cashed through nor shall money be borrowed from any imprest account.

11.15 Service Managers' shall ensure that any ~~Officer~~ within their area of responsibility holding petty cash, change or other cash or postage floats shall, on leaving the Council's employment or ceasing to be entitled to hold the imprest or float, repay the unexpended balance to, and submit any accounts and vouchers required by the ~~Section 151 Officer. Imprest funds must never be used to pay salaries, wages or other employee expenses e.g travel & subsitencesubsistence without the specific approval of the Section 151 Officer due to VAT and taxation concerns. Strategic Director, Regeneration, Housing and Resources.~~

-Treasury Management

11.16 The Council has adopted the key recommendations of CIPFA's Treasury Management in the Public Services: ~~Code of Practice (the Code), as described in Section 4 of that Code and accordingly, the Council will create and maintain, as the cornerstones for effective treasury management:~~

~~-a treasury management policy statement, stating the policies and objectives of its treasury management activities~~

~~-suitable treasury management practices (TMPs), setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities. aAnd Treasury Management Policy (TMP) will be presented to Cabinet and Council on an annual basis for approval~~

11.17 The Cabinet will receive reports on the treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, and an annual report after its close, in the form prescribed in the TMPs.

11.18 The Council delegates responsibility for the implementation, and monitoring of the treasury management policies and practices to the Cabinet, and for the execution and administration of treasury management decisions to the

~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~, who will act in accordance with the Council's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management.

~~11.19 The Strategic Director, Regeneration, Housing and Resources shall, subject to statutory requirements and to the general direction of the Cabinet arrange for the deposit, investment, realisation or utilisation of all surplus funds of the Council in accordance with the CIPFA's Code of Practice on Treasury Management and in the Council's interest. All deposits and investments of such money shall be made in the name of the Council.~~

~~11.20 The Strategic Director, Regeneration, Housing and Resources shall, subject to the general direction of the Cabinet and in the case of the issue of stock to the general direction of the Council, raise and manage all loans for the purposes and amount for which the Council is authorised to borrow money in accordance with CIPFA's Prudential Code for Capital Finance, approved Prudential Indicators and CIPFA's Code of Practice on Treasury Management.~~

11.21 Strategic Directors will ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the [Council Cabinet](#), following consultation with the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~.

11.22 The ~~Section 151 Officer~~ or nominated ~~Officer Strategic Director, Regeneration, Housing and Resources~~ shall be the Council's registrar of stocks, bonds and mortgages and shall maintain records of all borrowing of money by the Council.

11.23 The Chief Executive or other duly authorised ~~Officer~~, in consultation with the Section 151 Officer, shall sign, seal, issue, transfer or reassign as appropriate any mortgage for money advanced to or by the Council. ~~The Section 151 Officer The Strategic Director, Regeneration, Housing and Resources~~ shall produce to the Chief Executive such documentary evidence as may be required of the receipt of value for securities given or secured.

Trust Funds

11.24 Trust Funds are held for a variety of purposes including trust schemes administered by the Council (e.g. resulting from a bequest), funds held on trust for others (e.g. vulnerable people such as children in care) or grant funding from government departments. Strategic Directors will arrange for all trust funds to be held, wherever possible, in the name of the Council. All ~~Officers~~ acting as trustees by virtue of their official position shall deposit securities, etc., relating to the trust with the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~, unless the deed otherwise provides.

11.25 All Strategic Directors will ensure that the administration of Trust or Private funds includes correct accounts for VAT on donated funds.

11.26 All Officers dealing with trust funds must declare an interest and absent themselves from any managerial involvement in any trust or private funds from which they or their family could directly or indirectly benefit.

12. ASSETS

Security and Safety of Personnel, Assets and Inventories

- ~~12.1 Strategic Directors shall be responsible for the accountability, control and health and safety of employees and for ensuring that proper arrangements exist for the security and care at all times of buildings, stocks, stores, furniture, equipment, cash, documents and data under their control. A Strategic Director shall consult promptly with the Strategic Director, Regeneration, Housing and Resources where security of cash or assets is thought to be defective or where it is considered that special security and/or safety arrangements may be needed.~~
- ~~12.2 Any monies held shall be properly safeguarded normally kept in a safe or locked container the specification of which shall be approved by the Strategic Director, Regeneration, Housing and Resources and Strategic Directors must ensure that all safes or locked containers are suitable to safeguard the maximum amount of money to be kept in them at anytime, in line with the manufacturers' and Strategic Director, Regeneration, Housing and Resources' guidance. For safes, one key must be held in a secure place offsite. If a code/pin number is involved in securing monies, the Strategic Director shall consult with the Head of Audit to determine the frequency that these numbers are changed.~~
- ~~12.3 Identity cards, entry cards to Council establishments, keys to safes and similar containers are to be carried on the Responsible Officer of those responsible at all times, except as the Strategic Director, Regeneration, Housing and Resources may otherwise approve. In the event of the loss of any such items, or if an access code or "pin number" may have become known to an unauthorised person, it must be reported immediately to the relevant Strategic Director and Assistant Director Property Services. The Strategic Director and the Assistant Director Property Services will decide whether any special action needs to be taken to safeguard the Council's interests as a consequence.~~
- ~~12.4 Strategic Directors shall maintain a register of all key and cardholders within their respective Directorates and of those employees to whom any other Council property has been issued on a personal basis. They are to ensure those persons, on leaving the employment of the Council or otherwise ceasing to be entitled to hold such property, shall surrender those items. Code/pin numbers for safes and locked containers are to be changed immediately. All Strategic Directors and Assistant Directors are responsible for maintaining property security at all times for all information, buildings, stocks, stores, furniture, equipment and cash under their control and shall consult, via the Assistant Director, Assets, Infrastructure and Regeneration, where they consider security is thoughts to defective or where they consider special arrangements are needed.~~

- 12.2 -Appropriate controls for all assets shall be identified by the risk assessment processes and by referring to security standards and procedures. Arrangements shall be agreed as above.
- 12.3 Maximum limits for cash holdings shall be identified by the risk assessments process and agreed with the Section 151 Officer or nominated officer and shall not be exceeded without permission.
- 12.4 Key holders for safes and similar security receptacles are to be agreed by each Assistant Director in conjunction with the Lead Officer for finance. The loss of keys shall be reported immediately using the security incident reporting procedures.
- 12.5 The Council's Data Protection Officer shall be responsible for ensuring proper security and privacy with regard to information held in all of the Council's computer installations and/or for its use and shall register protected data.
- 12.6 Strategic Directors will ensure controls are in place to ensure that staff do not carry out private work in Council time.
- 12.7 The instrument for affixing the common seal of the Council shall be in the custody of the Monitoring Officer or a duly authorised Officer.
- 12.8 In any premises of the Council to which the public has access, satisfactory arrangements, including a register of items shall be maintained in respect of lost property handed in or reported lost. Items of money and valuables such as jewellery, watches etc., shall be deposited with the Strategic Director, Regeneration, Housing and Resources. Goods so held and not claimed after a period of 3 months may be returned to the finder.
- ~~12.9 The Strategic Director, Regeneration, Housing and Resources and the Monitoring Officer shall set out the requirements for the maintenance of asset registers in such form and detail required to comply with the statutory rules in force~~The Assistant Director, Assets, Infrastructure and Regeneration is responsible for maintaining an up to date asset register. The Strategic Directors shall provide information and maintain records as required by this guidance. Any register relating to property, including land, owned by the Council shall record the purpose for which it was originally acquired, its location, area, plan reference, purchase details, current value, subsequent appropriations, particulars or nature of interest, tenancies granted and rents payable.
- 12.10 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ will ensure assets are valued in accordance with the ~~"Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice"~~latest CIPFA Accounting Code of Practice
- 12.11 Strategic Directors will ensure no Council asset is subject to personal use by an employee without proper authority.

~~12.12 Strategic Directors will assist the Assistant Director Property Services to provide a report on property performance and asset management to relevant Member and officer groups.~~

12.123 The Monitoring Officer shall have custody of all title deeds of property belonging or mortgaged to the Council.

~~12.14 Service Managers shall ensure Directorate inventories are maintained in a form and to such an extent as may be prescribed by the Strategic Director, Regeneration, Housing and Resources of furniture, fittings, equipment, plant and machinery, relating to their area of responsibility.~~

12.135 Service Managers shall arrange for a complete check of their Directorate inventories at least once a year. A certified copy of each such inventory shall be supplied to the Assistant Director, Assets, Infrastructure and Regeneration ~~Strategic Director, Regeneration, Housing and Resources~~ at the end of each financial year. Written explanations of deficiencies or surpluses shall be supplied. Items identified as being in excess of requirements or obsolete shall be dealt with in the manner described in these Rules.

12.146 The Council's property including vehicles, plant, equipment, etc. shall not be removed otherwise than in accordance with the ordinary course of the Council's business or used otherwise than for the Council's purpose.

12.157 A loss of any asset of any kind must be reported to the ~~Head of Audit and Risk and Insurance~~ Manager/Officer.

~~12.18~~12.16 The management and security of assets, financial or otherwise, of third parties must adhere to these Financial Procedure Rules, all statutory and best practice guidance and any other relevant policies and procedures in operation within the Council for example, the Money Management procedures within the Social Services Financial Procedures.

Intellectual Property

12.179 Intellectual property is a broad term that includes inventions and written material. Intellectual property may be created during the work of the Council's staff (e.g. through the preparation of documentation or the development of computer software). By law, that intellectual property belongs to the Council and its rights should be protected. The Assistant Director, Assets, Infrastructure and Regeneration ~~Strategic Director, Regeneration, Housing and Resources~~ shall issue guidance on the identification and protection of the Council's intellectual property rights.

Stocks and Stores

12.2018 Strategic Directors shall be responsible for ensuring adequate arrangements exist to provide for the custody and physical control of stocks and stores in their respective Directorates. Except in special circumstances approved by the Section 151 Officer ~~Strategic Director, Regeneration, Housing and Resources~~ in consultation with the appropriate Service Manager

stocks and stores shall not be carried by any Directorate in excess of reasonable requirements as ascertained by experience.

- 12.219 Stocks and stores records shall be kept in such form as may be determined by the Service Manager in consultation with the [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) which as a minimum shall show in chronological order receipts, issues and remaining balances of each item. The [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) shall maintain financial stores control accounts where appropriate and may prescribe general principles governing issue pricing and levels of stock.
- 12.202 A delivery note shall be obtained in respect of every receipt of goods into stores and must be signed by the person taking delivery at the time. All goods shall be checked as regards quantity and quality in compliance with the order and entered on a goods received note.
- 12.213 Issues of goods from or return of goods to a store shall be supported by a receipt on a stores issued or returned note as appropriate.
- 12.224 Service Managers must ensure that stocktaking of all stores appropriate to their Directorate is undertaken on a programme determined in consultation with the [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) such that all items of stores shall be checked at least once in a period of 12 months.
- 12.235 Stock sheets shall be signed by the [Officers](#) making the stock check and by the Service Manager or Responsible Officer certifying that the particulars shown therein are correct. A copy of the certified stock sheet must be forwarded to the [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#).
- 12.246 Adjustments to stores records to write off deficiencies or to bring surpluses into account shall be made only with the approval of the [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) or duly authorised [Officer](#). The [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) in consultation with the Service Manager concerned shall arrange for an investigation into the cause or causes in all cases of significant stock deficiencies/surpluses and take appropriate action.

Disposals

- 12.257 The [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#), in conjunction with the Assistant Director [Property Services, Assets, Infrastructure & Regeneration](#), shall issue guidelines representing best practice for disposal of assets.

12.268 Where stocks, stores, furniture and fittings, vehicles, plant and equipment or other assets are certified by a Strategic Director to be excess to requirements or obsolete the Strategic Director may arrange for the disposal in the following way unless directed otherwise by the Council:

- (a) Wwhere the estimated realisable value exceeds £5,000 by competitive tender or
- (b) Wwhere the estimated realisable value is less than £5,000 in the best possible market and at the best price reasonably obtainable subject to advice and consent of the Section 151 Officer Strategic Director, Regeneration, Housing and Resources and/or any other relevant Officers.

12.279 Strategic Directors will ensure income received for the disposal of an asset is properly banked and coded.

13. INSURANCES

13.1 The Section 151 Officer Strategic Director, Regeneration, Housing and Resources shall, under the general direction of the Cabinet and in consultation with other Strategic Directors and such Service Managers as necessary, ensure adequate arrangements are maintained to effect and keep under review all necessary insurance cover of the Council and its Officers and for the negotiation of all claims.

13.2 Service Managers shall keep suitable records to ensure the inspection of engineering plant under their respective control, which is normally inspected by an insurance company, is carried out by the company within the statutorily prescribed periods. In the event of any failure of the company to carry out an inspection within the period the Section 151 Officer Strategic Director, Regeneration, Housing and Resources shall be notified immediately in writing.

13.3 Each Service Manager shall give prompt notification in writing to the Section 151 Officer Strategic Director, Regeneration, Housing and Resources of:

- (a) Aall new risks, properties, vehicles, plant and machinery which require to be insured and of any alteration affecting existing insurance cover, and
- (b) Aany fire, loss, liability or damage or any other event likely to lead to a claim upon the Council.

13.4 Service Managers shall consult with the Section 151 Officer Strategic Director, Regeneration, Housing and Resources and as considered appropriate the Monitoring Officer respecting the terms of any indemnity which the Council is requested to give.

13.5 Strategic Directors ensure that employees, or anyone covered by the Council's insurances, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

13.6 All ~~appropriate~~ employees of the Council shall be included in appropriate fidelity guarantee insurance whilst carrying out duties directly connected with their employment as a Council officer.

13.7 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall at least once a year make arrangements to provide Service Managers' with details of all insurances in force affecting their Directorates and any consequent variations to these arrangements shall be notified promptly to the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~.

14. GIFTS AND HOSPITALITY

14.1 Staff and elected Members must comply with the Rules contained in Slough Borough Council's Constitution and in particular the relevant Codes of Conduct.

15. THIRD PARTY ARRANGEMENTS AND PARTNERSHIPS

15.1 The ~~Strategic Director, Regeneration, Housing and Resources~~ s151 officer shall ensure that all External Arrangements, Partnerships, External Funding and Work for Third Parties, shall be undertaken in accordance with all relevant Financial Procedure Rules, appropriate accounting & financial management policies & procedures, effective internal controls and risk assessments.

15.2 The ~~Strategic Director, Regeneration, Housing and Resources~~ Head of Policy & Communications has issued specific guidance on partnerships (the Slough Partnership Protocol) and for seeking and managing external sources of funding (the Grant Bids and Claims Manual).

Partnerships

15.33 As set out within the Slough Partnership Protocol, the Strategic Directors, in consultation with the ~~Strategic Director, Regeneration, Housing and Resources~~ Head of Policy & Communications and s151 officer, will ensure that, prior to entering into a partnership arrangement that they adhere to the Slough Partnership Protocol..:

~~(a) There is a clear rationale for the partnership arrangement, setting out how the partnership objectives contribute to the Council's corporate priorities and how the partnership will demonstrate and improve value for money;~~

~~(b) A project appraisal has taken place to assess the viability of the project in terms of resources, staffing and expertise;~~

~~(c) The resources available to support the partnership objectives are clearly identified;~~

- ~~(d) The roles and responsibilities, including that of lead partner or accountable body, of each of the partners are set out and agreed by all partners;~~
- ~~(e) Consultation with appropriate Council officers has taken place to identify the financial, human resource, asset usage, data sharing and legal issues relevant to the proposed partnership;~~
- ~~(f) The key risks to the Council and to the achievement of its corporate objectives from entering into the partnership have been identified and appropriate risk management and monitoring processes are in place;~~
- ~~(g) Appropriate and proportionate performance reporting and inspection arrangements are agreed, including the right of access to partners' records, if necessary, by the Council's internal and external auditors;~~
- ~~(h) The significance of the partnership has been assessed and effective and appropriate governance and internal control policies and procedures have been agreed which will ensure value for money and the effective stewardship of public monies;~~
- ~~(i) Audit, security and insurance arrangements meet acceptable standards in line with the Council's Financial Procedure Rules;~~
- ~~(j) There is agreement about how the partnership assets and liabilities will be shared;~~
- ~~(k) There is an exit strategy which sets out the circumstances in which the partnership may be dissolved and how any residual assets and liabilities will be shared;~~
- ~~(l) Arbitration procedures are in place to resolve any disagreement between partners;~~
- ~~(m) Communication and complaints protocols have been identified to ensure that the public understand the work of the partnership and how they may seek redress; and~~
- ~~(n) A partnership agreement addressing the issues outlined in 4.1 of the Slough Partnership Protocol is prepared and agreed with the partners.~~

15.4 ~~The Strategic Director, Regeneration, Housing and Resources~~151 officer must be informed of ~~will ensure all funding notified by~~with external bodies, ~~and that this~~ is received and properly recorded in the Council's accounts.

16. ORDERS FOR WORK, GOODS AND SERVICES

Introduction

- 16.1 These rules together with the Contracts and Procurement Guidance, the Procurement Strategy and Procurement Action Plan are one of the key elements that govern the way in which the Council lets its contracts.
- 16.2 Procurement can often be effected in innovative ways to the advantage of the Council, e.g. through use of external framework contracts. Thus it is always important to discuss potential purchases in advance with the Procurement Unit.
- 16.3 These rules form part of the Council's Constitution. Compliance is therefore mandatory. Contravention may lead to the Council invoking its disciplinary Procedures.

Purpose of the rules

16.4 The rules are intended to:

- (a) Ensure that the Council complies with all local, national and EU-based guidance, legislation, and directives
- (b) Ensure a clear audit trail is kept and protect the Council against the risk of challenge
- (c) Provide clear guidance to officers involved in the tendering and management of contracts
- (d) Encourage the spread of best practice and lessons learned across the council
- (e) Reduce unnecessary bureaucracy by clarifying what is and is not allowed; and
- (f) Contribute to the Council's aims to provide high-quality, cost-effective services
- (g) Obtain Best Value in the way the Council spends money by making arrangements to secure continuous improvement in the way in which the contract is performed, having regard to a combination of economy, efficiency and effectiveness (The three E's)
- (h) The rules and guidance are not intended to be a straitjacket that constricts innovation, but instead a framework on which officers can build pragmatic and appropriate solutions to contractual issues which will withstand scrutiny and provide best value. The aim of these Rules, the Contracts and Procurement Guidance and the Procurement Strategy and Action Plan- therefore is to provide clear information to ensure that probity, transparency, fairness and value for money are achieved in contracts.
- (i) Attention is drawn to the Council's approved procurement strategy and action plan which must be followed unless there are overriding circumstances leading to an alternative course of action agreed by the Head of Legal Services and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer

Strategic Directors- responsibilities

16.5 In addition to ensuring compliance with this Code, Strategic Directors are also responsible for ensuring that:

- (a) All relevant legal requirements are met;

Appropriate Directorate procedures are set up in place for the compliance with these financial rules of procedures in respect of tendering, awarding, managing and monitoring of contracts;

(b)

(c) Staff who are appointed to let, manage or monitor contracts have the necessary delegated authority to do so. They must also ensure that such staff are fully aware of the requirements of the Contracts Code and other relevant documents, and are trained in the application of these requirements;

(d) A Named Contracts Officer (CO) is appointed for each contract, who is aware of their responsibilities and will act in accordance with relevant procedures;

(e) Value for money is demonstrated on every contract placed by his/her Directorate;

(f) Efficiencies and savings are identified on every contract placed by his/her Directorate.

Official requisitions and orders

16.6 Official requisitions and orders shall be in a form approved by the Strategic Director, Regeneration, Housing and Resources Section 151 Officer in consultation with the Head of Legal Services. Official requisitions shall be raised in accordance with the delegated authority set up in the procurement finance system (as approved by the Strategic Director, Regeneration, Housing and Resources Section 151 Officer). Where they continue to be used, official orders shall be signed by a Directorate Service Manager or such other person authorised by the Strategic Director as having authority to approve official orders issued from that Directorate.

16.7 Official requisitions and orders must be issued for all work, goods or services to be supplied to the Council except for,

— The continuous supply of utility services

(a)

(b) Supplies subject to periodical payments

(c) Petty cash purchases

(d) Where a formal contract required by these Rules provides for an alternative procedure and

(e) Such other exceptions as the Strategic Director, Regeneration, Housing and Resources may approve

16.8 Where in exceptional circumstances an oral order is given it shall be confirmed by an official order clearly endorsed “confirmation order” within 2

working days and a letter of agreement of contract terms. No other order shall be recognised by the Council.

- 16.9 Requisitions and orders shall be placed only where there is adequate financial provision within the approved revenue budget or capital programme. Cost Centre Managers must maintain a record of expenditure throughout the year and must ensure that orders and/or contracts are not placed which would cause the any budget head to be exceeded. Any special conditions shall be clearly recorded on the requisition and order form.
- 16.10 Each requisition and order shall indicate clearly the nature and quantity of the work, goods or services required and any contract or agreed prices. Computer hardware and software and other such IT related goods must only be ordered through the Head of Information & Technology.
- 16.11 Purchasing cards can be used as an alternative to placing an order and any such purchases must comply with the detailed guidelines set out in Slough BC's, "Purchasing Card Procedures Guide for Cardholders".
- 16.12 Requisitions and orders should only be used for goods and services provided to the Council.- Individuals must not use official requisitions or orders to obtain goods or services for their private use.

Quotations for contracts under £50,000 Tendering & Financial Thresholds

| <u>Total Value / £</u> | <u>Type of Contract</u> | <u>Procedure to be used</u> |
|--|-------------------------------------|--|
| <u>500 to 2,500</u> | <u>Works, Supplies and services</u> | <u>A minimum of three quotations</u> |
| <u>2,500 to 50,000</u> | <u>Works, Supplies and services</u> | <u>A minimum of three written quotes</u> |
| <u>50,000 to the EU threshold</u> | <u>Works, Supplies and services</u> | <u>Approval from the Procurement Board Full competitive tendering process per the below</u> |
| <u>Above EU threshold for supplies & Services*</u> | <u>Supplies & Services</u> | <u>EU rules apply – full competitive process following advertisement in the Official Journal of the European Union</u> |
| <u>Above EU threshold for works*</u> | <u>Works</u> | <u>EU rules apply – full competitive process following advertisement in the Official Journal of the European Union</u> |

*There are two different EU thresholds, one for works and one for supplies and services. The Assistant Director for Procurement will provide the values and will have ultimate discretion on what constitutes the above and the correct tendering route.

~~16.13 Where the cost of the work, goods or services to be ordered is estimated to be £50,000 or less at least 3 written quotations shall be obtained by the Authorised Officer in order to secure value for money. Service Managers shall ensure that competitive quotes are obtained, recorded (and~~

~~retained for 6 months) prior to placing orders for goods, services or works. Telephone quotes can be obtained and must be recorded on a pro-forma document where the estimated cost is unlikely to exceed £2,500. Formal written quotes must be obtained where the estimated cost exceeds £2,500 and does not exceed £50,000. Written quotes shall be sent to the Directorate representative designated by the Strategic Director who shall record and date the quotes and pass them to the ordering officer after the closing date. Line managers will be responsible for ensuring that quotes in accordance with these procedures are obtained as part of their regular one-to-one meetings with their staff members.~~

~~16.14 Where the cost of the work, goods or services is likely to be in excess of £50,000 the tendering procedure set out in section 16.55 onwards shall be followed and a written contract shall be prepared unless the Assistant Director Legal & Procurement Services and Strategic Director, Regeneration, Housing and Resources both otherwise determine.~~

~~**Tenders for contracts over £50,000**~~

~~16.15 Where the cost of the work, goods or services is likely to be in excess of £50,000 all contracts shall:~~

- ~~(a) be subject to prior approval of the Council's Contracts Board which shall receive a full business case for consideration as set out in the Contracts Guidance and;~~
- ~~(b) follow the tendering procedure set out in these Rules and;~~
- ~~(c) be prepared, in writing, unless the Head of Legal Services and Strategic Director, Regeneration, Housing and Resources both otherwise determine.~~

Errors on quotations/tenders

16.16 Where on examination a tender or quotation reveals mathematical errors which affect the tendered or quoted figure in an otherwise successful submission, the sender shall be supplied with the detail of such errors and given the opportunity of confirming or withdrawing the tender or quotation in writing within 7 working days unless otherwise agreed by the Strategic Director, Regeneration, Housing and Resources Assistant Director, Procurement and the Head of Legal Services. If withdrawn the next submission in competitive order shall be considered and as necessary dealt with in a similar manner.

Procurement strategy

16.17 These rules explain the minimum standards that the Council expects from staff responsible for buying goods, works and services on behalf of the Council. However, the Council's policies are set out more fully in its Procurement Strategy document and regard should be had at all times to the guidance that it contains on matters to be taken into consideration as part of any tender process, for example

(a) Best Value

(b) Sustainability

(c) Equality

——Workforce matters

(d)

(e) Procurement processes

16.18 Each financial year, the Council shall review on a rolling basis and agree a Procurement Plan setting out its current contracts to be procured for the forthcoming five financial years.

Approved List

16.19 The Approved List is a list of suppliers/contractors who have been pre-approved to provide goods and services to the Council. All applications to join this list shall be scrutinised by a group of suitably qualified officers to evaluate technical competence, financial standing, oral and written references, compliance with the Council's Key Policy Priorities, Health and Safety and Equal Opportunities legislation and any other pre-determined relevant criteria.

16.20 The Strategic Director shall approve the Directorate Approved List which shall contain:

- (a) the names and addresses of no fewer than four contractors/suppliers in each category. Less will be acceptable in cases where the nature of work restricts the number of relevant contractors wishing to appear on the list
- (b) the type and value of goods, services or works for which they are approved

16.21 The Approved List shall be kept under continuous review with annual financial checks and at least once every three years an advertisement shall be placed inviting contractors/suppliers to apply/reapply to be included in the approved list. Any applicant later wishing to join the Approved List must be subject to scrutiny in accordance with 8.4 above.

- 16.22 Contractor/suppliers who fail to submit tenders on three occasions without adequate reasons shall be removed from the list.
- 16.23 A contractor/supplier can be suspended or deleted from an Approved List only when they fail to meet one or more of the criteria in the approved evaluation process or fail to tender as in 8.7 above. There must be substantive evidence for the suspension or deletion and it must be recorded as a key decision.
- 16.24 Where there is an approved list Strategic Directors must ensure that all contractor/suppliers on the list are invited to tender or quote on a regular basis.

Compliance

- 16.25 Every contract entered into by the Council shall be entered into for the purpose of the Council's functions and shall comply with:
- (a) All relevant statutory provisions including Best Value requirements;
 - (b) The relevant European procurement rules (i.e. the EC Treaty, the general principles of EC law and the EC public procurement directives implemented by the UK Regulations);
 - (c) The Council's constitution, these Financial Procedure Rules and Scheme of Delegation; and
 - (d) The Council's strategic objectives, procurement strategy and policies.
- 16.26 The highest standards of probity are required of all officers and Members involved in the procurement, award and management of Council contracts. Failure to do so may lead to:
- (a) bBreaches of Codes of Conduct
 - (b) Compensation being paid by the Council to anybody adversely affected by the Council's actions and
 - (c) Damage to the Council's reputation
 - (d) Disciplinary action.
- 16.27 As a general rule, Members and Officers must not accept from contractors or potential contractors or from any firm or organisation with whom the Council has had, is having or may have dealings of any kind, any gift or hospitality otherwise than strictly in accordance with the provisions of the Council's approved Codes of Conduct for Members and Officers.

Contracts not requiring selective or competitive tendering

- 16.28 The following contracts need not be tendered unless required to do so under the: European Union and United Kingdom public procurement legislation:
- (a) Contracts valued at less than £50,000 which must follow procedures for quotes set out in these Rules above.

- (b) Contracts formalising the grant funding of voluntary sector bodies, where the purpose of the contract is to establish the general conditions of grant by the Council.
- (c) Contracts for the engagement of Barristers.
- (d) For the extension, addition to or maintenance of existing buildings, works, plant or equipment where this can only be done satisfactorily by the original contractor/supplier.
- (e) When carrying out security works where the publication of documents in the tendering process could prejudice the security of the work to be done.
- (f) When buying land and buildings and interests in land and buildings (Contracts for the sale of land must be disposed of by competitive tender or auction except where the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and the Head of Legal Services consider that a negotiated agreement will add value to the Council and this is documented and approved by the Cabinet).
- (g) Where the contract is on behalf of another local authority for which the Council is acting as agent and is so instructed in writing by the principal.
- (h) For the supply of goods required in respect of a contract from another local authority.
- (i) Before the contract is to be completed at auction the limit of authority of the person bidding has been approved in advance.
- (j) Where urgent steps are necessary for the protection of life, property or to comply with statutory requirements subject to ~~Strategic Director, Regeneration, Housing and Resources~~the Chief Executive and Head of Legal Services approval.
- ~~(k) contracts for which an exception from tendering has been granted under these Rules~~
- (k) Social care contracts, being the provision of personal social services to individual clients; or individual contracts for temporary accommodation for the homeless; or special educational needs contracts being the provision of residential and non residential education for individual pupils with special educational needs. All expenditure that will exceed the £50k limit will need to reported to the procurement board for consideration before the £50k limit has been breached to ensure best value has been achieved.
- ~~(l) for the supply of goods where the Head of Legal Services and the Strategic Director, Regeneration, Housing and Resources agree that there is only one supplier and no acceptable alternative~~

~~(n)(l)~~ For the performance of work or provision of services where effective competition is prevented by the specialist nature of the work subject to written approval from the Head of Legal Services and Strategic Director, Regeneration, Housing and Resources.

~~(e)(m)~~ Where the goods or services are to be procured through a consortium or a procurement organisation which has been approved by the Head of Legal Services e.g. OGC buying solutions and IdeA Marketplace but in such instances three quotations will still be required.

(p) Where goods and services are to be procured by another Local Authority or public body which is acting on behalf of the Council provided the Assistant Director (Commissioning & Procurement) has confirmed that the procurement is in line with public procurement regulations if applicable.

(q) Where the ~~Strategic Director, Regeneration, Housing and Resources and the Head of Legal Services~~ Procurement Board agree that selective or competitive tendering is not appropriate or that an exemption from tendering is required.

Any such decision to be recorded as a significant Officer decision by the Strategic Director of the service.

The Procurement Board consists of the Section 151 Officer, the Head of Legal Services and the Assistant Director with responsibility for corporate procurement.

Consultants supervising or managing contracts

16.29 Any person who is not an employee of the Council or a firm who is appointed to supervise or manage a contract on behalf of the Council shall be supplied with a copy of the Council's Financial Procedure Rules relating to contracts and their conditions of appointment shall provide that the Financial Procedure Rules in relation to contracts are complied with.

16.30 At any time during the course of the contract, all records maintained relating thereto shall be produced to the appropriate Strategic Director or the Strategic Director, Regeneration, Housing and Resources or such other person authorised by them on request.

16.31 On completion of the contract, all such records shall be handed over to the appropriate Strategic Director who shall provide for their safe and secure retention for such period as required by or the Council's Retention of Documents policy and registered with the Legal Department.

Selective tendering by advertisement

16.32 Subject to the Public Procurement Regulations and any European Union and United Kingdom legislation, this Rule shall be used generally for all contract values over £50,000 (unless exempted).

16.33 The tender should be advertised in a way that is most likely to achieve best value and comply with legal requirements. This will normally involve a selection of the following, as appropriate:

- (a) ~~(a)~~ One local newspaper;
- (b) One or more appropriate trade journals;
- (c) One SBC Net
- (d) One the Local Business Portal; and
- (e) Where appropriate, the European Journal

Except where advertising in the European Journal, the advertisement shall allow at least 16 days for the response to the Council's pre-tender questionnaire to be submitted to the Council.

16.34 Procedures for the tender and evaluation of all contracts shall be as set out in the Council's contract and procurement guidance in the Council's intranet.

16.35 Where goods or services are valued at over £140,000 over the proposed contract period then public procurement regulations may apply and guidance must be sought from Legal & Procurement Services and an Official Journal of European Union advert may have to be placed.

16.36 After the closing date and following evaluation of financial and technical competence invitations to tender shall be sent to:-

- (a) At least 3 contractors/suppliers selected from the applicants, or
- (b) If fewer than 3 have applied or are considered suitable, all those contractors/suppliers considered suitable.

Contract formalities

16.37 All contracts shall be evidenced in writing.

16.38 Contracts of £50,000 or more in value or amount shall be sealed with the common seal unless the Monitoring Officer having regard to the circumstances in any particular case otherwise determines.

16.39 Service Managers shall consult with the Head of Legal Services as to the preparation of a contract under seal where the value or amount involved is less than £50,000 if the circumstances suggest that such action may be in the best interest of the authority (i.e. the contract obligations should endure for 12 years such as a building contract).

- 16.40 Every contract shall contain such standard clauses as approved by the Head of Legal Services and ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.
- 16.41 In relation to goods and services ordered to the value of between £5,000 and £50,000 a formal agreement should be signed by the Strategic Director, who shall consult with the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer about the contractor's financial capability and with the Head of Legal Services on the terms and conditions.
- 16.42 The Head of Legal Services in consultation with the responsible Service Manager shall arrange where necessary for suitable and adequate bond and/or liquidated damages and/or parent company guarantee for the due performance of every contract the value of which exceeds £50,000.
- 16.43 The Service Manager/Contract Administrator shall ensure that all necessary insurances have been affected and remain in force throughout the period of each contract.
- 16.44 Service Managers/Contract Administrators shall ensure that the Strategic Director, Regeneration, Housing and Resources is provided with such details as may be required of all contracts, agreements or instruments which provide for payment or receipt of money by the Council by instalments. The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall ensure a register of all such items is maintained so as to show the state of the account in each case between the Council and the other contracting firm, person or party to the contract.
- 16.45 Strategic Directors shall maintain a register of all contracts in a form approved by the Head of Legal Services. Copies of contracts registers shall be sent to the ~~Procurement Manager~~Assistant Director for Procurement by Service Managers.
- 16.46 Payments to contracting firms or persons by instalments shall be authorised only on an official certificate signed by the appropriate Strategic Director or other duly authorised officer in a form approved by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer. Certificates shall be dealt with promptly and processed so that payment may be made within the time prescribed in the contract.
- 16.47 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer in consultation with the Head of Legal Services and the appropriate Service Manager may, until the terms of the contract have been complied with, withhold payment of any sums purporting to be due to a contractor.
- 16.48 Claims from contractors and third parties in respect of matters not clearly within the terms of the contract shall be referred to the Head of Legal Services and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer for consideration of the Council's legal and financial liability before any settlement is reached.

16.49 In relation to Building Contracts over £50,000, a Strategic Director or Officer duly authorised by him for this purpose shall upon receipt of a request from a contractor to issue a final certificate of payment under a contract, inform the Strategic Director, Regeneration, Housing and Resources who shall determine whether a pre-payment audit shall be conducted, in which case the contractors final account and such other documents and records relating there to as are considered necessary shall be forwarded to Internal Audit for examination. Service Managers / Contract Administrators shall notify the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer in writing following satisfactory completion of the maintenance period under a contract for which they are responsible so that any retention money may be released.

Limits of councillors' authority in contracts

16.50 Unless specifically authorised by the Cabinet, a Member shall not:-

- (a) Issue any order relating to work done by or for the Council, or
- (b) Claim any rights to enter or inspect property where the Council has the right or duty to enter or inspect.

16.51 A Member shall not enter, either orally or in writing, into any contract on behalf of the Council.

16.52 A Member shall not negotiate personally on behalf of the Council for the purchase of goods or services or sale of any land, property, plant rights, or commodities or for any lease or tenancy. All such negotiations shall be conducted by an employee authorised by the Council except that, at the request of the Leader or Deputy Leader, a Cabinet Commissioner and, at the request of the Scrutiny and Overview Committee, a Scrutiny Member may attend any personal interview in the course of negotiations.

16.53 In matters of special importance, the Cabinet may instruct one or more of its Commissioners together with the employees concerned, to conduct negotiations.

Submission of quotations and tenders

Method of Submission

16.54 All invitations to tender or quote shall state that no tender or quotation shall be considered unless it is: -

- (a) Enclosed in a plain sealed envelope addressed to the Authorised Recipient at the Tender Address;
- (b) Sent by e-mail addressed to the Authorised Recipient where the invitation specifically allows; or

(c) Submitted electronically at a reverse auction where the invitation specifically allows;

and in all cases envelopes, discs and covering e-mails shall bear only the words 'Tender' or 'Quotation' followed by the subject to which it relates and the date and time by which it is due.

Media

16.55 Tenders or quotations shall be in writing or, where the invitation specifically allows, may be submitted electronically by e-mail as the Authorised Recipient may specify.

Tendering Procedure

16.56 Tenders for contracts worth over £50,000 shall only be considered if they are received in accordance with the procedure prescribed in the tendering procedure or if the Head of Legal Services and ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer agree to accept a tender notwithstanding a defect. This must be recorded in writing on the file. All tenders shall be required to be submitted on a formal tender prepared by the Council which form shall include a statement that the Council will not be bound to accept any tender.

16.57 Tenders must be received in a sealed envelope (generally provided by the Council) which should be:-

- (a) Addressed to the Head of Democratic Services.
- (b) Marked with "Tender for" (showing the title of the contract).

16.58 The invitation to tender shall state that there should be no mention of the sender's name or any other way of identifying him / her from the envelope. Any tenders contravening this rule shall be recorded but excluded from any subsequent assessment/evaluation exercise unless the Head of Legal Services and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall agree otherwise. Any unsealed tenders shall be recorded in the register as being received but shall be excluded unless the Head of Legal Services and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall agree otherwise. ~~Strategic Director, Regeneration, Housing and Resources~~. Any such decisions to be recorded as significant officer decisions.

16.59 The Head of Democratic Services shall record the date and time of receipt of each tender and keep them in a secure location until the time and date prescribed for their opening.

16.60 The Head of Democratic Services shall arrange for all tenders received in respect of a contract to be opened by one of the following at the time and date prescribed:-

- (a) A Commissioner, Mayor or Deputy Mayor or

- (b) The Strategic Director authorised to accept the tender for that contract; In the presence of:
 - (i) The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer or his/her nominee, or
 - (ii) The Head of Legal Services or his/her nominee.

16.61 The Head of Democratic Services shall arrange for a schedule to be completed detailing:-

- (a) ~~The~~ the title of the contract,
- (b) ~~The~~ the prescribed time and date of the opening of the tenders,
- (c) ~~The~~ the names and addresses of all tenderers,
- (d) ~~The~~ the total value of each tender submitted,
- (e) ~~The~~ the signatures / names of all witnesses to the tender opening.

Late Tenders

16.62 Tenders received after the closing date and time shall be recorded but excluded from any subsequent assessment/evaluation exercise unless there are exceptional circumstances as agreed by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and Head of Legal Services and both are satisfied that:

- (a) ~~The~~ there is evidence of dispatch by tendered in due date and time and
- (b) ~~Other~~ other tenders have not been opened or there is no evidence that undue advantage or the process is fettered and
- (c) ~~No~~ No unfair advantage is obtained from absence of compliance and
- (d) ~~It~~ it is in the Council's interest to allow the tender.

Defects in Procedure

16.63 If they consider it fair and appropriate the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and the Head of Legal Services shall have the authority to agree to permit a tender to be received and opened notwithstanding that there is a defect in the procedure. Any such decision to be recorded as a significant ~~Officer~~ officer decision.

Post Tender Negotiation

16.64 Post tender negotiation is not generally permitted in contracts procured under the Public Procurement / European law – see contract guidance.

Amending tenders

16.65 A tender may be amended after it has been opened and before it has been accepted only if the Strategic Director, Regeneration, Housing and Resources and Head of Legal Services approve:-

- (a) The correction of an error or omission made (in good faith) by the tenderer, or
- (b) The making of an alteration to the Council's advantage provided that the alteration, if made to all the tenders, would not make any other tender the most financially favourable.

16.66 The Strategic Director must consult the Head of Legal Services or Strategic Director, Regeneration, Housing and Resources Section 151 Officer on any error or omission and keep a record of any amendments.

Electronic tendering

16.67 Requests For Quotes and Invitations To Tender may be transmitted by electronic means. Quotations and tenders may be submitted by electronic means provided that:

- (a) Evidence that the transmission was successfully completed is obtained and recorded;
- (b) Each tender submitted electronically is supplemented by an identical signed hard copy original submitted in the manner prescribed in the advertisement or the ITT documents within five working days after the tender return date; and
- (c) electronic tenders are kept in a separate secure folder under the control of the nominated Officer (or the Project Officer in the case of Low Value Procurement) which is not opened until the deadline has passed for receipt of tenders.

Call-off / framework agreements

16.68 Call-off contracts are those where prices and terms are agreed with a supplier for an estimated quantity of supplies, services or works without commitment until confirmed by a separate purchase order. They offer benefits of bulk buying, improved service and reduced administration costs.

16.69 Where they exist, call-off contracts for particular supplies and services must be used regardless of value.

16.70 Call-off contracts must be competitively tendered by means of the appropriate procedure in accordance with these Rules.

16.71 Where a Framework Agreement or Agreements has or have been entered into on behalf of the Council, orders for goods, services or works shall only be

made in accordance with the approved procedure relevant to the Agreement concerned.

Consultants and staff employed through employment agencies

- 16.72 With regard to consultants' contracts, there must be three alternative quotes to ensure best value and a consultancy agreement in the form provided by Monitoring Officer or otherwise agreed by Legal & Procurement Services shall be signed, setting out clearly Audit requirements regarding the project brief, milestones and measurement as well as price. See the Guidance on appointment of consultants in the Council's Contract and Procurement Guidance on the intranet.
- 16.73 Contracts with consultants shall not be completed until the Strategic Director, Regeneration, Housing and Resources has agreed that satisfactory tax and VAT registration documents have been supplied.
- 16.74 Payments shall not be made to consultants until a contract has been completed.
- 16.75 Strategic Directors shall maintain a register of consultants' contracts and shall provide a copy of all contracts to the Monitoring Officer for registration on the Contracts Register.

Statistical returns

- 16.76 Each year the Council shall make a statistical return to the relevant government department for onward transmission to the European Commission concerning the contracts awarded during the year under the European rules.
- 16.77 The [Procurement Manager](#) [AD for procurement](#) shall be responsible for this statistical return and will make the necessary arrangements for information to be collected annually. All Directorates shall provide the information necessary to compile this return.

Contract extension

- 16.78 Any contract may be extended provided its terms allow for an extension. Any such extension shall be subject to a report through the [Contract Procurement Board](#) procedure and sign off by Head of Legal Services.
- 16.79 The Project Officer shall demonstrate that extension will achieve Best Value for money and is reasonable in all the relevant circumstances and this shall be approved by the Strategic Director and Head of Legal Services. The Project Officer shall also complete a Contract Letting Checklist before the contract is formally signed with the contractor and the contract will be registered in Legal & Procurement Services as well as in the Directorate.

Termination of contract

16.80 Termination of any contract exceeding £1m in value shall be approved by the Cabinet as appropriate. Contracts of a lesser value may be terminated early by agreement or in accordance with the termination provisions set out in the contract subject to legal advice from the Head of Legal Services and approval of the Strategic- Director, Regeneration, Housing and Resources (if appropriate).

Letter of Intent/Letter of Comfort

16.81 A Letter of Intent/Letter of Comfort shall be avoided and only be issued in an emergency with the approval of the Head of Legal Services. The wording of such letters must be approved by the Head of Legal Services prior to dispatch.

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ARTICLE 10 - AUDIT AND RISK COMMITTEE

The Council will appoint an Audit and Risk Committee

1 Statement of Purpose

The purpose of this Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority framework and non-financial performance, to the extent that it affects the authority's exposure to risk and weakens the control environment and to oversee the financial reporting process and responsibility for the approval of the financial statements and Annual Governance Statement.

Terms of Reference

2 Within the Terms of Reference of the Committee it will be

- a. the member forum for external auditors matters, recommending to council the approval of the audited statement of accounts, formal approval will remain a full council responsibility approving the financial statements on behalf of the full Council
- b. the member forum for internal audit matters,
- c. a key element of the internal control framework for the Council and take responsibility for the approval of the Annual Governance Statement on behalf of the full Council,
- d. be the member forum for risk management matters,
- e. be the member forum for corporate governance matters.

General Role/Membership

3 The Committee is ~~advisory and therefore not~~ subject to the provisions of the Local Government Access to Information Act 1985.

4 The Committee will comprise 7 people (6 Councillors on a proportional basis, and one non-voting co-opted member from outside the Council with suitable experience). The quorum for the Committee is three members.

5 That Committee will meet four or more times per year.

6 In order to promote the independence of the Committee there should be limited cross membership between Overview and Scrutiny Committee and the Audit and Risk Committee limited to a maximum of 2 members. Also Cabinet membership of the Committee is limited to one member.

Specific Functions

7 The Committee's specific functions shall include but not be limited to

- (a) External Audit

- To consider the external audit report to those charged with governance on issues arising from the audit of the accounts, and ensure that appropriate action is taken in relation to the issues raised
- To consider the external auditor's annual letter and ensure that appropriate action is taken in relation to the issues raised
- To consider and comment on any plans of the external auditors
- To comment on the scope and depth of the external audit work and to ensure it gives value for money
- To consider any other reports by the external auditors
- To liaise with the appointed body over the appointment of the Council's external auditor

(b) Internal Audit

- To consider the Chief Internal Auditor's annual audit opinion and the level of assurance given over the Councils Corporate governance arrangements
- To consider regular reports, including statistics, abstracts and performance of the work of internal audit as presented by the Chief Internal Auditor
- To consider and approve the annual Internal Audit plan ensuring that there is sufficient and appropriate coverage
- To consider reports from Internal Audit on agreed recommendations not implemented in accordance within the agreed timescale
- To contribute to the annual audit plan
- To comment on the scope and depth of the internal audit work and to ensure it gives value for money
- To consider any other reports the Chief Internal Auditor may make to the Panel.

(c) Internal Control

- To recommend the adoption of the Annual Governance Statement to the Council
- To ensure that an appropriate action is taken with respect the issues raised in the Annual Governance Statement.

(d) Risk Management

- Approve the risk management strategy and review the effectiveness of risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements and seek assurances that action is being taken on risk related issues
- Ensure that assurance statements, including the Annual Governance Statement properly reflect the risk environment
- Review the Council's risk register

(e) Governance

- To consider the arrangements for Corporate Governance and to make appropriate recommendations to ensure Corporate Governance meets appropriate standards
- To consider the Council's compliance with its own and other published standards and controls
- To review any issues of governance referred to the Committee by internal or external audit
- To take ownership of the Protocol on referring Matters to the External Auditor
- To review the Anti-Fraud and Corruption policy

(f) Other

- To liaise with the Overview and Scrutiny Committee to ensure that the work of the two committees is complementary
- To promote effective relationships between external audit, internal audit, inspection agencies and other relevant bodies to ensure that the value of the audit and inspection processes are enhanced and actively promoted
- To consider financial and non-financial performance issues to the extent that this impacts upon financial management and governance.

8 The Committee shall report annually to the Council and report on an exception basis through the Performance Report produced by the ~~Strategic Director of Regeneration, Housing and Resources~~ chief finance officer for Cabinet.

9 The terms of reference shall be reviewed annually.

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Proposed Policy Changes

| Area/ Section | Proposed Changes |
|---|---|
| <p align="center">Disciplinary Policy & Procedure</p> <p>10.3 Appeals against dismissal are heard by the Employment Appeals Sub-Committee, and appeals against action less than dismissal are heard by an Officer Appeals Panel. The Strategic Director in consultation with HR will make the necessary Arrangements for the appeal to be heard.</p> | <p>Appeals against dismissal are heard by a convened panel of 3 with minimum of one Strategic Director/Chief Executive and one/two Assistant Director(s). The Panel will be advised by the Assistant Director of Professional Services or his/her representative(s)</p> |
| <p align="center"><u>Disciplinary Policy & Procedure</u></p> <p>10.4 Employment Appeals Sub-Committee The Employment Appeals Sub-Committee consists of three elected Members made up from members of the Employment and Appeals Committee..</p> | <p>Delete</p> |

Employment & Appeals Committee

| Area/ Section | Proposed Changes |
|--|------------------|
| <p>Page 72 Part 3.4</p> <p>3 To consider and determine appeals against dismissal and other appeals arising from the Council's HR procedures.</p> | <p>Delete</p> |
| <p>Page 72 Part 3.4</p> <p>An Employment Appeal Sub Committee will be appointed to hear appeals under 3</p> | <p>Delete</p> |
| <p>5. To consider and determine appeals and all sub headings outlined above</p> | <p>Delete</p> |

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Part 4.1 Council Procedure Rules

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Rule No.

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- 2 Ordinary meetings
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1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and business

In a year when there is an ordinary election of Members, the annual meeting will take place within 21 days of the retirement of the outgoing Members. In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

- (i) elect a person to preside if the Mayor of the Council is not present;
- (ii) elect the Mayor of the Council;
- (iii) elect the Deputy Mayor of the Council;
- (iv) approve the minutes of the last meeting;
- (v) receive any declarations of interest from Members;
- (vi) receive any announcements from the Mayor and/or Head of the Paid Service;
- (vii) elect the Leader of the Council (in the year in which this is required) ;
- (viii) Receive a report from the leader on appointment of the Deputy Leader and Commissioners and their portfolios;
- (ix) appoint at least one Overview and Scrutiny Committee, a Standards Advisory Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions as set out in Part 3, Table 1 of this Constitution;
- (x) approve a programme of ordinary meetings of the Council for the year; and
- (xi) consider any business set out in the notice convening the meeting.

Only the business specified in the Summons to the Annual meeting shall be transacted except in the case of business required by law to be done at the Annual Meeting

1.2 Appointment of Members to Committees and Outside Bodies

At the annual meeting, the Council will:

- (i) decide which committees to establish for the municipal year;
- (ii) decide the size and terms of reference of those committees;
- (iii) decide the allocation of seats and deputies (where appropriate) to political groups in accordance with the political balance rules;

- (iv) receive nominations of Members to serve on each committee and outside body; and
- (v) appoint to those committees and outside bodies except where appointment to those bodies has been delegated by the Council.

Casual Vacancies on Committees

- (vi) The Assistant Director, Professional Services, or in his/her absence the Head of Democratic Services, shall appoint to casual vacancies on Committees, Sub Committees, Panels, Outside Bodies and Working Parties as they arise on the nomination of the respective Group Leader and report this decision to Members as a significant decision.

1.3 Election of Committee Chairs

- (i) The Council may appoint, from among the voting members a person to preside at meetings of a Committee (Chair) and a person to preside in the absence of the Chair (Vice-Chair).
- (ii) If any appointment possible under the previous paragraph is not made, the Committee at its first meeting after the annual meeting of the Council shall, from among the voting members, appoint a person to preside in the absence of the Chair.
- (iii) If the Chair and Vice Chair appointed under the previous paragraphs of this rule are absent, a meeting of a committee shall appoint from among its voting members present a person to preside at the meeting.

2. ORDINARY MEETINGS

2.1 Order of Business

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) ~~choose elect~~ a person to preside if the Mayor and Deputy Mayor are not present (other than the any other member of the Executive) for the duration of the meeting (Local Government Act 1972, Schedule 12, Paragraph 5).;
- (ii) approve and sign the minutes of the last meeting;
- (iii) receive any declarations of interest from Members;
- (iv) receive any announcements from the Mayor or the Head of Paid Service.
- (v) receive any petitions under Rule 11.
- (vi) answer any questions from Members of the Public under Rule 9.
- (vii) answer any questions on Police Authority functions asked under Rule 10.

- (viii) deal with any business from the last Council meeting;
- (ix) receive reports and recommendations from the Cabinet and the Council's Committees and receive questions and answers on any of those reports (subject to the normal rules of debate) under Rule 12;
- (x) receive reports and recommendations about and receive questions and answers (subject to the normal rules of debate) on the business of joint arrangements and external organisations under Rule 12;
- (xi) deal with any reports from officers of the Council specified in the Council summons.
- (xii) debate the state of the Borough under Rule 16;
- (xiii) consider motions in the order in which they have been received under Rule 13.
- (xiv) consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and reports of the Scrutiny and Overview Committee/Sub-Committee for debate.
- (xv) answer any questions from Elected Members asked under Rule 10.
- (xvi) to authorise the sealing of documents as necessary.

Only the business specified in the summons of the meeting shall be transacted at an ordinary meeting of the Council.

2.2 Variations

- (a) No variations shall be made as regards (i) to (iv) above.
- (b) The Mayor may, with the consent of the Council, vary the order of business without discussion.

2.3 Any Member may request the Mayor to exercise the above discretion with the consent of the Council and shall have the right to explain for no more than one minute his/her reason for wishing to vary the order of business.

3. EXTRAORDINARY MEETINGS

3.1 Calling extraordinary meetings

Those listed below may request the Head of Democratic Services to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Mayor of the Council;

(iii) The Chief Executive;

~~(iv) (iv)~~——the Monitoring Officer;

(v) the Section 151 Officer makes a report under section 114 of the Local Government Finance Act 1988 or the Monitoring Officer makes a report under section 5 of the Local Government and Housing Act 1989, the Monitoring Officer shall call a meeting of the Council for the purpose of considering that report within the period specified by the relevant statute and

(v) any five Members of the Council if they have signed a requisition presented to the Mayor of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

Only the business specified in the summons may be transacted at an extraordinary meeting of the Council.

3.2 **Business of an extraordinary meeting**

Business at Extraordinary meetings of the Council shall be restricted to:

3.2.1.1 the election of a person to preside if both Mayor and Deputy Mayor are absent (other than the any other member of the Executive) for the duration of the meeting (Local Government Act 1972, Schedule 12, Paragraph 5)

3.2.1.2 any item of business specified by the Council, Mayor or Monitoring Officer calling the meeting or specified in the requisition presented by at least five Members of Council;

3.2.1.3 any petitions relating to items of business on the agenda which the Mayor agrees to hear.

Any requisition shall specify the business to be transacted at the Extraordinary Meeting. The Agenda shall specify the business to be transacted at the Meeting and no other business shall be transacted at that Meeting.

Where the next meeting of the Council is an Extraordinary Meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972, the Minutes of the last meeting of the Council shall be put to the next ordinary meeting of the Council.

4. **DATE, TIME AND PLACE OF MEETINGS**

The Mayor, together with the Chief Executive may adjust the dates, place and time of Council meetings.

5. **NOTICE OF AND SUMMONS TO MEETINGS**

The Chief Executive will give notice to the public of the time and place of any meeting of the Council in accordance with the Access to Information Rules. At least five clear days before a meeting, the Chief Executive will send a summons signed by him or her to every Member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

6. **CHAIR OF MEETING**

The person presiding at the meeting may exercise any power or duty of the Mayor. Where these rules apply to Committee and Sub-Committee meetings, references to the Mayor also include the Chair of Committees and Sub-Committees. The Mayor's/Chair's decision on any matter relating to the meeting is final.

7. **QUORUM**

The quorum of a meeting shall be one quarter of the whole number of Members. During any meeting if the Mayor or Chair (as the case might be) counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor/Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

8. DURATION OF MEETING

- 8.1 If the Council has not completed its business by 10.30 p.m. the Mayor will stand up and move that the remainder of the business shall be dealt with under either Rule 8.2 or Rule 8.3. The motion shall be voted upon without debate.
- 8.2 That the Council resolve to continue past 10.30 p.m. to complete all or part of its business as specified by the Mayor. The business not dealt with under this Rule 8.2 shall be dealt with under Rule 8.3.
- 8.3 That the remaining business be completed in accordance with the following procedure:
- (i) recommendations of Committees/Cabinet shall be put to the meeting. If any are opposed the meeting shall stand adjourned to the following Thursday at 7.00 pm unless otherwise resolved;
 - (ii) any minutes of proceedings of committees not yet received shall be moved, seconded and received forthwith;
 - (iii) any motion of which notice was given under Rule 12 shall be formally moved and seconded and shall stand referred to the Cabinet or appropriate Committee without discussion for determination;
 - (iv) any questions and answers from Members submitted under Rule 10 shall be noted; and
 - (v) other formal business, including authority to seal documents shall be dealt with prior to closure of the meeting.

9. QUESTIONS BY THE PUBLIC

9.1 General

At an ordinary meeting of the Council a registered elector/resident of the Borough (not being a Member of the Council) may ask the Leader, Commissioners, Chairs or Group Leaders questions relating to any Council Policy. The first five questions received will receive a verbal answer at the meeting, if the elector is present. A copy of the written response will be sent to the questioner the next working day following the Council meeting.

In the case of more than five questions being received for any one meeting, a written answer will be sent to the questioners on the next working day following the meeting, and the questions will also be tabled at that meeting.

9.2 Order of Questions

Questions will be asked in the order they were received.

9.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing, facsimile or by electronic mail to the Head of Democratic Services no later than 5.00 pm on the fifth working day before the day of the meeting. Each question must give the name and address of the questioner and must name the Member/Chair to whom it is to be put.

9.4 Number of Questions

Members of the public are limited to one question each.

9.5 Scope of Questions

The Head of Democratic Services will reject a question if it:

- is not about a matter of policy for which the local authority has a responsibility or which affects the Borough;
- concerns a matter which could be raised as casework or through the Council's complaints procedure or is specific to a particular individual or their property;
- is defamatory, frivolous or offensive;
- criticises or purports to criticise an employee/officer's competence and/or conduct and the employee/officer is identified by name, title or in any other way.
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.

9.6 Record of Questions

The Head of Democratic Services will send a copy of the question to the Member/Chair to whom it is to be put.

Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting.

9.7 Asking the Question at the Meeting

Each question shall be taken as read. If a questioner who has submitted a question is unable to be present a written reply will be sent to the questioner following the meeting. A Member to whom a question has been put may ask another Member to answer on his/her behalf.

9.8 Supplemental Question

A questioner who has put a question in person may also put one supplementary question arising directly out of the original question or reply, without notice to the Member/Chair who has replied to his or her original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Rule 9.5 above.

9.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Member/Chair to whom it was to be put, will be dealt with by a written answer.

9.10 Reference of Question to the Cabinet or a Committee

No discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Cabinet or the appropriate Committee/Sub-Committee. Once seconded, such a motion will be voted on without discussion.

NOTE:

That whilst encouraging open and free debate, the Council will not tolerate any person making defamatory remarks or other unfair and unjustified criticisms of Officers of the Council

The Council has agreed that

- (a) The Head of Democratic Services be authorised to reject or require amendment, at his/her discretion, to written questions submitted to the Council or to any Committee or Sub-committee of the Council which contain criticisms of Officers of the Council or that, in his/her view, make defamatory remarks about individual officer holders.
- (b) That any person whose question to a meeting is rejected under this provision or is required to amend their question by the Head of Democratic Services may appeal that decision to the Council's Strategic Borough Secretary and Solicitor.
- (c) That the Mayor/Chair of any meeting of the Council, its committees and its sub-committees will request any person present to desist from making any defamatory remarks or other unfair or unjustified criticisms of Officers and in the event of a person so instructed by the Mayor/Chair of the meeting failing to desist the Chair will instruct that person to remain silent on the matter under discussion only until such time as they indicate a willingness to comply.
- (d) That where an individual fails to comply with that instruction, the Mayor/Chair may warn the individual that any further interruption will result

in their removal from the meeting whilst the matter in question is under consideration.

- (e) Where, in the reasonable opinion of the Mayor/Chair of any meeting of the Council, its Committees and its Sub-committees, defamatory remarks or other criticisms of Officers have been made by an individual present, the Mayor/Chair may require that individual to apologise for any offence their remarks may have caused before continuing to speak on the matter in question or, if they have been excluded from the meeting under these provisions, will require an apology for any offence their remarks may have caused before allowing re-admission to the meeting.

10. **QUESTIONS BY MEMBERS**

10.1 **Council Matters**

Subject to Rule 10.2, a Member of the Council may ask

- the Mayor;
- a Commissioner;
- the Chair/Vice Chair of any Committee or Sub-Committee;

One question on any matter (a) which the Council has Statutory powers or duties or (b) which affects the Borough.

10.2 **Notice of Questions**

A Member may ask one question under Rule 10.1 if Notice in writing of the question has been given to the Head of Democratic Services in the time period between Cabinet meetings.

10.3 **Scope of Questions**

The Head of Democratic Services will reject a question if it:

- is not about a matter falling within Rule 10.1 above;
- concerns a matter which could be raised as casework or through the Council's complaints procedure or is specific to a particular individual or their property;
- is defamatory, frivolous or offensive;
- criticises or purports to criticise an employee/officer's competence and/or conduct and the employee/officer is identified by name, title or in any other way
- could be regarded as more than one question (ie: consists of multi parts)
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or

- requires the disclosure of confidential or exempt information.

10.4 Questions will be replied to by the relevant member within 10 working days of receipt.

10.5 All Questions that have been submitted and answered since the last Council meeting will be tabled at the next Council meeting by the Head of Democratic Services. The answers to those questions will also be tabled.

10.5 A Member can submit a supplementary question, in writing, within 10 working days of the receipt of the answer to the original question. The supplementary must relate to the original question and be submitted to the Commissioner/ Member in question who will reply, in writing, within ten working days of receipt of the supplementary question.

11. **PETITIONS - GENERAL**

11.1 ~~All Petitions received shall be dealt with will be handled~~ in accordance with the Council's Petition Scheme which is set out as Article 18 to the Constitution.

11.2 Petitions relating to individual planning and licensing applications and other statutory petitions are not included in the Petitions Scheme and will be dealt with as set out below.

PLANNING MATTERS

11.3 Petitions received in response to individual planning applications shall be dealt with by the Head of Planning and Strategic Policy/Head of Democratic Services as detailed in the Council's Scheme of Delegation to Officers or through the Public Participation Scheme. Any petition referring to a general planning matter will be dealt with in accordance with the Petitions Scheme.

LICENSING MATTERS

11.4 Petitions received in response to individual licensing applications shall be dealt with by the Licensing Manager/Head of Democratic Services and reported to the relevant Sub Committee when the application is considered. The Petition organiser shall be given the opportunity to address the Sub Committee. Any petition referring to a general licensing matter will be dealt with in accordance with the Petitions Scheme.

12. **COMPLAINTS ABOUT MEMBERS OR OFFICERS' CONDUCT AND/OR PERFORMANCE**

12.1 The Council shall not discuss at any meeting (including an extraordinary meeting):-

- (a) any complaint about the conduct of a Member which is or may be the subject of an investigation by the Standards Board for England or the Monitoring Officer unless and until the matter has been adjudicated

upon under the provisions of the Local Government Act 2000 and any regulations made thereunder.

- (b) Any complaint about the conduct or performance of an Officer which is or could be the subject of an investigation under the Council's relevant Disciplinary Policy and Procedure, Grievance Policy and Procedure, Capability Procedure or any other relevant employment procedure unless it is a requirement of any one of those procedures to report the matter to Council.

13. CONSIDERATION OF CABINET AND COMMITTEE RECOMMENDATIONS/ MINUTES

13.1 Recommendations of the Cabinet and Committees

The recommendations of the Cabinet and Committees held since the preceding meeting of the Council shall be submitted to the Council for decision.

Any Member wishing to move an amendment on a recommendation that is before the Council shall give written notice of such intention before 10.00 a.m. on the day before the Council meeting.

13.2 Recommendations as Motions

For the purposes of Rule 16 (Rules of debate) each recommendation to the Council arising out of the Cabinet or a Committee's minutes shall be deemed to be a separate motion.

The Leader of the Council or the Chair of the Committee from which the recommendation has come (or in their absence any other Member) shall move the recommendation which shall be seconded by another Member.

Each recommendation is open to discussion in accordance with Rule 15.

13.3 Withdrawal of Recommendations

The Leader of the Council or the Chair of any Committee, (as the case may be), shall not seek leave to withdraw a recommendation to Council contained in his/her minutes.

14. MOTIONS ON NOTICE

14.1 Notice

a. Except for motions which can be moved without notice under Rule 15, written notice of every motion, signed by at least two Members, must be delivered to the Head of Democratic Services not later than noon on the ninth working day before the date of the meeting. Only one motion may be proposed by any No Political Group or in the case of no group, then an individual member (ie not part of any Group) may propose more than one motion under this Rule at any one ordinary Council meeting. The wording of the motion can be submitted by e mail, and in this case, one member may submit the wording and another e mail in support of the motion must be received by the noon deadline. E mails must be from a source that validates the identity of the sender.

b. Motion to remove the Leader of the Council

c. A Motion to remove the Leader of the Council must be signed by at least five Members and be submitted in writing to the Head of Democratic Services not later than noon on the ninth working day before the date of the meeting. Any such Motion is in addition to Motions submitted under paragraph 14.1 above and must be confined to actions taken by/or the conduct of the Leader in his/her role as Leader. The Motion will be taken as the first item of business after Mayor's Communications and will be debated in accordance with normal debate procedure.

14.2 Wording of Motion

~~The wording of any Motion under this procedure Rule shall be confined to proposing action to be taken by or on behalf of the Council and shall not include explanatory or other text.~~

14.3 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the Member giving notice state, in writing, that he/she proposes to move it to a later meeting or withdraw it. Motions shall be formally moved by the Member who gave notice or, on the written request of this Member, by another Member on their behalf.

14.4 Scope and wording of Motions

a. The wording of any Motion under this procedure Rule shall be confined to proposing action to be taken by or on behalf of the Council and shall not include explanatory or other text.

b. Motions must be about matters for which the Council has a responsibility or which affect the Borough. Motions that relate to Executive Functions, once determined by the Council, shall be referred to the Cabinet for consideration if action is required.

c. _____ The Head of Democratic Services, in consultation with the Mayor, may reject a Notice of motion if he/she considers that it:

- Is not about a matter for which the Council has a responsibility or which affects the Borough
- Is defamatory, frivolous or offensive
- Subject to Rule 18.2 is substantially the same as a [motion or amendment question](#) which has been put to a meeting of the Council in the past six months
- Requires the disclosure of confidential or exempt information, or
- is the subject of a review by the Scrutiny and Overview Committee or a Scrutiny Sub-Committee which has been ongoing for less than six months.

14.5 Challenge to Inclusion

If any Member of the Council considers that any motion that appears on the summons for the Council Meeting should not have been included on the agenda he/she shall give written notice to the Head of Democratic Services before 10.00 a.m. on the day of the meeting. Such written notice will indicate the nature of the challenge.

A challenge lodged in accordance with this Rule will be dealt with as follows:

The Member submitting the challenge will speak to his/her challenge confining him/herself to the nature of the challenge for a period not exceeding two minutes.

- The Member who gave notice of the motion will reply to the challenge and will speak for no longer than two minutes.
- No other Member will be entitled to speak.
- The challenge will be put to the vote.
- If the challenge is upheld the motion will be treated as withdrawn.

15. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice_:

- (a) to appoint a Chair of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the Council minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate Committee/body or individual;

- (e) to appoint a Ccommittee or Member arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) to suspend a particular council procedure rule;
- (n) to exclude the public and press in accordance with the Access to Information Rules;
- (o) to request that the Mayor take action under Rule 23.3 to not hear further a Member or to exclude them from the meeting under Rule 23.4; and
- (p) to give the consent of the Council where its consent is required by this Constitution.
- (q) that a matter raised by a petitioner is referred to the Cabinet or appropriate Committee other Authority or Chief Officer.

Motion of No Confidence in the Mayor

A Motion of no Confidence in the Mayor can be moved at any time when a meeting of the Council is in progress. The Motion will be formally moved, seconded and put to the vote without debate.

[Moving and Seconding a Motion](#)

[Motion to be moved and seconded](#)

[A motion for main debate of which notice has been given or a proposed amendment thereto of which notice has been given shall be moved and seconded by the Members who have given notice or, with the consent of the Council, by any other Councillor.](#)

[Right to speak – Secunder of Motion](#)

[No motion for main debate or motion for amendment shall be discussed unless it has been seconded, but any Councillor, when seconding a motion or](#)

amendment, if he or she then declares their intention to do so, may reserve their speech until a later period in the debate.

16. RULES OF DEBATE

16.1 Addressing the Mayor

A Member when speaking shall stand and address the Mayor. If more than one Member stands the Mayor shall indicate the order of speakers. Subject to Rules 16.12 (Points of Order) and 16.13 (Personal Explanation) below, all other Members shall remain seated whilst a Member is speaking.

No speeches until motion seconded

No speeches may be made until the mover has moved a proposal and explained the purpose of it and the motion has been formally seconded (whether or not the seconder has spoken at that juncture).

Right to require motion in writing

Unless notice of the motion has already been given, the Mayor may require it and any proposed amendment to be written down and handed to him/her before it is discussed.

Seconder's speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

~~16.2 No speeches until motion seconded~~

~~No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.~~

~~16.3 Right to require motion in writing~~

~~Unless notice of the motion has already been given, the Mayor may require it and any proposed amendment to be written down and handed to him/her before it is discussed.~~

[a1]

16.4 ~~Secunder's speech~~

~~When seconding a motion or amendment, a Member may reserve their speech until later in the debate.~~

16.5 Content and length of speeches

a. _____ Speeches must be directed to the motion/amendment under discussion or to a personal explanation or point of order. No speech may exceed 35 minutes without the consent of the Mayor.

Members and officers at any meeting shall be addressed or referred to by their respective titles.

~~Except with the consent of the Council, voted upon without discussion, speeches shall not exceed 3 minutes. the speech of a Member moving a motion or amendment or responding to the debate on a motion or amendment shall not exceed 5 minutes and the speech of any other Member shall not exceed 3 minutes.~~

~~b. _____ Where in the opinion of the Mayor it is conducive to the effective conduct of Council business and with the consent of the Council, voted upon without discussion, the Council may agree to:-~~

~~(a) further limit:~~

~~(i) the duration of speeches by any Member(s) on any matter under consideration;~~

~~(ii) the total duration of debate on any matter under consideration;~~

~~(iii) for the remainder of the meeting the duration of speeches by any Member(s) and the total duration of debate on any matters remaining to be considered.~~

~~(b) allow a Member moving a motion or amendment to speak for a limited period exceeding 5 minutes.~~

16.6 When a Member may speak again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

(a) to speak once on an amendment moved by another Member;

(b) to move a further amendment if if a previous amendment is not carried or the motion has been amended since he/she last spoke;

(c) if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);

- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

16.7 Amendments to motions

(a) An amendment to a motion must be relevant to the motion and will either be:

- (i) to refer the matter to the Cabinet or an appropriate Committee/Body or individual for consideration or reconsideration;
- (ii) to leave out words;
- (iii) to leave out words and insert or add others; or
- (iv) to insert or add words.

(v) as long as the effect of (ii) to (iv) is not to negate the motion or introduce a new proposal on the same subject matter.

(b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of. If an amendment is not carried, other amendments to the original motion may be moved.

(c) ~~If an amendment is not carried, other amendments to the original motion may be moved but~~ it will not be permitted to seek to re-instate part(s) of the motion which have already been rejected with words to the same or similar effect.

Once the ~~No further amendments can be moved once the~~ seconder of the original motion has commenced his/her speech (if reserved) or the mover of the original motion has commenced his/her ~~closing wind-up~~ speech no further amendments can be moved.

(d) —If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved. After an amendment has been carried, the new substantive motion will be put to the vote. If an amendment to refer a matter under (i) above is carried the 'substantive motion' requires no further vote.

(e) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

16.8 Alteration of motion

- (a) A Member may alter a motion of which he/she has given notice with the consent of the meeting or any other signatories to the motion. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

16.9 **Withdrawal of motion**

A Member may withdraw a motion or amendment which he/she has moved with the consent of both the seconder and the meeting. The meeting's consent will be signified without discussion. No member may speak on the motion or amendment after the mover has asked permission to withdraw it unless permission is refused.

16.10 **Right of reply for the Proposer of the Motion only**

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

At the end of a debate on an amendment to a motion, the order in which Members may speak is as follows:

- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The Leader/Chair will have the penultimate right of reply to the Motion.
- (d) The mover of the amendment has no right of reply to the debate on his or her amendment.

16.11 **Closure motions**

- (a) A Member who has not spoken in the debate, may move, without comment, the following motions at the end of a speech of another Member:

A Member may move, without comment, the following motions at the end of a speech of another Councillor:

- (i) to proceed to the next business;
- (ii) that the question be now put;
- (iii) to adjourn a debate; or

(iv) to adjourn a meeting.

- (b) If a motion to “proceed to next business” is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote. If the procedural motion is carried the Council proceeds to next business without a vote on the original motion/amendment.
- (c) If a motion that the “question be now put” is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to “adjourn the debate” or to “adjourn the meeting” is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply. If the procedural motion is carried the Mayor will determine the date and time when the meeting/debate shall continue.

18. PREVIOUS DECISIONS AND MOTIONS – THE SIX MONTH RULE

18.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least one third of all Members of the Council.

18.2 Motion similar to one previously dealt with

A motion or amendment in similar terms to one that has been voted upon at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least one third of all Members of the Council. This includes amendments that have been voted upon during the meeting in question. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

16.12 Points of order

A Member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council-Rules of Procedure or the law. The Member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the mayor on the matter will be final.

16.13 Personal explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the

Member ([made at the meeting](#)) which may appear to have been misunderstood in the present debate. [The ruling of the Mayor on the admissibility of a personal explanation will be final.](#)

17. STATE OF THE BOROUGH DEBATE

17.1 Calling of debate

The Leader will call a State of the Borough debate annually on a date and in a form to be agreed with the Mayor.

17.2 Form of debate

The Leader will decide the form of the debate with the aim of enabling wide public involvement and publicity. This may include holding workshops and other events prior to or during the State of Borough debate.

17.3 Chairing of debate

The debate will be chaired by the Mayor.

17.4 Results of debate

The results of the debate will be:

- (i) disseminated as widely as possible within the community and to agencies and organisations in the area; and
- (ii) considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

~~**18. PREVIOUS DECISIONS AND MOTIONS – THE SIX MONTH RULE**~~

~~**18.1 Motion to rescind a previous decision**~~

~~A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least one third of all Members of the Council.~~

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~~A motion or amendment in similar terms to one that has been voted upon at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least one third of all Members of the Council. This includes amendments that have been voted upon during the meeting in question. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.~~

19. VOTING

19.1 **Majority**

Unless this Constitution or the law provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

19.2 **Mayor's casting vote**

If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

19.3 **Show of hands**

Unless a recorded vote is requested under Rule 19.4, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

19.4 **Recorded vote**

If a Member present at the meeting requests it, before voting commences, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

19.5 **Right to require individual vote to be recorded**

Where any Member requests it, immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

In accordance with the requirements of the [Local Authorities \(Standing Orders\) \(England\) \(Amendment\) Regulations 2014](#) there shall be a recorded vote on any decision relating to the budget or council tax at the Council's annual budget meeting.

19.6 **Voting on appointments**

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

20. **MINUTES**

20.1 **Signing the minutes**

The Mayor will sign the minutes of the proceedings at the next ordinary meeting. The Mayor will move that the minutes of the previous meeting be

signed as a correct record. The only matter in relation to the minutes that can be discussed is their accuracy. Members should not vote on the accuracy of the minutes if they were not present at the meeting in question.

20.2 No requirement to sign minutes of previous meeting at extraordinary meeting

Where, in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

20.3 Form of minutes

Minutes will contain all motions and amendments in the exact form and order the Mayor put them.

21. RECORD OF ATTENDANCE

All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

22. EXCLUSION OF PUBLIC

22.1 General

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 23 (Disturbance by Public).

22.2 Motions affecting Council employees

Before any discussion on the appointment, promotion, suspension, dismissal, salary, conditions of service, or the conduct of a Council employee, the Mayor shall move and the Council shall resolve without discussion, a motion to exclude the Press and Public. During consideration of the matter the employee concerned if present shall immediately leave the meeting until the matter under consideration is settled.

23. MEMBERS' CONDUCT

23.1 Standing to speak

When a Member speaks at a Council meeting they must stand and address the meeting through the Mayor. If more than one Member stands, the Mayor will ask one to speak and the others must sit. Other Members must remain seated whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

23.2 Mayor standing

When the Mayor stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

23.3 Member not to be heard further

If a member persistently disregards the ruling of the Mayor by behaving improperly or offensively or deliberately obstructs business, the Mayor may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

23.4 Member to leave the meeting

If the Member continues to behave improperly after such a motion is carried, the Mayor may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

23.5 General disturbance

If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as he/she thinks necessary.

24. DISTURBANCE BY PUBLIC

24.1 Removal of member of the public

If a member of the public interrupts proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room.

24.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.

25. PHOTOGRAPHS OR RECORDINGS OF PROCEEDINGS

25.1 The prior consent of the Mayor, in consultation with the Assistant Director (Professional Services) and Group Leaders, shall be obtained before any

photograph, recording or oral report of any proceedings of the Council is taken. Any person attending the meeting may take written notes. The prior consent of the Mayor shall also be obtained to play any music at a Council meeting.

- 25.2 The admission of any person who is in possession of equipment or apparatus designed to make pictorial or sound records may be refused by the Mayor unless consent has been given under Rule 25.1.

26. SMOKING, ROBES, FOOD & DRINK, ELECTRONIC BUSINESS DEVICES

- 26.1 Smoking shall not be allowed at any meeting of the Council.
- 26.2 Council Robes may be worn by Members at the Annual Meeting of the Council and at other special civic occasions as the Mayor may request.
- 26.3 The consumption of food and drink (other than water, coffee, tea or soft drinks) will not be allowed at any Meeting of the Council.
- 26.4 Mobile telephones, with the exception of the Council's emergency phone, shall not be permitted at any meeting of the Council.
- 26.5 Electronic business devices, including laptop computers may be used in any meeting of the Council.

27. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

27.1 Suspension

Any part of these Council Rules of Procedure except Rule 19.6 and 20.2 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension may be for the consideration of a particular item of business or for the duration of that meeting.

27.2 Amendment

Other than at the Annual Meeting of the Council, any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

28. APPOINTMENT OF DEPUTIES

The Council shall at its Annual meeting agree to the appointment by the Employment and Appeals Committee to standing deputies on any of its Sub-Committees in accordance with the political balance rules and a standing Parish Council deputy to the Standards Advisory Committee.

29. COUNCIL-IN-COMMITTEE

The Mayor may at any time require the summoning of a meeting of Members of the Council to sit as a Council-in-Committee or Committee-of-the Whole-Council. (N.B. Such a meeting has the status of a Committee only, and its proceedings require confirmation by the Council at a meeting duly summoned and held in accordance with the statutory provisions unless the Council has previously delegated powers to the meeting under the provisions of the Local Government Act 1972).

30. ATTENDANCE OF NON-MEMBERS AT CABINET, COMMITTEES AND SUB-COMMITTEES

- 30.1 Subject to Rule 30.2 and 30.3 below, any Member can attend meetings of the Cabinet, Committees and Sub-Committees as an observer and may speak if given permission by the Chair (which should be previously notified), such permission not to be unreasonably withheld. If permission is withheld, the Chair shall state the reason for this and this reason will be recorded in the minutes of the meeting. The consent of the Standards Advisory Committee (majority resolution) is required for a Member to attend as an observer in Part II of that Committee. The right to speak does not extend to the Standards Local Determination Sub Committee and Licensing Sub Committee when it is dealing with applications under the Licensing Act 2003 and in Planning Committee is confined to individuals raising material planning issues pertinent to the application being determined by the Committee (see Part 5, 5.2, 9.2 Public Participation Scheme).
- 30.2 A Member shall have the right to attend and speak at a meeting of the Cabinet /Committee/Panel or Working Party to which a motion proposed by him/her has been referred.
- 30.3 A Member shall have the right to attend and speak at the Cabinet, Committee or Sub-Committee on a matter which directly and specifically affects his/her Ward. (The right to speak does not extend to the Licensing Sub Committee when dealing with Licensing applications under the Licensing Act 2003)
- 30.4 The Cabinet and any Committee or Sub-Committee may allow representatives of employees to attend any of its meetings as observers. The Chair shall have discretion to invite employee representatives to speak.
- 30.5 The Cabinet and any Committee or Sub-Committee shall have discretion to specify a maximum number of employee representatives who may attend a meeting. The representatives within that maximum number shall be determined by the employees concerned or their representatives.

31. PANELS AND WORKING PARTIES

The Council may appoint such Panels and/or Working Parties as it wishes to deal with specific matters. Such bodies are non decision making, not subject to the Local Government Access to Information Act 1985 and should be politically proportionate. Subject to rule 30.2 above only those Members

appointed shall be entitled to attend meetings of the Panel/Working Party. This Procedure Rule is not applicable to Overview and Scrutiny Panels as the arrangements for these are set out in Part 4 – Overview and Scrutiny Procedure Rules.

32. APPLICATION TO CABINET COMMITTEES AND SUB-COMMITTEES

All of the Council Rules of Procedure apply to ordinary meetings of the full Council. All the Council Procedure Rules other than those determining business to be transacted apply to Extraordinary Council Meetings. Only Rules 11, 24, 25, 30 and 31 apply to meetings of the Cabinet. Only Rules 4-8, 10-11, 15-16, 18-20, 21-26 (but not Rule 23.1), 30 and 31 apply to meetings of Committees and Sub-Committees.

PROCEDURE FOR DEALING WITH ALL MOTIONS/RECOMMENDATIONS

Motions

- Mover of motion to speak and move his/her motion
- Secunder to speak (or can reserve the right to speak later)
- Any other Member who wishes to speak in the debate

A member may move an amendment to the motion. If it is agreed, it then becomes the substantive motion before the Council

Amendments

- Mover of amendment to speak.
- Secunder of amendment to speak (or reserve the right).
- Any other member (except mover of original motion).
- Secunder of amendment (if not spoken already).
- Mover of the original motion.
- Go to the vote on the amendment.

If the amendment is agreed it then becomes the substantive motion before the Council

(Any further amendment(s) on the same item to be moved and dealt with as above).

- Further debate on the original motion (amended as appropriate).
- Secunder to speak if reserved the right.
- Leader or Chair penultimate speech (if not mover of motion).
- Mover of the motion to wind up the debate.

—Go to the vote.

1. **WHAT WILL BE THE NUMBER AND ARRANGEMENTS FOR OVERVIEW AND SCRUTINY COMMITTEES?**

1.1 The Council will have an Overview and Scrutiny Committee and the three standing Scrutiny Panels set out in Article 6.

2. **MEMBERSHIP**

2.1 All Councillors except members of the Cabinet, the Mayor and Deputy Mayor of the Council shall be eligible for appointment as members of the Overview and Scrutiny Committee or standing Scrutiny Panels. However, no Member may be involved in scrutinising a decision in which he has been directly involved.

2.2 The Committee and each Scrutiny Panel shall consist of 9 Members of the Council. Membership is subject to the proportionality requirements of the Local Government and Housing Act 1989, unless the Council resolves to waive those requirements with no Member voting against.

2.3 The Overview and Scrutiny Committee shall be appointed at Annual Council.

2.4 The Overview and Scrutiny Committee shall appoint the Scrutiny Panels' membership at its first meeting of the municipal year.

3. **CO-OPTEEES**

3.1 The Overview and Scrutiny Committee and Scrutiny Panels shall be entitled to appoint a maximum of six people as non-voting co-optees either as standing members of the Committee/Panel or on a time limited basis. Voting co-optees may only be appointed to the ECS Scrutiny Panel to meet statutory requirements (see section 4 below).

3.2 Co-optees, and their appointment terms, shall be decided by majority vote of the Committee/Panel, with the decision taken having consideration for the positive input an individual or organisation may make to the scrutiny process.

3.3 The Overview and Scrutiny Committee shall be advised of any co-optee appointments made the Scrutiny Panels.

4. **EDUCATION CO-OPTEEES**

4.1 The Education and Children's Services Scrutiny Panel shall include in its membership the following voting co-optees:

- 1 Church of England diocese representative;
- 1 Roman Catholic diocese representative; and
- 3 parent governor representatives.

4.2 These co-optees will only be able to vote on education matters, though they may stay in the meeting and speak on other matters.

4.3 The Education and Children's Services Scrutiny Panel shall also include in its membership the following non-voting teacher co-optees:

- 1 Head Teacher representative
- 1 Primary School Teacher representative
- 1 Secondary School Teacher representative

4.4 The Headteacher representative shall be nominated by the Slough Head Teachers' at their relevant termly meeting.

4.5 The Teacher representatives shall be nominated by the teaching unions.

5. **TASK AND FINISH GROUPS**

5.1 The Committee and Panels combined may, at any one time, appoint up to four Task and Finish Groups to carry out detailed examination of particular topics for report back to them. The Terms of Reference and membership for such Groups shall be agreed by the appointing Committee/Panel, and may only be amended by that Committee/Panel.

5.2 Membership of a Task and Finish Group may vary but must include between two and seven Members, and will be drawn from all Overview and Scrutiny Councillors, and wherever possible reflect the composition of the Council.

5.3 Membership of a Task and Finish Group may also include co-optees with specific knowledge of the topic to be examined. Co-optees will not have voting rights.

6. **OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE**

6.1 The Overview and Scrutiny Committee's terms of reference are:

- 1) To be responsible for all Overview and Scrutiny functions on behalf of the Council.
- 2) To make recommendations/reports to the Council or the Cabinet on any plans, policies or decisions of the Cabinet.
- 3) Without prejudice to these functions, in particular to:
 - a. Consider the budget plans, proposed policy and performance plan framework and other plans of the Cabinet and make reports/recommendations including suggested amendments to these proposed plans to the Cabinet or Council as appropriate
 - b. Scrutinise implementation of the Slough Joint Wellbeing Strategy and Corporate Plan.
 - c. Within agreed programmes, to consider and investigate broad policy issues and submit reports/recommendations to the Cabinet or Council as appropriate.
 - d. Provide advice to the Cabinet or Council (as appropriate) on major issues before final decisions are made.
 - e. Review decisions taken by the Cabinet or Officers and how they are implementing Council policy, and make reports/recommendations to the Cabinet or Council as appropriate.
 - f. To initiate reviews of other executive functions or matters affecting the Authority's area or inhabitants, subject to the Cabinet being informed, and to identify matters for

recommendation to the Cabinet (or Council where relevant) for more comprehensive review or action.

- g. Consider and monitor the action proposed by the Cabinet on statutory inspection reports e.g. OfSTED, Care Quality Commission, Audit Commission).
 - h. To propose debate at full Council on matters of importance to the borough or on particular matters before a decision is taken by the Cabinet.
- 4) To scrutinise or review and make recommendations/reports to the Council in respect of the discharge of any functions which are not the responsibility of the Cabinet.
- 5) To delegate scrutiny of specific topics to the relevant Standing Panel where it falls within the remit of that Panel and the Committee feels this to be the most appropriate arrangement for scrutiny. Whilst the Committee may delegate items, it retains the rights in such instances to review and amend recommendations made by the Panel.

7. TERMS OF REFERENCE OF SCRUTINY PANELS

7.1 Each Scrutiny Panel shall be responsible for scrutiny of the functions falling within the scope of the Cabinet Portfolios allocated to them, and any non-executive functions or matters associated with those Portfolios; including those:

- Referred to it by the Council or Overview and Scrutiny Committee
- Referred to it as a result of a Member call-in
- Agreed by the Panel for inclusion in its Work Programme.

7.2 Each Panel may make recommendations/reports to the Overview and Scrutiny Committee, Cabinet, other Committee or Council as appropriate. The Health Scrutiny Panel may also make recommendations directly to the appropriate bodies relating to health care provision in the borough (as set out in legislation).

7.3 The Scrutiny Office shall hold copies of the following documents:

- Protocol for the Corporate Planning Framework and Service Reviews
- Health Scrutiny Guidance
- Joint East Berkshire Health Overview and Scrutiny Committee Terms of Reference

8. MEETINGS OF THE OVERVIEW AND SCRUTINY COMMITTEE AND SCRUTINY PANELS

8.1 The Council may determine a cycle of meetings for the Overview and Scrutiny Committee and Scrutiny Panels, with the Committee and each Panel meeting a minimum of four times per municipal year. The Chair, or in their absence the Vice-Chair, may change the date or cancel meetings, or call additional and/or extraordinary meetings as they consider necessary to deal with the Committee/Panel's work programme.

8.2 A meeting of the Overview and Scrutiny Committee and any of the Scrutiny Panels may be called by its Chair (or in his/her absence, the Vice-Chair) or by the Head of Democratic Services, if he/she considers it necessary or appropriate. Three elected Members on a particular Scrutiny Committee/Panel may also collectively request an additional meeting to be called.

8.3 Meetings of the Overview and Scrutiny Committee and Scrutiny Panels will be held in public and are subject to the statutory access to information provisions.

8.4 The Scrutiny Chairs and Vice Chairs Group may be called by the Scrutiny Officer, Head of Democratic Services or by two Scrutiny Chairs/Vice Chairs to discuss issues relating to the functioning of Scrutiny.

9. **QUORUM**

9.1 The quorum for the Overview and Scrutiny Committee and Scrutiny Panels shall be 3 voting, elected Members.

9.2 The quorum for a Task and Finish Group shall be 2 voting, elected Members.

10. **WHO CHAIRS OVERVIEW AND SCRUTINY COMMITTEE MEETINGS?**

10.1 The Chair and Vice Chair of the Overview and Scrutiny Committee shall be appointed by Council.

10.2 There shall be a Chair and a Vice-Chair for each Scrutiny Panel, who shall each be appointed by the Panel at its first meeting of the municipal year.

10.3 The Chairs of the Panels shall be offered to a member of the Administration. The Vice Chairs of the Panels shall be offered to a member of the Opposition. The Committee/Panels may appoint any of its voting members as Chair or Vice Chair if the offer is not accepted.

11. **WORK PROGRAMME**

11.1 The Overview and Scrutiny Committee and each of the Scrutiny Panels will set its own work programme, and in doing so shall consider the following key principles:

- Topics which add value and support the corporate priorities.
- Topics arising from public consultations, suggestions made by Councillors (across the political spectrum), the Cabinet Forward Plan, corporate performance monitoring reports and service delivery plans.
- Topics covering different types of work: policy review, review of external organisations (specifically health-related), performance review and reviews of decisions taken.
- The manageability of the Committee/Panel workloads for officers supporting their work.
- The need to avoid duplication between the Committee and Standing Panels.

12. **AGENDAS – REQUEST FOR ITEMS**

12.1 Any member of the Overview and Scrutiny Committee or Scrutiny Panel shall be entitled to submit a request to the Scrutiny Officer that he/she wishes an item relevant to the functions of that Committee/Panel to be included on its work programme. This request should include sufficient information to enable the Scrutiny Officer to advise about the nature and purpose of the item. A form is available from the Scrutiny Office setting out the information required for such requests.

12.2 On receipt of such a request the Chair and Vice Chair of the relevant Committee/Panel, in consultation with the Scrutiny Officer, Head of Democratic Services and relevant Strategic

Director, shall consider whether it is an appropriate matter to be consider, and if it is will ensure that it is added to an agenda, on the Committee/Panel's work programme.

12.3 The Overview and Scrutiny Committee and Scrutiny Panels shall also respond, as soon as their work programme permits, to requests from the Council and/or the Cabinet to review particular areas of Council activity. Where they do so, the Committee/Panel shall report their findings and any recommendations back to the Cabinet and/or Council.

12.4 In finalising agendas for individual meetings of the Overview and Scrutiny Committee/Scrutiny Panels, the Scrutiny Officer shall liaise with the Chair on the Committee/Panel's proposed agenda, before confirming with the Strategic Directors and Head of Democratic Services.

13. **RIGHTS OF THE OVERVIEW AND SCRUTINY COMMITTEE AND SCRUTINY PANEL MEMBERS TO DOCUMENTS**

13.1 In addition to their rights as Councillors, Members of the Overview and Scrutiny Committee and the Scrutiny Panels have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

13.2 Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Overview and Scrutiny Committee or Scrutiny Panels, as appropriate, depending on the particular matter under consideration.

13.3 In addition to the Overview and Scrutiny Committee/Scrutiny Panel's rights to access documents, Members of the Cabinet/officers exercising delegated authority shall have the right to submit a report on any matter for which they are responsible and which is being considered by the Overview and Scrutiny Committee/Scrutiny Panel, and this must be taken into consideration when reaching any conclusion on the matter.

13.4 Officers shall ensure that all relevant information is provided to the Committee/Panel in a timely manner so that full and proper consideration can be given to the matter(s) before it.

14. **MEMBERS AND OFFICERS GIVING ACCOUNT**

14.1 The Overview and Scrutiny Committee or Scrutiny Panel may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the Scrutiny role, it may require any member of the Cabinet, the Chief Executive and/or any senior officer to attend before it to explain in relation to matters within their remit:

- any particular decision or series of decisions;
- the extent to which the actions taken implement Council policy; and/or
- their performance

and it is the duty of those persons to attend if so required.

14.2 Where any member or officer is required to attend the Overview and Scrutiny Committee or any of the Scrutiny Panels under this provision, the Scrutiny Officer (under instruction from the Chair) shall inform them giving at least 7 working days notice of the meeting at which he or she is required to attend (unless agreed otherwise). Any notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required to be produced for the Committee.

14.3 Where the account to be given to the Overview and Scrutiny Committee or Scrutiny Panel will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

14.4 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee or Scrutiny Panel shall in consultation with the member or officer arrange an alternative date for attendance.

15. **ATTENDANCE BY OTHERS**

15.1 The Overview and Scrutiny Committee or Scrutiny Panels may invite people other than those people referred to in section 14 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend.

16. **CALL-IN – CABINET DECISIONS**

16.1 The Overview and Scrutiny Committee has the power to call in any decision made by the Cabinet, but not yet implemented. This is a power which should only be used in exceptional circumstances and cannot be used in respect of day-to-day management and operational decisions.

16.2 It is important that the call-in process is not abused, nor causes unreasonable delay; the main tool of Overview and Scrutiny is to improve delivery of policies and services through detailed Reviews, rather than call-ins.

16.3 A decision can be called-in when Members:

- Believe it may be contrary to the normal requirements for decision making.
- Believe it may be contrary to the Council's agreed policy framework and/or budget.
- Need further information from the decision-taker to explain why it was taken.

16.4 Every Cabinet decision which is subject to call-in cannot be implemented until the end of the call-in period. The call-in period lasts for 5 working days after the publication of the decision. Notice of the decision shall be published within 2 working days of being made, and copies of the decisions will be sent to all Overview and Scrutiny Members.

16.5 The notice of decision will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless the decision is called in under the provisions set out below.

16.6 Within the call-in period a collective of three elected Members of the Authority may sign a notice requesting that the decision is called in and submit the notice to the Statutory Scrutiny Officer and Head of Democratic Services. The notice should give reasons for the request for call-in, having regard to the principles of decision making set out in Article 12 of this Constitution. Requests may also be submitted by email, and in this case, only one Member need submit the actual form, but individual emails in support of the request must be submitted by the other two members specified on the form before the end of the call-in period. A form setting out the information required when submitting a call-in is available from the Scrutiny Office.

16.7 On receipt of the notice of call-in the Statutory Scrutiny Officer will, as soon as possible, seek the views of the Chair or in their absence, the Vice-Chair of the Overview and Scrutiny

Committee as to the reasonableness of the request. In considering whether the request is reasonable, the Chair (or Vice Chair in the Chair's absence) will consider whether a case has been made for calling in the decision.

16.8 If it is considered that the request is unreasonable the call-in will be rejected. The Statutory Scrutiny Officer will submit a report to the next available meeting of the Overview and Scrutiny Committee giving details of the request and Chair's/Vice-Chair's reasons for refusing it.

16.9 If it is considered that the request for call-in is reasonable, the Statutory Scrutiny Officer will add the call-in to the agenda for the next Overview and Scrutiny Committee, after consulting the Chair of the Committee. The call-in must be considered and resolved by the Overview and Scrutiny Committee within one month of the Notice of Decision being published. The Overview and Scrutiny Committee may call a joint committee meeting with any of the Scrutiny Panels should the call-in relate to a specific area of responsibility for a particular Panel.

17. CALL-IN – OFFICER SIGNIFICANT/KEY DECISIONS

17.1 The Overview and Scrutiny Committee has the power to call-in significant/key decisions made under delegated authority by officers. The purpose is to consider whether to recommend that a decision be reviewed by the Cabinet. This is a power which should only be used in exceptional circumstances and cannot be used in respect of day-to-day management and operational decisions.

17.2 A schedule of significant decisions taken by officers will be circulated to all Members on a monthly basis. Details of the Schedule of Significant Officer Decisions can be found in [?] of this Constitution.

17.3 The schedule will bear the date on which it is published and will specify when the decision came into force, and was implemented, and may be called in within 5 working days of publication of the decision under the provisions set out below. Implementation of a significant decision by an officer is not to be halted by a call-in and the decision is subject to post-decision scrutiny.

17.4 Within the call-in period a collective of three elected Members of the Authority may sign a notice requesting that the decision is called in and submit the notice to the Statutory Scrutiny Officer and Head of Democratic Services. The notice should give reasons for the request for call-in, having regard to the principles of decision making set out in Article 12 of this Constitution. Requests may also be submitted by email, and in this case, only one Member need submit the actual form, but individual emails in support of the request must be submitted by the other two members specified on the form before the end of the call-in period. A form setting out the information required when submitting a call-in is available from the Scrutiny Office.

17.5 The notice of call-in shall be dealt with the as with a call-in of a Cabinet decision.

18. CALL-IN – ACTIONS OVERVIEW AND SCRUTINY CAN TAKE

18.1 Where the Overview and Scrutiny Committee considers a call-in request, the format of the meeting will be as follows:-

- after the Chair opens the meeting the members who asked for the decision to be called-in will be asked to explain their reasons for the request and what they feel should be reviewed;
- on matters of relevance to a particular electoral ward, ward members who are not signatories to a call-in have the opportunity to make comments on the call-in at

the meeting, such speeches not to exceed five minutes each. Ward members will take no further part in the discussion or vote. Ward members must register their request to speak by contacting the Scrutiny Officer by 12 noon on the day prior to the relevant meeting;

- the relevant portfolio holder (or holders if more than one is relevant) will then be invited to make any comments;
- the relevant Director or his/her representative will advise the Committee on the background and context of the decision and its importance to achieving Service priorities;
- Committee members will ask questions of members and officers in attendance (note: the call-in proposers would not be able to take part in the Committee's deliberations of the call-in);
- the portfolio holder(s) will be invited to make any final comments on the matter.

18.2 The Overview and Scrutiny Committee, after considering the evidence presented to the meeting, will make one of the following decisions:

- Agree to take no further action on the request (reason for that decision to be recorded in the minutes and Members are advised).
- Make alternative recommendations to the Cabinet or Council (if applicable).
- Make representations/views known to the Cabinet or Council (if applicable) in respect of decision taken and implemented within Cabinet or Officer delegated powers.

19. **RESPONSE/ACTION THAT CAN BE TAKEN BY CABINET OR OTHER APPROPRIATE COMMITTEE ON RECEIPT OF VIEWS OF THE OVERVIEW AND SCRUTINY COMMITTEE/PANEL**

19.1 The Cabinet can:

- Agree with and implement the Overview and Scrutiny Committee's alternative recommendations (if implementation of a decision has been delayed).
- Endorse its original decision in its entirety or partially amend it and implement it forthwith (if the matter is within the Policy and Financial Framework).
- Refer the matter to Council for determination (if not a solely executive matter).
- Forward comments on the views received to the Council where the matter is one outside the Policy and Financial Framework or reserved to the Council under the Constitution.
- Agree/amend/take no action on the Overview and Scrutiny Committee's/Panel's recommendations on a review initiated by that Committee/Panel.
- Agree action to be taken with regard to an officer delegated decision.

20. **EXCEPTIONS**

20.1 In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:

- that no decision considered and determined by the Overview and Scrutiny Committee or Scrutiny Panel within the preceding 6 months shall be subject to call-in;
- that call-in can be invoked in respect of any one decision only once;
- that call-in will not apply to day-to-day management and operational decisions taken by Officers; and
- where the decision is taken by the Cabinet as urgent, this will only be subject to post-decision scrutiny.

21. **URGENCY**

21.1 A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

21.2 The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision maker, the decision is an urgent one, and therefore not subject to call-in.

22. **POLICY REVIEW AND DEVELOPMENT**

22.1 The role of the Overview and Scrutiny Committee in relation to the development of the Council's Budget and Policy Framework is set out in detail in the Budget and Policy Framework Procedure Rules.

22.2 In relation to the development of the Council's approach to other matters not forming part of its Budget and Policy Framework, the Overview and Scrutiny Committee or Scrutiny Panels may make proposals to the Cabinet for developments in so far as they relate to matters within their terms of reference.

22.3 The Overview and Scrutiny Committee and Scrutiny Panels may hold enquiries and investigate the available options for future direction in policy development. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

23. **REPORTS FROM THE OVERVIEW AND SCRUTINY COMMITTEE AND SCRUTINY PANELS**

23.1 The Overview and Scrutiny Committee and Scrutiny Panels may submit formal reports to the Cabinet or the Council detailing the findings of its investigations into any matter.

23.2 Once it has formed recommendations on proposals for development, the Overview and Scrutiny Committee or Scrutiny Panel will prepare a formal report and submit it to the Head of Democratic Services for consideration by the Cabinet (if the proposals are consistent with the existing Budget and Policy Framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed Budget and Policy Framework).

23.3 If the Overview and Scrutiny Committee or Scrutiny Panel cannot agree on one single final report to the Council or Cabinet as appropriate, one minority report may be prepared and submitted for consideration by the Council or Cabinet with the majority report.

23.4 The Council or Cabinet shall consider the report of the Overview and Scrutiny Committee or Scrutiny Panel within one month of it being submitted to the Head of Democratic Services.

24. CONSIDERATION OF OVERVIEW AND SCRUTINY REPORTS BY THE CABINET

24.1 The agenda for Cabinet meetings shall include a standing item entitled 'References from Overview and Scrutiny'. The reports of the Overview and Scrutiny Committee and Scrutiny Panels referred to the Cabinet shall be included at this point in the agenda (unless they have been considered in the context of the Cabinet deliberations on a substantive item on the agenda) as soon as practicable. Where an item is not considered by the Cabinet within two months, the Cabinet will give an explanation of the reasons to the Chair of the relevant Overview and Scrutiny Committee or Scrutiny Panel as soon as practicable.

24.2 The Overview and Scrutiny Committee and the Scrutiny Panels will have access to the Cabinet's Notification of Decisions and timetable for decisions and intentions for consultation. Even where an item is not the subject of detailed proposals from the Overview and Scrutiny Committee following a consideration of possible policy/service developments, it will be able to respond in the course of the Cabinet's consultation process in relation to any key decision.

25. THE PARTY WHIP

25.1 If a member of the Overview and Scrutiny Committee or Scrutiny Panels is subject to a party whip in respect of an issue to be considered by it, that member must declare the existence of the whip and the nature of it before the commencement of deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

26. MATTERS WITHIN THE REMIT OF MORE THAN ONE SCRUTINY COMMITTEE

26.1 Where a matter for consideration by the Overview and Scrutiny Committee or one of the Scrutiny Panels also falls within the remit of one or more other committee/panels, the decision as to which committee/panel will consider it will be resolved by the respective Chairs.

27. COUNCILLOR CALL FOR ACTION

27.1 The Councillor Call for Action is a mechanism for enabling elected Members to bring matters of local concern to the attention of the Council, via the Scrutiny process.

27.2 Any Member may request that an item is placed on the agenda of the Overview and Scrutiny Committee for consideration. The Member making that request does not have to be a member of the Overview and Scrutiny Committee or any of the Scrutiny Panels.

27.3 The Call for Action should be an option of "last resort". In considering whether to refer to a matter in accordance with these provisions, Members must have regard to relevant guidance issued by the Secretary of State. A Call for Action will only be included on the Overview and Scrutiny Committee agenda if the Chair, in consultation with the Monitoring Officer, is satisfied that:

- the Member has made all reasonable efforts to resolve the matter via direct liaison with council officers and/or relevant partners;

- the issue of concern is a matter in respect of which the Council has a statutory power or duty and is not precluded by adopted Council policy or legislation; and
- the issue of concern has a demonstrable impact on a part or the whole of the Member's electoral ward.

and accordingly information to support the above matters should accompany the Call for Action request.

27.4A Call for Action cannot, in any event, relate to:

- a planning decision;
- a licensing decision;
- any matter concerning an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
- any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the Overview and Scrutiny Committee; or
- any matter which is a local crime and disorder matter for the purposes of Section 19 of the Police and Justice Act 2006.

27.5If the Chair rejects the Call for Action the Member who made the request shall be provided with reasons for the decision.

27.6A valid Call for Action will be considered at the next ordinary meeting of the Overview and Scrutiny Committee or at a special meeting of the Committee within 14 days of validation whichever is the sooner. The Committee may either decide to consider the matter itself or refer it to the appropriate Scrutiny Panel.

27.7The subject matter of the Call for Action will be the subject of a report from the relevant Director, with such supporting information and evidence as is reasonably available. If the matter also or exclusively entails consideration of information held by another public body or partner, an appropriate representative shall be invited to the Overview and Scrutiny Committee or Scrutiny Panel meeting to provide that information, make representations and answer questions.

27.8The Call for Action will be considered by the Overview and Scrutiny Committee or Scrutiny Panel in public session unless consideration of the issues involves the disclosure of exempt or confidential information as defined by the Access to Information Procedure Rules of the Constitution.

27.9The Member who referred the matter under sub-paragraph [?] above may address the Overview and Scrutiny Committee or Scrutiny Panel in respect of the Call for Action for up to 10 minutes.

27.10 The Overview and Scrutiny Committee or Scrutiny Panel may also consider representations from any residents of the electoral ward affected by the Call for Action, subject to the discretion of the Chair.

27.11 If the Call for Action concerns issues that fall within the remit of the Cabinet, the relevant Cabinet Portfolio Member shall also attend the Overview and Scrutiny Committee or Scrutiny Panel to answer questions and make any representations.

28. REPORTS AND RECOMMENDATIONS ON CALLS FOR ACTION

28.1 Where the Overview and Scrutiny Committee or any of the Scrutiny Panels makes a report or recommendations to the Council or the Cabinet as a result of a reference under paragraph [?] above, the Overview and Scrutiny Committee or Scrutiny Panels may publish the report, subject to the provisions of Part 5 of the Local Government Act 2000 ("the 2000 Act") in relation to confidential or exempt information.

28.2 The Overview and Scrutiny Committee or Scrutiny Panel will, by notice in writing to the Head of Democratic Services, require the Council or Cabinet:

- to consider the report or recommendations;
- to respond to the Overview and Scrutiny Committee or Scrutiny Panel indicating what, if any action the Council or Cabinet proposes to take;
- if the Overview and Scrutiny Committee or Scrutiny Panel has published the report or recommendations, to publish the response, subject to the provisions of Part 5 of the 2000 Act relating to confidential or exempt information;
- if the Overview and Scrutiny Committee or Scrutiny Panel provided a copy of its report or recommendations to the Member who referred the matter to the Board, to provide that Member with a copy of the response, subject to the provisions of Part 5 of the 2000 Act in relation to confidential or exempt information;

and to do so within two months of the date when the Council or Cabinet received the report or recommendations or (if later) the date when the Head of Democratic Services received the notice.

29. SCRUTINY OF CRIME AND DISORDER MATTERS

29.1 The Neighbourhood and Community Services Scrutiny Panel is designated as the Council's Crime and Disorder Committee (in accordance with section 19 of the Police and Justice Act 2006) with responsibility for scrutinising crime and disorder and community safety matters.

29.2 Any Member of the Council may give notice to the Scrutiny Officer that he/she wishes an item which he/she considers to be a crime and disorder matter to be included on the agenda for discussion at the Neighbourhood and Community Services Scrutiny Panel.

29.3 The procedure for dealing with such requests shall be the same as those for any request for an item to be added to the Panel's work programme, detailed in paragraphs [xx].

29.4 Sub-paragraphs [?] to [?] above shall apply to the consideration of a crime and disorder matter by the Neighbourhood and Community Services Scrutiny Panel as they apply to the consideration of a Call for Action by the Overview and Scrutiny Committee or relevant Scrutiny Panel.

29.5 If the Neighbourhood and Community Services Scrutiny Panel decides not to make a report or recommendation to the Council in relation to the crime and disorder matter, it must notify the Member who referred the matter of its decision and the reasons for it.

29.6 Where the Panel makes a report or recommendations to the Council it must:

- provide a copy of the report or recommendations to the Member who referred the matter to the Committee and
- provide a copy of the report or recommendations to such of:
 - (a) the responsible authorities (within the meaning of Section 5 of the Crime and Disorder Act 1998); and
 - (b) the co-operating persons and bodies (i.e. those persons and bodies with which the responsible authorities have a duty to co-operate under Section 5(2) of the Crime and Disorder Act 1998);

as it thinks appropriate.

29.7 Where the Panel makes a report or recommendations to the Council or provides a copy of a report or recommendations under sub-paragraph [?] above, the Panel must notify the Council, body or person to whom it makes or provides a copy of the report or recommendations that the Council, body or person must:

- consider the report or recommendations;
- respond to the Panel indicating what (if any) action it proposes to take;
- have regard to the report or recommendations in exercising its functions.

29.8 For the purpose of carrying out its functions under the Crime and Disorder (Overview and Scrutiny) Regulations, 2009, the Panel will meet to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of the crime and disorder functions, no less than once in every 12 month period.

29.9 Where the Panel makes a report or recommendations to a responsible authority or to a co-operating person or body in accordance with section 19(8)(b) of the Police and Justice Act, 2006, the Panel shall review the responses received and monitor the action (if any) taken by the relevant authority, person or body in accordance with its powers under section 19(1) of the 2006 Act.

Request for Single Agenda Item

Name:

Date:

Scrutiny Committee/Panel this request relates to:

Title of Item:

Purpose/Aim of Item:

Submit

Please submit your request to the Statutory Scrutiny Officer, Tracy Luck Head of Strategic Policy and Communications (Tracy.Luck@slough.gov.uk)

Queries

Please direct any queries to the Scrutiny Officer, Sarah Forsyth, Policy and Communications (Sarah.Forsyth@slough.gov.uk; tel: 01753 875 657)

Guidance

Please note that the Overview and Scrutiny Process cannot help in the following areas:

- Individual complaints about specific issues
- Financial probity of the Council (this is the responsibility of the Audit Committee)
- Conduct or behaviour of councillors (this is the responsibility of the Standards Advisory Committee)

Call-in Request

Name:

Date:

Decision taken by Cabinet

Delegated decision by –

Date of decision:

Title of agenda item/report:

Reasons for Call-in:

Proposed alternative course of action (optional):

Proposed documentation and/or witnesses for the call-in (optional)

Signed: Councillor

Signed: Councillor

Signed: Councillor

Submit

Please submit your request to the Statutory Scrutiny Officer, Tracy Luck Head of Strategic Policy and Communications (Tracy.Luck@slough.gov.uk).

Any queries should be directed to the Scrutiny Officer, Sarah Forsyth, Policy and Communications (Sarah.Forsyth@slough.gov.uk; tel: 01753 875 657).

Request for Scrutiny Review

Name:

Date:

Scrutiny Committee/Panel this request relates to:

Title of Review:

Purpose/Aim of Review:

Submit

Please submit your request to the Statutory Scrutiny Officer, Tracy Luck Head of Strategic Policy and Communications (Tracy.Luck@slough.gov.uk)

Queries

Please direct any queries to the Scrutiny Officer, Sarah Forsyth, Policy and Communications (Sarah.Forsyth@slough.gov.uk; tel: 01753 875 657)

Scheme of Delegation to Officers

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3. Public Health
4. Early Years, School Services and Special Needs

1. Guiding Principles

1.1. Introduction

This document sets out how the Council has delegated its executive and non executive powers to officers. Its purpose is to ensure that there are sufficient General Scheme of Delegation to Officers

properly authorised, officers to carry out the Council's business, lawfully and effectively and that everyone: officers, members and the public, knows who they are.

These delegations to officers are the last link in the chain of delegation which begins with the framework described in the Constitution. They must be read in conjunction with the Constitution itself, and in particular the arrangements for discharge of executive and non-executive functions set out in Part X, and those delegations to Committees, sub Committees and Strategic Directors.2.1.

This Scheme of Delegation sets out who can carry out the functions: they do not explain how they are to be carried out. The Council has adopted procedures which set out the rules for this. Officers must be familiar with:

- * Financial Procedure Rules (Part X of the Constitution)
- * Contract Standing Orders (Part X of the Constitution) and any Procurement guidelines issued by Assistant Director responsible for Procurement
- * the Key Decisions Protocol (and the Access to Information Rules in Part X of the Constitution)
- * Human Resources guidance and procedures

All powers within the Scheme of Delegation are to be exercised within approved budgets and all staffing and recruitment delegations take effect subject to approved HR guidelines.

1.2. Structure of the Scheme

Part 2 of the Scheme is the **General Delegations**. These are delegated powers which are common to all parts of the Council and relate to the Finance, Procurement, Human Resources and Property Management functions which support the main work of the Council. For consistency across the Council the General Delegations are delegated to officers at similar levels of authority in the Council's structure – Levels 1 to 4 – as defined in paragraph 2. *Where there are local variations within Directorates these should be recorded within Directorates and approved centrally, in accordance with the 'Change Procedure' in paragraph 1.6.*

Part 3 lists the 'Proper Officers' described in Part 3.6.4 of the Council's Constitution. These are posts which are created by legislation rather than resulting from a chosen structure. The proper officers are listed and cross referenced to officer posts in each directorate. 'Proper Officers' include the 'statutory chief officers' whose roles are set out in Article XX of the Constitution. Although they retain personal responsibility for how their powers are used, they may delegate some of their duties to other officers.

Part 4 sets out the functions delegated to each Directorate. The way functions are delegated are specific to each service. In most cases delegations are to particular posts or groups of posts, rather than levels of posts. It is important that only officers with the correct technical and professional expertise exercise these very specific powers.

1.3. Reserved Matters, deemed delegations and general authorities

The following sections apply to all parts of this Scheme of Officer Delegations, to any consequential delegations made under it and to any other schemes of delegation in force from time to time within the Council.

Matters reserved to the Council, the Executive, and their Committees:

Functions may be specifically reserved to the Council, or a Committee of the Council, or to the Executive of the Council, either under the Articles of the Constitution, or Part X of the Constitution (Responsibilities for Functions). Functions may also be reserved under the Scheme of Delegations. These reserved functions may not be carried out by any officer unless they have been specifically delegated to him/her by the person or body holding the reserved power. The only exception is the urgency provision set out in paragraph 1.4 below.

Deemed delegations to officers:

- * Any matter not specifically reserved in this way will be deemed to be within the delegated authority of the Chief Executive and the Strategic Directors for all purposes which fall within their directorate or budget area or such corporate areas of responsibility to which they may be nominated from time to time.
- * The Chief Executive may exercise any delegated function in the absence of a relevant Strategic Director or nominate another Strategic Director to do so in the Chief Executive's absence.
- * Head of Legal Services shall have authority to commence, defend or settle any legal proceedings as necessary to protect the interests of the Council, whether or not specifically delegated under this scheme.

Extent of Authority:

- * The Chief Executive is authorised to discharge any function or power falling within the Chief Executive's directorate. In addition the Chief Executive is authorised to discharge any function or power delegated to any officer in any other directorate in the absence of the relevant Strategic Director.
- * Proper officers and statutory chief officers are deemed to have all the powers necessary to carry out the functions delegated to them.
- * Any Strategic Director (or other Level 2 officer) may discharge any function or power falling within his or her directorate or budget area or such corporate areas of responsibility to which they may be nominated from time to time.
- * An Assistant Director or other Level 3 officer may discharge any function or power falling within his or her Division unless specifically restricted from so doing by this Scheme.
- * A Service Area Head or other Level 4 officer may discharge any function or power falling within his or her Service Area, subject to any specific restriction in this Scheme
- * A Section Head or Team Leader may discharge any function or power falling within his or her Section or Team, subject to any specific restriction.

1.4. Urgency provisions

The following provisions apply regardless of any specific reservations to Members:

- * The Chief Executive has power to act in cases of emergency or urgency to discharge all Council side functions. 'Emergency' or 'Urgency' have the ordinary dictionary meaning of the words and may imply considerations of health and safety, legal and financial risk.
- * In the absence of the Chief Executive the Strategic Director nominated to deputise will exercise emergency or urgency powers in the same way.
- * Legal Powers. The Head of Legal Services shall have authority to institute, defend, settle or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Head of Legal Services considers that such action is necessary to protect the Council's interests.

1.5. Incidental and ancillary functions, successor legislation, meaning of 'officer'

Incidental functions: any reference to officers being authorised to carry out or perform any functions in the schemes shall be deemed to include the authority to carry out any other functions which are necessary or incidental to, or required to facilitate or be conducive to the performance of the function in question.

Successor legislation: any reference in the Schemes to any legislation or to any Council procedure or rule shall be deemed to include a reference to any successor legislation, procedure or rule as may be introduced or enacted by way of substitution, revision or amendment.

General Scheme of Delegation to Officers

If the Council acquires a new function it may be necessary for a decision to be taken by the Council so that a decision can be taken on any new delegations to officers. However, in the absence of such a decision the Chief Executive or Strategic Director with responsibility for the relevant service area shall be deemed to have delegated responsibility to discharge the function for the Authority.

Meaning of officer: subject to any specific restriction in writing, a reference to any officer within this Scheme will include persons 'acting up' into a post, or 'interim' post holders. Such 'acting up' or 'interim' arrangements must be in writing.

Subject to any specific restriction in writing, a reference to any officer within the Schemes will include a person who is deputising (whether on a full, part time or on an absence basis) for that post. Such deputising arrangements should be made in accordance with this Scheme of Delegation and should be authorised in writing unless they arise to meet an emergency, in which case they should be ratified at the earliest opportunity thereafter.

Subject to any specific restriction in writing, a function or power which may be discharged by any officer under the Schemes may also be discharged by a person holding a post which is a successor post to that of the original post under the Scheme, following any reorganisation, restructure, or similar process. However, the Schemes should be amended to reflect the existence of the successor post as soon as practicable.

1.6. Maintenance, Review and Change to the Scheme of Delegations

The Chief Executive and each Strategic Director will establish and maintain a scheme of delegation for his/her directorate or budget area which specifies the function; names the post which may carry out that delegated decision, and the limits, if any, on the delegation. The limits on the delegation will include the obligation to consult, record and/or refer back to the Chief Executive or Strategic Director in certain circumstances.

The Head of Democratic Services will specify the format for the scheme of delegation and will maintain the current version of the Council's scheme of officer delegations. A copy will be available on the Council's website.

The Chief Executive will have authority to amend and issue guidance on Directorate Schemes of Delegation.

All Strategic Directors will have a duty to establish, review and keep the schemes of delegation up to date. They will review arrangements to ensure knowledge of and compliance with, their Scheme of Delegations, annually, or other prescribed statement of internal control.

The Chief Executive and the Head of Democratic Services are authorised to approve changes to the Scheme of delegation. Requests for changes will be made in writing to the Head of Democratic Services in a format specified by him/her. Requests for changes to the general financial delegations will be referred to the Assistant Director of Finance & Audit for approval. All changes must be approved in accordance with this process for any change to be effective.

Financial Delegations

These should be read in conjunction with the Council's Financial Procedure Rules which can be found at Part X of the Council's Constitution

2a: Financial Delegations

| No. | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|-----|---|---|---|----------------|---------------|
| A 1 | Ensuring compliance with Council Financial Procedure Rules | All | All | | |
| | Budgets | | | | |
| A 2 | Preparation for member approval of the annual Directorate Budget | √ | No delegation | | |
| A 3 | Monthly performance reports | All | All | | |
| | Virements and expenditure | | | | |
| | Virements up to £100,000 | √ | √ | None | None |
| A4 | Virements between £100,000 and £250,000 | √ & s151 Officer | √ & s151 Officer | None | None |
| | Virements above £250,000 and below £500,000 | Cabinet only | None | None | None |
| | Virements above £500,000 | Council only n.b. proposed to delegate to Cabinet | None | None | None |
| A 5 | Authorisation of Revenue payments once Council has approved the revenue budget | Over £500,000 with s151 | Up to £500,000 | Up to £250,000 | Up to £50,000 |
| A 6 | Authorisation of Capital expenditure for individual schemes with Cabinet and Capital Strategy Board spending approval | Over £500,000 with s151 | Up to £500,000 | Up to £250,000 | Up to £50,000 |
| A 7 | Revenue Funding / contributions to Capital Schemes when approved by Cabinet | Up to £100,000 with approval from s151 Officer | Up to £50,000 with approval from s151 officer | None | |
| A.8 | Settling insurance claims | √ | √ | √ | √ |
| | Receivables | | | | |
| A 9 | Raising Invoices (External and Internal)- within 14 days Raising Credit Notes | Over £500,000 | Up to £500,000 | Up to £250,000 | Up to £50,000 |

General Scheme of Delegation to Officers

2a: Financial Delegations

| No. | Function | Level 1 | Level 2 (or finance lead) | Level 3 | Level 4 |
|--------------------------------------|---|--|--|--|---------------------------------|
| A 10 | Recommend Write Off debts to SD, Finance and Resources (incl. stocks and stores). Any write offs over £15,000 to Cabinet | Up to £15k and approved by s151 officer | Up to £15k (and p.a.) and approved by s151 officer | Up to £1k with Level 2 approval | Up to £1k with Level 2 approval |
| Assets | | | | | |
| A 11 | Assets & Stocks Maintain register of assets over £2500 | √ | √ | √ | None |
| Disposal | | | | | |
| A 12 | Non property disposals | £5k providing best value obtained | £5k providing best value obtained | Up to £5k (in discussion with s151 / Lead officer for finance) | |
| Grant Claims, Bids and Awards | | | | | |
| | Signing Grant Agreements for Grants paid by the Council | Yes: but record Agreement in Grants Payable Register | None | None | |
| A 13 | Making claims for external funding including European bids | Subject to certification by s151 Officer | Subject to certification by s151 Officer | Subject to certification by s151 Officer | None |
| | Making grants to voluntary organisations in accordance with the Authority's policies and budget provision under any relevant local powers | √ | √ | None | None |
| | Making arrangements under S 78 Charities Act 1993 to co-ordinate activities of the Council and any charity with similar and complementary purposes, etc | √ | √ | √ | None |
| Petty Cash | | | | | |
| A 14 | Petty Cash limit for single item | £250 | £250 | £250 | £250 |
| Commitments | | | | | |

General Scheme of Delegation to Officers

Procurement Delegations

These should be read in conjunction with the Council's Contract Standing Orders and the Council's procurement guidance. These can be found at:

Add link

| 2b: Procurement Delegations | | | | | |
|------------------------------------|---|----------------|----------------|--------------------|--------------------|
| No. | Function | Level 1 | Level 2 | Level 3 | Level 4 |
| | | | | | |
| B.2 | Authorising of Purchase Orders | £500,000 | £100,000 | £20,000 | £5000 |
| B.3 | Authorise Invoices (and credit notes) for previously approved expenditure | £500,000 | £100,000 | £20,000 | |
| B.4 | Termination of Contract | | √ | None | |
| B.5 | Management of Approved list of Contractors/vendor database/list of framework contractors and suppliers | | √ | None | |
| B.6 | Purchasing from within a Framework Contract (Registered by Slough Borough Council) | | √ | £5,000 | |
| B.7 | Authorise Invoices (and debit notes) for previously approved expenditure, for Capital Projects | £500,000 | £100,000 | £20,000 | £5,000 |
| B.8 | Issue procedural instructions on matters concerning contracts and procurements | √ | √ | Prepare draft only | Prepare draft only |
| B.9 | Maintain list of suppliers for small work contracts/specialist works and advise on prospective suppliers and select list of tenders | √ | √ | √ | √ |

2c: Property Delegations

| No. | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|-----|---|--|--|---------|---------|
| C.1 | Acquisition and disposal of leasehold interest in land and property relating to the Services of the Directorate, with Cabinet spending approval | Up to £250k in line with best value | Up to £250k in line with best value | None | None |
| C.2 | To maintain the Directorate's service related land records and other Directorate service related property information and advise Property Services of Changes | √ | √ | √ | √ |
| C.3 | To grant leases, tenancies or licences for the use of Directorate service related property that has previously been let or is not required for the council's own occupation | Terms of up to 7 years and rents or licence fees up to £100,000pa. | Terms of up to 7 years and rents or licence fees up to £100,000pa. | None | None |
| C.4 | Approval of rent or fee reviews of leases, licences, tenancies or easements granted or held by the Directorate | Services up to £100,000 | Services up to £100,000 | None | None |
| C.5 | To approve terms for sale of Directorate service related property that has been declared surplus to requirements or is subject to a compulsory purchase order, once disposal agreed | Up to £250k in line with best value | Up to £250k in line with best value | None | None |
| C.6 | To approve terms for the purchase of Directorate service related property where a valid decision to acquire has been taken | None | None | None | None |
| C.7 | To write off service related unpaid rents, licence fees or other charges where all reasonable attempts have been made at recovery | | | | |

2c: Property Delegations

| No. | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|-------------|--|---|---|---------------------------------|---------------------------------|
| C.8 | To commission work relating to the acquisition management development or disposal of Directorate service related property from suitably qualified firms | Maximum fee of £100,000 (or £50,000 p.a.) per instruction | Maximum fee of £100,000 (or £50,000 p.a.) per instruction | None | None |
| C.9 | To manage the Directorate's service related commercial property portfolio | to approve assignments and other applications on all Directorate service related owned property | to approve assignments and other applications on all Directorate service related owned property | None | None |
| C.10 | To apply to the appropriate body for the appointment of an arbitrator independent expert or other adjudicator in the circumstances defined in a lease or other agreement | √ | √ | None | None |
| C.11 | To authorise the service of statutory notices (e.g. under the landlord & Tenants Acts, etc.) When deemed prudent in the context of service related property management | None | None | √ | √ |
| C.12 | Ensure Health and Safety issues are met | √ | √ | √ | √ |
| C.13 | To act on Health and Safety issues raised by authorised officers in respect | √ | √ | Health and Safety Officers only | Health and Safety Officers only |
| C.14 | Authority to agree terms and enter into agreements for any matter of a minor or urgent nature affecting Directorate service related land or property either owned or leased. | √ | √ | √ | None |

| 2c: Property Delegations | | | | | |
|---------------------------------|---|--|---|--|---------|
| No. | Function | Level 1 | Level 2 | Level 3 | Level 4 |
| C.15 | To undertake client functions under various contracts with third parties including those related to Directorate service related property management | √ | √ | √ | None |
| C.16. | To approve Appeals for Rating reductions | √ With the agreement of the s151 officer | √With the agreement of the s151 officer | Up to £10,000 with the agreement of the s151 officer | None |

| 2d Human Resources Delegations | | | | | |
|---------------------------------------|--|---------|---------|----------------------|----------------------|
| | Function | Level 1 | Level 2 | Level 3 | Level 4 |
| D.1 | Staff deployment, reorganisation and restructuring | | | | |
| D.2 | Directorate re-organisation or restructuring, with the agreement of the Cabinet | √ | √ | Recommendations only | Recommendations only |
| D.3 | In a transfer of undertaking situation, agreeing staff affected. | √ | √ | √ | No delegation |
| D.4 | Creation of new posts in accordance with procedures | √ | √ | Recommendations only | Recommendations only |
| D.5 | Deletion of posts in accordance with procedures | √ | √ | Recommendations only | Recommendations only |
| D.6 | Consultation and Agreements with Trade Unions including facilitation time | √ | √ | √ | √ |
| D.7 | Approving assimilation of new employees into new posts as result of restructure | √ | √ | √ | No delegation |
| D.8 | Placing staff on the Council's Redeployment Register as a result of a reorganization or redundancy situation | √ | √ | √ | No delegation |
| | Recruitment and Retention | | | | |
| D.9 | Advertising vacancies | √ | √ | √ | √ |
| D.10 | Filling vacant posts using agreed corporate processes | √ | √ | √ | √ |

| | | | | | |
|-------------|---|---|---|---|--|
| D.11 | Chairing and sitting on selection panels | √ subject to corporate training requirements | √ subject to corporate training requirements | √ subject to corporate training requirements | √ subject to corporate training requirements |
| D.12 | Agreeing shortlists | √ | √ | √ | √ |
| D.13 | Approving offers of appointment subject to further HR checks (e.g. medical, DBS and references) | √ | √ | √ | √ |

2d Human Resources Delegations

| | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|-------------|--|---|---|--------------------------------|---------------|
| D.14 | Exceptions to normal recruitment processes e.g. direct appointment to permanent or temporary posts without competition | √ only with the agreement of the AD | √ only with the agreement of the ADPS | No delegation | No delegation |
| D.15 | Recommending appointment above normal salary starting point | √ | √ | √ | √ |
| D.16 | Probationary Appointments: approving permanent appointment, or dismissal or extension of appointment | √ | √ | Not dismissal | None |
| D.17 | Agree terms and conditions of permanent and agency staff subject to national and local agreements and statutory requirements | √ | √ | No delegation | No delegation |
| D.18 | Agreeing secondments | √ Includes external secondment, placements and joint working | √ Includes external secondment, placements and joint working | √ Internal secondments only | |
| D.19 | Use of Agency Staff in accordance with procedures and Agency Contract | √ | √ | √ | |
| D.20 | Premature termination of agency / temporary staff position | √ | √ | √ | |

| | | | | | |
|---|--|----------------------|-------------------------|--|------|
| D.21 | Giving and requesting references | √ | √ | May request references where individual has consented to request | |
| D.22 | Request DBS and other statutory checks for approved positions | √ | √ | √ | |
| D.23 | Agree relocation package subject to corporate policies and procedures | √ | √ | √ | |
| D.24 | Approval of shorter notice period | √ | √ | √ | none |
| Discipline, Conduct and Capability | | | | | |
| D.25 | Dismissal of staff as a result of gross misconduct or disciplinary or capability proceedings | In consultation with | In consultation with HR | In consultation with HR | |

2d Human Resources Delegations

| | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|--|---|---------------------------|---------------------------|---|---------|
| | | HR | | | |
| D.26 | Suspension of staff on grounds of misconduct grounds | √ | √ | √ ? | |
| D.27 | Determining grievances | √ | √ | Up to Stage 2 | |
| D.28 | Taking disciplinary action short of dismissal | √ | √ | √ Except cases involving gross misconduct and misconduct | |
| D.29 | Conduct and determination of appeals on disciplinary, conduct and capability matters, including appeals against probation decisions | √ | √ | √ | √ |
| D.30 | Settlement of Legal/employment Tribunal claims in accordance with Council policy and procedures | √ | √ | No delegation | |
| D.31 | Payroll changes | √ | √ | √ | |
| Authorised absence, sickness, leave and flexitime | | | | | |
| D.32 | Taking management action in relation to sickness absence | √ | To Stage 2 | To Stage 2 | |
| D.33 | Extension of Sick Pay | √ In consultation with HR | √ In consultation with HR | √ In consultation with HR | |
| D.34 | Approving overtime in accordance with Council's Scheme, approving timesheets and flexi cards. | √ | √ | √ | |

| | | | | | |
|-------------|---|---|---|---------------|---------------|
| D.35 | Approving annual Leave, Flexi leave, TOIL, time off for election related duties, payment in lieu of Public Holiday, special and unpaid leave (within agreed procedures), parental leave, time off for trade union duties (carry over leave under procedures only Level 1) | √ | √ | √ | √ |
| | Employee Benefits, Pensions | | | | |
| D.36 | Approval of Honoraria/Acting Up Allowances and additional payments | √ | | | |
| D.37 | Approval for officers to have paid employment or consultancy outside the council | √ | √ | No delegation | No delegation |

| 2d Human Resources Delegations | | | | | |
|---------------------------------------|---|----------------|----------------------|---------------------|-----------------|
| | Function | Level 1 | Level 2 | Level 3 | Level 4 |
| D.38 | Approval of expenses e.g. mileage and petty cash claims | √ | √ up to £100 per day | √ Up to 100 per day | |
| D.39 | Other travel expenses | √ | Up to £100 per day | Up to £100 per day | |
| D.40 | Making discretionary payments for personal items lost or damaged not covered by the Council's insurance policies and excluding vehicles | √ Up to £500 | Up to £500 | Up to £100 | |
| D.41 | Subsistence, including overnight subsistence | √ | Up to £250 per day | Up to £100 per day | |
| D.42 | Ex-gratia payments | √ | √ | Up to £200 | |
| D.43 | Approval of eye test and absence for medical appointments | √ | √ | √ | √ |
| | Staff Appraisal and Development | | | | |
| D.44 | Staff appraisal, evaluation and supervision | √ | √ | √ | √ |
| D.45 | Arbitrating on appraisal and evaluation disputes | √ | √ | No delegation | No delegation |
| D.46 | Devising, maintaining and auditing staff development programme in accordance with any corporate requirements | √ | √ | √ | √ |
| D.47 | Approving courses and training in accordance with corporate policies and procedures | √ | √ | Not day release | Not day release |

| | | | | | |
|-------------|---|---|---|---|---|
| D.48 | Ensuring compliance with Race Relations Act, Sex Discrimination Act, Disability Discrimination Act, Equality Act and any Regulations there under | √ | √ | √ | √ |
| D.49 | Monitoring for the purposes of Council's Equal Opportunities policy and as recommended by the CRE | √ | √ | √ | √ |
| | Health and Safety and Risk | | | | |
| D.50 | Health & Safety – Responsibility for compliance with all statutory and regulatory requirements | √ | √ | √ | √ |
| D.51 | Risk Assessments and Registration of Risk as required by the risk management policy: compliance with Annual Corporate Governance Assurance requirements | √ | √ | √ | √ |

2d Human Resources Delegations

| | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|-------------|---|---------|---------|---------|--|
| D.52 | Maintaining safety codes of practice | √ | √ | √ | √ |
| D.53 | Maintaining cautionary contacts list | √ | √ | √ | No delegation to amend list, can recommend amendments to the list by Third Tier Officers |
| D.54 | Banning public from premises or limiting conduct due to aggressive behaviour | √ | √ | √ | In emergencies |
| D.55 | Agreeing legal support (including payment of external lawyers fees etc.) to staff assaulted in the course of their duties | √ | √ | √ | No delegation |

2e Other delegations which apply to all the council

| | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|-----------|--|--|-----------------|---|---|
| E1 | Legal and Statutory Powers | | | | |
| E2 | Responding on the Council's behalf to proposed legislation except where specifically reserved to the Council, a committee or the Executive | √ | √ | √ | No Delegation |
| E3 | Instructing the Head of Legal, HR and Regulatory Services to Institute or defend proceedings in any court or tribunal. | √ | √ | √ unless specifically reserved to designated officers | √ unless specifically reserved to designated officers |
| E4 | Authorising the Head of Legal Services to issue and serve notices and requisitions | √ | √ | Requisitions only unless holding specific delegations | Requisitions only unless holding specific delegations |
| E5 | Authorising officers to attend court and appear on behalf of the Council under S.223 Local Government Act 1972 and the County Courts Act 1984 | √ | √ | √ | No delegation except to Head of Legal Services |
| E6 | Signing Statements of Truth, providing witness statements and statutory declarations in respect of matters within their own knowledge and giving evidence in person on behalf of the Authority | √ | √ | √ | √ |
| E7 | Administering cautions in any criminal proceedings. | If PACE trained | If PACE trained | If PACE trained | If PACE trained |
| E8 | Settling claims (other than Employment Tribunal claims and those covered by insurance) | Up to £300,000 with the approval of the AD Finance and Audit | No delegation | No delegation | No delegation |

| | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|------------|--|---------|--------------|---|---|
| E9 | Authorising officers to use powers of entry and seizure where permitted in law. | √ | √ | No delegation | No delegation except for HLS |
| E10 | Applying to register any Land Charge, search the Land Charges Register and pay any request fee. | √ | √ | √ | √ |
| E11 | Subject to any reservations to Members, and to the authorisation of funding from the Strategic Director, R, H & R, instructing the Head of Legal Services to commence proceedings for the compulsory acquisition of interests in land, including the right to manage | √ | √ | No delegation | No delegation |
| | Fees and charges | | | | |
| E12 | Setting fees and charges for services within any overall strategy agreed by the Cabinet and in consultation with the lead commissioner and lead for finance: <ul style="list-style-type: none"> • up to 3% plus inflation • that don't involve a change in policy • that don't have significant political | √ | √ | √ | No delegation |
| E13 | Approving compensatory payments under section 92 Local Government Act 2000 | √ | Up to £1,000 | If designated Stage 2 complaints officer may approve up to £250 | If designated Stage 1 complaints officer up to £100 |
| E14 | Complaints and Regulatory Procedures | | | | |
| E15 | Acting as the Directorate Stage 2 Complaints Officer, within a scheme coordinated and monitored by the Head of Business Analysis and Complaints | √ | √ | √ | No Delegation |
| E16 | Acting as the Designated Stage 1 Complaints Officer | √ | √ | √ | √ |

| | | | | | |
|------------|---|---|---|---|---|
| E17 | Responding to requests for data or information under the Data Protection Act 1998 and the Freedom of Information Act 2000 | √ | √ | √ | √ |
|------------|---|---|---|---|---|

| | Function | Level 1 | Level 2 | Level 3 | Level 4 |
|------------|--|----------------|----------------|----------------|----------------|
| E18 | Discharging miscellaneous Local Government functions and powers such as accepting gifts on behalf of the Council, advertising Council services and promoting the area | √ | √ | √ | √ |
| E19 | Making all applications (including review and cessation of use) regarding covert surveillance or use of a human intelligence source under the provisions of the Regulation of Investigatory Powers Act,2000 ('RIPA') | √ | √ | √ | √ |
| | | | | | |

Part 3: Proper officer functions

The 'proper officers' appointed for the following purposes, under the powers of Section 270(3) of the Local Government Act 1972 are as follows:

| No. | STATUTE AND FUNCTION | PROPER OFFICER |
|-----|----------------------|----------------|
|-----|----------------------|----------------|

REPRESENTATION OF THE PEOPLE ACT 1983

| | | |
|-----|--|-------|
| PO1 | Section 8 – The Registration Officer for the purpose of the registration of electors | AD PF |
| PO2 | Section 35 – The Returning Officer at an election of London Borough Councillors | AD PF |
| PO3 | Section 28 – Acting Returning Officer at an election of a Member of Parliament | AD PF |

LOCAL GOVERNMENT ACT 1972

| | | |
|-----|---|--------------------------|
| PO4 | Section 83 (1) – The officer to whom a person elected to the office of Councillor shall deliver a declaration of acceptance of office on the prescribed form | Chief Executive or AD PS |
| PO5 | Section 83 (3)(b) – The officer before whom a declaration of acceptance of office of Mayor or Deputy Mayor of Council may be made | Chief Executive |
| PO6 | Section 84 – The officer to whom written notice of resignation of elected office shall be delivered | Chief ExecutiveRO? |
| PO7 | Section 86 - To declare any vacancy in any office under the Section | Chief ExecutiveRO? |
| PO8 | Section 88 (2) – The officer by whom a meeting of the Council for the election of the vacant office of Mayor may be convened | Chief Executive |
| PO9 | Section 89 (1)(b) – The officer to whom notice in writing of a casual vacancy occurring in the office of Councillor may be given by two local government electors for the Borough | Chief ExecutiveRO? |

| No. | STATUTE AND FUNCTION | PROPER OFFICER |
|------|--|-----------------|
| PO11 | Section 99 + Schedule 12 - To give notice and send summonses in respect of any Council meeting | Chief Executive |
| PO12 | Section 100 - To give public notice of any meeting to which the public are entitled to attend, provide copies of agenda and facilities for the press | HDS |
| PO13 | Section 100B (2) – The officer authorised to exclude from committees, sub committees, Council or Executive meeting agendas any information to be dealt with in a meeting from which the public are likely to be excluded | HDS |
| PO14 | Section 100B (7)(c) – The officer to supply to any newspaper copies of documents supplied to Members of committees, sub-committees, Council or Executive meetings in connection with an item for consideration | HDS |
| PO15 | Section 100C (2) – The officer to prepare a written summary of proceedings of committees, sub-committees, Council or the Executive from which the public were excluded | HDS |
| PO16 | Section 100D (1)(a) – The officer to prepare a list of background papers for reports considered by committees, sub-committees, Council or the Executive | HDS |
| PO17 | Section 100D (5) – The Officer to determine which documents constitute background papers and Section 100H - ability to charge for the provision of such documents | HDS |
| PO18 | Section 100F (2) – The officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection | HDS |
| PO19 | Section 100G - To maintain a register of the names and addresses of Members and membership of committees, lists of delegations and the like | HDS |

| No. | STATUTE AND FUNCTION | PROPER OFFICER |
|------------|--|-----------------------|
| PO20 | Section 115 – The officer to whom money properly due from officers shall be paid | AD FA |
| PO21 | Section 146 – The officer to make statutory declarations and issue any certificate with regard to securities held by local authority companies | AD FA |
| PO22 | Section 151 (and section 114 of the Local Government Finance Act 1988) – The officer to be responsible for the proper administration of the Authority’s financial affairs (and to issue a report to Members if there is or is likely to be unlawful expenditure or an unbalanced budget) | AD FA |
| PO23 | S.223 Authorising officers to attend court and appear on behalf of the Council under Local Government Act 1972 and the County Courts Act 1984 | HLS |
| PO24 | Section 225 (1) – The officer to receive and retain statutory documents on behalf of the Authority | HLS |
| PO25 | Section 229 (5) – The officer to certify photographic copies of documents | HLS |
| PO26 | Section 233 – The officer to receive documents required to be served on the Authority | HLS |
| PO27 | Section 234 (1) & (2) – The officer to authenticate documents on behalf of the Authority | HLS |
| PO28 | Section 238 – The officer to certify printed copies of bylaws | HLS |
| PO29 | Section 248 – The officer responsible for the keeping of the roll of freemen | HDS |

| No. | STATUTE AND FUNCTION | PROPER OFFICER |
|------|--|----------------|
| PO30 | Schedule 12 [paragraphs 4(2)(b) & 4(3)] – The officer responsible for the receipt of notices regarding address to which summons to meetings is to be sent | HDS |
| PO31 | Schedule 14 [paragraph 25(7)] – The officer responsible for the certification of true copies of resolutions | HDS |
| PO32 | Schedule 29 [paragraph 41] – The officer responsible for the exercise of functions under Section 9 (1) & (2), 13 (2) (h) and (3) (b) and 20 (b) of the Registration Services Act 1953 (Proper Officer) | SDCCS |

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1976

| | | |
|------|---|---------------------|
| PO33 | Section 41 – The officer to certify copies of any resolution, order, report or minutes of proceedings of the Authority as evidence in any legal proceedings | HDS |
| PO34 | Section 16 - Notices requiring details of interest in land | Any SD or AD or HLS |

LOCAL GOVERNMENT AND HOUSING ACT 1989

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|------|--|-----------------|
| PO35 | Section 2 – The officer to hold on deposit the list of politically restricted posts and Section 2 - provision of certificates as to whether a post is politically restricted | ADPS |
| PO36 | Section 3A – The officer responsible for the grant and supervision of exemptions from political restrictions. | Chief Executive |
| PO37 | Section 4 – The officer to be designated Head of Paid Service | Chief Executive |
| PO38 | Section 5 – The officer to be designated Monitoring Officer | ADPS |

| No. | STATUTE AND FUNCTION | PROPER OFFICER |
|------|--|-----------------|
| PO39 | Sections 15 – 17 (and regulations made thereunder) – The officer to receive notices relating to the membership of political groups | Chief Executive |

LOCAL GOVERNMENT ACT 2000

| | | |
|------|---|------------------------------|
| PO40 | The officer responsible for ensuring a proper record is made of Executive decisions and that the document comprising the Authority's Forward Plan is published in accordance with the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000 | HDS |
| PO41 | To ensure that copies of the constitution are available for inspection | HDS |
| PO42 | To make payments of relevant allowances in accordance with the Council's Members allowances scheme | HDS |
| PO43 | To defray expenses of any Members making official and courtesy visits, receptions and entertainment of distinguished persons visiting the Borough | Chief Executive |
| PO44 | The Officer designated as Scrutiny Officer as defined in Section 21 ZA Local Government Act 2000 | Head of Strategic Policy and |

LAND CHARGES ACT 1975

| | | |
|------|---|------------|
| PO45 | Section 19 – The officer to act as Local Registrar as defined in Section 3 of the Land Charges Act 1975 | SDCCS ? |
|------|---|------------|

NATIONAL ASSISTANCE ACT 1948 AND NATIONAL ASSISTANCE (AMENDMENT) ACT 1951

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|------|--|-----|
| PO46 | Proper officer to seek an order for removal of persons into care | SDW |
|------|--|-----|

| No. | STATUTE AND FUNCTION | PROPER OFFICER |
|-----|----------------------|----------------|
|-----|----------------------|----------------|

REGISTRATION SERVICES ACT 1953

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|------|---|-------|
| PO47 | Proper officer for Births, Deaths and Marriages | SDCCS |
|------|---|-------|

LOCAL GOVERNMENT ACT 2003

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|------|---|------|
| PO48 | Requirement to report to Council annually on the robustness of estimates and financial reserves | ADFA |
|------|---|------|

PUBLIC HEALTH (CONTROL OF DISEASES) ACT 1984,
FOOD SAFETY (GENERAL FOOD HYGIENE)
REGULATIONS 1995 AND THE MILK AND DAIRIES
GENERAL) REGULATIONS 1969

| | | |
|------|--|---|
| PO49 | Requirement to appoint a suitably qualified person as the Council's Medical Advisor on Environmental Health and Proper Officer for notifiable diseases | ? |
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CIVIL EVIDENCE ACT 1995

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|------|---|-----|
| PO50 | To certify Council records for the purposes of admitting the document in evidence in civil proceedings. | HLS |
|------|---|-----|

CRIME AND DISORDER ACT 1998

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|------|--|-----|
| PO51 | Section 12 - to apply for the discharge or variation of a Child Safety Order | SDW |
|------|--|-----|

| No. | STATUTE AND FUNCTION | PROPER OFFICER |
|------|---|----------------|
| PO52 | Sections 17 and 37 to have regard to effect of the exercise of any function on the need to prevent crime and disorder and offending by children and young persons | All SDs |

CRIMINAL JUSTICE AND POLICE ACT 2001

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|------|---|----------------------------------|
| PO53 | Delegated power to authorise officers to enter premises and seize items where the Council has a power of seizure under this Act and to perform other related duties (return and security of seized items) | The Chief Executive, SDs and ADs |
|------|---|----------------------------------|

LOCAL GOVERNMENT FINANCE ACT 1988

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|------|---|------|
| PO55 | Section 116 - Notification to the Council's auditor of any meeting to be held under Section 15 of the 1988 Act (meeting to consider any report of the Chief Finance Office under Section 114) | ADAF |
| PO56 | Section 139A - Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when required. | ADFA |

LOCAL GOVERNMENT (CONTRACTS) ACT 1997

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|------|--|------|
| PO57 | Certification of relevant powers to enter into contracts | ADFC |
|------|--|------|

LOCALISM ACT 2011

| No. | STATUTE AND FUNCTION | PROPER OFFICER |
|---|---|------------------------------------|
| PO58 | Responsibility for establishing and maintaining a register of Members and co-opted members interests, and ensure that it is available for inspection and published on the Council's website | ADPS |
| <u>OTHER MISCELLANEOUS PROPER OFFICER FUNCTIONS</u> | | |
| PO59 | Any other miscellaneous proper or statutory officer functions not otherwise delegated by the Authority | Chief Executive or his/her nominee |

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PROTOCOL FOR FILMING/RECORDING OF COUNCIL MEETINGS

1. The Council supports the principle of transparency and allows the filming, recording and photographing at its meetings that are open to the public. It also welcomes the use of social networking websites, such as Twitter and Facebook, and micro-blogging to communicate and report on proceedings to the wider community.
2. To enable members of the public to be fully informed, anyone proposing to film, record or take photographs of a meeting is requested to advise Democratic Services before the start of the meeting.
3. The Mayor / Chair of the meeting has absolute discretion to terminate or suspend any of these activities if, in their opinion, continuing to do so would prejudice or unduly disrupt proceedings at the meeting.
4. The circumstances in which termination or suspension might occur could include:
 - Public disturbance of the meeting.
 - When the press and public are excluded from the meeting due to the confidential or exempt nature of information to be discussed in Part II of an agenda.
 - Where it is considered that continued recording / photography / filming / webcasting might infringe the rights of any individual.
 - When the Chair considers that a defamatory statement has been made.
5. In allowing filming and recording, the Council asks those recording proceedings do not edit the film / record / photographs in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being photographed / filmed / recorded, or misrepresent a Council discussion.
6. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The Council may adopt operational arrangements to facilitate the effective transaction of business at a meeting by designating certain areas of a meeting room to be available for those who wish to record the meeting; and/or designating certain areas of the meeting room for any members of the public who do not wish to be filmed.
7. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with Democratic Services prior to the meeting and agreement has been reached on how it can be done without disrupting the meeting.
8. The Council will advise the public that the meeting may be filmed, recorded or photographed via notices on the agenda for the meeting and in the meeting room.

Any person failing to comply with any element of this protocol will have permission to record future meetings withdrawn

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 22nd April, 2014

CONTACT OFFICER: Shabana Kauser
(For all enquiries) Senior Democratic Services Officer
(01753) 787503

WARD(S): All

PART I
FOR DECISION

MOTION SUBMITTED TO COUNCIL UNDER PROCEDURE RULE 14

The following motion has been received in accordance with Council Procedure Rule 14:-

‘A’ HIGHWAYS TRAFFIC CALMING PROJECTS

(Moved by Councillor Smith, seconded by Councillor Wright)

“This Council resolves to:

Immediately stop all current/ongoing projects undertaken by the Highways Department to introduce traffic calming, reduce the number of carriageways, narrow carriageway widths, block-off roads to through-traffic, and fill-in bus stop lay-bys; it should thereby present a report open to scrutiny by Members on the effectiveness of such measures already implemented against the criteria of whether they have added to congestion or reduced journey times; any measures that have added to congestion and journey times are inherently unsafe and against the interests of Slough residents going about their daily business and should consequently be removed.”

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