

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

(i) URGENT IMPLEMENTATION OF DECISIONS

RECOMMENDATION: That the Urgency decisions detailed below be noted.

Information

1. The Constitution allows a Cabinet or Cabinet Member decision to be implemented before the expiry of the 5 day call-in provided there is agreement from the Chief Executive and the Chairman of the Executive Scrutiny Committee to waive this. All such decisions are to be reported for information only to the next full Council meeting.
2. Recently the following decisions have been made using the urgency procedures:

Date of Decision	Decision Type / Nature of Decision	Decision-Maker
14/01/2015	Capital Release - Various Disabled Facilities Grants to residents (Release No 6)	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
16/01/2015	Capital Release - Various adaptations to Council owned dwellings to improve the quality of life for those with disabilities (Release No 5)	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
29/01/2015	Cabinet Member - Following a competitive tender exercise, the award of a 3 year contract for the collection, counting and banking of cash from various Council sites, including libraries and young people's centres.	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Urgency)
06/02/2015	Capital Release - Various Disabled Facilities Grants to residents (Release No 7)	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)
17/02/2015	Capital Release - Adaptations to Council dwellings for disabled tenants (Adaptations Release No 6)	Leader of the Council. Cabinet Member for Finance, Property & Business Services (Special Urgency)

BACKGROUND PAPERS: Decision Notices

(ii) AMENDMENT TO COUNCIL CONSTITUTION

RECOMMENDATION: That the revised Protocol for Member and Officer Relations and Code of Conduct for Officers be approved for inclusion in the Constitution.

INFORMATION

1. The Constitution of the London Borough of Hillingdon sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Many of these processes are required by law, while others are a matter for the Council to choose.
2. The Constitution is reviewed on a regular basis to keep it up to date with legislative changes, best practice and to continue to meet the needs of the political interface, which is integral to the effective running of the Council. Accordingly, officers, in conjunction with the Leader of the Council, have taken the opportunity to review two documents contained within the Constitution which deal with the important matters of officer conduct and Member and officer relations, to ensure that they are up to date and fit for purpose:
 - i) Part 5C, Code of Conduct for Officers (Appendix A) - last reviewed in 2010. Similar to the Code of Conduct for Members (revised and adopted in 2012) this document is based on the Nolan Principles for standards in public life and governs the conduct, behaviour and professional responsibilities for officers as local government employees. The revised document has been the subject of consultation with the local Trade Unions.
 - ii) Part 5B, Protocol for Member and Officer Relations (Appendix B) - last reviewed in 2008. The working relationship between Members and officers is, of course, absolutely vital to the successful running of the Council as a whole and this document sets out the standards and expectations of mutual respect, understanding and co-operation between Members and officers.

FINANCIAL IMPLICATIONS

3. There are no direct financial implications arising directly out of this report.

LEGAL IMPLICATIONS

4. Under the terms of the Constitution, it is for full Council to decide whether or not to approve the proposed amendments.

(iii) MEMBERS' ALLOWANCES 2015/16

1. The Council is required to undertake an annual re-adoption of its Allowances Scheme and, in doing so give due regard to the recommendations made by the report of the Independent Panel on the Remuneration of Councillors in London. The last report by that body was published in June 2014 and, having given due regard to its contents, no change is proposed to the nature of the Allowances Scheme for 2015/16.

RECOMMENDATIONS: That:

- a) **the current Members' Allowances Scheme be revoked as of 31 March 2015 and the new Scheme for 2015/16 be approved, as shown in the Appendix C, for implementation from 1 April 2015.**
- b) **The Head of Democratic Services be authorised to increase the level of Basic and Special Responsibility allowances in line with any annual pay award to staff.**

INFORMATION

2. Regulation 10 Local Authorities (Members' Allowances) (England) Regulations 2003 requires re-adoption of the scheme by 31 March 2015.

FINANCIAL IMPLICATIONS

3. Provision has been made in the 2015/16 budget for Members' Allowances, although it is important to note this is based upon current posts being held by Members and those who occupy more than one post are only eligible to receive one Special Responsibility Allowance, normally the higher. It is therefore difficult to accurately estimate the true cost until after the Annual General Meeting in May when Members are confirmed or re-confirmed into posts receiving a Special Responsibility Allowance.

LEGAL IMPLICATIONS

4. The current scheme, which has been adopted by the Council, needs to be revoked as of 31 March 2015 and a new scheme, in accordance with the 2003 Regulations, has to be made before 31 March 2015. If it is not, any allowances paid to Members would not comply with the law and could therefore be challenged.
5. Before making or amending its allowances scheme, the Council is required, by virtue of Regulation 19, to have regard to the recommendations of an Independent Remuneration Panel. The latest recommendations made by the Panel in 2014 have been taken into account when making these recommendations.

BACKGROUND PAPERS: Report of the Independent Panel on the Remuneration of Councillors in London

CODE OF CONDUCT & OFFICER STANDARDS: OUR PROFESSIONAL RESPONSIBILITIES AS LOCAL GOVERNMENT WORKERS

Part One

1. INTRODUCTION

1.1. In the 2013 report of the Committee on Standards in Public Life, "Standards Matter"¹ Sir Christopher Kelly, KCB wrote -

"Standards of behaviour matter. They are particularly important where public money is being spent on public services or public functions. Citizens have a right to expect that holders of public office who take decisions which affect their lives should do so with impartiality, should be truthful about what they are doing and should use public money wisely."

1.2. At Hillingdon council we fully echo that view - and expect that employees will, at all times, act in accordance with the trust that our residents are entitled to place in us.

1.3. The first report of the Committee, back in 1995, established the seven principles of public life (the Nolan principles) and whilst some updating has taken place these remain the fundamental to the standards expected of those who hold public office.

2. NOLAN PRINCIPLES

2.1. The London Borough of Hillingdon is committed to these principles in everything that we do.

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

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

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

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

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

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

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

¹ [Fourteenth Report of the Committee on Standards in Public Life](#) Chair: Sir Christopher Kelly KCB

"Standards matter: A review of best practice in promoting good behaviour in public life." TSO, (The Stationery Office) Jan 2013

3. THE PRINCIPLES IN PRACTICE

- 3.1. The next section (Part Two) builds these principles into a Code of Conduct for employees. It is a condition of employment that employees read, understand and adhere to this Code. Failure to adhere to this Code can lead to under the Council's disciplinary policy and could, in some cases, lead to legal action.
- 3.2. This Code cannot cover every eventuality and is not an exclusive or exhaustive list of acceptable conduct at work. If you are unsure whether particular conduct or behaviour is acceptable at work, you must seek guidance from your line manager.

Part Two

CODE OF CONDUCT: OFFICER STANDARDS IN PRACTICE

4. OUR BEHAVIOUR AND CONDUCT

- 4.1. As officers of the Council we must be courteous and professional at all times with both residents and colleagues.
- 4.2. We also as employees have a responsibility to fully comply with the requirements of our contracts of employment including maintaining standards of attendance, conduct and performance.
- 4.3. If we fall short of the required standards actions can be taken in accordance with the Council's agreed procedures which could affect our continued employment.

5. OUR PROFESSIONAL IMAGE

Personal appearance

- 5.1. As officers of the council it is essential that we maintain an appropriate professional image which reflects our standing as public servants. This means that office based workers are generally expected wear conventional business dress.
- 5.2. Some workers who work outdoors or in front facing customer service roles may be expected to wear a specific uniform to wear as part of their role.
- 5.3. Those working directly with client groups may dress more casually when in these roles, but would be expected to wear business dress when attending office based meetings or when not "in the field".

[Standards of appearance](#) (link)

Drugs, alcohol & smoking

- 5.4. The Council operates a zero tolerance approach to alcohol and illegal drugs to minimise risks to safety and to ensure that work performance is not adversely affected.
- 5.5. Employees cannot consume any alcohol when due to start work, during working hours and during rest / meal breaks.
- 5.6. Illegal drugs must not be used or brought into the workplace.
- 5.7. Smoking at work or on council premises (including council vehicles and those on hire to the council) is prohibited and employees who breach this will be subject to disciplinary action. The same restrictions apply to agency workers and contractors.
- 5.8. Where employees wish to smoke, they can do so during their main meal break (but not during any scheduled or unscheduled breaks) and must do so away from council premises, grounds and vehicles.
- 5.9. Although the use of e-cigarettes is not unlawful, their use at any Council workplace is not permitted and this falls within the definition of 'smoking' for Council employees.
- 5.10. Support available to [stop smoking](#) or to deal with issues relating to [alcohol and drugs](#) is set out in the relevant policies.

Communications

- 5.11. It is important that we maintain a professional image in our communications with residents and partners. Attention to detail in our written communications and publications makes all the difference and the corporate branding and style are very important and must be followed.
- 5.12. Our residents are entitled to receive prompt and helpful responses to their queries whether in person, by telephone, letter or email or social media.

6. OUR ORGANISATIONAL REPUTATION

- 6.1. Integrity, objectivity and honesty are three of the Nolan principles which help us to maintain the trust and confidence placed in us by our residents.
- 6.2. There are many situations where officers of the Council have to pay special attention to ensure we meet our duties as holders of public office and these are detailed below.

ACCEPTING AND REFUSING GIFTS & HOSPITALITY

- 6.3. It is really important that as public sector workers we are seen to be impartial at all times and not open to any inducement or undue influence. This means that we have to be particularly careful in relation to any gifts that we are offered. This can happen when a resident receives good service and wants to say thank you, or at particular times of the year, such as Christmas, when suppliers may send small gifts as part of their corporate seasonal gift giving.
- 6.4. To help ensure that we achieve the right balance this guidance has been developed <link to Gifts & Hospitality>

CONFLICTS OF INTERESTS AND DECLARING THESE

- 6.5. Conflicts of interest can potentially arise in a variety of situations and a simple rule of thumb is "if in doubt declare it". Examples of situations where a conflict can arise are set out below, with distinctions between actions required.

(i) Financial interests

- 6.6. The Council enters into a huge number of contractual arrangements with suppliers and businesses, some very large and some small. There are some very important rules in relation to how these contracts are let and managed.
- 6.7. If as employees of the Council you have any financial interest in an existing contract or one that is being proposed it must be declared it as part of your conditions of employment.
- 6.8. Additionally, if your spouse, partner, relative or friend has financial interest in such a contract you must also declare that. This is so that we can take steps to ensure there can be no misunderstandings, or incorrect perceptions, that your position can or has influenced any decisions in relation to this contract.
- 6.9. These declarations must be made to the Borough Solicitor using this form and should also be declared to your line manager.

(ii) Non Financial interests

- 6.10. You don't have to have a financial connection to a business for a conflict of interest to potentially arise. If you are connected in any capacity to a body or organisation which works with the Council then you should declare this in writing to your manager to ensure that the matter can be considered and discussed and steps agreed to maintain your and the Council's reputation.

Family members & Personal relationships

- 6.11. As a large organisation which recruits a large numbers of staff, many from within the borough, it is inevitable that family members will be employed within the Council. To ensure there are no conflicts arising from this there are some basic ground rules that we must all follow.
- 6.12. Family members (this includes those in personal relationships) should not be involved in the line management, appointment, promotion, discipline or any other employment decision relating to another family member.
- 6.13. All candidates for roles in the council are asked to declare any personal or family relationships at application stage to maintain our principle of open and fair recruitment.
- 6.14. It is also understood that personal relationships can be formed between employees at work. Where this happens you must declare the relationship so that any current or future working arrangement can be considered to ensure that there is no management line or other conflict.

Other Employment

- 6.15. Taking on additional employment or running a business is another area where a conflict could arise with our Council employment. To be sure there is no conflict you will need to seek permission to take on other employment, and you must declare if you are running business. In terms of being granted permission to take on additional work, consideration will be given to your current role, your grade and the nature of the work you are seeking to do.
- 6.16. In all of the situations listed above your line manager will discuss potential conflicts with you and make a note of the discussion held and the arrangements or actions that have been agreed to manage the situation.

7. OUR RESPONSIBILITIES OUTSIDE OF WORK

Personal opinion

- 7.1. It is important that we ensure that our personal views and opinions cannot be misconstrued as representing the Council's views, so it is important that you do not promote your position as a Council officer in your private and personal life.
- 7.2. If you are asked to speak to the press in your capacity as a Council officer then you must obtain permission from your Director and seek advice from the Corporate Communications who will provide professional guidance on how to handle the enquiry.
- 7.3. If you speak as private individual on any matter with the press or other media then you must not associate yourself with the Council or say anything that could be misconstrued as representing the views of the Council.
- 7.4. If you are a trade union representative and you speak to the press on a trade union matter - then you must make very clear that you speak as a trade union representative and not as a Council employee.

Social media

- 7.5. The increased role of social media in our personal lives means that our views and opinions can reach a very wide audience. When using social media accounts in your personal life you should not at any time discuss matters relating to the Council, our residents or our policies. You should not identify yourself overtly as a Council officer and bear in mind that your friends are likely to be aware of your employment status.
- 7.6. If using more business oriented social media, such as LinkedIn, then you will naturally identify our employment status, this is of course acceptable, but please

ensure that you are accurate, using your correct job title and that any successes you cite are genuinely your own work.

[ICT Acceptable Usage Policy \(link\)](#)

8. OUR RELATIONSHIPS WITH ELECTED MEMBERS

- 8.1. Whilst officers and elected members are both holders of public office, our roles and responsibilities are quite distinct. It is important that we understand what this means in practice and comprehensive guidance on this is set out at <link to Protocol for Member & Officer Relations>
- 8.2. This guidance is an essential part of any new Council officer's induction and managers should make new entrants aware of the guidance at the earliest opportunity and be on hand to offer support and advice.
- 8.3. Soliciting elected members in relation to employment matters is strictly against our code of conduct for employees. Whilst there is nothing to prevent officers mixing socially with elected members, particularly in an informal work context, we must always strive to maintain our political impartiality and be aware of how such social contact may be perceived.

9. POLITICAL IMPARTIALITY

- 9.1. As well as showing political impartiality when dealing with elected members, which applies to all officers, there are a number of posts in council that are classed as "politically restricted". This means that if you are employed in one of these posts you are not allowed to stand as candidate for Local Council, Parliamentary or European elections, hold office in a political party, canvass at elections or speak or write in public on matters of party politics.
- 9.2. The list of politically restricted posts is maintained by the Head of Democratic services, and if you are appointed to one of these posts you will be advised of the restrictions.
- 9.3. For other officers, not subject to these restrictions, it is important that you do not carry out any political activity in a way that might lead the public to think you are acting as a Council employee which could represent a conflict of interest with the stated aims of the Council.

10. OUR RELATIONSHIPS WITH COLLEAGUES

Respect for others, dignity at work and preventing bullying and harassment

- 10.1. Employees of the council must at all times act in manner which displays respect for difference and treat colleagues and residents in accordance with their needs.
- 10.2. We expect everyone in the Council to work together in a mature and professional manner and show respect for each other. As an employer the Council takes its responsibilities towards protecting employees from unacceptable behaviour, including bullying and harassment in the work place very seriously.
- 10.3. Our [Bullying and Harassment Policy](#) sets out how we approach this and what you should do if you feel you are being subjected to unacceptable behaviour in the workplace, and how we deal with this.

Dealing with conflict and differences

- 10.4. Of course conflict and differences in opinion can arise from time to time, and in the majority of cases these can be resolved through open and constructive communication. Where this doesn't prove possible the Council has a Grievance Policy which employees can utilise.

Whistle blowing - matters of public interest

- 10.5. There are a variety of ways that employees can raise concerns that they may have in relation to the interests of the Council and residents. The most appropriate of these is to raise the matter with your line manager, Head of Service or Corporate Director. Where this is not appropriate and the matter is serious enough to be considered potentially in the public interest, then the Council does have a confidential reporting procedure which can be used. The aim of this procedure is to ensure that those raising these concerns in this way feel confident in doing so, and that those who do so in good faith and be assured that their concerns will be treated seriously and that they are protected in their actions.

Preventing fraud and corruption

- 10.6. The Council takes a zero tolerance approach to fraud and corruption whether it is attempted internally or externally.

11. OUR OBLIGATIONS TO OUR RESIDENTS

Confidentiality

- 11.1. Our residents are at the heart of everything we do. As Council officers we have a duty to ensure that the trust residents place in us is respected. This means that we have a duty to ensure confidentiality in all of our dealings with our residents and in all of our dealings with council contractors and suppliers. Council officers are often privy to confidential personal information as well as commercially sensitive information which should not be disclosed to others. Breaching confidentiality is a very serious matter and employees who do so be dealt with robustly by the Council.

Looking after data

- 11.2. As well as knowing a great deal about some of our residents we also have a lot of records and data which we are obliged to collect. The Data Protection Act governs how we use this data and how it is held and all Council employees must be aware of the requirements. Our information governance policies set out your responsibilities in this area and can be found here.

12. LOOKING AFTER AND USING COUNCIL ASSETS & RESOURCES

ICT equipment and telephones

- 12.1. All Council employees are supplied with the ICT equipment that they require to do their role and these range from desktops in the office to laptops, tablets and smart phones. Our staff have a responsibility to use this equipment only in accordance with the Council's policies which can be found here. Reasonable personal use of ICT equipment and systems is permitted provided it does not interfere with your work and it is being used only in accordance with the policy mentioned above.

Copyright

- 12.2. "Intellectual property", (software, ideas, documents etc) created during employment belong to the Council. All files, materials, the media upon which they

are located and all software programmes or packages which are utilised or developed solely for or in connection with the job shall remain Council property.

13. SUMMARY

This code of conduct sets out our general responsibilities as Council employees and is supplemented by a wide variety of policies many of which are referred to in this document. Not every policy is mentioned and it is important to remember that our contract of employment requires that we abide by all Council policies. Additionally we expect all employees to fully comply with statutory requirements and best practice including Health & Safety at Work, the Equality Act and other relevant legislation.

PROTOCOL FOR MEMBER AND OFFICER RELATIONS

Introduction

Mutual respect, understanding and co-operation between Members and officers are the greatest safeguard of the integrity of the Council. It can provide a framework within which Members and officers can work together for the benefit of the Borough, its residents and the people who work here.

Both Members and officers are servants of the public and they are indispensable to one another but their responsibilities are distinct.

The purpose of this protocol is to guide Members and officers in their relations with one another. It is to a large extent a written statement of practice and convention. It seeks to reflect the principles underlying the respective Codes of Conduct, which apply to Members / co-opted members and officers in requiring high standards of personal conduct.

This protocol also applies to any consultants, agency staff and contractors working for the Council who come into contact with Members.

Roles, responsibilities and expectations

Members are democratically elected and are responsible for the strategic direction, policies and the budget of the Council. Members have responsibilities to determine the policy of the Council, monitor its performance, represent the Council externally and act as advocates on behalf of their constituents. The Leader, Cabinet Members, Chairmen and Vice-Chairmen of Committees and Sub-Committees also have additional responsibilities.

Members are supported by officers who provide professional and managerial expertise in the running of the Council's business, carry out the services of the Council and implement any decisions made. Officers are responsible to the Council as a whole, though some staff will work specifically for the Party Group Offices.

What Members can expect from Officers:

- a commitment to the authority as a whole, the delivery of the Cabinet's policies, to all Councillors rather than an individual political group or groups
- respect, dignity and courtesy - working in partnership
- an understanding of and support for respective roles, workloads and pressures and awareness of and sensitivity to the political environment
- timely response to enquiries and complaints and regular, up to date information on matters
- professional advice, not influenced by political views or preference
- training and development in order to carry out their role effectively
- integrity, mutual support and appropriate confidentiality
- not to have personal issues raised with them by officers outside the agreed procedures or that officers will not advance their personal interests or to influence decisions improperly

- to at all times comply with the Constitution, Cabinet and Council's policies and the Council's Financial and Contract Rules and to act within the delegated powers afforded to them by Council, Cabinet, Cabinet Members or Committee.
- to comply with the formally expressed policies of the Authority and not allow their own personal or political opinions to influence their work.
- to at all times comply with the Code of Conduct for Employees and the rules governing gifts and hospitality for officers.

What Officers can expect from Members:

- a working partnership
- an understanding of and support for respective roles, workloads and pressures
- political leadership and direction
- respect, dignity and courtesy
- integrity, mutual support and appropriate confidentiality
- not to be subject to bullying, any other unacceptable/inappropriate behaviour or be put under improper pressure. Members should have regard to the seniority of officers in determining what are reasonable requests, having regard to the relationship between Members and Officers, and the potential vulnerability of officers, particularly at junior levels
- not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly
- to at all times comply with the Code of Conduct for Members
- to exercise any delegated powers in accordance with agreed policies as approved by the Council, the Leader, the Cabinet or a Council committee.

The working relationship

Cabinet Members and Officers

Officers should be conscious of the public and political mandate Cabinet Members have for the implementation of policies. Members of the Cabinet can collectively or individually take decisions and they are responsible for recommending or deciding the policies and the budget of the Council.

Once the Cabinet or Cabinet Member has taken a decision then the relevant Officer(s) must act on that decision and implement it within the agreed time scale.

Officers, when exercising their delegated powers on key matters, should maintain a close liaison with the relevant Cabinet Member and refer any proposed action to the Leader, Cabinet Member, or the Cabinet if so required by the Leader or the relevant Cabinet Member.

Only the Leader and Cabinet Members may individually direct officers to undertake a particular action or direct their work. Other Members may raise issues with officers and make suggestions in relation to them. Subject to the rules governing access to information, Officers should work with other Members to ensure they are well informed and receive feedback on issues raised. Other Members should not expect officers necessarily to implement any suggestions made.

Cabinet Assistants, undertaking project or other work on behalf of Cabinet Members, must seek the Leader's or Cabinet Members' formal approval before giving any

instructions to officers. Champions and Borough Advocates do not have any authority to instruct officers or take formal decisions of any kind, unless acting on the authority of the Leader.

Cabinet Members must respect the political neutrality of officers and officers must ensure that even when they are predominantly supporting the Cabinet that their political neutrality is not compromised.

Scrutiny and Policy Overview Committees and Officers

The Scrutiny and Policy Overview Committees may require officers and Members to attend and provide any information required to answer questions, particularly to review certain policy areas. It is the duty of officers or Members to attend and answer questions if the committees so request, provided that they are given appropriate notice and the opportunity to prepare. It will usually be the case, as set out in the Constitution, that only Heads of Service and other senior managers (3rd tier and above) attend meetings and answer questions and not junior staff.

Members of the Scrutiny and Policy Overview Committees should adopt an investigative (information seeking) approach to questioning rather than a confrontational one. Officers should provide relevant factual information and should never seek to conceal or 'improve' inconvenient facts, and more senior officers, or other Members should never attempt to persuade them to do so.

Whilst departmental officers will provide support and advice to both the Cabinet and Policy Overview and Scrutiny functions, they should ensure that there is no conflict of interest in the advice given to each of the functions. In particular, departmental officers should liaise closely with Cabinet Members in relation to information provided to Policy Overview Committees and fully respect the confidentiality of draft Cabinet reports or private briefings and discussions with Cabinet Members.

Ward Members

Ward Members should be kept informed and consulted on relevant matters affecting their ward, i.e. on planning, licensing and other relevant matters.

Visits to front-line services

Members should inform the relevant Head of Service in advance of such visits, who should also notify the relevant Cabinet Member for information. Members should, where at all possible, avoid unannounced visits to front-line services so as to not disrupt staff and services unreasonably.

Requests and Members' Enquiries

A Member is free to approach any Council Department to provide such information, explanation and advice about the Department's functions as may reasonably be required in order to assist with discharging his/her role. Such requests must be reasonable and will be met subject to any overriding legal considerations (determined by Monitoring Officer). If the recipient of any request considers the cost of providing the information requested or the nature of the request to be unreasonable, they will raise the matter with the relevant Corporate Director who will discuss the issue with the relevant Group Leader or, in the absence of a Group Leader, with the Member concerned. Where a Member requests

such factual information, that information will also be supplied to the relevant Cabinet Member, Chairman of the appropriate Committee or relevant Officers.

To assist Members in this matter, the Council operates a Members' Enquiries procedure of which Members are encouraged to make use. Details can be found on Horizon.

Correspondence

Correspondence between an individual Member and an officer should not normally be copied (by the officer) to any other Member. Where it is necessary to copy the correspondence to another Member, this should be made clear to the original Member. In other words, a system of "silent copies (bcc)" should not be employed.

Official letters on behalf of a Council service should normally be sent out under the name of an appropriate officer, rather than over the name of a Member. It may be appropriate in certain circumstances (e.g. representations to a Government Minister or local consultation invites) for a letter to appear under the name of a Member (normally Cabinet Member).

Officers attending Party Group meetings and advice

With the permission of the Chief Executive, senior officers may be called upon to attend Party Group meetings and support and contribute to their deliberations, provided they maintain a politically impartial stance. Officers should be required to give information and advice to political groups on matters relating to the Council's functions only and not on matters which are primarily issues of party politics or political strategy. Members should seek to avoid involving officers in any political debate. Officers should not attend, or be invited to attend, any political group meeting, which includes party political officials who are not Members.

Employment matters

Members and officers must not take any part in the appointment of anyone to whom they are married, a partner, otherwise related, a friend or a business associate. Members and officers must ensure that officers are appointed only on merit in line with the Council's recruitment and selection guidelines, with a view to their best serving the whole Council.

Officers should not seek to involve Members in employment and management issues and be fully aware that the proper channel for conveying their views is through their line management chain or through trade unions. Members should raise any matters arising from such approaches with the Chief Executive or relevant Corporate Director.

Raising a matter on behalf of a family member

Members must not use, or attempt to use, their position improperly to the advantage or disadvantage of themselves or anyone else, including family members. When raising a matter about a Council service on behalf of a family member, Members should not bring undue influence on an officer, service or department in order to have the matter looked into or resolved. If Members find themselves in such a position it is better to ask a fellow Ward Councilor to write or submit any matters on their behalf.

Social contact

Social contact between Members and officers in a work related context such as informal lunch/coffee or in a public setting such as a workshop, an opening ceremony or Christmas party can help break down barriers between Members and officers and assist developing good working relations.

There may be situations in which Members and officers meet in a social situation outside work because of mutual friends or relations or because of Membership of the same clubs or organisations. There is nothing to prevent such social contact but the principles on information disclosure and impartiality should be applied no less strictly than at work. Regular social contact outside work also needs to be carefully monitored by both the Member and the officer not just to maintain impartiality but also to be aware of how the contact might be perceived by others.

Close personal relationships

Close personal relationships between Members and officers should be avoided if the individuals concerned have to deal with each other in their work within the Council. This applies particularly to senior officers whose duties involve working closely with Members.

If such a relationship develops the Member concerned should advise the relevant Chief Whip who will discuss the situation with the Chief Executive or relevant Deputy Chief Executive / Corporate Director who will consider whether there is reasonable doubt about whether the officer can continue to act in a wholly impartial manner. Officers who find themselves in this position must inform their line manager who will ensure that their role in the Council is not called into question by a close and personal relationship with an elected Member.

Conduct and performance

If a Member is concerned about the conduct of an officer, he/she should first report such a concern to the Head of Democratic Services, Chief Whip or Leader of the Group. They will then consider the concern and, if necessary, notify the relevant Corporate Director or Head of Service who will decide what action to take. If the concern relates to a failing in the officer's performance it will be appropriate for this to be dealt with by means of a performance review between the officer and their manager.

The poor conduct or performance of an individual officer must not be discussed at a Council, Cabinet or Committee meeting until a decision has been made to exclude the press and public. This does not preclude a Member from making public at a meeting or in another appropriate way a concern about the manner in which a Council department has acted or performed. Nor does it prevent Members at a meeting being critical of officer advice or action or of the quality of reports provided that such criticism is not personally directed at an individual who has no way of responding.

If an officer is concerned about the conduct of a Member, he/she should report such concern to the Head of Democratic Services, the Chief Executive or Monitoring Officer. Unlike for officers, the Council's Whistleblowing Policy does not cover Members.

Support Services and ICT to Members

The Council provides support services (e.g. stationery, typing, printing, photo-copying, transport, etc.) to Members to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business.

In the case of computer facilities, whilst they should never be used in connection with party political or campaigning activity, if Members make a contribution, at a rate agreed by the Council then they are able to use the facilities for personal use. The ICT Usage Policy for Members contained in Part 5 E of the Constitution gives further guidance.

MEMBERS' ALLOWANCES SCHEME 2015/16**1. Introduction**

In accordance with Local Authorities (Members Allowances) England Regulations 2003 No. 1021 (as amended) the London Borough of Hillingdon makes the following scheme: -

2. Basic Allowance

For 2015/16 an allowance of **£10,819.25** will be payable to all Councillors. This figure will be increased each subsequent year in line with the annual Local Government Pay Settlement and it will be paid in equal monthly instalments. The basic allowance includes intra borough travel and subsistence costs.

3. Special Responsibility Allowances

Special responsibility allowances of the following amounts shall be paid in equal monthly instalments to Councillors holding the following responsibilities:

	(£)
1. Mayor	21,756.36
2. Deputy Mayor	8,484.84
3. Leader of the Council	53,828.88
4. Deputy Leader of the Council	45,344.04
5. Chief Whip of Largest Party	21,756.36
6. Cabinet Member	37,919.88
7. Chairman of Scrutiny and Policy Overview Committee	21,756.36
8. Chairman of Planning Committee	21,756.36
9. Chairman of Licensing Committee	9,198.00
10. Vice Chairman of Licensing Committee	6,132.00
11. Chairman of Standards Committee	3,066.00
12. Standards Committee Independent Person	1,533.00
13. Chairman of Audit Committee*	2,916.86
14. Champion	5,594.76
15. Council representative on Adoption and Permanency Panel	12,264.00
16. Cabinet Assistant	8,484.84
17. Leader of 2 nd Party	21,756.36
18. Deputy Leader of 2 nd Party	5,594.76
19. Chief Whip of 2 nd Party	5,594.76
20. 2 nd Party Lead on Scrutiny and Policy Overview Committee	5,594.76
21. Party Lead on Planning Committee	5,594.76

* Where a non-Councillor is Chairman or Vice Chairman a co-optees' allowance is payable as set out in the Scheme under section 9.

Special Responsibility Allowances will be increased each subsequent year in line with the annual Local Government Pay Settlement.

4. Limit on Payment of Special Responsibility Allowances

Individual Councillors may not claim a special responsibility allowance for more than one position for which they qualify.

5. Renunciation

Councillors may elect to forego any of their entitlement to an allowance under the scheme by giving written notice to the Corporate Director of Finance.

6. Part-Year Entitlements

(a) This paragraph regulates Councillors' entitlement to allowances where the scheme is amended during the course of the year or where an individual ceases to be a Councillor or accepts or relinquishes a position of special responsibility.

(b) If an amendment to this scheme is made during the year to which it refers and changes the amount which a Councillor may claim in basic allowances the annual entitlement shall be calculated using the following method:-

Annual entitlement to basic allowance	=	Days at unamended rate divided by 365	X	Annual payment at unamended rate	+	Days at amended rate divided by 365	X	Annual payment at amended rate
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(c) Where the term of office of a Councillor begins or ends part way through the year the annual entitlement to basic allowance shall be calculated using the following method:

Annual entitlement to basic allowance	=	Days as a Councillor divided by 365	X	Annual rate of allowance
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(d) Where this scheme is amended during the year to which it refers the annual entitlement to basic allowance of Councillors beginning or ending their term of office part way through the year shall be calculated using the following method:

Annual entitlement to basic allowance	=	Days as a Councillor during unamended scheme divided by 365	X	Annual payment at unamended rate	+	Days as a Councillor during amended scheme divided by 365	X	Annual payment at amended rate
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(e) Where Councillors hold positions of special responsibility during part of the year their annual entitlement to special responsibility allowance shall be calculated using the following method:

Annual entitlement for special responsibility allowance	=	Days holding position of special responsibility during unamended scheme divided by 365	X	Annual payment at unamended rate	+	Days holding position of special responsibility during amended scheme divided by 365	X	Annual payment at amended rate
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7. Out of Borough Travelling and Subsistence Allowances

Councillors shall be entitled to claim for out of borough travelling allowances incurred in undertaking approved duties as agreed in advance by the Council.

The out of borough car mileage allowance for Councillors shall be paid at the same rate as those paid to officers for the Standard Mileage User Allowance.

The amounts paid for out of borough subsistence shall be in accordance with the maximum levels laid down from time to time by the Department for Communities and Local Government but claims may only be made for approved duties.

8. Dependent / Carers Allowance

A dependent / carers allowance shall be payable at the National Minimum Wage for Adults hourly rate based on the following criteria:

- payments should be subject to a maximum weekly payment, equivalent to seven-and-a-half hours of care per week;
- the maximum rate should be set locally to reflect local costs, in accordance with social service departments levels;
- payment should be claimable in respect of children aged 15 or under or in respect of other dependants where there is medical or social work evidence that care is required;
- only one weekly payment should be claimable in respect of the household of each Member, except in special circumstances to be judged by the Council's Standards Committee;
- the allowance should be paid as a reimbursement of incurred expenditure against receipts;
- the allowance should not be payable to a member of the claimant's own household and;
- any dispute as to entitlement and any allegation of abuse should be referred to the Council's Standards Committee for adjudication.

9. Co-optees' Allowances

Where a co-optee and non-Councillor is the Chairman of the Audit Committee, an annual entitlement allowance of £2,916.86 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. Where a co-optee is an Independent Person on the Standards Committee an annual entitlement allowance of £1,533 may be paid. Where a co-optee is one of the three statutory education co-optees on the Executive Scrutiny Committee, an annual entitlement allowance of £408.80 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. These allowances will cover expenses, such as travel and subsistence, related to the duties of the postholder.

10. Claims and Payments

- (a) All claims for out of borough travelling and subsistence and carers allowances must be submitted within two months of the date of the approved duty to which they relate, made on the standard form as used by officers and returned to the Head of Democratic Services.

- (b) Payments shall be made in respect of basic and special responsibility allowances subject to sub-paragraph (c) below in Instalments of one twelfth of the amount specified in this scheme on or before the 15th of the month direct to each Member's bank or building society account.
- (c) Where the payment of allowances in one-twelfth instalments would result in a Councillor receiving more than he or she is entitled to because of a part year effect (as defined in paragraph 9 above) the payment shall be restricted to the annual entitlement.

11. Withholding Members' Allowances

Where there has been an adjudication, which suspends or partially suspends a Councillor from office following a breach of the Code of Conduct, the Council may withhold all allowances paid to that Councillor with immediate effect.

12. Records of Allowances and Publicity

In accordance with the 2003 regulations a detailed record will be kept of the name of the recipient and the amount and nature of each payment made. This will be available for public inspection at all reasonable times or copies supplied following the payment of a reasonable fee.

As soon as is reasonably practicable after the end of the municipal year to which the scheme relates the total sum paid to each recipient in respect of basic allowances, special responsibility allowance, dependant carers allowance and out of borough travelling and subsistence allowance will be published on the Council's website and local newspaper.

13. Independent Remuneration Panel

Hillingdon Council has had regard to the recommendations made by the Independent Panel for the Remuneration of Councillors in London in developing its Members' Allowances Scheme.