

Members' introductory guide to the council 2014

May 2014

www.southwark.gov.uk

Introduction

Welcome to Southwark Council. As a newly elected or returning councillor, you will officially take up office as councillor on the fourth day after the election, Tuesday, 27 May 2014.

Here is some of the key information you will need in your first few weeks. More detail will be provided via the member induction and training programme, and is also available on the council's website and intranet called "The Source". Some of key links to the website are flagged up for you.

The induction programme is designed to support you as a new or re-elected Southwark councillor. The material has been prepared to give you a guide to your role, the council and the borough, and will form a foundation on which to build your knowledge. The programme includes a wide range of training sessions, some of which are mandatory such as conduct and members' interests, and others are discretionary. We would encourage you to attend as many sessions as you can and we have timetabled sessions at different times of the day to make them as accessible as possible.

Getting started

There will be a lot to take in during the first few weeks, some of which will be confusing. Here are a few of the tips from a group of people who have been there before to help you through that time.

- Find a mentor; other councillors have been here before
- Get organised; get used to making notes
- Your work as a councillor will impact on your family; try and prepare them for this
- Don't promise too much too soon; don't make promises you might not be able to keep
- Tell your employer about your election as soon as possible
- You'll need to get used to the language of local government; ask questions if anything is unclear
- Expect to have to make some difficult decisions and deal with conflicting demands; some of which may not be popular
- Don't just listen to the loudest; some people are less confident about getting their views known.

A member's role - what to expect

Councils are led by democratically elected councillors who set the vision and direction of the council. They represent their ward and the people who live there and are also involved with individuals and groups with a range of problems and priorities.

The councillor's role and responsibilities include:

- representing a ward, acting as an advocate on behalf of constituents
- deciding the policy of the council that determines how services are delivered to Southwark communities
- monitoring its performance
- taking part in decision making, including regulatory and quasi-judicial functions such as planning and licensing
- developing and reviewing council policy
- scrutinising decisions taken by the councillors on the executive or cabinet
- representing the council externally.

Some of the important roles are set out below.

Taking part in decision making – Councillors make decisions at the council's meetings. The decision-making process is as open and transparent as possible to enable residents to participate and to understand the reasoning behind those decisions. Cabinet members also take decisions related to their area of responsibility.

Planning and licensing decisions – Councillors taking planning and licensing decisions as members of the planning and licensing committees have very specific responsibilities because they act in a quasi-judicial role, i.e. taking decisions in a non-political way based on council policy, having considered any representations received and officer advice in a report. Members are required to undergo comprehensive training in order to take these decisions and to do the job effectively.

Representing wards: Surgeries – Members are elected to represent constituents; the traditional way of finding out what needs to be done is to hold ward surgeries. Most councillors hold regular drop-in surgeries at fixed venues, such as community centres or tenants halls. Other councillors have opted to have a "mobile surgery" in their ward, where councillors will visit a part of the ward each month. Surgeries are a chance for residents to meet you and discuss their problems or concerns. It is your choice whether to hold a ward surgery and if so, where and when. However, you need to bear in mind the following when choosing surgery venues:

- They must be within the geographical area of your ward
- The council has a list of approved premises
- Officers cannot be in attendance
- Any fee for the hall hire will be paid directly to the organisation by the council
- You need to ensure that you are keeping yourself safe at all times.

You may also need to spend time visiting constituents in their homes.

Representing wards: Casework - Problems and issues raised by constituents with members are known as casework. These come through surgeries, letters, phone calls, emails, responses to leaflets, door-knocking, and meeting constituents while out and about. These should be logged using the council's member enquiries

service by calling 020 7525 2209 or emailing membersenquiries@southwark.gov.uk. These will be assigned to the appropriate team, who will investigate and respond, generally by email.

When dealing with casework or council business you may need to meet with council staff. These meetings, and any visits to council offices, may need to take place during the working day.

Political group – If you are a member of a political party you will also be expected to attend political group meetings, party training and other events.

Member support

All councillors, whether it is your first time as a councillor or if you are returning to public office, will be offered a package of information technology (IT). This is set out in more detail in one of handouts provided.

Where a member is using or accessing the council's resources, s/he must ensure such resources are not used for any unauthorised or political purpose. Members must not use any computer equipment and systems supplied by the council to conduct any business activity other than for their role as a councillor.

Guidance on the use of information technology and the use and care of equipment can be found in the member and officer protocol and communication protocol in the council's constitution.

Further information

The induction programme includes a more detailed session on member enquiries.

Further information is also available from:

Zoe Bulmer Customer Resolution Manager
Member Enquiries
Email zoe.bulmer@southwark.gov.uk
Phone: 020 7525 3128

Member enquiries Email: membersenquiries@southwark.gov.uk
Phone: 020 7525 2209

IT queries Capita Service Desk
Email: servicedesk@southwark.gov.uk
Phone: 020 7525 7500

The constitutional team provides a range of member services to assist members in their role as community representatives, including providing business cards, ward surgery venues, and arranging for ward surgery posters.

Member services Phone: 020 7525 7528, 020 7525 7272

Members' interests

Southwark code of conduct

Standards of conduct

All councillors must observe the code of conduct whenever they are acting as a representative of the council or are conducting council business. General obligations include equal treatment, non-disclosure of confidential information and not bringing the council into disrepute.

The council has a duty to promote and maintain high standards of conduct by members, and has adopted a code of conduct. A copy of Southwark code of conduct is included in the constitution and available on our website.

Key principles

The key principles of the code of conduct are that members should:

- Act selflessly in the public interest and not for their own gain
- Perform their duties with integrity
- Be objective and take decisions on merit
- Be accountable for their decisions and actions
- Take decisions and perform actions openly
- Act honestly, declaring private interests which relate to their public duties
- Promote all these principles through leadership and example.

Councillors should consider also their obligations under other statutory provisions, such as the Data Protection Act 1998, the Freedom of Information Act 2000 and the Equality Act 2010. The member induction programme includes further information about these principles, and how to apply them.

Declaration of interests

Councillors must register any pecuniary interest on being first elected. Members who have been re-elected must register any new interests not already recorded in the register and also check their existing entry. Within 28 days of election, members are required to register their financial and various other interests in a register maintained under section 81(1) of the Local Government Act 2000 by providing notification to the council's proper constitutional officer.

Subsequently members are required to keep the register updated within 28 days of any change occurring.

The council maintains an on-line register of these declared interests and this register is administered by the proper constitutional officer. Councillors can update it on-line. The register is open for public inspection and available on the council's website. The declared interests are included in each councillor's individual page on the council website.

Councillors can update the register of interests online, and guidance on how to do this is available on the council's website in the member information folder. This is also available on request in a paper version. If you have any questions, please refer to the constitutional team on 020 7525 7055.

What interests should I disclose?

Members have a duty to disclose any pecuniary interests of themselves and their spouse, civil partner or partner. These are called “disclosable pecuniary interests”.

These are:

- Employment or trade (who pays your and your partner’s wages)
- Any sponsorship or payment to support a member's public duties or towards election expenses (including trade union payments and other sponsorship)
- Contracts with the council (if you, your partner or the business you work for or have an interest in is under contract to do work for the council)
- Any land owned or tenancy granted (where you live, and your tenancy status)
- Licences (to occupy land in the borough for a month or longer)
- Corporate tenancies (non-residential space where the council is your landlord)
- Securities (where you or your partner own at least 1% or £25,000 worth of securities in an organisation which has a place of business or land in the borough).

The council has also agreed that councillors should declare the following personal interests:

- Memberships of charitable boards, political interest groups, school governorships and similar.

Declarations of interest at meetings

At the start of each meeting there is an opportunity for committee members to declare any disclosable pecuniary interest that they may have relating to any item of business on the agenda for the meeting. If, subsequently, the discussion takes an unexpected turn, you can make a declaration as soon as it becomes apparent to you that an interest might arise. Declarations of interest are recorded in the minutes of the meeting.

Where a member is present at any meeting/committee which is considering business in which the member has a disclosable pecuniary interest, the member cannot participate in discussion or vote on that matter, unless a dispensation has been granted. Dispensations are granted by the monitoring officer. If the interest has not already been entered on the register, the member must give notification of the interest.

Failure to disclose a pecuniary interest

Failure to disclose a pecuniary interest without reasonable excuse, participating in discussion or voting on a matter in which a member has an interest, or knowingly or recklessly providing false or misleading information in relation to an interest, is a criminal offence.

Gifts and hospitality register

Members must also declare any gifts or hospitality over the value of £50 received when they are acting in an official capacity within 28 days of receipt. The gifts and hospitality register is a public document and can be viewed on in each councillor’s

individual page on the council's website. This is administered by the constitutional team (contact: proper constitutional officer).

Bias and pre-determination

As well as considering declaration of interests, councillors should also consider any existence of bias and/or pre-determination prior to participating in decision making. This might be related to where you live, membership of an organisation or any views you have expressed publicly on an issue. This can sometimes be a complex issue and you should always seek advice from the monitoring officer, or officers at a meeting if you are uncertain.

Broadly speaking, there are two types of bias:

- 'Actual' bias, where the decision-maker has a personal interest in the outcome. In such a case, the decision must be quashed unless the interest was so small that it could have played no part in the swaying the decision-maker's mind.
- 'Apparent' bias, where the circumstances are such that a "*fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility of bias.*"

A member is considered to have "pre-determined" a decision if they have already made up their mind and therefore have a fixed view. A councillor may have a "pre-disposition", i.e. a provisional view or leaning, so long as when they arrive at the council meeting they declare that their view is not fixed and they are able to consider the business in a clear and open way. Generally speaking the monitoring officer will advise councillors that the appearance of any bias should be best avoided and in such cases councillors should not participate or vote in decision making. If in doubt members should consult the monitoring officer.

Member and officer protocol

The protocol sets down the principles and procedures, which have been jointly agreed by officers and members to guide their joint working in the public interest. The protocol can be found in part 6 of the council's constitution.

Officers are responsible to the council. Their job is to give full and impartial advice to councillors and the council, and to carry out the council's work under the direction and control of the council, its cabinet, committees and sub-committees. Officers should endeavour to give every assistance to members carrying out their various roles. Officers have a duty to keep members of all political groups fully informed about developments of significance in relation to council activities.

It must be remembered that officers within each department are accountable to their chief officer. Chief officers through their senior management are responsible for the allocation of work to, and the prioritising of work by, their staff. Members should direct any other general enquiries to staff through senior management, or if the matter is routine at least keep a senior manager informed by copying the manager in on correspondence or emails.

Mutual trust and respect should be the key aim of both members and officers, as it is essential for good local government.

The protocol includes advice on some of the issues that commonly arise in council life, such as:

- Member/officer relations, including definitions of officer and member roles
- Visits to front-line services by members
- Reports and officer advice
- Support services for members
- Using and caring for council equipment
- Members' access to information and Freedom of Information Act 2000.

Communication protocol

The protocol applies to all publicity issued or produced and paid for out of the council's resources. The protocol also applies to materials issued by organisations that are either wholly or partly separate from the council but which use council's grants or other funding from the council to produce the publicity. The protocol can be found in Part 6 of the council's constitution.

It includes advice on:

- The legal framework for council publicity
- Publicity of individual councillors
- Ward members – invitations to local public meetings and events
- Official visits by government and shadow ministers
- Key council spokesperson
- Councillor's correspondence, postage, emails and internet access.

Further information

A more detailed training session will deal with the code of conduct, interests and bias and pre-determination.

Further information is also available from:

Doreen Forrester-Brown Monitoring Officer
Head of Legal Services
Email: doreen.forrester-brown@southwark.gov.uk
Phone: 020 7525 7502

Norman Coombe Deputy Monitoring Officer
Deputy Head of Legal Services
Email: norman.coombe@southwark.gov.uk
Phone: 020 7525 7678

Ian Millichap Proper Constitutional Officer
Constitutional Manager
Email: ian.millichap@southwark.gov.uk
Phone: 020 7525 7225

The council and decision making

Powers and duties of the council

Local councils vary widely in terms of their style, political leadership and approach to delivering these central government programmes, and it is here that your local knowledge and commitment could make a real difference. A large proportion of the work councils do is determined by central government.

In law, the council exists because Parliament created it, and then gave it powers (the ability to do something) and duties (areas where it must take action). Powers and duties may be given to:

- The council as a whole. Often these powers can be delegated to committees or to officers.
- The leader of the council exercises executive powers and duties, which he may delegate to cabinet, individual cabinet members, local area committees or officers.
- Individual bodies within the council (e.g. the licensing committee, the overview and scrutiny committee).
- Individual officers (e.g. the monitoring officer, or chief finance officer). These are called 'proper officer' functions.

A complex range of Acts of Parliament, regulations and orders from central government and case law from the courts set the framework within which the council operates and this is reflected in the council's constitution.

The council's constitution

The constitution is the written legal document that guides the council on its decision making processes. The legal framework for the constitution is agreed by central government. It provides a basis and framework for the councillors and officers to work within, and ensures honesty, accountability and lawful decision making.

Southwark Council has agreed a constitution which sets out how the council operates, how decisions are made and the procedures which are followed to ensure that the decisions are efficient, open, and accountable to local people. Some of these procedures are required by law; others are a matter for the council to choose. The constitution may be amended from time to time according to the law and the opportunities contained in the constitution for making such changes.

Decision making and who should take decisions

The council is made up of a number of levels of decision making. These are summarised below.

Council assembly

Council assembly (sometimes known as "full council") is the meeting of all 63 elected councillors, which is the 'sovereign body' of the council. Council assembly is chaired by the Mayor of Southwark.

Council assembly is responsible for approving the budget, setting the council tax, developing policies, making constitutional decisions and deciding on local legislation.

The annual meeting (mayor making) on 7 June 2014 will appoint a new Mayor. On 11 June 2014 the annual meeting (constitutional meeting) will appoint the leader of the council and establish the council's committees for 2014/15.

The leader of the council

Southwark has what is known as the strong leader and cabinet arrangement of political management. The main elements of the 'strong leader' model are:

- Once elected by full council the leader of the council continues in office for four years (or a shorter term if agreed by the annual meeting), unless removed by resolution of full council
- The leader is able to choose the cabinet, which must include at least two other councillors
- The leader is responsible for all executive functions, i.e. developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis
- The leader decides which of those functions should be delegated to the cabinet as a whole, other cabinet members, community councils or council officers.

The leader will normally announce the scheme of delegation of executive functions at the annual meeting when appointing the cabinet members. The strong leader can also at any time vary the delegation of executive functions to change who would take a decision in a number of ways including a resolution agreed by the leader at a cabinet meeting or via a notice of variation which is circulated to all councillors.

The cabinet

The cabinet is formed of the leader plus between two and nine appointed councillors, each holding a special 'portfolio' of responsibility. The role of the cabinet is to:

- lead the community planning process and search for best value, with advice from overview and scrutiny committees, community councils and any other appropriate people or organisations
- draft the budget and policy framework to be approved by council assembly
- take decisions on resources and priorities, together with local people and agencies in the community, to deliver the budget and policies as approved by council assembly
- oversee the services delivered by the council
- make sure that consultation on the development of the council's policy framework, other important documents and key decisions is carried out
- be the means of forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.

The full cabinet meets monthly, normally at 4.00pm.

Overview and scrutiny committee

Scrutiny committees take a close look at council decisions and activities and call for the council to be open and accountable. They examine services provided by the council and review the council's budget and policies. The overview and scrutiny committee has particular responsibility for looking at the work and decisions of the

executive. As well as the close examination of councillors, it can also involve the community and interested parties.

Other committees

Southwark has a number of committees covering the following areas: planning, standards, licensing, audit and governance, and corporate parenting. The committees tend to make decisions on matters which are, for example, either subject to a separate and specialised statutory regime (such as planning committee) or require an evaluation of the merits of an application (as in licensing committee). Each political group will appoint councillors to its places on the council's committee. The number of places on committees will be approved at the annual meeting.

Community councils

Community councils are a focal point for discussion on local matters. Local councillors elected to represent the area sit on the community councils and take decisions relating to key local areas such as the cleaner, greener, safer capital and revenue programmes, traffic management, community council fund and agreeing schemes for the community project bank. Community councils also offer an important mechanism for formal consultation on council wide policies and strategies.

The membership of community councils includes those councillors who are members for the electoral wards wholly or partly contained within the area of each community council. Community councils meet in local venues around the borough. Community councils are defined in legislation as "area committees".

Funding

The council's activities are mainly funded through payments from central government and the collection of council tax, although council tax makes up about a third of the council's income.

Partnership working

Councils now deliver much of what they do in partnership with other councils, services and agencies, so as a councillor you may have opportunities to sit on partnership boards or committees for health, community safety or regeneration.

Councils have additional responsibilities such as improving the health and wellbeing of local people through joint working with health services. Another important responsibility is community safety and crime reduction, achieved through partnership working with the police and voluntary and community groups.

Further information

The introduction to the council's constitution provides a fuller summary of the decision-making processes. Part 3 of the council's constitution gives guidance on which body or person in the council should take a particular decision.

The induction programme includes more detailed training sessions on council decision making, scrutiny committees, planning, licensing and community councils. Specific training is also aimed at chairs of committees.

The following officers play important roles in overseeing and administering the council's governance arrangements:

Doreen Forrester-Brown	Monitoring Officer Head of Legal Services Email: doreen.forrester-brown@southwark.gov.uk Phone: 020 7525 7502
Norman Coombe	Deputy Monitoring Officer Deputy Head of Legal Services Email: norman.coombe@southwark.gov.uk Phone: 020 7525 7678
Shelley Burke	Head of Overview and Scrutiny Email: shelley.burke@southwark.gov.uk Phone: 020 7525 7344
Ian Millichap	Proper Constitutional Officer Constitutional Manager Email: ian.millichap@southwark.gov.uk Phone: 020 7525 7225
Constitutional team	Email: constitutional.team@southwark.gov.uk Phone: 020 7525 7055

How the council is organised

The council is made up of a number of departments with specific responsibilities for delivering discrete services. Each department is managed by a strategic director, also known as a chief officer. The full team is:

- Eleanor Kelly – Chief Executive
- Romi Bowen – Children’s and Adult Services
- Deborah Collins – Environment and Leisure Services
- Gerri Scott – Housing and Community Services
- Duncan Whitfield – Finance and Corporate Services.

Other posts

A number of other posts are critical to the council’s governance. These include:

Head of paid service

The chief executive is responsible for the overall management and operation of the council and fulfils the statutory role of head of paid service. The chief executive is appointed by council assembly.

Chief finance officer

The council's chief finance officer is Duncan Whitfield, the strategic director of finance and corporate services, who is responsible for ensuring effective financial management across the council.

The chief finance officer is appointed under section 151 of the Local Government Act 1972. Section 151 specifies that every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs.

The finance and corporate services department is responsible for setting standards and providing strategic financial advice, direction and support to the council.

Monitoring officer

The council's monitoring officer is Doreen Forrester-Brown, the director of legal services. The monitoring officer is responsible for ensuring that everything the council does is fair and lawful.

A complete list of statutory posts appears in the council’s constitution.

Contact

Eleanor Kelly
Chief Executive
Head of paid service
Email: eleanor.kelly@southwark.gov.uk
Phone: 020 7525 7171

Romi Bowen
Strategic Director of Children’s and Adult Services
Email: romi.bowen@southwark.gov.uk
Phone: 020 7525 0338

Deborah Collins

Strategic Director of Environment and Leisure
Email: deborah.collins@southwark.gov.uk
Phone: 020 7525 7630

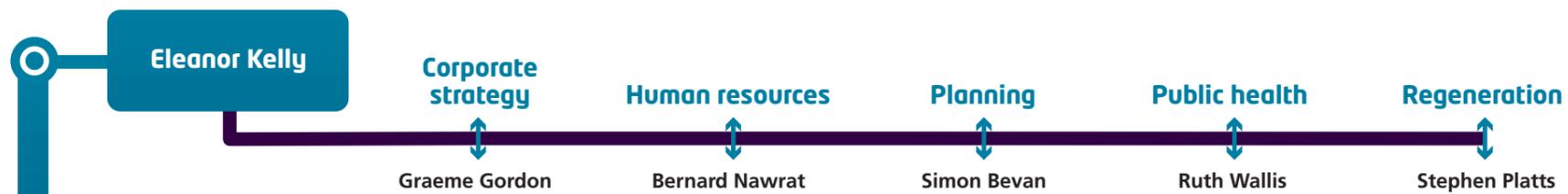
Gerri Scott

Strategic Director of Housing and Community Services
Email: gerri.scott@southwark.gov.uk
Phone: 020 7525 7464

Duncan Whitfield

Strategic Director of Finance and Corporate Services
Chief finance officer
Email: duncan.whitfield@southwark.gov.uk
Phone: 020 7525 7180

Chief executive's department



Children's and adults' services



Environment and leisure



Finance and corporate services



Housing and community services



Organisation chart

May 2014

What next – May/June 2014

Tuesday 27 May 2014

Newly elected councillors officially take up office.

Tuesday 27 May – Thursday 29 May 2014

Member I-Days – Council Offices, 160 Tooley Street, SE1 2QH

Tuesday 27 May	6.00pm to 8.30pm
Wednesday 28 May	9.30am to 12.00 noon
Wednesday 28 May	6.00pm to 8.30pm
Thursday 29 May	9.30am to 12.00 noon

The I-Day sessions aim to give you the information and equipment you need to get set up including:

- sign the declaration of acceptance of office
- photograph taken by a professional photographer for official use including on posters, on the council website and in other official council publications
- collect a Blackberry device for making phone calls on council business and for secure mobile access to the council's email system
- receive details of council log-in to allow access council IT systems
- receive a council identification and access pass
- sign up to events and activities in the member induction programme
- be provided with further information on the council's rules and procedures
- have an opportunity to meet senior council managers and ask questions.

Monday 2 June 2014

Group meetings.

Saturday 7 June 2014

11.00am: Annual Meeting to appoint Mayor and award civic awards (event held jointly with Southwark's Civic Association) – Southwark Cathedral.

Monday 9 June 2014

Group meetings.

Wednesday 11 June 2014

7.00pm: Annual Meeting (Constitutional Meeting) – This meeting will appoint a new leader of the council and establish committees for 2014/15. Following the annual meeting, committees will meet for a short period to establish sub-committees.

Saturday 14 June 2014

Training and induction programme commences.

Monday 23 June 2014

Committee cycle commences.

Tuesday 24 June 2014

Within 28 days of election, members are required to register their financial and various other interests by providing notification to the authority's monitoring officer.

Note: Members are also required to keep the register updated within 28 days of any change occurring.

Where to find information

Useful contacts and links

Useful links and further information

The council's website: www.southwark.gov.uk

Meeting agendas, minutes and web library: <http://moderngov.southwark.gov.uk>

Council calendar:

<http://moderngov.southwark.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

Council's constitution:

http://www.southwark.gov.uk/info/200492/who_we_are/375/councils_constitution

Member information (located in the Library):

<http://moderngov.southwark.gov.uk/ecCatDisplay.aspx?bcr=1&sch=doc>

Member Services – Support available to assist members in role as community representative including business cards, ward surgery venues, ward surgery posters. Contact them on 020 7525 7528 or 020 7525 7272, Monday to Friday 9am to 5pm.

Complaints process: <http://www.southwark.gov.uk/complaints>