

Appendix

PART 2 - Procedural Rules

BRENT COUNCIL STANDING ORDERS

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28 Council Tax Setting

- (f) Any amendment proposed to be moved to the recommendations in the report under (c) above must be set out in writing to the Deputy Director of Democratic Services by 5.00pm on the previous working day.

30 Ordinary Meetings

- (h) Deputations
To enable deputations by Members of the public in accordance with Standing Order 32.
- (i) Questions from members of the public
To enable questions from members of the public to be put to members of the Cabinet in accordance with Standing Order 33.
- (j) Petitions
To enable members to reference petitions received and for there to be a debate on a petition which attracts more than 200 signatures in accordance with the Council's petition rules and Standing Order 66.
- (k) Motions
To debate Motions selected by the groups in accordance with Standing Order 41
- (l) Annual report from the Leader on the borough under Standing Order 38 (if applicable)
To receive an annual report on the borough from the Leader in accordance with Standing Order 38.

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41 Motions

- (a) Members may put motions to council. No motion may exceed 500 words in length.
- (b) A maximum of 4 motions will be put to Council at any one meeting (two by the administration group and one by each of the opposition group) which will be debated.

42 Rules Of Debate For Meetings of Full Council

(a)* Any motion or amendment to a motion may be moved without notice (except as provided in Standing Order 28 and Standing Order 41) but must relate to an item of business specified in the summons for the meeting.

(i) A member may rise to raise a point of order or make a personal explanation. A point of order shall be confined to an assertion that a breach of these Standing Orders or of the law has occurred. ~~but a~~ personal explanation shall be confined to some material part of a former speech by the member at the same meeting, which may have been misunderstood. A member so rising shall be entitled to be heard forthwith.

STANDING ORDERS RELATING TO STAFF

76 Interim and fixed term appointments to Senior Management posts

- (i) Decisions to appoint to Senior Management Posts as defined in Standing Order 75(b) (ii) – (v) which are not permanent appointments but are interim appointments or fixed term contracts for less than one year be made by the Chief Executive.
- (ii) ~~Upon appointment to a post as defined in Standing Order 75(b) (ii) – (v) on an interim or fixed term basis the Chief Executive shall inform the General Purposes Committee setting out the process for selection and the timescales for a permanent appointment.~~
- ~~(iii)~~ The General Purposes Committee shall be informed of any recommendation for an extension of the interim arrangements beyond a year to a post defined in Standing Order 75(b) (ii) – (v).
- (iii) Any interim appointment to the post of Director of Public Health shall be in accordance with (i) – (iii) above.
- (iv) The appointment of an Interim Chief Executive shall be considered by a sub-committee of General Purposes Committee which shall include the Leader, Deputy Leader and a Leader of an opposition party as decided by the Leader.

PART 4 - TERMS OF REFERENCE FOR COUNCIL COMMITTEES AND SUB-COMMITTEES

MEMBERSHIP AND TERMS OF REFERENCE OF COUNCIL COMMITTEES AND SUB-COMMITTEES

AUDIT AND STANDARDS ADVISORY COMMITTEE

1 MEMBERSHIP

- The committee comprises 7 non-executive councillors and up to ~~4~~3 voting co-opted members, one of whom will be the Chair of the committee.

GENERAL PURPOSES COMMITTEE

Membership

Terms of Reference

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9. To agree changes to polling districts, places and stations.

PART 5 - CODES AND PROTOCOLS

LOCAL CODE OF CORPORATE GOVERNANCE

INTRODUCTION

Each local authority operates through a governance framework. The governance framework is an interrelated system that brings together an underlying set of legislative requirements, standards of behaviour, and management processes.

Good governance means that the way a local authority operates is based on sound and transparent decision making with an effective process to support this; acting in the public interest at all times.

This Code sets out the Council's governance framework. It is based on Guidance issued by the Chartered Institute of Public Finance and Accountancy ('CIPFA') and the Society of Local Authority Chief Executives ('SOLACE') guidance entitled Delivering Good Governance in Local Government Framework 2016 Edition.

There are seven core principles and further supporting principles identified by CIPFA/SOLACE which underpin and inform the way in which a local authority should perform its services and other functions. These principles inform the Council's governance framework, the Local Code of Corporate Governance and the standards by which the Council is audited.

The principles and standards set out below in this Code reflect those set out by the current CIPFA/SOLACE Guidance.

1. BEHAVING WITH INTEGRITY, DEMONSTRATING STRONG COMMITMENT TO ETHICAL VALUES, AND RESPECTING THE RULE OF LAW

The Constitution sets out how the council operates, how decisions are made and the policies which are followed to ensure that these are efficient, transparent and accountable to local people. The Constitution comprises six parts which set out the basic rules for governing the council's business, as well as detailed procedures and codes of practice.

The Constitution is regularly reviewed. The Constitution sets out the responsibilities of both members and officers. In particular the council has identified the following six statutory posts:

Legislation	Statutory Post	Officer
S4 Local Government and Housing Act 1989	Head of Paid Service	Chief Executive
Section 151 Local Government Act 1972	Section 151	Corporate Director of Finance and Resources
S5 Local Government and Housing Act 1989	Monitoring Officer	Corporate Director of <u>Law & Governance</u>
S18 Children Act 2004	Director of Children's Services	Corporate Director Children and Young People
S6 Local Authority Social Services Act 1972	Director of Adult Social Services	Director Adult Social Care

Health and Director of Public Health Social Care Act 2012	Health and Director of Public Health Social Care	Director of Public Health
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- A Scheme of Delegation sets out the powers delegated to officers as part of the Constitution. The Financial Regulations are also part of the Constitution, together with this Code of Corporate Governance and the Contract Standing Orders. The Constitution is reviewed regularly, with all changes (other than minor variations which may be made by the Monitoring Officer) approved by the Council and published on the external website.
- The Members' Code of Conduct is set out in the Constitution, together with other codes. These are kept under review and updated if necessary. The council has an Audit and Standards Committee and an Audit and Standards Advisory Committee to deal with member conduct issues and these Committees are politically balanced and consist of five members and, in respect of the latter, independent or co-opted members too. Independent Persons have also been appointed in accordance with the Localism Act 2011 and have an important role to play in respect of specific complaints. The standards remit of these Committees is supported by the Monitoring Officer. There is a register of member interests and gifts and hospitality.
- All councillors receive training on the requirements of the Members' Code of Conduct and related issues. Monitoring Officer Advice Notes give advice to members on decision making and standards of conduct.
- All staff, in particular managers, are responsible for ensuring that laws and regulations are complied with and that the authority's policies are implemented in practice. Corporate Directors, Directors and Heads of Service are responsible for monitoring implementation of the council's policies.
- The Council has a number of key governance related policies. Officers are made aware of their responsibilities through general communications, such as Weekly Round Up, manager briefings, staff events and via the induction process.

2. ENSURING OPENNESS AND COMPREHENSIVE STAKEHOLDER ENGAGEMENT

- The ~~Communities—Neighbourhoods~~ and Regeneration ~~Department—Directorate~~ is responsible for supporting some statutory local partnership arrangements (i.e. the Health and Wellbeing Board, -Safeguarding Adults Board and Children's Trust) and some non statutory partnerships such as Partners for Brent. The Strategic Partnerships Team co-ordinates a broad range of collaborative activities, which stem from the Council's engagement with local public, private and voluntary sector organisations.
- Partners for Brent is an advisory body which facilitates wider involvement and engagement in the delivery of public services. The Partners for Brent Strategic Forum is made up of eight organisations including the Met Police, NHS partners and CVS.
- At a ~~service area~~Department level, the objectives of partnerships are documented in the Service Plans and within contract documentation. They are then reflected in staff's individual objectives.
- Commitments to deliver against our responsibilities in relation to equality and diversity feature strongly in the Council's Borough Plan. Regard to equality, diversity and human rights duties is embedded in the budget setting and business planning process, and templates for each require that officers and members take into consideration in an appropriate manner the equality, diversity and human rights impacts of proposed decisions. The Council's approach is to embed equality and diversity within all of its work

so that equality considerations are part of day-to-day management. During 2024 a new officer board, the Equity, Diversity and Inclusion (EDI) Board has been established to oversee the council's EDI related activities and to ensure progress is being made.

3. DEFINING OUTCOMES IN TERMS OF SUSTAINABLE ECONOMIC, SOCIAL AND ENVIRONMENTAL BENEFITS

- The Council has a Borough Plan for the period of 2023-2027 agreed by the Cabinet and Full Council. This document includes the corporate objectives of the Council and our shared partnerships priorities with other public agencies. Key performance indicators which relate to the priorities in the plan are monitored on a quarterly basis and reported to CMT and the Cabinet. The Borough Plan references other key relevant documents, including the following:
 - Health and Wellbeing Strategy;
 - Equality Strategy;
 - Climate and Ecological Emergency Strategy;
 - the Black Community Action Plan, and
 - the Poverty Commission Delivery Plan
- The priorities of the Borough Plan are regularly set out in The Brent Magazine, its website, press releases and targeted campaigns. Service priorities are extensively consulted on with users and other relevant stakeholders. Departmental-Directorate Service Plans are discussed annually with Lead Members prior to finalisation.

4. DETERMINING THE INTERVENTIONS NECESSARY TO OPTIMISE THE ACHIEVEMENT OF THE INTENDED- OUTCOMES

- We are seeking to build on the successes achieved to-date in transforming the Council and the Borough while developing a much sharper focus on services designed around the individual and creating better outcomes for those residents with complex circumstances. We are directing our resources towards priorities which will have a more significant impact in improving local people's opportunities and life chances. Our approach is intended to facilitate much closer cross council and inter-agency working on common themes and address the big issues affecting the future of the borough. A programme of activity is in place to support delivery of this vision with reports on progress provided regularly to CMT and elected councillors.
- The Cabinet consider risks as part of their decision making role on corporate policies, including the annual budget setting processes, major policy decisions and major projects. The Corporate Management Team review corporate risks through regular monitoring reports. Risks are identified within Service Plans and considered on a regular basis within departmentDirectorateal management teams and key operational risks are reported through to the Corporate Management Team.

5. DEVELOPING THE ENTITY'S CAPACITY, INCLUDING THE CAPABILITY OF ITS LEADERSHIP AND THE INDIVIDUALS WITHIN IT

- A full member learning and development programme is in place and there is a comprehensive induction programme for all councillors within the first few weeks of their election to office. Training on the Council's Code of Conduct for Councillors is compulsory. The council has adopted specific codes of conduct for councillors involved in planning or licensing decision-making and these councillors receive additional training in these areas as a pre-condition of their participation. A bespoke annual learning and development

programme is provided for Councillors appointed as Members or Substitutes on the Scrutiny, Planning and Licensing committees.

- There is a corporate induction programme in place for staff, which is largely e-learning based, and one for new managers, supplemented by various internal training courses. Within the New Manager Essential Programme the key objectives are for delegates to understand the roles and responsibilities (core standards and expectations) of the Brent Manager and the Management competencies. Key information and policies are highlighted to new staff and managers and held on the intranet.
- A Strategic change programme has recently been adopted, designed to harness our strengths, focus our ambitions, and ensure that as an organisation we improve and evolve to tackle current and emerging challenges in meeting the needs of our local communities. The Change Programme is about the key cross-cutting enablers that form the building blocks of an effective organisation and will drive our operating model in the future. And at the heart, it is about how we will do things going forward, with a focus on developing a culture that enables us to work much more collaboratively with each other, with partners, and, crucially, with our residents, establishing a real sense of place. The change programme is organised into the following eight workstreams:
 - Organisational culture and workforce strategy
 - Strategic Partnerships
 - Community power and resilience
 - Place making
 - Strategic Commissioning and capacity building
 - Digital and Data
 - Property and assets
 - Customer Access

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MANAGING RISKS AND PERFORMANCE THROUGH ROBUST INTERNAL CONTROL AND STRONG PUBLIC FINANCIAL MANAGEMENT

- Decision making arrangements are set out in the Constitution. The Council operates a Leader and Cabinet model of decision making. Although some decisions are reserved for Full Council, most are made by the Cabinet, individual cabinet members or by committees, sub-committees or officers.
- All forthcoming Key decisions by Cabinet are published in the Council's Forward plan and published every month on the Council's website.
- Reports and minutes of meetings are also published on the council's website and are available through the Libraries. This includes urgent decisions, which are reported to the next formal meeting of Cabinet.
- The council has an Audit and Standards Advisory Committee which meets approximately 6 times during the year, and considers the findings of the council's annual governance review and recommends approval of the Annual Governance Statement by the Audit and Standards Committee in advance of approval of the annual statement of account. It also advises on member standards issues.
- The Audit and Standards Advisory Committee, has been established to enhance the effectiveness of the Audit and Standards Committee, with clear terms of reference and an annual work programme to consider and advise on internal audit and risk management. This enables the independent Members to be equal voting members of the committee.

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- The Audit and Standards Committee meets at least twice a year to approve the Annual Governance Statement and the annual statement of accounts.
- The Council maintains an Internal Audit service that operates in accordance with the published internal audit standards expected of a local authority in the United Kingdom. The Head of Internal Audit (now the Deputy Director, Organisational Assurance and Resilience) has direct access to the Chief Executive, the Section 151 Officer, ~~and~~ the Chair of the Audit and Standards Committee and ~~now~~ the Chair of the Audit and Standards Advisory Committee.
- The council has established a counter fraud team to ensure a systematic, disciplined approach to investigation, evaluating and improving the effectiveness of fraud prevention and detection and the subsequent prosecution of individuals and organisations where appropriate.
- Robust business continuity management arrangements exist within the council, with all critical services having business continuity plans in place.
- The Council has a three year Medium Term Financial Strategy, which is reviewed and updated annually as part of the budget setting process to support the achievement of the council's corporate priorities. The budget and policy framework outlines the process and timetable to be followed each year when setting the council's budget. The financial management framework includes regular budget monitoring reports to ~~departmental directorate~~ management teams, ~~Corporate Management Team~~ Corporate Management Team and Cabinet.

7. IMPLEMENTING GOOD PRACTICES IN TRANSPARENCY, REPORTING, AND AUDIT TO DELIVER EFFECTIVE ACCOUNTABILITY

- The statutory Forward Plan is published monthly on the internet, and details all key decisions proposed to be made by the council during the relevant period. Any key decision which is not on the Forward Plan may not be taken within that period, unless the report author is able to demonstrate to the Monitoring Officer and relevant members that urgency procedure requirements are met and, where required under Standing Orders, appropriate agreement of the Chief Executive or the relevant Chair of Scrutiny is obtained. All urgent decisions taken are monitored by the Monitoring Officer and regular reports taken to Full Council.
- Members are required to make sound decisions based on written reports which are prepared in accordance with the report writing guide and have to be cleared by both Finance and Legal. The Cabinet receives a briefing concerning the most important up-coming decisions at the Policy Co-ordination Group, (which is the Cabinet's regular meeting with the Corporate Management Team, and Leader's Briefing) three weeks prior to the Cabinet meeting when members can ask detailed technical questions of officers about those issues and other matters due to be determined by Cabinet. All reports must be reviewed and signed-off by or on behalf of the Corporate Director of Finance and Resources and the Corporate Director of Law & Governance and contain clear financial and legal advice to help members arrive at decisions.
- In accordance with the Local Government Act 2000, the Council has mechanisms in place to allow the effective, independent and rigorous examination of the proposals and decisions by the Cabinet. These mechanisms involve the Scrutiny process including call-in. The conduct of the Council's business is governed by the Constitution, which includes Standing Orders and Financial Regulations.

- All members and chief officers are required to complete an annual statement relating to third party transactions and a register of members' interests, which is updated by members, is maintained and published on the Council's website.
- The Brent Council Code of Conduct for Members, revised in 2022²⁴, defines the standards of conduct expected of elected representatives, based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- In addition, the following codes, protocols and systems are well established within the council. All are regularly reviewed and updated to account for developments in governance arrangements and changes in local government.

These include:

- A declaration of interest process for members and senior officers as described above;
- Rules and protocols are in place and are being further developed for all partnership working;
- Organisation-wide performance appraisal and employee development schemes are in operation;
- There is a corporate complaints procedure in place in line with Ombudsman good practice requirements;
- Whistle-blowing, anti-fraud and anti-corruption / bribery policies are in place and publicised in compliance with the national transparency agenda; senior officers' remuneration is published on the council website.

ANNUAL REVIEW AND REPORTING

Each year the council will carry out a review of the governance arrangements measured against this Code and the principles set out in the CIPFA/SOLACE Framework to ensure compliance with this Code, and the delivery of good governance within the local government framework and current good practice. The purpose of the review will be to provide assurance that governance arrangements are good and operating effectively and to identify any action required to improve effective governance in the future.

The outcome of the review will take the form of an Annual Governance Statement prepared on behalf of the Leader of the Council and the Chief Executive in accordance with the timetable for the preparation of the annual accounts. The findings of the review will be considered by the officers who make up the council's Assurance Board (the Chief Executive, the Monitoring Officer, the s151 officer and the Deputy Director, Organisational Assurance and Resilience) and the Corporate Management Team and then submitted to the Audit and Standards Advisory Committee and then the Audit and Standards Committee for consideration in accordance with the Audit and Accounts Regulations 2015. This requires findings of the review of the system of internal control to be considered by a committee, or by members of the council meeting as whole and that the Annual Governance Statement be approved by resolution of a committee, or members of the council meeting as a whole in advance of approving the statement of accounts.

The Governance Framework consists of a range of documents, policies and procedures developed, maintained and promoted by a number of different ~~department~~Directorates which are published and promoted to members, officers and others by publication on the council's website.

This Code will be reviewed annually and when any new CIPFA/SOLACE guidance is issued.

PART 6 - MEMBERS' ALLOWANCE SCHEME

Maternity, Paternity, Adoption and Sickness Pay

13. (1) A Councillor shall continue to receive in full a basic allowance as set out in Schedule 1 of this Scheme during any period of maternity, paternity, adoption and sickness leave.
- (2) Councillors giving birth are entitled to up to six months maternity leave with the option to extend up to 52 weeks with the approval of the Chief Executive following consultation with the Chief Whip, where applicable. Maternity leave can begin:
- (a) When the councillor chooses but no earlier than 11 weeks before the expected week of childbirth, or
- (b) from the day following childbirth if the baby is born earlier
- (3) A Councillor entitled to a Special Responsibility Allowance shall continue to receive their allowance during any period of maternity, paternity, adoption and sickness leave in the same way that the Council's employees enjoy such benefits.
- (4) If another Councillor is appointed to cover the period of absence, the replacement will be entitled to receive the same allowance. In accordance with paragraph 3.3 of this scheme, no Councillor shall receive more than one Special Responsibility Allowance.
- ~~(5)~~ Councillors wanting to take paternity leave must offer a declaration in writing that specifies the start day or date of the period of leave and its duration. If the child(ren) is born on a different date, the Council must be given notice of the changed period of parental leave as soon as possible.
- ~~(6)~~ Councillors shall be entitled to take up to 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth or adoption of their child(ren).
- ~~(7)~~ Paternity leave can be taken as either:
(a) a single period of leave of either one week or two weeks, or
(b) two non-consecutive periods of leave of a week each
- ~~(8)~~ Councillors can take their paternity leave any time in the 52 weeks after the birth or adoption of their child(ren).
- ~~(9)~~ A Councillor who has made Shared Parental Leave arrangements is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate the Council's staff policy in terms of leave as far as practicable with the approval of the Chief Executive following consultation with the Chief Whip, where applicable.
- ~~(10)~~ Where both parents are Councillors, leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity with the approval of the Chief Executive following consultation with the Chief Whip, where applicable.
- ~~(11)~~ If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

*Where adoption has taken place through an approved (domestic or overseas) adoption agency.