



COUNCIL MEETING - 25 JUNE 2015

Councillors of the London Borough of Islington are summoned to attend a meeting of the Council to be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on, **25 June 2015 at 7.30 pm.**

Lesley Seary

Chief Executive

AGENDA

	Page
1. Minutes	1 - 10
2. Declarations of Interest	
If you have a Disclosable Pecuniary Interest* in an item of business:	
<ul style="list-style-type: none">▪ if it is not yet on the council's register, you must declare both the existence and details of it at the start of the meeting or when it becomes apparent;▪ you may choose to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.	
In both the above cases, you must leave the room without participating in discussion of the item.	
If you have a personal interest in an item of business and you intend to speak or vote on the item you must declare both the existence and details of it at the start of the meeting or when it becomes apparent but you may participate in the discussion and vote on the item.	
*(a) Employment, etc - Any employment, office, trade, profession or vocation carried on for profit or gain.	
(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.	
(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.	
(d) Land - Any beneficial interest in land which is within the council's area.	
(e) Licences - Any licence to occupy land in the council's area for a month or longer.	
(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.	

- (g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

3. Mayoral Announcements
- (i) Apologies
 - (ii) Order of business
 - (iii) Declaration of discussion items by the Majority and Opposition parties
4. Leader's Announcements
5. Petitions
6. Questions from Members of the Youth Council 11 - 12
7. Questions from Members of the Public 13 - 14
8. Questions from Members of the Council 15 - 18
9. Islington Carers' Hub - Presentation
10. Corporate Plan - to follow
11. Islington Armed Forces Community Covenant Annual Update 19 - 26
12. Constitution Update 27 - 60
13. Chief Whip's Report 61 - 62
14. Notices of Motion 63 - 64
- Where a motion concerns an executive function, nothing passed can be actioned until approved by the Executive or an officer with the relevant delegated power.

Motion 1: Support the Human Rights Act

Motion 2: Ban on Glyphosate

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Despatched : 17 June 2015

LONDON BOROUGH OF ISLINGTON

ANNUAL COUNCIL MEETING - 14 MAY 2015

MINUTES OF PROCEEDINGS

At the meeting of the Annual Council held at Council Chamber, Town Hall, Upper Street, N1 2UD on 14 May 2015 at 7.30 pm.

Councillors Present:

Debono	Heather	Picknell
Greening	Hull	Poole
Andrews	Ismail	Poyser
Burgess	Jeapes	Russell
Caluori	Kaseki	Comer-Schwartz
Chowdhury	Kay	Shaikh
Convery	Khan	Smith
Court	Klute	Spall
Diner	Murray	Turan
Donovan	Ngongo	Ward
Erdogan	Nicholls	Watts
Fletcher	O'Halloran	Wayne
Gallagher	O'Sullivan	Webbe
Gantly	Parker	Williamson
Gill	A Perry	
Hamitouche	R Perry	

The Mayor (Theresa Debono) in the Chair

1 **MAYORAL ANNOUNCEMENTS**

Apologies for Absence

Apologies were received from Councillor Nick Ward and Councillor Doolan.

2 **MINUTES OF THE LAST MEETING**

RESOLVED:

That the Minutes of the meeting held on 26 March 2015 be confirmed as a correct record and the Mayor be authorised to sign them.

3 **VOTE OF THANKS AND PRESENTATION OF COMMEMORATIVE BADGES TO OUTGOING MAYOR AND CONSORT**

Councillor Watts moved a vote of thanks to the outgoing Mayor, Councillor Theresa Debono. Councillor Watts thanked Councillor Debono and Anthony Debono, the Mayor's consort, for all their hard work. Councillor Watts advised that the Mayor had attended over 300

engagements, whilst working full time and continuing to work for the residents in her ward. Councillor Watts advised Councillor Debono has also raised over £30,000 for her charities; the Islington Foodbank and Home-Start Islington.

Councillor Debono thanked Councillor Watts and advised her year as Mayor was very rewarding and that it was an honour to represent her colleagues. The Mayor thanked her family and colleagues for their help during the year and their support for her two charities. The Mayor also expressed her thanks to every person in Islington who volunteers, without whom the Council would find it difficult to manage and expressed her best wishes to the new Mayor.

4 TO ELECT THE MAYOR OF THE LONDON BOROUGH OF ISLINGTON FOR THE ENSUING MUNICIPAL YEAR

Councillor Hull, seconded by Councillor Watts, moved that Councillor Richard Greening be elected as Mayor for the ensuing municipal year.

RESOLVED:

There being no other nominations the Mayor declared that Councillor Richard Greening be elected as the Mayor of the London Borough of Islington for 2015/16.

The Mayor vacated the chair and the Council adjourned while Councillor Greening was invested with the robes of office. The Mayoral party then returned to the Chamber.

The Mayor (Councillor Richard Greening) in the Chair.

5 DECLARATION OF ACCEPTANCE OF OFFICE BY THE MAYOR

The Mayor accepted the office by making and subscribing to the required declaration, attested by Councillors Hull and Watts.

The Mayor thanked the Council for electing him. Patsy Bradbury will be the Mayoress.

The Mayor announced his charity will be Music First.

The Mayor announced that the Deputy Mayor would be Councillor Kat Fletcher and that the Revd Melanie Toogood will be the Deputy Mayor's Consort.

6 APPOINTMENT OF THE DEPUTY LEADER AND THE APPOINTMENT OF COUNCILLORS TO THE EXECUTIVE

The Council noted the following appointments made by Councillor Watts, Leader of the Council:

Deputy Leader and Executive Member for Health and Wellbeing: Cllr Janet Burgess

Executive Member for Children and Families: Cllr Joe Caluori

Executive Member for Economic and Community Development: Cllr Asmina Shaikh

Executive Member for Community Safety: Cllr Paul Convery

Executive Member for Environment and Transport: Cllr Claudia Webbe

Executive Member for Finance and Performance: Cllr Andy Hull

Executive Member for Housing and Development: Cllr James Murray

7 CONSTITUTION UPDATE

Councillor Alice Perry, seconded by Councillor Poyser, moved the recommendations in the report.

RESOLVED:

- 2.1 That the Leader of the Council has approved the changes to delegation of Executive functions be noted.
- 2.2 That the amendments to the Constitution set out in the attached Appendix be approved.
- 2.3 That the Assistant Chief Executive (Governance and HR) be authorised to make any consequential amendments to the Constitution she considers necessary.

8 APPOINTMENT OF COUNCILLORS TO POLITICAL POSITIONS AND THE APPOINTMENT OF CHAIRS AND VICE CHAIRS AND MEMBERSHIP OF COMMITTEES 2015/16

Councillor Alice Perry, seconded by Councillor Poyser, moved the recommendations in the report.

RESOLVED:

That the Labour group have made the following appointments be noted:

Leader of Group	Councillor Richard Watts
Deputy Leader of Group	Councillor Paul Smith
Chief Whip	Councillor Alice Perry
Assistant Whips	Councillors Una O'Halloran & David Poyser
Chair of Group	Councillor Gary Heather
Vice-Chair	Councillor Claudia Webbe
Secretary	Councillor Troy Gallagher
Treasurer	Councillor Rupert Perry
Social Secretary	Councillor Mouna Hamitouche

APPOINTMENT OF CHAIRS AND VICE-CHAIRS AND MEMBERSHIP OF COMMITTEES FOR 2015/16

RESOLVED:

- 1) That the following appointments to the Policy and Performance Scrutiny Committee for 2015/16 or until successors are appointed be agreed:

POLICY & PERFORMANCE COMMITTEE (13 members)

Councillor Troy Gallagher (Chair)

Councillor Martin Klute

Councillor Una O'Halloran (Vice Chair)
Councillor Gary Doolan
Councillor Jenny Kay
Councillor David Poyser
Councillor Jilani Chowdhury
Councillor Rakhia Ismail

Councillor James Court
Councillor Mick O'Sullivan
Councillor Kaya Makarau Schwartz
Councillor Raphael Andrews
Councillor Caroline Russell

Substitutes:

Councillor Nick Wayne
Councillor Clare Jeapes
Councillor Flora Williamson
Councillor Alice Perry
Councillor Nurullah Turan
Councillor Robert Khan
Vacancy

Councillor Satnam Gill
Councillor Theresa Debono
Councillor Alice Donovan
Councillor Mouna Hamitouche
Councillor Alex Diner
Councillor Paul Smith

- 2) That the following appointments to the remaining committees for 2015/16 or until successors are appointed, be agreed:

CHILDREN'S SERVICES SCRUTINY COMMITTEE (8 Councillors)

Councillor Kaya Makarau Schwartz (Chair)
Councillor Nick Ward (Vice Chair)
Councillor Alice Donovan
Councillor Michelline Safi Ngongo
Councillor Rakhia Ismail
Councillor Angela Picknell
Councillor Diarmaid Ward
Councillor Nick Wayne

Co-opted Members for Education related issues:

Parent Governor – Primary – Erol Baduna
Parent Governor – Secondary – James Stephenson
Roman Catholic Diocese – Mary Clement
Church of England Diocese - Vacancy

Substitutes:

Councillor David Poyser
Councillor Alice Perry
Councillor Jenny Kay
Councillor Alex Diner
Councillor James Court
Vacancy

ENVIRONMENT & REGENERATION SCRUTINY COMMITTEE (9 Councillors)

Councillor James Court (Chair)
Councillor Diarmaid Ward (Vice Chair)
Councillor Gary Doolan
Councillor Gary Heather
Councillor Caroline Russell
Councillor Clare Jeapes
Councillor Marian Spall
Councillor Mouna Hamitouche
Councillor Theresa Debono

Substitutes:

Councillor Alice Perry
Councillor David Poyser
Vacancy
Councillor Jenny Kay
Councillor Alex Diner
Vacancy

HEALTH AND CARE SCRUTINY COMMITTEE (8 Councillors)

Councillor Martin Klute (Chair)
Councillor Jilani Chowdhury (Vice Chair)
Councillor Mouna Hamitouche
Councillor Tim Nicholls
Councillor Nurullah Turan
Councillor Osh Gantly
Councillor Raphael Andrews
Councillor Gary Heather

Substitutes:

Councillor Una O'Halloran
Councillor Alice Perry
Councillor David Poyser
Councillor Clare Jeapes

Councillor Jenny Kay
Councillor Jean-Roger Kaseki
Councillor Alex Diner
Vacancy

HOUSING SCRUTINY COMMITTEE (8 Councillors)

Councillor Mick O'Sullivan (Chair)
Councillor David Poyser (Vice Chair)
Councillor Alex Diner
Councillor Aysegul Erdogan

Councillor Mouna Hamitouche
Councillor Flora Williamson
Councillor Raphael Andrews
Councillor Una O'Halloran

Substitutes:

Councillor Alice Perry
Councillor Gary Doolan
Councillor Olly Parker
Councillor Jenny Kay

Councillor Rakhia Ismail
Councillor Gary Heather
Councillor Angela Picknell
Councillor Nurullah Turan

Co-opted Resident members:

Jim Rooke – Directly Managed Tenants
Rose-Marie McDonald – PFI Managed Tenants

AUDIT COMMITTEE (6 members, 4 Councillors and 2 independent members, as below)

Councillor Satnam Gill (Chair)
Councillor Olly Parker (Vice Chair)

Councillor Richard Greening
Councillor Raphael Andrews

Substitutes:

Councillor Alice Perry
Councillor Clare Jeapes

Councillor Alex Diner
Councillor Robert Khan

Independent Members:

David Bennett
Vacancy

HEALTH AND WELLBEING BOARD (12 members, comprised as below)

Councillors:

Councillor Richard Watts (Chair)
Councillor Janet Burgess
Councillor Joe Caluori

Officers:

Julie Billett – Joint Director of Public Health for Camden and Islington
Sean McLaughlin – Service Director, Adult Social Care
Eleanor Schooling – Corporate Director of Children's Services

Representatives of the Islington Clinical Commissioning Group:

Alison Blair – Chief Officer, Islington Clinical Commissioning Group
Dr Gillian Greenhough – GP and Chair of the Islington Clinical Commissioning Group
Dr Jo Sauvage – GP and Joint Vice Chair of the Islington Clinical Commissioning Group
Sorrel Brookes – Lay Vice-Chair, Islington Clinical Commissioning Group
Martin Machray – Director of Quality and Integrated Governance, Islington Clinical Commissioning Group (non-voting)

Representative of Islington Healthwatch:

Olav Ernstzen – Chair, Islington Healthwatch (non-voting)

Representatives of the NHS:

Dr Henrietta Hughes, NHS England (non-voting)

Wendy Wallace, Camden and Islington NHS Trust (non-voting)

Simon Pleydell, Whittington NHS Trust (non-voting)

Substitutes may attend meetings subject to prior agreement of the Chair.

Councillor Substitutes:

Councillor Paul Convery

Councillor Asima Shaikh

Councillor Andy Hull

Councillor James Murray

Councillor Claudia Webbe

Clinical Commissioning Group Substitutes:

For Alison Blair and Martin Machray: Paul Sinden (Director of Commissioning)

For Dr Gillian Greenhough, Dr Jo Sauvage: Katie Coleman (Clinical Vice-Chair of the CCG)

PLANNING COMMITTEE (10 members)

Councillor Robert Khan (Chair)

Councillor Jilani Chowdhury

Councillor Martin Klute (Vice Chair)

Councillor Osh Gantly

Councillor Kat Fletcher (Vice Chair)

Councillor Paul Convery

Councillor Tim Nicholls

Councillor David Poyser

Councillor Rakhia Ismail

Councillor Marian Spall

Substitutes:

Councillor Jenny Kay

Councillor Nick Wayne

Councillor Angela Picknell

Councillor Alex Diner

Councillor Alice Perry

Vacancy

STANDARDS COMMITTEE (8 members, 4 Councillors and 4 Independent Persons)

Councillor Alice Perry (Chair)

Councillor David Poyser

Councillor Una O'Halloran

Councillor Troy Gallagher

Substitutes:

Councillor Nurullah Turan

Councillor Alex Diner

Councillor Nick Ward

Councillor Jilani Chowdhury

Independent Persons (who have observer status on the committee):

Louise Richards

James Woolf

Ali Bird JP

LICENSING COMMITTEE (15 members)

Councillor Flora Williamson (Chair)

Councillor Gary Doolan

Councillor Raphael Andrews (Vice Chair)

Councillor Aysegul Erdogan

Councillor Angela Picknell

Councillor Marian Spall

Councillor Michelline Safi Ngongo

Councillor Alex Diner

Councillor Satnam Gill

Councillor Jean-Roger Kaseki

Councillor Nick Wayne

Councillor Gary Poole

Councillor Robert Khan

Councillor Paul Smith

Councillor Rupert Perry

LICENSING REGULATORY COMMITTEE (4 members)

Councillor Mouna Hamitouche (Chair) Councillor Nurullah Turan
Councillor Angela Picknell Councillor Michelline Safi Ngongo

Substitutes:

Councillor Theresa Debono Councillor Kat Fletcher
Councillor Marian Spall Councillor Rupert Perry

ADOPTION AND PERMANENCE PANEL

Councillor Una O'Halloran

FOSTERING PANEL

Councillor Una O'Halloran

CORPORATE PARENTING BOARD

Councillor Joe Caluori (Chair) Councillor Tim Nicholls
Councillor Nick Wayne Councillor Flora Williamson
Councillor Diarmaid Ward

STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

Roman Catholic Diocese of Westminster		Peter Ward Conor McGinn
Methodist	Free Church Federal Council	Paul Weary
United Reformed Church		Tim Clarke
Baptist Union		1 Vacancy
Greek Orthodox Church		Father Ephrem Lash
Elim Pentecostal Church		1 Vacancy
Jewish	Board of Deputies of British Jews	Judith Fox
Muslim Community	Muslim Welfare House Trust	Mohammed-Jamal El-Turk
	Muslim Education Trust	Ahlam Mansour
Jain	Jain Samaj Europe	Vinay K Shah
Buddhist	Harrow Zazenkai-White Wind Zen Community	Frank Tettsu Woods
Islington Baha'i Community		1 Vacancy
Hindu	Brittania Hindu (Shiva) Temple Trust	1 Vacancy
Sikh		Rosalind Miller
Daoist		1 Vacancy
Church of England	St Mary Magdalene Academy	Rev. Dave Tomlinson April Keech
	London Diocesan Board for Schools	Allan McClean
		1 Vacancy
		1 Vacancy
Humanist	British Humanist Association	Catriona McLellan
National Union of Teachers (NUT)		1 Vacancy
Association of School and College Leaders		1 Vacancy
National Association of Head Teachers (NAHT)		1 Vacancy
National Association of Schoolmasters Union of		1 Vacancy

Women Teachers		
Head of RE Secondary Schools		Sophie Morgan
Head of RE Special Schools		1 Vacancy
Head of RE Primary Schools		Andrea Smith
Schools RE Coordinator		Anthea Symeou
Representative of Governor Organisations		1 Vacancy
Islington Council	Labour Party	Councillor Marian Spall
	Labour Party	Councillor Asima Shaikh
	Labour Party	Councillor Joe Caluori
	Labour Party	Councillor Michelline Safi Ngongo

CHILDREN’S STRATEGY GROUPS

0-11	Councillor Joe Caluori	Councillor Kaya Makarau Schwartz
11-19	Councillor Joe Caluori	Councillor Kaya Makarau Schwartz

JOINT TMO LIAISON COMMITTEE

Councillor Mick O’Sullivan

OTHER POSITIONS

- Carers Champion** – Councillor Jilani Chowdhury
- Equalities Champions** – Councillor Kaya Makarau Schwartz
- Arts Champion** – Councillor Robert Khan
- Armed Forces Champion** – Councillor Gary Poole

9 APPOINTMENT OF REPRESENTATIVES TO SERVICE ON CERTAIN OUTSIDE ORGANISATIONS FOR 2015/16

Councillor Alice Perry, seconded by Councillor Poyser, moved the recommendations in the report.

RESOLVED:

A. That the following list of appointments to outside bodies for 2015/16 for one year or until successors are appointed, be agreed:

Outside Body	Term of Office	Member(s)
London Council Committees:		
Leaders Committee	One Year	Leader: Cllr Richard Watts Deputies: Cllr Janet Burgess Cllr Paul Smith
Associated Joint Committee - Transport and Environment Committee	One Year	Cllr Claudia Webbe Deputies: Cllr Janet Burgess Cllr Paul Convery

London Borough of Islington

London Councils Forums:		
Greater London Employment	One Year	Cllr Andy Hull
Local Government Association:		
LGU General Assembly	One Year	Cllr Janet Burgess Cllr David Poyser Cllr Paul Smith Cllr Richard Watts
Others:		
Angel Business Improvement Board	One Year	Cllr Martin Klute
Archway Town Centre Management Board	One year	Cllr Kaya Makarau Schwartz Cllr David Poyser
Crossrail High Level Forum	One Year	Cllr Claudia Webbe Deputy: Cllr Alice Donovan
Cross River Partnership	One Year	Cllr Asima Shaikh
Finsbury Park Trust	One Year	Cllr Mick O'Sullivan Deputy: Cllr Gary Heather
Greater London Enterprise	One Year	Cllr Asima Shaikh
Groundwork London	One Year	Cllr Asima Shaikh
Islington Community Covenant Grant Schemes Panel	One Year	Cllr Asima Shaikh Cllr Gary Poole
Islington Community Chest Panel	One Year	Cllr Jilani Chowdhury Cllr Rakhia Ismail Cllr Asima Shaikh
London Road Safety Council	One Year	Cllr Claudia Webbe Cllr Tim Nicholls (deputy)
Nags Head Town Centre Board	One Year	Cllr Gary Heather Cllr Asima Shaikh
North London Waste Authority	One Year	Cllr Richard Greening Cllr Claudia Webbe
Reserve Forces and Cadets	One Year	Cllr Gary Poole
Safer Neighbourhoods Boards	One Year	Cllr Paul Convery Cllr Nick Wayne
Three Corners Trust	One Year	Cllr Alice Donovan

B. That the following list of appointments to outside bodies to take effect on the date indicated, for the term of office indicated, or until successors are appointed be agreed:

Outside body	Member(s)	Term of Office	Date Appointment to take effect
Camden and Islington NHS Foundation Trust	Cllr Jean Roger Kaseki	Three years	1.10.15
Richard Cloudesley	Cllr Rupert Perry Denise Ward	Three years	14.5.15
Pensions Board	Cllr David Poyser	Three years	14.5.15
City of London Academy	Felix Hebblethwaite	Four years	14.5.15

The meeting closed at 8.37 pm

MAYOR



Questions for Full Council Meeting June 2015

1. Young Mayor Taiga to Councillor Richard Watts, Leader of the Council

Voting and Democracy

How does Cllr Watts think the results from the recent general election will impact on the lives of Islington's young people?

2. Youth Councillor Hiba to Councillor Paul Convery, Executive Member for Community Safety

Community Safety

YCllrs are interested in how the Safe Haven scheme is contributing to young people feeling safe in Islington. How is this going and are there any statistics on how many YP have used it since it started?

3. Deputy Young Mayor Abu to Councillor Paul Convery, Executive Member for Community Safety

Community Safety- Reducing Extremism

How can young people in the borough be safe from radicalisation and extremism particularly online?

4. Youth Councillor Anastasia to Councillor Joe Caluori, Executive Member for Children and Families

Youth Provision

As Cllrs are aware the summer term will be ending in the next couple of weeks. Please can Cllr Caluori tell us what's on offer for Islington's young people? How is it being promoted across the borough?

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COUNCIL MEETING – 25 June 2015

QUESTIONS FROM MEMBER OF THE PUBLIC

- a Mr Danny Simani to Councillor James Murray, Executive Member Housing and Development

Most disabled people live alone. According to police records, there were over three hundred disabled hate attacks reported to police in London in 2012. A member of my family and I were victims of such an incident in 1991 whilst living in a Council flat in the Andover estate. Several youth addicts kicked down the front door and jumped on my relative's bed, cutting their forehead. Their life was saved by swift police action, as they took my relative to Whittington Hospital in their car. The Council discrimination officer ordered our transfer to lower Hilldrop estate. In fear of a repetition of another discriminatory or disability hatred attack, I added front door and window security in 1995 without any Council objection and on three occasions since this has saved me from being attacked.

I would like to know why Islington Mayor is taking me to the Clerkenwell County Court in order to obtain injunction forcing me to dismantle my present safety security so that the Council contractors can install double glazing while knowing that remaining alive with the aid of security features is surely more important and beneficial to me than being dead in a flat with double glazing?

- b John Ackers to Councillor Claudia Webbe, Executive Member for Environment and Transport

Waltham Forest council should be congratulated on their Mini Holland project and in particular the introduction of filtered permeability and public realm improvements into Walthamstow Village, which the council says will reduce traffic flow on residential streets. Can comparisons be made between Walthamstow Village and Highbury West – is their Orford Road, which is being closed to motorised traffic, the equivalent of our Gillespie Road?

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COUNCIL MEETING – 25 June 2015

QUESTIONS FROM MEMBERS OF THE COUNCIL

- a Councillor O'Halloran to Councillor Murray, Executive Member for Housing and Development

This Council has a proud record of building new homes at affordable social rents. That's why I know many members will be extremely concerned about the policy of the Government to force councils, like Islington, to sell off valuable homes. Could Cllr Murray comment on the likely impact this policy will have in Islington?

- b Councillor Gantly to Councillor Watts, Leader of the Council

Cllr Watts will have seen the announcement by the Chancellor that, despite delivering the largest cuts to local government in our history, the Chancellor wants to wield the axe again and the LGA has warned that this could mean in-year budget cuts. What does this mean for Islington?

- c Councillor Heather to Councillor Shaikh, Executive Member for Economic and Community Development

I have concerns about the Community Warden scheme being run by the Finsbury Park Business Forum who are based in my Ward. I note that Islington Council is opposed to workfare, and my concern is that this scheme appears to be a workfare scheme. Can the Executive member for Economic and Community Development please assure me that the Council will investigate the scheme with both the Department of Work and Pensions and FPBF to establish whether this is a workfare scheme, and also establish who benefits financially from the scheme?

- d Councillor Poole to Councillor Murray, Executive Member for Housing and Development

Will Councillor Murray commit to doing everything possible to prevent the eviction of the tenants of One Housing Group who live at 38-44 Islington Park Street?

- e Councillor Diarmaid Ward to Councillor Hull, Executive Member for Finance and Performance

This Tory Government's plans to reduce the benefit cap to £23,000 per household will have a huge impact in Islington because the cost of housing is so high. How can the council help families who are struggling to cope as a result, in the short term and the long term?

- f Councillor Diarmaid Ward to Councillor Shaikh, Executive Member for Economic and Community Development

Public libraries can provide community space, skilled staff and assisted online access, and reach out to vulnerable people. Do you have any plans to try and encourage more Islington residents to use the library service?

- g Councillor Russell to Councillor Shaikh, Executive Member for Economic and Community Development

Finsbury Park business forum is running a workfare scheme with A4E in which unemployed people are working 30 hours per week unpaid and risk their benefits being sanctioned if they do not turn up. Will the council join me in condemning this practice as exploitative and will you use your influence as a partner organisation of Finsbury Park Business Forum to bring this practice to an end and ensure that any station wardens are paid the London living wage in future?"

- h Councillor Russell to Councillor Webbe, Executive Member for Environment and Transport

There are five things a council can do to reduce road casualties: Lower speed limits, re-configure roads, enforce speed limits, use new technology such as intelligent speed adaptation and invest in behaviour change and education.

In light of the 35% increase in serious collisions in Islington in 2014 compared to 2013. Will the council underpin the 20mph speed limit by

- reconfiguring streets to reduce traffic flow with filtered permeability,
- working with the police on enforcement via community speedwatch
- calling on TFL to bring in an Independent Speed Adaptation bus trial in

Islington and

- promote behaviour change to encourage compliance with speed limits, drink/drug driving laws and mobile at the wheel bans?

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Report of: **Leader of the Council**

Meeting of	Date	Ward(s)
Council	25 June 2015	All

Delete as appropriate	Exempt	Non-exempt
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Islington Armed Forces Community Covenant: annual update

1 Synopsis

- 1.1 On 29 June 2013, Armed Forces Day, the Council signed the Islington Armed Forces Community Covenant and pledged to develop practical ways to help armed forces personnel living and serving in Islington, and to recognise their contribution and achievements. Members asked the Chief Executive and Service Directors to report back each year prior to Armed Forces Day on how the Armed Forces community in Islington is being supported by the Council.
- 1.2 This report sets out the range of activity over the past year to promote and support the Armed Forces and events / priorities for the coming year.

2 Recommendations

- 2.1 To note progress and events over the past year.
- 2.2 To raise awareness amongst local communities and organisations of the availability of funding through the Local Initiatives Fund to support Youth Organisations in Uniform and other activities which bring together military and local communities and support the priorities in Islington's Community Covenant.
- 2.3 To continue to support public events as set out in 5.4 and 5.5.

3 Background

- 3.1 The Armed Forces Covenant is a national agreement which sets out the relationship between the nation, the state and the Armed Forces. It recognises that the whole nation has a moral obligation to members of the Armed Forces and their families and establishes how they should expect to be treated. It applies to both serving and former members of the Armed Forces and their families with a view to redressing the disadvantages that the Armed Forces community faces in comparison to other citizens and to recognising the sacrifices that they have made. Through the Covenant a range of measures have already been agreed to support the Armed Forces, including:

- Council tax relief for serving personnel on six-month plus deployments;
- Allowing schools to exceed maximum class sizes to accommodate children of serving personnel;
- Money Force – a financial awareness and training website for Forces families.

- 3.2 In addition to the national Covenant, local authorities, their partners, and military organisations within the area are encouraged to sign up to an Armed Forces Community Covenant, setting out what can be done locally to:
- Encourage local communities to support the Armed Forces community in their areas;
 - Nurture understanding and awareness of issues affecting the Armed Forces community;
 - Recognise and remember the sacrifices faced by the Armed Forces community;
 - Encourage activities which help to integrate the Armed Forces community into local life;
 - Encourage the Armed Forces community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement.
- 3.3 Islington Council signed the Islington Armed Forces Community Covenant on 29 June 2013.
- 3.4 The government set aside funding (£30 million for the period 2012-15) for a Community Covenant Grants Scheme. This is available for projects across the country which will help to deliver the ambitions set out in local community covenants. The government has not yet confirmed if the funding will be extended.

4 Supporting our Armed Forces - progress in the past year

- 4.1 Since signing our Community Covenant in June 2013, further work has taken place to build on and understand what the pledge of Council support means in practice, develop arrangements to promote and manage applications to the Community Covenants Grants Scheme, and continue to organise events which engage with and recognise the contribution of our Armed Forces. Over the past 2 years we have:

Agreed a package of practical support

- 4.2 Measures include:
- *Financial support:* discounting war widows' and other benefits when calculating entitlement to financial support;
 - *Access to council housing:* additional points for war widows and those injured in service;
 - *Employment support:* ex-personnel struggling to find work will be able to get support from Islington Learning & Working (which includes Islington Working for Parents and Adult & Community Learning);
 - *Support for those with mental or physical health needs:* including Mental Health First Aid training for frontline services charities.
- 4.3 Full details of the Council's package of support to the Armed Forces through the Community Covenant are attached at Appendix A.

Personnel supported over the past year

- 4.4 We currently have 16 war pensioners in receipt of Housing and/or Council Tax support. All are living in social housing (either Council or Housing Association). Four of them are of working age.

Bids from Islington to the Community Covenant Grants Scheme

- 4.5 The Islington Panel approved an application from The Charlie F Project, to stage performances of a play called *The Two Worlds of Charlie F*. This was submitted to the regional panel who awarded it £69,925. Charlie F is about the experiences of wounded and injured soldiers, performed by them. It provides a personal account of their injuries and the impact that it has had on their lives, their families, the transition to civilian life and the civilian community.
- 4.6 Rowan Arts have also received £5,000 from the regional grant scheme to fund an interactive arts and education project comprising oral history, creative writing, a visual arts exhibition and film screenings. The project will explore what it means to be a soldier and how that is expressed in culture and the media versus the personal narratives of serving and former soldiers. The project is predominantly aimed at students from London Metropolitan University who will work closely with post-World War 2 veterans to produce filmed interviews of their experiences of war and return to civilian life. Together, the veterans and students will also run workshops with pupils from New River College Pupil Referral Unit.

Cascaded information on support and funding available

- 4.7 Information on the support offered through the Community Covenant and on the funding available through the Grants Scheme has been circulated to a wide range of services and partners including:
- Internal staff, particularly frontline services;
 - Key statutory sector partners including Jobcentre Plus, Housing Associations and NHS;
 - Voluntary and community sector groups – through Voluntary Action Islington;
 - Military organisations: the Honorary Artillery Company (HAC), Youth Organisations in Uniform, Islington Veterans' Association.
- 4.8 Representatives from Islington Council and the HAC also attended a cross-borough event hosted by Kensington & Chelsea to identify support needs of current and ex-forces personnel and share progress in developing local Armed Forces Community Covenants.
- 4.9 The council has continue to promote its support for armed forces personnel through a public webpage: <http://www.islington.gov.uk/advice/armed-forces-support/>

Observed significant events

- 4.10 The Armed Forces flag is flown annually on the roof of the Town Hall on St George's Day and on Armed Forces Day. On Remembrance Day a two minute silence is observed on the steps of the Town Hall, attended by veterans, local civic leaders including the Mayor, Leader of the Council and Chief Executive, council staff and members of the public.
- 4.11 Ceremony to award Islington Veterans Association Freedom of the Borough at the Awards Council meeting on Tuesday 10th March 2015.
- 4.12 Commemoration of the 100th anniversary of ANZAC day in April for the first time in the Borough.
- 4.13 Celebrating a Month of Peace in September 2014, with a theme of 'Faith & War', exploring with Islington schools the impact of war and the importance of peace. Activities included The Peace Cup, an inter-community football tournament.
- 4.14 The Council will be commemorating the 70th anniversary of VE Day with a lunch

for surviving WW2 veterans on 26th June at the Assembly Hall.

- 4.15 The Mayor has attended events at the HAC and strengthened our ties with them including a celebration of 100th anniversary of HM King George taking the Salute at the HAC and the HAC's Open Evening. The HAC have also attended events organised by the Council, including the Remembrance Parade and Service at Islington Green, St George's Day Flag Raising Ceremony and the Flag Raising Ceremony for Armed Forces Day.

Commemoration of World War 1

- 4.16 Summer 2014 started the official remembrance of 100 years since World War 1, which is planned to extend until 2018. The Council is working with partners and local communities to deliver a programme of events which will highlight the scale of the loss and lessons for future generations:
- *The Streets They Left Behind*: Islington Museum secured £85,000 Heritage Lottery funding for a project which will use data from the Book of Remembrance to explore the lives of families before war broke out, then the impact on women and families left behind when men went to war. Remembrance plaques are being installed on every street in Islington where soldiers from in World War 1 lived and grew up.
 - Islington Council Choir dedicated half of their summer concert to war songs commemorating the beginning of WW1 and the 70th anniversary of D-Day.
 - There are commemorative displays in all of Islington's libraries detailing some of the ways the First World War impacted on the local area, including an exhibition at Islington Museum on the Zeppelin and Gotha Raids 1915-1918.
 - The council has established a Pinterest page, "Islington 1914-1918", which provides an interactive educational platform for the public to engage with the history of the borough during WW1. Photos and images remember those who served on the front line as well as exploring everyday life in Islington during the War.
 - The council participated in the national "Lights Out" campaign on 4th August 2014, turning lights out in council buildings between 10-11pm and encouraging residents to do the same and put a candle in their windows to commemorate those who lost their lives in WW1. The campaign was inspired by the words of Sir Edward Grey, the Foreign Secretary in 1914, on the eve of War - "The lamps are going out all over Europe, we shall not see them lit again in our life-time". A formal service of commemoration to remember the 9,403 men (and 1 woman) from Islington who died in WW1 was also held on 4th August.
 - *Islington's Boy Soldiers*, the council, with funding from the Museum of London and the Arts Council, has created a short film documenting the stories of three young men from Islington who died in World War 1 before reaching their 18th birthdays.

5 Supporting our Armed Forces through local communities – forthcoming projects

Remembrance of World War 1 in Islington

- 5.1 *Victoria Cross Commemorative Paving Stone scheme*: Between 1914 and 1918, 5 soldiers born in Islington were awarded the Victoria Cross, the UK's highest award

for valour “in the face of the enemy”. Over the course of the next 5 years, Islington will take part in the government’s Victoria Cross Commemorative Paving Stone scheme, with 5 commemorative paving stones being unveiled by the War Memorial at Islington Green. The first paving stone will be unveiled in July 2015.

- 5.2 *Gallipoli*: with funding from the Gallipoli Association, Gallipoli will work with 5 schools teaching them about the Allied and Turkish roles through contemporary music and storytelling to help them understand the contribution of the Armed Forces.
- 5.3 *The Somme 1916/2016*: Islington residents can uncover their own family links with World War 1 through *The Somme 1916/2016* and bring forward memorabilia and letters, emphasising the local aspect of World War 1 and the part local Armed Forces played.
- 5.4 *The Widows of Islington 2017*: With over 1,500 women widowed in the borough this project will focus on the plight of war widows in Islington during World War 1 in Islington.

Events that celebrate the contribution the Armed Forces make and bring together the armed forces and local community

- 5.5 The council should continue to support public events and ceremonies including St George’s Day, Armed Forces week, Remembrance Sunday.
- 5.6 The council should continue to engage with the HAC at their Open Evening and other events.

Final Report Clearance

Signed by



17 June 2015

Leader of the Council

Date

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Islington Armed Forces Community Covenant: Council's Commitment

On 29 June 2013 – Armed Forces Day – the Council signed up to the Islington Armed Forces Community Covenant. In doing so it recognised and pledged to promote the valuable contribution of and sacrifices made by the Armed Forces and to provide practical support to help serving and former members of the Armed Forces and their families living in Islington.

The Council already has in place a range of support services for residents, particularly for families on low incomes, disabled people, those with long term health conditions and vulnerable adults and children. Current and ex-serving personnel living in Islington will have access to the same services and support as other residents. This document sets out the commitments the Council has made, over and above the core offer, to support Armed Forces personnel and their families and recognise the contribution they make. We will honour our pledges in the community covenant through:

Financial support

The income of war widows and war disablement will be disregarded when calculating entitlement to:

- Housing Benefit
- Council Tax Support
- Access to financial support through the Resident Support Scheme

Access to council housing

Our housing allocations policy has been amended to support Armed Forces personnel and their families applying for council housing in the following circumstances:

- Service personnel will not be affected by residency restrictions if they have to live outside Islington as part of their service
- Welfare Category B is an award of 80 points and may be awarded in to bereaved spouses or civil partners of those serving in the regular forces where the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and the death was wholly or partly attributable to their service
- Welfare Category C is an award of 40 points and may be awarded to applicants whose welfare needs are comparable to former members of the regular forces
- Medical Category A gives the maximum 150 points and will be awarded to serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service

Employment and skills support

Ex-forces personnel who are facing challenges in securing employment will be eligible for support through council employment programmes. This could include support in developing new skills and in accessing local vacancies. The discipline, resilience and team spirit of armed forces personnel could be a considerable incentive to employers.

The Council provides employment and skills support to vulnerable groups and / or those facing significant barriers as part of its commitment to tackle poverty and inequality in Islington.

Support for health needs

The Council will provide:

- Mental Health First Aid training to Armed Forces organisations / charities enabling them to recognise mental health issues and refer on to relevant support
- Alcohol awareness training to representatives of Armed Forces organisations / charities

- Support (both financial and practical) with housing adaptations – for those moving to private as well as council housing, and refer those with disabilities / longer term health conditions onto relevant support services

Appointment of an Armed Forces Champion

Each year the Council will formally nominate a councillor to be the Armed Forces Champion, ensuring good relationships with Armed Forces organisations in the borough and promoting engagement activities and support. The current Armed Forces Champion is Cllr Gary Poole.

Formally recognising the contribution of the Armed Forces

- The Armed Forces Flag will be flown on the roof of the Town Hall each year on Armed Forces Day
- A Veteran or Cadet of the Year Award will be launched during Armed Forces Week 2014 to highlight the contribution of individuals
- Freedom of the Borough has been awarded to:
 - The Honorary Artillery Company in 2009
 - Colonel Brian Kay, the former Deputy Lieutenant in 2010

Supporting 'Youth Organisations in Uniform'

Islington has a number of Air Training Corps, Army Cadets and Sea Cadets in the borough and the Islington Academy has just set up a Combined Cadet Force. The Council will support these positive activities for young people through:

- Active involvement of the Mayor in visiting and supporting the activities of the various cadet forces in Islington
- Access to funding for running costs and activities through the Council's two small grants schemes – the Local Initiatives Fund and Islington Community Chest
- Chiring meetings of Youth Organisations in Uniform (YOU) which brings together various organisations - the Cubs, Scouts, Boys Brigade etc. – to identify opportunities for sharing help and resources

Promote the Community Covenants Grants Scheme

The government has established a Community Covenants Grant Scheme, with £10m available per year for projects across the country which support the priorities of local Armed Forces Community Covenants and bring together the civilian and Armed Forces communities to promote integration and raise awareness of the contribution and sacrifices made by Forces personnel.

The scheme is administered on a regional basis but bids must be signed off at local level before being submitted to the regional panel. Applications can be submitted by any part of the community, including voluntary and community sector organisations / charities, public sector bodies, schools, etc. Projects should deliver tangible results and meet the overall aims of the community covenant scheme.

The Council will:

- Promote the Community Covenants Grants Scheme through its links with local voluntary and community sector organisations, statutory sector partners, schools and local businesses
- Convene a local panel, comprising senior Armed Forces / Council, to endorse local bids
- Administer the grants process, from receiving bids through the making payments for those which are successful, and publish on its website details of how to apply, and of successful local bids

Islington Council will work closely with Armed Forces organisations to increase understanding of, and address issues faced by, serving and ex-personnel and to maximise awareness and take up of the commitments made through this covenant

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Chief Executive's Department
Town Hall, Upper Street, London N1 2UD

Report of: **Assistant Chief Executive (Governance and HR)**

Meeting of	Date	Ward(s)
Council	25 June 2015	All

Delete as appropriate	Exempt	Non-exempt
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Subject: Annual Review of the Constitution

1. Synopsis

- 1.1 This report proposes changes to the Council's Constitution, in particular to the Procurement Rules and Officer Employment Rules.

2. Recommendations

- 2.1 To note that the Leader of the Council has approved the changes to delegation of Executive functions.
- 2.2 To approve the amendments to the Constitution set out in the attached Appendix.
- 2.3 To authorise the Assistant Chief Executive (Governance and HR) to make any consequential amendments to the Constitution she considers necessary

3. Background

- 3.1. A general review of the Council's Constitution is undertaken approximately annually in order to update it to reflect changes in legislation and in Council policy and to ensure that it remains fit for purposes. In addition, changes are proposed in this report arising from recommendation by the Policy and Performance Scrutiny Committee and an end to end review of the council's procurement processes.

- 3.2. Appendix 1 contains a copy of the Constitution on which proposed changes are marked, by crossing through in the case of deletions and by underlining in the case of additions. Proposed changes which are not self explanatory are explained in footnotes and the main changes proposed are described below. Minor changes such as updating job titles are not shown.

4. Main proposed changes

- 4.1 **Part 3 – Responsibility for Functions:** An amendment is proposed to officer delegated powers to reflect changes to the Procurement Rules as described below.

4.2 Part 4 – Procedure Rules: Officer Employment Rules

The recently passed The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 require that the council make changes to its officer employment rules to change the procedures which apply if it is proposed that the Chief Executive, Chief Finance Officer (the Corporate Director of Finance and Resources) or the Monitoring Officer (the Assistant Chief Executive, Governance and HR) be dismissed as a result of disciplinary proceedings.

- 4.3 Currently, no disciplinary action in respect of the Head of Paid Service (Chief Executive), the Monitoring Officer or the Chief Finance Officer (except suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action) can be taken other than in accordance with a recommendation in a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001. The Chief Executive cannot be dismissed without a decision by full council.
- 4.4 Under the new arrangements there will no longer be a statutory requirement to appoint a designated independent person. Instead, the final decision to dismiss the Chief Executive, the Monitoring Officer or the Chief Finance Officer (and not just the Head of Paid Service as now) must be taken by full Council. The decision cannot be taken before the council has invited at least two Independent Persons to be members of a Panel, and Council must take into account any recommendation of that Panel before taking a final decision to dismiss. Independent Persons are those appointed under the Localism Act 2011 in relation to member conduct issues. There are rules about the Panel which are replicated in the proposed amendments to the constitution in Appendix 1. These leave to the council much of the detail as to membership of the panel and its procedures.
- 4.5 It is proposed that further discussion be undertaken to determine the most appropriate arrangements for the Panel and any future disciplinary action against these officers and that these be adopted by the council or the Audit Committee in due course. It is not proposed that a standing panel be set up by this report although it is anticipated that one will be set up as soon as possible following consideration by the audit committee.

4.6 **Part 6 – Financial Regulations**

A change is proposed to make Community Infrastructure Levy funding subject to the same decision-making process in the Financial Regulations as section 106 funding.

4.7 **Part 6 – Procurement Rules:** extensive changes are proposed to the Procurement Rules. These are to reflect recommendations from the Policy and Performance Scrutiny and the recent external end to end review of the council's procurement processes as well as changes required following the recent Public Contract Regulations 2015.

4.8 The Policy and Performance Scrutiny Committee recommendations included:

- To ensure the Strategy, Equality and Performance Unit improves the guidance within procurement procedures relating to equalities.
- To raise the threshold in the procurement rules that triggers the requirement for competitive tenders from £100,000 to £172,514 to open Council contracts up to increase the volume and financial value of business accessible to smaller local suppliers.

The Executive agreed with these recommendations and asked the Procurement Board to explore the recommended changes to thresholds.

4.8 An end to end review of the council's procurement processes undertaken by external advisers also recommended that the threshold levels for tenders should be increased from the current value of £100,000 to reflect the EU goods/services threshold (currently £172,514) and that the threshold for officer delegated procurements should be increased to £2,000,000 for revenue expenditure and £5,000,000 for capital expenditure as total contract value to align with other London Boroughs.

4.10 The council's Procurement Board has also considered and approved these recommendations for change.

4.11 The main changes in the Rules now proposed in Appendix 1 are:

- Expanding the considerations which form part of responsible procurement
- Introducing a restriction on deviations from the Council's standard prequalification questionnaire
- Increasing the one quotation band to £25,000
- Increasing the three quotation band to the EU goods/services threshold
- Including express requirements for concession agreements (broadly contracts which allow the contractor to exploit the work or services covered by the contract to generate income for itself and the council) for the first time.
- Increasing the threshold below which officers can take decisions in regard to contract/procurement matters to £2million for revenue and £5million for capital.

4.12 **Part 9 – Other council related bodies:** It is proposed that a new section be added to the Constitution to draw together for ease of reference information about the constitutions/terms of reference of various significant bodies which are established by the council but which are not committees of the council. As the constitutions/terms of reference of these bodies are already established or contained in legislation they are not reproduced in the Appendix. The bodies that will be covered are:

- Safeguarding Adults Partnership Board
- Islington Children and Families Partnership
- Adoption and Permanency Panel
- Fostering Panel
- Local Safeguarding Children Board
- Islington Corporate Parenting Board
- Independent Schools Admissions Appeal Panel
- Independent Schools Exclusions Appeal Panel
- Schools Forum
- Admissions Forum
- MAGPIs
- Pension Board

4.13 **Appendices**

The Council has a new power to issue Community Protection Notices under the Anti-social Behaviour, Crime and Policing Act 2014. Community Protection Notices are intended to deal with particular, ongoing problems or nuisances which negatively affect the community's quality of life by targeting the person responsible. The notice will direct the individual, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again.

The exercise of this power needs to be delegated to the appropriate officers in the relevant services. At its March meeting Council delegated authority to exercise the Council's power to issue Community Protection Notices under the Anti-Social Behaviour, Crime and Policing Act 2014, if authorised by the Service Director Public Protection, to a number of named postholders. It is now proposed that this list be extended as set out in the Appendix to Tenancy Management Advisers in HASS where authorised by the Service Director – Housing Operations].

5 **Conclusion and recommendations**

5.1 A number of changes are proposed to the Constitution in this report for approval by the Council.

6. **Implications**

Financial Implications

There are no financial implications arising directly from this report.

Legal Implication

These are contained in the body of the report and in the footnotes in the Appendix.

Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

There are no resident implications arising directly from this report.

Environmental Implications

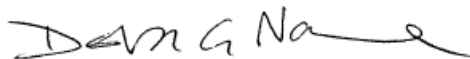
There are no environmental implications arising directly from this report.

Background papers: None.

Appendix: Extracts from the Constitution

Final Report Clearance

Signed by



16 June 2015

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Date

Assistant Chief Executive (Governance and HR)

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APPENDIX - Proposed Amendments to the Constitution

PART 3 - RESPONSIBILITY FOR FUNCTIONS

8. OFFICER DELEGATIONS

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- 8.6 The Chief Executive, Corporate Directors and Assistant Chief Executives shall have authority to incur revenue expenditure up to £500,000 on individual items and capital expenditure of up to £1 million on individual items and to incur expenditure in excess of these limits where specifically authorised to do so in the Financial Regulations or elsewhere in the Constitution.
- 8.7 The Chief Executive, Corporate Directors and Assistant Chief Executives shall also have authority to award contracts where the value of the contract is up to £2 million revenue expenditure or £5 million capital expenditure¹ and in the case of capital spend approved as part of the capital programme to award or vary contracts under a framework contract (itself awarded by the council on its own or in partnership with any other organisation) where the estimated value of the contract or variation is more than £5m.

PART 4 – PROCEDURE RULES

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OFFICER EMPLOYMENT PROCEDURE RULES

101. DISMISSAL OF CHIEF EXECUTIVE AND CHIEF OR DEPUTY CHIEF OFFICERS

- 101.1 No notice of dismissal shall be given to the Chief Executive, the Chief Finance Officer or the Monitoring Officer unless the Council has approved such a dismissal.
- 101.2 The process by which the Council would consider a proposal to dismiss the Chief Executive, the Chief Finance Officer or the Monitoring Officer will be subject to the procedures agreed by elected members of the Council.
-

102. ADDITIONAL PROVISIONS IN RELATION TO THE CHIEF EXECUTIVE, MONITORING OFFICER AND SECTION 151 OFFICER

¹ These changes are recommended following the Scrutiny undertaken by the Policy and Performance Scrutiny Committee and the recent external end to end review of the council's procurement processes.

103.1 In this Rule:

- (a) “local government elector” means a person registered as a local government elector in the register of electors in the council’s area in accordance with the Representation of the People Acts;
- (b) “the Panel” means a committee appointed by the council under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;
- (c) “relevant meeting” means a meeting of the Council to consider whether or not to approve a proposal to dismiss a relevant officer; and

103.2 The Chief Executive, Corporate Director of Finance and Resources and Assistant Chief Executive, Governance and HR, may not be dismissed by the council unless the procedure set out in this Rule has been complied with.

103.3. The council must invite relevant independent persons (that is persons appointed under section 28(7) of the Localism Act 2011 in respect of member conduct issues) to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.

103.4. In Rule 103.3 “relevant independent person” means any independent person who has been appointed by the council or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the council considers appropriate.

103.5. Subject to paragraph 103.6, the council must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 3 in accordance with the following priority order—

- (a) a relevant independent person who has been appointed by the council and who is a local government elector;
- (b) any other relevant independent person who has been appointed by the council;
- (c) a relevant independent person who has been appointed by another authority or authorities.

103.6. The council must appoint any Panel at least 20 working days before the relevant meeting.

103.7. Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the council must take into account, in particular:

- (a) any advice, views or recommendations of the Panel;
- (b) the conclusions of any investigation into the proposed dismissal; and
- (c) any representations from the relevant officer.

103.8 Any independent person appointed to the Panel shall be entitled to the same allowances and expenses as they are entitled to in respect of their role as independent person under the 2011 Act.

PART 6 – FINANCIAL REGULATIONS

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4. CAPITAL EXPENDITURE

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OTHER CHANGES TO THE CAPITAL BUDGET

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4.26 The allocation of monies paid or payable to the council **under the Community Infrastructure Levy Regulations 2010** or pursuant to agreements entered into under section 106 of the Town and Country Planning Act 1990 shall be recommended to the Executive where the particular allocation to a project of monies under a particular agreement or from a number of separate agreements exceeds £1m but shall otherwise be agreed by the Corporate Director for Environment and Regeneration in consultation with the Corporate Director of Finance and Resources.

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PART 6 – PROCUREMENT RULES

Contents

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B) Policy Regulations, Indirect Rules

6. Resident Impact Assessment
7. Corporate Priorities
8. Responsible Procurement
9. Freedom of Information Act
10. Conduct
11. TUPE
12. London Living Wage
13. Public Services (Social Value) Act 2012

C) Responsibilities

14. Procurement Board Responsibilities
15. Supply Chain Practitioner Group Responsibilities
16. Executive Responsibilities
17. Chief Executive Responsibilities
18. Corporate Director Responsibilities
19. Finance Responsibilities
20. Legal Services Contracts Team Responsibilities
21. Commissioning officer Responsibilities
22. Strategic Procurement Team Responsibilities

D) Procurement Administrative Process

23. Quotations
24. Selection Criteria
25. Award Criteria
26. Invitations to Tender
27. Putting Tenders Forward
28. Receiving and Opening Tenders
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30. Awarding Tenders
31. Keeping Records
32. Contract Management

A – FINANCIAL REGULATIONS

1. Introduction and Thresholds

- 1.1 These mandatory rules apply to all spend by officers or agents of the Council and partnerships for which the Council has responsibility, on goods, works and services, including when we are leading in a central purchasing body arrangement. References to the Council in these Procurement Rules should be substituted by any relevant or partnership as appropriate. The rules ensure we comply fully with our

obligations for Standing Orders under the Local Government Act 1972 Section 135. It is a disciplinary offence for officers/agents not to follow the Procurement Rules. These rules govern any purchase, lease, rental or combination but exclude employment arrangements or Council land arrangements.

- 1.2 Any explanation or clarification of these Procurement Rules should come exclusively from the Council's Strategic Procurement Team or Legal Services.
- 1.3 Where there is conflict between European Law, UK Law, or Council policy then European Law, UK Law then Council policy shall apply in that order of priority. No officer, member or the Executive has any authority to waive any matter which is required under the law.
- 1.4 These rules ensure competition, provide protection against inappropriate use of Council funds, look at full life costs of any purchase, assist legislative compliance and deliver best value by the Council supported by our policies and codes of practice.
- 1.5 The procedure to be followed is determined in Value Bands of whole life value (recurring procurements based on four years of value) across the entire Council. The calculation of the whole life value of a procurement shall be based on the total amount payable, net of VAT, as estimated by the Council including any potential renewals or contract extensions.² Spend must not be fragmented in any way to circumvent the appropriate procedure. The budget must be appropriately approved by the relevant officer of the Council prior to spending. Where an exact value is not known then the decision should be based on the estimated value.
- 1.6 The procedure is:
 - 1.6.1 Utilise an existing corporate contract wherever available (for more information refer to our website); or
 - 1.6.2 When no corporate contract is available, follow the procedure set out in Table 1.

Table 1

Value Band	Estimated whole life value (excluding VAT)	Required Procedure
i)	£ 0 - £4,999	No formal written quotation required. Spend should be made by purchase card wherever possible.
ii)	£5,000 to £24,999 ³	One (1) written quotation from a suitable provider with a reason for

² This is a clarification

³ The Public Contracts Regulations 2015 do not require competition below £25,000 for sub-central authorities, which includes local authorities. This change aligns the council's thresholds with the figure to avoid the creation of a further category. This threshold has not been raised for a number of years.

		<p>decision based on value for money recorded in writing.</p> <p>All contracts within this value band must be notified by email to the Strategic Procurement Team to be recorded on the corporate contracts database register.</p>
iii)	£25,000 and the supplies/services threshold mentioned in 2.2. ⁴	<p>A minimum of three (3) competitive written quotations with justification on grounds of value for money for award recorded in writing.</p> <p>The three (3) quotations must include one (1) quotation from a local (Islington) supplier, as long as a suitable supplier is available.</p> <p>Where contracts within this Value Band are to be advertised, the agreement of the Head of Strategic Procurement is required. The Head of Strategic Procurement (or their nominated representative) will advise on the wording and content of the advertisement and must additionally arrange for the advertisement to be placed in Contracts Finder.⁵</p> <p>All contracts within this value band must be notified by email to the Strategic Procurement Team to be recorded on the corporate contracts database.</p>
iv)	The supplies/services threshold mentioned in 2.2.or above (Note: this applies for the procurement of works as well as supplies and services)	<p>Contact Strategic Procurement Team who will look at the availability of an existing suitable consortium or framework arrangement.</p> <p>If one is not available: a formal tender process with a minimum of five (5) written competitive tenders.</p> <p>Where five (5) written competitive tenders are not available or a lower</p>

⁴ As set out in the report, the change would align the council's threshold for formal tenders with the new Public Contracts Regulations 2015 supplies/services threshold of £172,514 as set out in Rule 2.2.

⁵ This change is proposed to comply with the new Public Contracts Regulations 2015

		<p>number is desired, the commissioning client officer shall follow the advice of the Head of Strategic Procurement (or their nominated representative).</p> <p>All contracts within this value band must be notified by email to the Strategic Procurement Team and subsequent guidance adopted.</p> <p>Note: European advertising requirements will have to be complied with for the procurement of most services in this category (see 2.2) in addition to the Council's portal and advertising in Contracts Finder⁶. European advertising requirements will only apply to the procurement of works contracts that have a value that is above the relevant EU threshold for works.</p>
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1.7 Engagement of consultants requires the completion of a business case in line with the online guidelines provided by the Strategic Procurement Team. The business case should be completed by the client commissioning officer. The client commissioning officer is the person in the Council responsible for identifying and specifying the need(s) for the contract. Initial approval of the business case is required from the client commissioning officer's Corporate Director or Assistant Chief Executive (or their nominated representative). A panel consisting of the Strategic Procurement Team, Finance and an independent departmental representative will assess the business case. The client commissioning officer will then be informed whether or not they can procure their consultant or whether more information is needed for a decision to be reached.

1.8 Concession agreements are agreements under which the consideration given by the council consists of or includes the grant of a right to exploit the work or services to be carried out under the contract. For the purposes of the Procurement Rules, the Value Bands requirements in Table 1 will apply based on the estimated value to be received over the whole life of the agreement⁷.

2. Value Based Procedures

2.1 All contracts with an estimated value in value band iv) must be advertised on the Islington Council website, the Council's online e-tendering portal and Contracts

⁶ This change is proposed to comply with the new Public Contracts Regulations 2015

⁷ This change is made to ensure appropriate competition in undertaken in respect of concession contracts.

Finder, unless otherwise agreed by the Head of Strategic Procurement. The advertisement must include unless otherwise authorised by the Head of Strategic Procurement (or their authorised representative):

- 2.1.1 the price/quality breakdown of award criteria;
- 2.1.2 the time by which an interested party must respond to be considered;
- 2.1.3 how, to whom and in which way to respond;
- 2.1.4 any other relevant requirements for participating in the procurement.

The price/quality breakdown of award criteria including any weighting cannot be amended during the tender process once published⁸.

- 2.2 The Public Contract Regulations 2015 (the Regulations) apply to all contracts although which specific rules apply will depend on the value and subject matter of the contract. Specific advertising and tender process requirements apply to the procurement of some contracts with a value estimated to exceed thresholds of **£172,514** whole life value for supplies/services and **£4,322,012** whole life value for works. In the case of services contracts, the Strategic Procurement Team shall determine whether the service is covered by the “light touch” regime under the Regulations.
- 2.3 Contracts exceeding £500,000 or where directed by the Assistant Chief Executive (Governance and HR), must be signed as a deed by Assistant Chief Executive (Governance and HR) or their authorised representative (contracts below this threshold where no alternative instruction has been provided shall be signed by two Authorised Officers of the Council). Contracts must be signed prior to works commencing, services starting or goods being delivered, unless otherwise agreed in writing by the Assistant Chief Executive (Governance and HR) and recorded in the contract file. The Legal Services Contracts Team will supply the wording for any Letter of Intent. Letters of intent represent a risk to the Council and should only be used where absolutely unavoidable.
- 2.4 Contracts exceeding £500,000 need to be approved in advance by any applicable board, as determined by the Head of Strategic Procurement (or their nominated representative).
- 2.5 In relation to contracts with an estimated value (to the Council) which exceeds the delegated authority of the Corporate Director and/or Assistant Chief Executive’s as set out in Procurement Rule 18 (as applicable for the type of spend in question), approval of the Procurement Strategy is required from the Executive. This is not required in the case of Capital Spend under contract for works approved as part of the capital programme which are to be provided under a framework agreement (established by the council on its own or in partnership with any other organisation). Revenue and Capital Spend are more particularly defined within the Financial Regulations.

⁸ This change is proposed to comply with the new Public Contracts Regulations 2015

- 2.6 Where Procurement Strategy approval is required, a report (complying with the Access to Information Rules in Part 4 of the Constitution) must be provided to the Executive pre tender setting out the following relevant information:
- 2.6.1 Nature of the service;
 - 2.6.2 Estimated value and volumes;
 - 2.6.3 Timetable;
 - 2.6.4 Options appraisal for tender procedure including consideration of collaboration opportunities;
 - 2.6.5 Consideration of: social benefit clauses, London Living Wage, best value, TUPE, pensions and other staffing implications;
 - 2.6.6 Award criteria;
 - 2.6.7 Any business risks associated with entering the contract;
 - 2.6.8 Any other relevant financial, legal or other considerations.

3. Exceptions to the Procurement Procedure

- 3.1 When procuring goods and services from an approved central purchasing body such as the London Contracts and Supplies Group (LCSG) or Crown Commercial Services (CCS) the financial thresholds in table 1 of the Procurement Rules do not apply. In these instances the procedures laid out in the existing contract or framework prevail which may require a mini competition (or quotation exercise) to be completed. The Council's rules in respect of Recordable and Key Decisions will always apply.
- 3.2 Exceptions to the Procurement Rules will only be considered on the basis of a written report ("waiver request") produced in advance of procurement activity. The waiver request should set out good operational and financial reasons and be based on value for money principles. Examples of exceptions, such as an emergency where serious financial loss or loss of life may be concerned, or when the goods, works or services are of an exclusive proprietary nature should be outlined in the waiver request.
- 3.3 The waiver request must include comments from the Legal Services Contracts Team, Strategic Procurement and Finance.
- 3.4 Corporate Directors (and Assistant Chief Executives, Service Directors and Heads of Service where appropriately authorised) can agree exceptions for Value Bands i), ii) and iii) contracts up to their delegated authority levels by approving a written waiver request.
- 3.5 Corporate Directors (and Assistant Chief Executives, Service Directors where appropriately authorised) can agree exceptions for Value Band iv) contracts up to their delegated authority levels by approving a written waiver request.

- 3.6 A Recordable Decision report must be completed where appropriate. Only the Executive can agree exemptions in the case of Value Band iv) contracts where the value exceeds the Corporate Director or Assistant Chief Executive's delegated authority and it will be necessary for a formal report to be submitted.
- 3.7 The Executive does not have authority to waive or override the requirements of European or national law.
- 3.8 Exceptions to the Procurement Rules, other than use of an approved central purchasing body, will only be approved under exceptional circumstances where there are significant reasons to justify the request..

4. Risk and Insurance Financial Management

- 4.1 All Value Band iv) procurements must have a risk assessment completed by the client commissioning officer in line with the Council's standard processes.
- 4.2 All Value Bands procurements should give consideration to financial and legal risks of the proposed procurement. For Value Band iv) this should be recorded in writing.
- 4.3 All contracts where there is direct advice and/or design services provided by a contractor, including all Consultancy arrangements, must include a requirement for Professional Indemnity Insurance.
- 4.4 For Value Band iii) procurements all contractors must have and maintain Public Liability insurance and Employers Liability insurance of £5,000,000 or more in addition to any other insurance recommended by the Insurance Section of the Council. Value Band iv) procurement insurance values should be checked with the Insurance Section. (Note: sole traders with no employees are excluded from Employers Liability.)
- 4.5 Corporate Directors, Assistant Chief Executives and (where they have appropriate authorisation) Service Directors and Heads of Service may agree an exception to insurance values for public liability and professional indemnity in respect of contracts up to Value Band iii). A Corporate Director, Assistant Chief Executive or authorised Service Director may agree a variation to an insurance value at Value Band iv). All variations to agreed insurance levels must be made in discussion with the Insurance Section and the Assistant Chief Executive (Governance and HR) (or their authorised representative). All variations must be recorded in writing in the contract file.
- 4.6 All potential Contractors to the Council shall have a financial appraisal undertaken prior to being awarded a Value Band iv) contract.
- 4.7 The Strategic Procurement Team shall procure independent financial appraisals as required unless otherwise agreed by the Head of Strategic Procurement (or their nominated representative).

- 4.8 In the event of any doubt as to the Contractor's financial viability, or any non-availability of an external report, the Commissioning officer's finance contact shall provide expert advice. Consideration may still be made of the Contractor if the risk is deemed acceptable by Corporate Directors and/or Assistant Chief Executive (or authorised Service Directors) and agreed with the Head of Strategic Procurement (or their nominated representative).
- 4.9 Financial appraisals are not required when contracting directly with other local authorities, the Police, Crown Prosecution Service, Greater London Authority, Clinical Commissioning Groups, National Health Service, Her Majesty's Prison Service, Fire Brigade or other public sector bodies as agreed by the Head of Strategic Procurement (or their European equivalents in all cases)⁹. Such organisations are underwritten by Central Government(s) and thus are deemed financially viable at all times.
- 4.10 Where there is doubt as to the financial viability of a contractor but the Council has either no acceptable alternative provider or has decided to accept the level of risk then additional form of security to a level determined between Legal Services Contracts Team and financial services shall be provided such as:
- 4.10.1 a Parent Company, Ultimate Holding Company or Holding Company guarantee where their finance prove acceptable;
 - 4.10.2 a Director's Guarantee or Personal Guarantee where their finances prove acceptable;
 - 4.10.3 a Performance Bond, retained funds or cash deposit;
 - 4.10.4 any other security as determined by finance and/or legal services.
- 4.11 A Corporate Director or Assistant Chief Executive can decide in the case of contracts with a total value up to £5,000,000, that the level of security specified by finance and/or Legal Services Contracts Team need not be provided by the tenderer. A written record by the Corporate Director or Assistant Chief Executive of this decision and the reason(s) for it must be kept in the contract file.
- 4.11 A contractor may need to provide security of performance.
- 4.12 Before a contract is awarded, the Executive must approve the award of a contract where the contractor cannot provide security of performance for contracts with a total contract value of more than £5,000,000. The report seeking approval of the Executive must set out the reason why it is proposed that the contract should be awarded despite the absence of security and what measures are to be taken to manage the risk.

5. E-Procurement

⁹ These are points of clarification

- 5.1 The Council recognises the following e-procurement activities, including sourcing, ordering, receiving goods and making payments to achieve best value in line with the Procurement Rules and Council policies:
 - 5.1.1 Corporate purchase cards;
 - 5.1.2 Electronic tendering;
 - 5.1.3 Electronic auctions;
 - 5.1.4 Purchase-to-pay systems;
 - 5.1.5 Consolidated and electronic invoicing.
- 5.2 Assistance for using e-auction may be obtained from the Strategic Procurement Team. All e-auctions require the authorisation of the Head of Strategic Procurement (or their nominated representative).
- 5.3 An electronic signature is acceptable to make a contract legally binding. However contracts must still be printed by the commissioning client officer and appropriately signed or sealed to comply with Council procedures.

B – POLICY, REGULATIONS, INDIRECT RULES

6. Resident Impact Assessment

- 6.1 It is mandatory to complete a Resident Impact Assessment (RIA) for all contracts in value band iv) prior to the specification being completed. RIAs have replaced Equality Impact Assessments (EIAs) in Islington. Although there is no legal requirement to carry out EIAs, public bodies still have to demonstrate that they are taking the Public Sector Equality Duty (PSED) into account when making decisions. Local authorities also have obligations in relation to safeguarding and human rights. The main focus of RIAs is on drawing out the equality impacts of proposals with additional sections for highlighting safeguarding risks and potential human rights breaches.
- 6.2 Contract clauses inserted in respect of a Protected Characteristic must be approved by the Legal Services Contracts Team.
- 6.3 Contractors may be encouraged to undertake appropriate equalities training.
- 6.4 Contractors will be required to sign the Fairness and Equality Charter in all procurement in value band iv),. Any exception must be approved by the Head of Strategic Procurement (or their authorised representative).

7. Corporate Priorities

- 7.1 All contracts shall support the priorities set out in the Corporate Plan and/or Strategy.
- 7.2 Corporate priorities may change from time to time. For further information refer to www.islington.gov.uk.

8. Responsible Procurement¹⁰

- 8.1 The Council has made a commitment to responsible procurement.
- 8.2 Officers shall consider the effect on the environment of their commissioning when procuring by:
 - 8.2.1 not specifying, purchasing or using products that damage the environment when a reasonable alternative is available to promote behaviour that causes the least damage to the environment;
 - 8.2.2 taking into account whole life costs such as energy, maintenance and end of life disposal costs where appropriate in tender evaluations;

¹⁰ Changes are made to this section to expand the range of responsible procurement considerations to include equalities issues, use of diverse suppliers such as staff mutual and social value.

- 8.2.3 recognising that sustainability and buying environmentally friendly goods and services is part of continuous improvement;
- 8.2.4 completing an environmental impact assessment on all value band iv) contracts.
- 8.3 Officers shall, consistently with the council's Best Value duty and so far as permitted by relevant procurement legislation, consider the effect on others of their commissioning when procuring by:
 - 8.3.1 ensuring that the council's Public Sector Equality Duty is complied with in all procurement activity;
 - 8.3.2 promoting fair employment practices (also see Rule: London Living Wage);
 - 8.3.3 encouraging a diverse supplier base in contract advertisements, welcoming applicants who meet the qualitative selection criteria from voluntary and community sector enterprises (VCSEs), social enterprises, staff mutuals, not for profit enterprises and small to medium enterprises;
 - 8.3.4 considering Social Value at each stage of the procurement (also see Rule: Public Services (Social Value) Act 2012) .

9. Freedom of Information Act 2000

- 9.1 The Freedom of Information Act 2000 gives people the right to see information that is held by any public organisation. It is intended to make public authorities more open and responsible for their actions. The Act recognises that there are some valid reasons for withholding information. Contractors must be asked to complete a Freedom of Information Schedule (or equivalent named schedule) identifying any confidential or commercially sensitive information in their tender response.

10. Conduct

- 10.1 Officers shall conduct themselves in line with the Employee Code of Conduct available on the Council's internet pages. Officers must not accept any gift or reward before, during or after a tender process beyond nominal value. Officers must declare any personal interest(s) in a contract prior to any involvement in a contract the Council is/are considering or a contract that has already commenced.

11. Transfer of Undertakings (Protection of Employment) Regulations (TUPE)

- 11.1 Whenever a new contractor is appointed to take over an existing service, the employees of the original contractor (or the Council, if the service was previously provided in-house) may be affected by transferring the services to another provider. If so, you must make sure TUPE issues are considered. You must get legal advice from the Legal Services before asking for tenders or quotations. This may also

apply where a service is being re-configured and will in future be covered by a number of providers.

12. London Living Wage

- 12.1 As a matter of policy, London Living Wage (LLW) must be considered on all contracts where the Citizen's UK accreditation criteria for contracts apply. LLW consideration is encouraged on all contracts and shall be considered on all Value Band ii) contracts and above. LLW shall be adopted on all contracts insofar as this is permitted by law. A report shall be produced setting out all relevant considerations. The consideration report must be included within the contract file. The report must be approved by the relevant Director, Head of Strategic Procurement and/or appropriate person under delegated authority.

13. Public Services (Social Value) Act 2012

- 13.1 The Public Services (Social Value) Act 2012 came into force in January 2013. It covers services contracts that are covered by the Regulations but the principles can be applied to other contracts. In planning and conducting a Value Band iv procurement you must consider, and record within the contract file, how the procurement and contract shall:

- 13.1.1 consult and improve the economic, social and environmental well being of the borough and relevant partners;
- 13.1.2 secure and achieve any noted economic, social and environmental improvement.

Consideration shall be proportionate, reasonable, relevant and non discriminatory to the procurement and subsequent contract.

C – RESPONSIBILITIES

14. Commissioning and Procurement Board Responsibilities

- 14.1 The Commissioning and Procurement Board shall provide leadership and governance to:
- 14.1.1 challenge the approach and strategy of commissioning officers across the Council for the purposes of improving efficiency including category management and collaboration to ensure proposals are robust and sustainable;
 - 14.1.2 help the Council to challenge costs, then identify and capture savings opportunities;
 - 14.1.3 review third party spend, risk/opportunities, performance and transparency information for the purposes of embedding compliance;
 - 14.1.4 appraise the Council’s approach to the Community Right to Challenge and make any initial assessment and comments on expressions of interest prior to Executive decision;
 - 14.1.5 improve the quality of business cases and reports, guiding commissioners on corporate and organisational objectives;
 - 14.1.6 promote social, environmental and economic considerations – social value;
 - 14.1.7 encourage opportunities to help local employment and local economies;
 - 14.1.8 improve organisational knowledge in regard to third party spend and encourage a commercial approach that still focuses on the service user;
 - 14.1.9 modernise the approach to commissioning, procurement and contract management in service delivery;
 - 14.1.10 critically assess changes in the wider environment such as new developments in legislation or technology where additional guidance or support may be required.
- 14.2 The Commissioning and Procurement Board shall provide direction on the best approaches towards commissioning, procurement and contract management including appropriate supply chain related issues.
- 14.3 The Commissioning and Procurement Board will record minutes of their activities and these shall be made available upon request.

15. Supply Chain Practitioners Group Responsibilities

- 15.1 The Supply Chain Practitioners Group shall:

- 15.1.1 keep an awareness of what supply chain activity is happening within departments;
- 15.1.2 act as a conduit of best practice for supply chain;
- 15.1.3 provide information for reports and input for newsletters;
- 15.1.4 maintain or liaise with the departmental person(s) responsible for maintaining the procurement forward plans for respective departments;
- 15.1.5 provide a first line information source on where to find supply chain information.

16. The Executive Responsibilities

16.1 The Executive shall:

16.1.1 approve the award or variation of contracts where the value of the contract or variation (to the Council) is estimated to exceed officers delegated authority (in the case of Revenue Spend or Capital Spend) unless, in the case of Capital Spend the contract is for works approved as part of the capital programme which are to be provided under a framework agreement (established by the council on its own or in partnership with any other organisation) in which case, Corporate Directors and Assistant Chief Executives may approve such award. Revenue and Capital Spend are more particularly defined within the main Financial Regulations.

16.1.2 approve awards without performance security where the contract exceeds £5,000,000.

16.2 The Executive may delegate its responsibilities under this Rule 16 to Corporate Directors and Assistant Chief Executives

17. Chief Executive Responsibilities

17.1 The Chief Executive is responsible for making sure that Corporate Directors and Assistant Chief Executives carry out their responsibilities under these rules and for acting or appropriately delegating where a Corporate Director and Assistant Chief Executives is not able to carry out these responsibilities.

17.2 The Chief Executive has all the powers of the Corporate Director and Assistant Chief Executives' set out immediately below.¹¹

18. Corporate Director and Assistant Chief Executives' Responsibilities

¹¹ This clarifies the existing position

- 18.1 A Corporate Director or Assistant Chief Executive has responsibility for all contracts awarded by their department. His/her responsibilities include:
- 18.1.1 making sure that the Procurement Rules, Key Decision procedures and Access to Information rules are followed;
 - 18.1.2 awarding contracts paid for using revenue money of up to £2,000,000 of Islington Council spend and contracts paid for using capital money of up to £5,000,000 of Islington Council spend¹²;
 - 18.1.4 agreeing an amendment to a contract where the value of the amendment is up to £2,000,000 in the case of a revenue contract or £5,000,000 in the case of capital expenditure ~~or where it is under 10% of the original contract value (whichever is the higher);~~
 - 18.1.5 awarding contracts paid for using revenue money over £2,000,000 of Islington Council spend where authorised to do so under the constitution or by a specific Executive decision
 - 18.1.6 awarding contracts paid for using capital money over £5,000,000 of Islington Council spend where authorised to do so under the constitution or by a specific Executive decision;
 - 18.1.7 awarding contracts under a framework agreement using capital money where the spend is part of the approved capital programme;
 - 18.1.8 making sure the Council achieves value for money;
 - 18.1.9 taking immediate action if someone breaks the Procurement Rules;
 - 18.1.10 making sure proper and detailed records of all contracts are kept;
 - 18.1.11 making sure a record is kept when it is decided that these Procurement Rules do not have to be followed;
 - 18.1.12 making sure arrangements are in place for opening tenders (where not conducted through the Council's e-tendering portal under the responsibility of the Head of Strategic Procurement) and keeping departmental copies of tenders (in electronic soft copy or physical hard copy) safe;
 - 18.1.13 making sure that the Council's corporate seal is placed on any document that needs to be 'sealed and executed' as a deed, and that where a document does not need to be sealed, it is signed by two authorised officers;
 - 18.1.14 agreeing to waive security of performance on a contract up to £5,000,000 of Islington Council spend;
 - 18.1.15 deciding to accept a contract with lower levels of insurance cover and to accept a contract without professional indemnity insurance;

¹² These threshold increases are recommended following the Scrutiny undertaken by the Policy and Performance Scrutiny Committee and the recent external end to end review of the council's procurement processes.

- 18.1.16 deciding, with advice from the Head of Strategic Procurement (or their nominated representative) and the Legal Services Contracts Team (subject to rule 28.6) on whether to apply a competitive procedure with negotiation or a competitive dialogue where in response to an open or a restricted procedure only irregular or unacceptable tenders are submitted
- 18.1.17 in cases where the Public Contract Regulations do not require a specified process to be followed in respect of the procurement, agreeing to negotiate a contract direct with a completed waiver form; and
- 18.1.18 keeping a register of all contracts for their service and having all contracts duplicated on the corporate contracts database register with an official number.

19. Finance Responsibilities

19.1 The finance department shall:

- 19.1.1 provide guidance to client commissioning officers on procurement implications to associated budgets where multiple departments could be affected;
- 19.1.2 commit the budget to being available for any procurement activity; and
- 19.1.3 comment on all reports for the Corporate Management Board, Joint Board or Executive Reports.

20. Legal Services Contracts Team Responsibilities

20.1 The Legal Services Contracts Team shall:

- 20.1.1 provide advice on the Public Contract Regulations, the Procurement Rules and responsibilities to client commissioning officers;
- 20.1.2 prepare conditions of contract and associated documents to include in the tender documents in a timely manner;
- 20.1.3 advise on any legal issues arising in relation to the contract and the procurement process;
- 20.1.4 review any proposed Contractor terms and conditions at the request of the commissioning officer;
- 20.1.5 advise on and where required negotiate on behalf of the commissioning officer, amendments to the conditions of contract.

21. Commissioning officer Responsibilities

- 21.1 Commissioning officers (officers leading on procurement) shall:
- 21.1.1 follow the Procurement Rules, decision making procedures and Access to Information rules;
 - 21.1.2 in planning and conducting a Value Band iv) procurement consider, and record within the contract file, how the procurement and contract will:
 - 21.1.2.1 consult on and improve the economic, social and environmental well being of the borough and relevant partners;
 - 21.1.2.2 secure and achieve any noted economic, social and environmental improvement.
 - 21.1.3 complete an Health and Safety Impact Assessment, and London Living Wage consideration report for a Value Band ii) contract or above;
 - 21.1.4 complete an Environmental Impact Assessment, and Risk Assessment for a Value Band iv) contract;
 - 21.1.5 get a corporate contract database register number from the Strategic Procurement Team for all Value Band ii) contract or above;
 - 21.1.6 instruct the Legal Services Contracts Team in good time to prepare, or give advice on, all terms and conditions;
 - 21.1.7 notify Democratic Services and write appropriate reports needed by the Executive and to submit these in time to meet deadlines in both the committee schedules and procurement timetable;
 - 21.1.8 ensure resources are in place to manage the let contract;
 - 21.1.9 ensure there is sufficient budget for the contract;
 - 21.1.10 seek legal advice when terminating a contract and/or withholding payments; and
 - 21.1.11 ensure a minimum of one contract review per annum. This is to ensure the quality of the service and to promote continuous improvement.

22. Strategic Procurement Team Responsibilities

- 22.1 The Strategic Procurement Team shall:
- 22.1.1 review the Procurement Rules and associated policies and documentation;
 - 22.1.2 maintain a repository of skills and expertise to provide procurement advice;
 - 22.1.3 support commissioning officers when going out to tender with an appropriate level of advisory support, examining options available to the commissioning officer in light of procurement best practice and legislation and to advise

commissioning officers to liaise with Democratic Services regarding the council's decision making processes;

22.1.4 liaise with the Legal Services Contracts Team to assist in ensuring that all the advice provided and procedures being followed are legally compliant;

22.1.5 provide procurement and spend information for statistical purposes and return for the governmental organisations.

D – Procurement Administrative Process

23. Quotations

- 23.1 All quotations for Value Band ii) and iii) must be received in a written format of formal letter quotation, facsimile, email or catalogue and based on a written statement of needs and have a written justification under value for money for selection of provider;
- 23.2 All quotations for Value Band ii) and above should have formal terms and conditions as prepared or agreed by the Legal Services Contracts Team, unless the Legal Services Contracts Team provides exemption to those conditions.

24. Selection Criteria

- 24.1 In accordance with the Regulations and with guidance from the Strategic Procurement Team, selection criteria may only relate to:
- 24.1.1 Exclusion grounds;
 - 24.1.2 Suitability to pursue a professional activity;
 - 24.1.3 economic and financial standing;
 - 24.1.4 technical and professional ability.
- 24.2 The Council operates a pre qualification questionnaire to ensure contractors meet these conditions where permitted by the Public Contract Regulations.
- 24.3 Any deviation from the council's standard pre qualification questionnaire must be reported to the Head of Strategic Procurement for approval and subsequent reporting by the Head of Strategic Procurement to the Crown Commercial Service.¹³
- 24.4 Organisations found guilty of conducting fraud, such as 'cover pricing', will not normally be considered. Organisations shall be required to make declarations in regards to professional and business conduct, including Blacklisting, to the satisfaction of the Council before being invited to tender or tenders assessed.

25. Award Criteria

- 25.1 All award criteria must be linked to the subject matter of the contract, ensure the possibility of effective competition and be accompanied by specifications. The award conditions should be documented in the procurement documents including any weighting to be applied. Contractors assessed against these criteria are entitled to have access to their results and feedback, records must be kept of these results in line with retention procedures held by Strategic Procurement for matters in relations to procurement.

¹³ This is a new legal requirement

- 25.2 Tenders can only be awarded against the following criteria: most economically advantageous tender, in accordance with the Public Contract Regulations.
- 25.3 All award criteria should be published in the tender advert, unless otherwise specifically agreed by the Head of Strategic Procurement. In all cases the award criteria shall be included within the procurement documents in accordance with the Regulations.

26. Invitations to Tender

26.1 All invitations to tender must include:

- 26.1.1 a description of the requirements with enough detail to allow the tenderer to make a competitive offer (a specification or term brief);
- 26.1.2 a requirement for tenderers to declare that they have not given the tender content and price to any other organisation (unless if necessary in confidence, such as the tenders' subcontractors, with prior authorisation);
- 26.1.3 a requirement for tenderers to fill in fully and sign all tender documents (electronically signed by return for e-tenders);
- 26.1.4 a statement that tenders are put forward at the tenderer's expense;
- 26.1.5 a list of the award criteria and the scoring/weighting system;
- 26.1.6 if the tender is being returned by post this must be agreed by the Head of Strategic Procurement and a statement that no tender will be considered unless it is enclosed in a sealed envelope or container which has the word 'tender' followed by the contract name, but no other name or mark showing who sent it;
- 26.1.7 a statement that tenders sent by post, fax or e-mail will only be considered and accepted by the Council with the authority of the Head of Strategic Procurement (or their representative);
- 26.1.8 how any pricing mistakes discovered in the tender will be dealt with;
- 26.1.9 statement that the Council can recover costs from the cancellation of any contract in the event the Contractor should offer, agree to offer or provide an officer, member or person associated with the Council, partner or its agent an inducement or reward in respect of a contract;
- 26.1.10 a statement that we do not have to accept the lowest tender, or indeed any tender.

27. Putting Tenders Forward

- 27.1 Officers should sufficiently prepare in advance for procurement processes to allow for European Directive and council Key Decision or other decision making timescales.
- 27.2 Tenders should normally be received through the Council's e-tendering portal. Posted, emailed and fax tenders may only be used with the express consent of the Head of Strategic Procurement (or their representative).
- 27.3 All intentions to seek tenders must be notified to the Strategic Procurement Team in writing including title, estimated annual value, contract length and commissioning officer (or responsible officer if different).
- 27.4 Mini-competitions from framework agreements are not tenders, but should be notified to Strategic Procurement whenever these are value band iv).
- 27.5 Mini-competitions in value band iv) from framework agreements should be conducted through the Council's e-tendering portal unless otherwise agreed by the Head of Strategic Procurement (or their nominated representative).
- 27.6 All procurement activity where a third party provider is running the process, regardless of value, should be notified to the Head of Strategic Procurement (or their nominated representative) to determine the appropriateness of the procurement process.
- 27.6 All mini-competitions from framework agreements where a third party provider is running the quotation process, regardless of value, should be notified to the Head of Strategic Procurement (or their nominated representative) to determine the appropriateness of the procurement process.
- 27.7 Copies of the assessment will be required to be supplied to the Council whenever a third party has conducted procurement on the Council's behalf.

28. Receiving and Opening tenders

- 28.1 Each tender received must be:
 - 28.1.1 recorded with the date and time it was received;
 - 28.1.2 kept in a safe place; and
 - 28.1.3 reported to the Strategic Procurement Team.
- 28.2 All tenders not conducted through the Council's e-tendering portal must be by agreement of the Head of Strategic Procurement and be opened in the presence of a Tender Opening Panel (TOP). The TOP must be made up of at least two officers, one of whom should be the commissioning client officer.
- 28.3 Contracts estimated over the thresholds mentioned in 2.2 must have a member of the Strategic Procurement Team on the TOP.

- 28.4 Tenders should be through the electronic e-tendering portal managed by Strategic Procurement when/wherever possible. When opening electronic tenders, all tenders must be opened at the same time.
- 28.5 Tenders received after the set time for receiving them, but before the TOP has begun opening them, may be opened and then considered only if agreed by the Head of Strategic Procurement (or his nominated representative) agree that it is appropriate to do so.
- 28.6 Tenders received after the TOP has begun opening tenders “late tenders” will not be considered unless specifically agreed by the Head of Strategic Procurement (or his representative) or are for land/building property purchases. This applies equally to tenders received through the Council’s e-tendering portal. Tenders received late and not to be considered will be returned or the relevant bidder written to as indicated by the Head of Strategic Procurement (or his representative).
- 28.7 All tenders opened by the TOP will be evaluated in a timely manner against the advertised award conditions.
- 28.8 All extensions to tender return dates must be authorised by the Head of Strategic Procurement (or his representative).
- 28.9 Errors or matters of ambiguity in tenders should be highlighted to the Head of Strategic Procurement (or his representative) to decide whether an extension is appropriate for satisfactory return of bids.

29. Negotiation

- 29.1 The negotiated procedure, either with or without competition, may be used in accordance with the provisions of the Regulations and only where agreed by the Head of Strategic Procurement (or their representative) and Legal Services Contracts Team to ensure compliance with the Regulations.
- 29.2 A Corporate Director or Assistant Chief Executive can decide in consultation with the Head of Strategic Procurement (or their nominated representative) that a contract should be awarded by post-tender negotiation (discussions after tenders have been received), subject to the Regulations.
- 29.3 Negotiations must be carried out by at least two (2) senior officers, at least one of whom is a Corporate Director or Assistant Chief Executive’s nominated representative. Corporate Directors and Assistant Chief Executive are responsible for the actions of the people they have nominated.
- 29.4 Negotiations must be fully minuted and the actions agreed by both parties.

30. Awarding Tenders

- 30.1 The commissioning officer must prepare a contract award report for any every contract which is in value band ii) or above and keep that report on the contract file.

More guidance is available from Strategic Procurement but the report must normally include:

- 30.1.1 an introduction and summary of the requirement;
 - 30.1.2 outcomes, efficiencies and savings as a consequence of award;
 - 30.1.3 chosen procurement route and justified options discounted;
 - 30.1.4 length of arrangement including any extension options;
 - 30.1.5 criteria against which the contractor was selected and subsequently awarded;
 - 30.1.6 the make up of the project team, noting any Member involvement;
 - 30.1.7 the estimated value/actual value for the life of the contract;
 - 30.1.8 dates and information regarding previous tendering in the case of a recurring procurement;
 - 30.1.9 pre tender assessment information;
 - 30.1.10 copies of any documentation required under Commissioning Officer Responsibilities within these Procurement Rules.
- 15
- 30.2 The Commissioning officer must write to the successful bidder telling them that the Council has accepted their offer and to the unsuccessful bidders telling them that the Council has not accepted their offers including in both cases their evaluation scores and the score of the winning tender(s) at the same time, published through the Council's e-tendering portal unless agreed by the Head of Strategic Procurement;
 - 30.3 Tenders awarded in line with the Regulations must be notified that the Council will accept the successful tender as long as no objections are raised by any of the unsuccessful bidders during the ten (10) day appeal period where applicable;
 - 30.4 The Contract must not be signed until the ten (10) day standstill period has passed without objection where applicable;
 - 30.5 The successful Contractor must not commence work until the contract has been signed in line with Section A above.

31. Keeping records

- 31.1 The Commissioning officer's department must keep:
 - 31.1.1 successful contract files for twelve (12) years after the end of the contract for all sealed contracts;

¹⁵ This is deleted as it is covered elsewhere in the rules

31.1.2 successful contract files for six (6) years after the end of the contract for all other contracts;

31.1.3 unsuccessful contract files for two (2) years.

32. Contract Management

32.1 A record of all contract amendments and variation orders (orders to amend contracts) must be issued in writing and sent electronically to Strategic Procurement;

32.2 Commissioning officers must file a copy of every variation order in the contract file highlighting any risk to their relevant manager and any other affected department.

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APPENDICES

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APPENDIX 3

Additional Delegations to Officers

The post holders specified in column B below may exercise the Council's power to issue Community Protection Notices under the Anti-social Behaviour, Crime and Policing Act 2014 if authorised by the Service Director –Housing Operations to do so:

A – Specified team	B – Specified post-holders
Tenancy Management Advisers	Housing Operations.

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ISLINGTON

COUNCIL MEETING – 25 June 2015

REPORT OF THE CHIEF WHIP

1. APPOINTMENT TO HYDE NORTHSIDE HOMES COMMUNITY BOARD

That Councillor Alice Perry be appointed as the Islington Council representative on Hyde Northside Homes Community Board for a period of one year.

Recommendation:

To agree the appointment of Councillor Alice Perry to be the Islington Council representative on Hyde Northside Homes Community Board for a period of one year or until a successor is appointed.

COUNCILLOR ALICE PERRY
Chief Whip

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COUNCIL MEETING – 25 June 2015

NOTICES OF MOTION

1. **Motion 1: Support the Human Rights Act**

Proposer: Councillor Russell

This Council supports:

The Human Rights Act and the positive impact it has had on rights protections of individuals in the UK; welcomes the guidance the Human Rights Act provides for public authorities in ensuring policies are developed in line with international human rights standards.

This council resolves:

To call on the Government to retain the Human Rights Act, the protections within it, and the UK's international obligations under the European Convention on Human Rights.

2. **Motion 2. Ban on Glyphosate**

Proposer: Councillor Russell

This Council notes:

That Glyphosate is used as a weed killer in the streets and parks of Islington to control grass and weeds, but was classified in March 2015 by the International Agency for Research on Cancer (IARC), an arm of the World Health Organisation (WHO), as “probably carcinogenic to humans”. Council further notes the recent agreement to ban the use of Glyphosate on Penderyn Way estate.

This Council resolves:

That the Corporate Director Environment and Regeneration be requested to extend the ban on Glyphosate use to the rest of the borough.

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