

UPDATE ON STATUTORY RECOMMENDATIONS

General Purposes Committee	2 December 2021
Report Author	Madeline Homer, Chief Executive
Portfolio Holder	Cllr Ash Ashbee, Leader of Council
Status	For Information and for Recommendation
Classification:	Unrestricted
Previously Considered by	Council - 2 November 2021
Ward:	All

Executive Summary:

A report to update the Committee about progress to addressing the statutory recommendations made on 12 October 2021 and accepted by the Council on 2 November 2021.

Recommendation(s):

The Committee is recommended to:

1. Note the report and the appointment of the Independent Monitoring Officer.
2. Make any comments on the appended Statutory Recommendations Action Plan for recommendation to Council.

Corporate Implications

Financial and Value for Money

The cost of the Independent Monitoring Officer (IMO) will be £1500 per day (to include the IMO at £1000 per day and an assistant at £500 per day). The precise total costs at this stage are unknown until the total length of time of the work is known. The Local Government Association (LGA), which sourced appropriate candidates, has confirmed it will cover the costs of the IMO through an LGA grant.

The additional work set out in the Statutory Recommendations Action Plan and any additional work required to support the IMO, will be covered by officers within their existing roles. It is not anticipated that there will be any extra cost of this work.

Legal

The statutory recommendations are made under section 24 of the Local Audit and Accountability Act 2014.

Corporate

In accepting the statutory recommendations, the Council committed to bringing regular updates to both General Purposes Committee and meetings of full Council as appropriate.

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty: -

- To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
- To advance equality of opportunity between people who share a protected characteristic and people who do not share it
- To foster good relations between people who share a protected characteristic and people who do not share it.

All actions taken to address the statutory recommendations will take account of the public sector equality Duty. Equality Impact Assessments will be undertaken as necessary and the impact of any proposals and actions on people with protected characteristics will be considered at all times.

Corporate Priorities

This report relates to the following corporate priorities: -

- Communities

1.0 Introduction and Background

- 1.1 At the extraordinary meeting of Council on 2 November 2021, Council received and accepted the statutory recommendations made by its external auditors, Grant Thornton on 12 October 2021. In addition to the recommendations, which included regular reports to this Committee, Council agreed an additional recommendation, to report at regular intervals to Council. The report and minutes of the meeting can be found at the following Link:

<https://democracy.thanet.gov.uk/ieListDocuments.aspx?CId=141&MId=6087>

- 1.2 This is the first report of a series to update GPC as the work progresses. Any comments/recommendations that the Committee makes will be included in the report to Council on 9 December.

2.0 The Current Situation

- 2.1 The Local Government Association sourced two candidates for the role of Independent Monitoring Officer (IMO). The Leader and Chief Executive interviewed both candidates and have chosen Mr Mark Hynes.
- 2.2 Mr Hynes is currently Director of Governance and Law and Monitoring Officer at the London Borough of Waltham Forest
- 2.3 Mr Hynes will be assisted by Mr Michael Berriman.
- 2.4 A Statutory Recommendations Action Plan has been prepared which covers the statutory recommendations, those people who will be involved and some additional actions which will be taken to address the recommendations. The Plan will be updated once the IMO has started and has had input into the work.
- 2.5 A comprehensive piece of work has been identified to update and revise various employment policies. A number of policies have been identified as a priority for review including the Council's Whistleblowing Policy, Disciplinary Policy, Grievance Policy and Dignity at Work Policy.
- 2.6 Although some of these policies require only minor wording changes, a few policies require further work, to bring them up to date and make them clearer and more workable. For example, the Disciplinary Policy is currently split across three documents, which is confusing and unclear. The HR team will lead on the review of the policies, led by the HR Manager. All policies will be subject to a process of consultation with staff and will be reported to this Committee for final approval and sign off.

3.0 Next Steps

- 3.1 If agreed, a similar report will be taken to Council on 9 December, together with any comments/recommendations that this Committee makes.
- 3.2 This report is just the first step in a series of updates which will be reported to this Committee and Council as the work progresses.
- 3.3 The steps outlined above at paragraph 2.4 - 2.6 may be amended subject to any comments that the IMO might have and subject to any additional work that the IMO wishes to undertake.

Contact Officer: *Estelle Culligan (Director of Law and Democracy)*

Reporting to: *Madeline Homer (Chief Executive)*

Annex List

Annex 1: Statutory Recommendations Action Plan

Background Papers

None

Corporate Consultation

Finance: *Chris Blundell (Director of Finance)*

Legal: *Estelle Culligan (Director of Law and Democracy)*