



THE LONDON BOROUGH
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DATE: 13 June 2017

To: Members of the
LOCAL JOINT CONSULTATIVE COMMITTEE

Employer's Side

Councillor Russell Mellor (Chairman)
Councillor Nicholas Bennett J.P.
Councillor Stephen Carr
Councillor David Cartwright QFSM
Councillor Simon Fawthrop
Councillor Kate Lymer
Councillor Ian F. Payne
Councillor Michael Turner
Councillor Angela Wilkins

Staff Side and Departmental Representatives

Kelle Akala, Environment and Community Services
Alice Atabong, Education, Care and Health Services (Housing)
Duncan Bridgewater, Chief Executives
Jill Crawley, Unite
Jackie Goad, Chief Executives
Claire Harris, Environment and Community Services
Stuart Henderson, Chief Executive (Registrars)
Mandy Henry, Education, Care and Health Services
Sandra Jones, Education, Care and Health Services
Nicola Musto, Environment and Community Services
Olumide Odubawo, Education, Care and Health Services
Gill Slater, Unite Representative
Kathy Smith, Unite
Kirsty Wilkinson, Education, Care and Health Services (SEN & Disability Service)

A meeting of the Local Joint Consultative Committee will be held at Bromley Civic Centre on **TUESDAY 20 JUNE 2017 AT 6.00 PM**

Rooms have been reserved for Members and the Staff Side to meet separately at 5.30 pm before the meeting commences at 6.00pm. The Assistant Chief Executive (Human Resources) will be available from 5.30pm to brief Members.

MARK BOWEN
Director of Corporate Services

A G E N D A

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 DECLARATIONS OF INTEREST

To record any declarations of interest from Members present.

3 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 23RD FEBRUARY 2017 (Pages 5 - 16)

4 UPDATE FROM DEPARTMENTAL REPRESENTATIVES (Pages 17 - 18)

5 COMMISSIONING

1:1 In an update to the LJCC, the Director of Commissioning had previously stated that the delay in the implementation of the Cushman and Wakefield contract was because clarification had been required concerning the final pension agreement.

The Staff Side allege that in a meeting with the Director of Culture, Renewal and Recreation and an Amey representative, it was stated that the delay in signing the contract was not related to pensions, but that there were additional problems that were not pension related.

The Staff Side are seeking clarification around what they perceive as statements that are conflicting.

1:2 The Staff Side would like to request the publication of the full review of the Idverde contract.

6 RISK REGISTER

2: The failure to properly use the Risk Register had been mentioned by the Staff Side at previous meetings.

Councillor Fawthrop suggested that Unite be informed, as a matter of good practice, when issues concerning the Risk Register were due to be discussed at PDS meetings. Unite would like to ask why it has not received any advice or feedback concerning this

7 AUDIT CONTROLS (2016) REPORT (Pages 19 - 34)

The Staff Side would like to ask why the Audit Controls (2016) Report was only published on the Intranet, and not on the Internet.

The Staff Side would also like to ask why there has been no discussion (outside of the public LJCC) about matters therein with the union as requested.

8 REPRESENTATIONS

The Staff Side would like to request representation at meetings of the Departmental Representatives, with the opportunity to make representations there, and not just at LJCC meetings.

9 DATE OF NEXT MEETING

The Committee is requested to note that the next meeting will be held on 10th October 2017.

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LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30pm on 23 February 2017

Present:

Employer's Side

Councillor Russell Mellor (Chairman)
Councillor Stephen Carr
Councillor Simon Fawthrop
Councillor William Huntington-Thresher
Councillor Tom Philpott
Councillor Colin Smith
Councillor Diane Smith
Councillor Michael Turner
Councillor Angela Wilkins

Staff Side and Departmental Representatives

Kathy Smith (Unite) (Vice-Chairman)
Kelle Akala, Environment and Community Services
Duncan Bridgewater, Chief Executives
Jackie Goad, Chief Executives
Sandra Jones, Education, Care and Health Services
Nicola Musto, Environment and Community Services
Gill Slater, Unite Representative

45 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Kate Lymer and Councillor Tim Stevens.

Councillor Carr substituted for Councillor Lymer.

Councillor William Huntington Thresher substituted for Councillor Tim Stevens.

Apologies were also received from Jill Crawley.

46 DECLARATIONS OF INTEREST

There were no new declarations of interest.

47 MINUTES OF THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 6th DECEMBER 2016

It was noted that the minutes of the meeting for October 26th 2016 had not been signed off by the Chairman. This was because the meeting on December 6th was cancelled as it was not quorate; because of this the October minutes were not agreed.

Kathy Smith (Unite) referenced the October minutes, and the Director of Commissioning's comments concerning the reason given for the delay in the signing of a contract with Amey and Cushman and Wakefield. The reason that

had been given by the Director was that clarification had been required concerning the final pension agreement. Ms Smith queried that if this was the only reason, why could staff not have been informed at the time.

Ms Smith stated that Unite had attended a TUPE meeting with Colin Brand (Director of Culture, Renewal and Recreation) and an Amey representative shortly after the October LJCC meeting. It was alleged that during this meeting, both Colin Brand and the Amey representative had alluded to additional problems in finalising the contract which were not pension related.

Ms Smith asked if the Director of Commissioning was unaware of the reasons for the delay and so just made up the pension response, or did she know and decided to give a reply to the LJCC that was misleading.

The Director of Human Resources replied that this was not an item that had been requested to be discussed on the agenda, and there were no issues concerning the accuracy of the October minutes. Because of this, the matter could not be progressed further at the meeting. If Unite wished to pursue the matter further, then it should be noted as an item for discussion at a future meeting.

Ms Smith also referred to the Risk Register, and it was similarly suggested that as this was not on the agenda for discussion, it would also need to be deferred to a future meeting. Cllr Fawthrop suggested that when issues concerning the Risk Register were due to be discussed at PDS meetings, then it may be good practice if Unite were informed.

The minutes of the meeting for October 26th 2016 were agreed as a correct record and signed by the Chairman.

The minutes of the meeting for December 6th were also agreed and signed. These were not full minutes in the usual sense as the meeting had been cancelled, but was rather a minute note advising that the meeting could not take place as it was not quorate.

48 UPDATE FROM DEPARTMENTAL REPRESENTATIVES

The update from Departmental Representatives was provided by Duncan Bridgewater and Jackie Goad.

They provided feedback on the following areas:

- Working Environment
- Health and Wellbeing
- Terms and Conditions
- Staff and Career Development
- Building Maintenance
- Style Manual
- Updating the Outlook Address Book

- Review of Civic Centre Smoking and Vaping areas

Councillor Carr was grateful for the positive dialogue that had taken place, and noted that as a result, better IT equipment had been provided for social workers.

The Chairman acknowledged the sterling work undertaken by Nicola Musto in providing mental health awareness and well-being training.

It was noted that the document that had been presented to the Committee was a 'living document' that would be updated as required.

Councillor Wilkins noted the reference in the document to some form of housing scheme for staff, as many staff could not afford to live in the Borough. She asked how this could be progressed.

Councillor Diane Smith commented on the matter of staff engaging with Councillors and stated that this should not just be a one way process, but that Councillors should also show some initiative in engaging with staff. She had done this herself in engaging with social workers and the Adoption Panel. Councillor Carr echoed the sentiment that it was important to develop a good working relationship between Officers and Councillors. The Director of Human Resources informed the Committee that LBB provided a course, 'Working in a Political Environment', which may be of use to both Officers and Councillors.

Councillor Fawthrop cautioned that Councillors were not employees, and that the segregation of powers should be acknowledged.

Councillor Turner stated that the document presented by the Departmental Representatives was excellent. He underlined the need for a common 'house style', a properly updated address book, and the need for the organisational charts to be updated on a regular basis. Councillor Fawthrop also highlighted the need for an updated Outlook address book with job titles.

The Director of Human Resources responded that the organisational charts (for key layers) were updated monthly. Councillor Turner stated that the charts should be updated regularly for all staff and not just the hierarchy.

Post meeting note from Emma Downie:

The organisation charts for all staff are updated on a quarterly basis and there is a link to the pdf documents on One Bromley (Under the Links section, 4th option). These are being worked on at the moment and will be published next in April.

Due to the work involved in producing these, which includes the departments reviewing and giving feedback on the draft charts, it would not be feasible to produce them on a more regular basis.

Ms Smith asked how many staff had responded to the survey sent out by the Departmental Representatives. Ms Goad clarified that 12 emails had been received, and most of these contained multiple responses. Ms Smith was surprised to hear that there had only been 12 responses. Ms Slater suggested that this may be because staff were afraid to engage and express dissatisfaction.

Ms Smith highlighted the reference in the report to the possibility of giving extra annual leave to staff that had no sickness in a year. She cautioned that such a policy could involve equality and discrimination issues.

Sandra Jones noted that changes would be made to the way that occupational health services would be provided, and stated that it would be a shame if the current counsellor could not be employed under the new arrangements.

The Chairman expressed the view that the Departmental Representatives were providing a valuable 'middle man' function, and looked forward to the next report.

The Director of Human Resources clarified that the Occupational Health Service was continuing, it was the provider that was changing. He added that the counsellor was employed by the current Occupational Health provider and not the Council. The counselling service would continue but under a different provider. Ms Jones responded by highlighting that the current counsellor had worked for LBB for 16 years, and it would be a shame if she could not be employed by the new contractor. Councillor Fawthrop suggested checking the TUPE arrangements. It was noted that the contract was being dealt with by the Commissioning Board. Councillor Carr encouraged the Director of Human Resources to be sympathetic to the request.

49 PAY AWARD

Ms Smith stated that it was not just the matter of 'pay' per se that the Union wanted to discuss, but other related matters like leave entitlement and redundancy payments. She expressed disappointment that requests for extra leave had been rejected.

Ms Smith stated that the level of redundancy payments in LB Croydon was double that of LB Bromley. She asked if this matter that could be looked into.

Concerning the main pay award, Ms Smith argued that a 1.2% pay increase was still a pay cut in real terms, and that the National Pay Agreement had not been finalised. Councillor Carr and the Director of Human Resources stated that the National Agreement had been settled for a two year period from 2016 to 2018. The Chairman felt that the 1.2% award evidenced a positive attitude to staff, and that it had to be borne in mind that a limited amount of money was available. He stated that Unite's pay claim would cost the Council £4m which it could not afford.

There was a brief discussion concerning statutory holidays and concessionary days. It was asked if the 'concessionary day' could be taken by staff in a more flexible manner, and the Director of Human Resources responded that this was a matter that he would investigate.

At a previous point in the meeting, Ms Smith had stated that the Director of Human Resources no longer met with her. The Director of Human Resources refuted these comments, and assured that he still met with the Union to discuss pay and also met with them at any other meetings that were a statutory requirement.

The Director of Human Resources informed the LJCC that a report had gone to the GP&L Committee regarding the Council's proposed pay award. A response had been requested from all three of the unions, but only Unison had provided a formal response.

The Director of Human Resources reminded Unite that if they wanted matters to be discussed on the LJCC agenda, then they should submit a report or more written information in advance of the meeting. This would then clarify the specifics of the matter to be discussed, as well as giving Officers the chance to look into issues and provide a response. Ms Smith responded that she required more time to write reports, and that it was not realistic that she be expected to write reports when she was only allocated two hours of facility time per week. Ms Slater commented that the lack of facility time was unfair. She asserted that the Departmental Representatives had the privilege of time off in lieu which was not afforded to the union representatives. The Director of Human Resources countered this by stating that union representatives were given adequate facility time.

Councillor Fawthrop advocated the use of flexible working as much as possible. The Director of Human Resources confirmed that flexible working arrangements were already in place.

Councillor Wilkins referred to the problems of recruiting and retaining staff, and suggested that a report be drafted on comparable pay. Similarly it was also suggested that the matter of redundancy pay be added as an agenda item for the next agenda. Although this was suggested, there was not a formal resolution to this effect.

50 PROCESSES RELATING TO THE COMMISSIONING OF SERVICES

The Staff Side wished to ask if Members were satisfied that the processes around the commissioning of services involved appropriate staff engagement in commissioning. To this end Unite referenced the Executive report that was scrutinised by the Environment PDS Committee on 24th January 2017. This was report number ES17002 on the Environmental Services Procurement Strategy.

The report set out the Council's procurement strategy for a range of environmental services, and sought the approval of Executive to commence the tendering process in April 2017. Most of the services had already been contracted to external suppliers, but there were still some in house services (provided by 32.5 FTEs) provided by Council staff. These were in the areas of Enforcement, Waste Administration, Environmental Campaigns, Public Protection Enforcement and Highways Inspection.

The point made by the Staff Side was that this report had appeared in the public domain without any consultation with the employees. Staff had to contact Mr Dan Jones (Director of Environment) to confirm whether these were in fact their jobs which were already out in the public domain to be procured before the staff themselves had been made aware.

The Director of Human Resources observed that the three bullet points noted under the main agenda item of 'Processes relating to the Commissioning of Contracts' were all linked to Mr Jones. He suggested therefore, that a meeting be convened between Unite and Mr Jones so that the issues could be looked at in more detail. Ms Slater responded that she wished the question relating to the monitoring of contracts to be addressed on the night. To this end she referred to report ES17015, 'Parks, Countryside and Greenspace Management-Contract Performance'. This was a report that was also presented to the Environmental Services PDS Committee on 24th January 2017.

The Executive had previously approved the variation to the current Grounds Maintenance Contract with English Landscapes Maintenance Limited (formerly The Landscape Group) and the company name had changed to Idverde Limited; the contract had been extended to 31 March 2019.

The report provided an annual review of the performance of the contract, valued at £36.59m, as required by CPR 23.3. The current performance of the contract was deemed to be satisfactory.

The Staff Side referenced section 4.6 of the report:

In addition to the Strategic Plan and accompanying Action Plan, the following plans and policies were completed and delivered within the agreed timescales

- *Biodiversity Action Plan*
- *Forestry Annual Plan*
- *Play Strategy and Annual Plan*
- *Sports Annual Plan*
- *Grants and Income Plan*
- *Events Policy*

The Staff Side expressed the view that the bulleted plans outlined above had not been completed and delivered as outlined in the report. They had drawn this conclusion as they had not seen any documentation to confirm that the various plans had been actioned, and also referred to an alleged conversation

that had taken place with Patrick Phillips of Idverde confirming that this was the case.

A response to this matter from the Director of Environment is appended to the minutes.

Ms Slater continued by encouraging Members to play close attention to what was being written in monitoring reports, and to use the Risk Register.

The Chairman suggested that a Lead Officer or the Director of Commissioning was required to properly answer the question. Councillor Wilkins suggested that the matter be referred to the Contracts Sub Committee, whilst Councillor Colin Smith felt that the matter was an issue for the Environment PDS Committee.

Ms Smith then produced a document entitled 'Audit Controls 2016' which was available to all LBB staff via the Intranet, but which was not on the LBB website. She referred to various matters outlined in the report relating to deficiencies in overall contract monitoring and contract documentation. The Chairman responded that it was the role of the Contracts Working Group to deal with any deficiencies in contracts when any such deficiencies became apparent.

The Director of Human Resources pointed out that the Staff Side had once again produced a document without any prior warning, and because of this he had been unable to invite Officers to respond. It was the case that the Council did not get everything right, but consideration should also be given to the size and number of contracts that the Council managed.

Councillor Colin Smith stated that the fact that the audit report was freely available via 'Doug's Page' showed that the Council were not hiding anything. Issues had been identified so that they could be dealt with.

Councillor William Huntington Thresher explained that a PDS Committee would look at services, but not specifically at contract details. He pointed out that not all service issues identified were related to commissioned contracts-some issues identified were internal. Some issues identified would be detailed in part 2 reports.

Councillor Fawthrop stated that Unite's policy was to oppose the contracting out of services; he felt that it would be more helpful if they assisted the Council in the commissioning process, instead of getting in the way of Council policy.

The Chairman moved to close the item. Ms Smith asked that it be noted that she would have liked to have spoken more on this item before it was closed. However, for clarity of context, it should be noted that the Chairman had previously given notice as to the number of speakers that he was going to allow to speak before closing the item, and Ms Smith had previously been allocated time to present her case.

51 SICKNESS PROCEDURE

Unite had asked for the sickness procedure to be brought to the LJCC as they felt that the sickness procedure was being used aggressively.

The Director of Human Resources stated that Unite had not clarified the specifics of their argument.

Councillor Fawthrop commented that it was important to get staff on long term sick back into work.

Ms Smith remarked that the ill health procedure was bad, and expressed concerns over the way that the procedure was undertaken and also the time it took. She asked if Members felt that it was a good use of Council resources.

The Chairman expressed the view that procedures had to be set in place to prevent abuses of the system. Councillor Diane Smith felt that the level of sickness allowance was generous.

The Director of Human Resources asserted that the Council's sickness procedure was fair, legal, and consistent with the ACAS Code of Practice. He noted that the Council had never lost any sickness cases in the Employment Tribunal. The sickness triggers were in place for a reason, and there was a cost attached to sickness. He refuted the idea that the sickness procedure was aggressive.

Ms Slater stated that managers knew their staff, but were not being allowed to manage. She stated that it was not about the relevance of the trigger, but rather the fact that in some cases the first meeting with a manager may be 'non-sensical'.

The Chairman stated that managers had to manage with the current processes. He suggested that Unite outline any issues they had with the sickness procedure in a paper. Ms Smith agreed to this and asked the Director of Human Resources if she would be allocated time to write the paper.

RESOLVED that Unite draft a paper for the LJCC, outlining their concerns over the Sickness Procedure.

52 DATE OF NEXT MEETING

The date of the next meeting was confirmed as Tuesday 20th June 2017.

Response from the Director of Environment to matters raised at the LJCC Meeting on February 23rd 2017 relating to the Parks Contract Plans:

Chairman

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Response from the Director of Environment to matters raised at the LJCC Meeting on February 23rd 2017 relating to the Parks Contract Plans:

Regarding the question raised at last night's Joint Consultative Committee meeting re: Parks Plans:

Appendix B in the Council's report to Environment PDS Committee in January was simply a chart abstracted from the preliminary contract documentation between the parties. As such, a parks strategy, biodiversity plan, fundraising plan and events strategy were produced. However, subsequent direction from the Member led Parks, Countryside and Greenspace Panel in early 2016, resolved that efforts going forward (subsequently agreed by the Client and the Contractor) were to be based on the creation of an over-arching Action Plan; that would be constructed by *idverde* covering all aspects of work. This is publically visible, from the green link at the base of our bespoke [website](http://bromleyparks.co.uk/about/) for the Authority <http://bromleyparks.co.uk/about/> which sets out a 12 month window of activity that's about to undergo its scheduled update. This is explained in some detail in paragraph 4.5 within the report.

In addition, the Appendix within that document entitled '*Summary of strategies, policies and initiatives undertaken by idverde since June 2015*', under the 'Play and Hard landscape' paragraph – outlines the extensive work carried out by *idverde* in producing the first comprehensive Asset Condition Survey of all play and hard surfaced areas; which informs the correct prioritisation of risks and ongoing repair/development works.

In closing, having spoken to Patrick Phillips of *idverde* he has no recollection of entering into this conversation that is alleged to have taken place on such a singularly detailed subject focus. If it did actually occur, he states he would certainly have explained how such matters were being dealt with as summarised above – simply because he was the designer and author of the plan.

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THEME	DATE RECEIVED	YOU SAID...	WE DID...	PRIORITY STATUS	POSSIBLE FUNDING REQ'D	TO BE COMPLETED BY
Working Environment	18.11.16	Improvements to the canteen - it is very jaded and lacks personality	Cleaning of walls and curtains, polishing of wooden panels, removal of old posters from the wall and the provision of new posters to bar server area. Cleaning underway			ND
	29.11.16	To be able to make card payments in the canteen	Meeting held with Over The Moon and agreed to install an electronic card reader. Awaiting installation of Wifi by IT in order to operate card reader			ND
	18.11.16	The cleaning of office accommodation has deteriorated and staff feel undervalued. We can't expect to recruit and retain quality staff when our working environment is in its current state.	The Council's present cleaning contract arrangement with Kingdom Services ends on 31 March '17 and with effect from 1 April '17 the management of cleaning services for the Civic Centre, Yeoman House and Walnuts Area office locations will be undertaken by Amey. Amey's proposal is to self-deliver cleaning services in accordance with their Service Delivery Plan and as such they are presently working through the due diligence arrangements inc. staff consultation and TUPE arrangements for the transfer of current cleaning operatives. The current schedule of cleaning and associated periodicity is being reviewed and it is planned to communicate details of the new arrangements and any revised standards etc. to site users by 1 April '17.			ND
	23.11.16	Web conferencing equipment to be installed into all committee and meeting rooms to enable remote officers and partners to join meetings on-line and see presentations streamed live and attendees via webcam	We have purchased some test equipment which we are waiting to set up and trial. This is likely to take place in June. Depending on exact requirements then it could cost up to £20k per room to equip them. The funding for this will have to be looked at, but first we need to find a selection of viable solutions depending on size / capabilities / requirements and integrate them into our systems. Laptop users can use the video conferencing capabilities in Lync, we have done this in ICT for small to medium meetings when people cannot attend. We are also looking at adding web cams to the catalogue where people do not have laptops but need video capabilities. On line meetings can be arranged through Microsoft Lync and Microsoft Outlook Calendar or alternatively through BT conferencing facility http://onebromley/BA/Pub_Res/Pub_ICT/Pub_ITS/Pub_BTConferencing/Pages/default.aspx		Y	MB
	14.02.17	Some provision for staff to access a telephone line is needed if the computers fail, chiefly to enable contact with IT to report faults. It is not satisfactory for staff to have to call a premium rate number from a personal mobile because the work phone only functions if the computer is working.	The number itself is not a premium rate number, however some providers charge a large surcharge to connect to 0844 numbers, which is not within our control however we have asked BT to look into this and at the various options for a number that would be included in most if not all inclusive minutes package from mobile providers. This also came up at one of the ICT strategy meetings which was passed to BT at the time. A response has yet be received so this will be followed up.			
	09.02.17	Review of civic site smoking/vaping areas and cigarette bins, as there is frequently a general congregation of staff and customers at main access points into the buildings. This has an impact on staff having to walk through the smoke/vape fumes, as well as smoke/vape drift into offices through open windows. A poor image of the Council is portrayed to visitors, wedding parties, children and the general population as the organisation does not proactively nor assertively discourage this practise.	A review of the current smoking areas and bins has been undertaken and suggestions to be put forward at next Dep Rep meeting		?	
	29.11.16	Payment of Professional Fees	To be considered. i.e. where membership of a professional body is an essential requirement of the role or where performance would be enhanced by membership and/or where there are difficulties with the recruitment and retention of qualified professional staff. Professional fees will be covered in the presentation on career development to the Departmental Rep forum.		Y	CO
	NEW 04.05.17	There is an existing retention and recruitment package for Social care staff which regularly gets reviewed (including a number of benefits such as Golden Hello payments, additional increments for staff in front line roles within specific teams and extra annual leave) it seems that once you have reached Group manager level you are not entitled to any retention payments anymore.			Y	CO
Staff & Career Development	18.11.16	Develop closer links with Councillors so staff genuinely feel part of the bigger picture. Offer induction days to all Councillors which could cut down on number of enquiries made as they would have the knowledge to answer their constituents directly.	The induction of councillors covers a range of issues including representing constituents etc. Established as well as new councillors are invited to all induction events and we tend to get a good mix.so in part getting that right in 2018 will help. The induction timetable always includes scope for departments to present, departmental and team tours are sometimes offered and these can be repeated as necessary. A big part of change is asking and engaging around what would be useful for councillors to fulfil their roles to help shape any programme.			MB/CO

DEP REP FORUM FEEDBACK AND ACTIONS (09/05/17)

THEME	DATE RECEIVED	YOU SAID...	WE DID...	PRIORITY STATUS	POSSIBLE FUNDING REQ'D	TO BE COMPLETED BY
Development	29.11.16	Career development road map for officers, this might include vocational training/courses and experience perhaps through 'job swaps' in other departments or partner organisations, to allow officers to gain the necessary skills and qualifications to get them up to their next pay grade and ready for promotion, either within or outside the organisation	The induction timetable always includes scope for departments to present, departmental and team tours are sometimes offered and these can be repeated as necessary.		Y	CO
	18.11.16	Consider re-running the staff survey to gather more suggestions	Director of HR to look at options for real time staff engagement		Y	CO
	7.12.16	We do not have a style manual that lists how words should be used in Bromley Council e.g. 'fly tipping', 'flytipping' or 'fly-tipping', or when 'council' or 'borough' should be capitalised or not. I forwarded a draft proposal to Susie, and I believe she is looking into this, but some sort of guidance for all staff is long overdue. Currently there are inconsistencies in our website, press releases and other literature, which do not make us look as professional as we should be.	The Council does have style manuals but they have grown up in separate departments and to coordinate these is on the list of corporate 'things to do'. Good headway with this work is being made thanks to the support of our Graduate Trainee and we have a draft manual in play at the moment. We hope to share and consult on this more widely over the next few months with a view to uploading onto our intranet and launching this to the organisation late this year, most probably late autumn.			AR/SC
	7.12.16	We do not have a central electronic photographic library which could be used as a resource for all officers. Currently officers, including the different Comms Teams store their own photographs.	<p>We will look at this issue again in light of the interest.</p> <p>We have looked at this at various times in the past but there have been a number of issues why this was not progressed, including the technical issue of storage requirements for large high resolution images.</p> <p>Often photos are taken for a specific service related purpose and whilst they may have some benefit to other colleagues, this is not necessarily the case. It should be remembered that where photos are taken of people, permission is formally required as part of the Council's protocols.</p> <p>Colleagues are encouraged and able to share photos where appropriate, with publicity photos generally taken within a service area and also held corporately, with these photos available should they be required and in these instances, colleagues are encouraged to contact their Comms contact.</p>			AR/SC
	7.12.16	The Outlook address book is hopelessly out of date e.g. 19 of the 51 officers in the 'ESD Streetscene and Greenspace' distribution list are no longer in Streetscene and Greenspaces. Now that this has been drawn to my attention, I am getting this list updated, but it would help if we had an officer who is responsible for updating the address book for the whole council	The Distribution lists are within the Address Book and are assigned to an administrator from that group. The Administrator is responsible to keep the distribution group upto date. The ISD will remove a user from the network, i.e applications if they are hosted by ISD, Outlook, M: Drive etc; however the administrator will need to then remove the user from the distribution list. We are currently looking at a group mail box, where services can send email to inform us of any user that may have left so we can then remove the user.			SE

AUDIT CONTROLS 2016

The purpose of these slides:

- To increase the awareness of the need for controls in all processes in Bromley.
- Highlight areas where a lack of controls has led to losses to Bromley.

A definition of a control is:

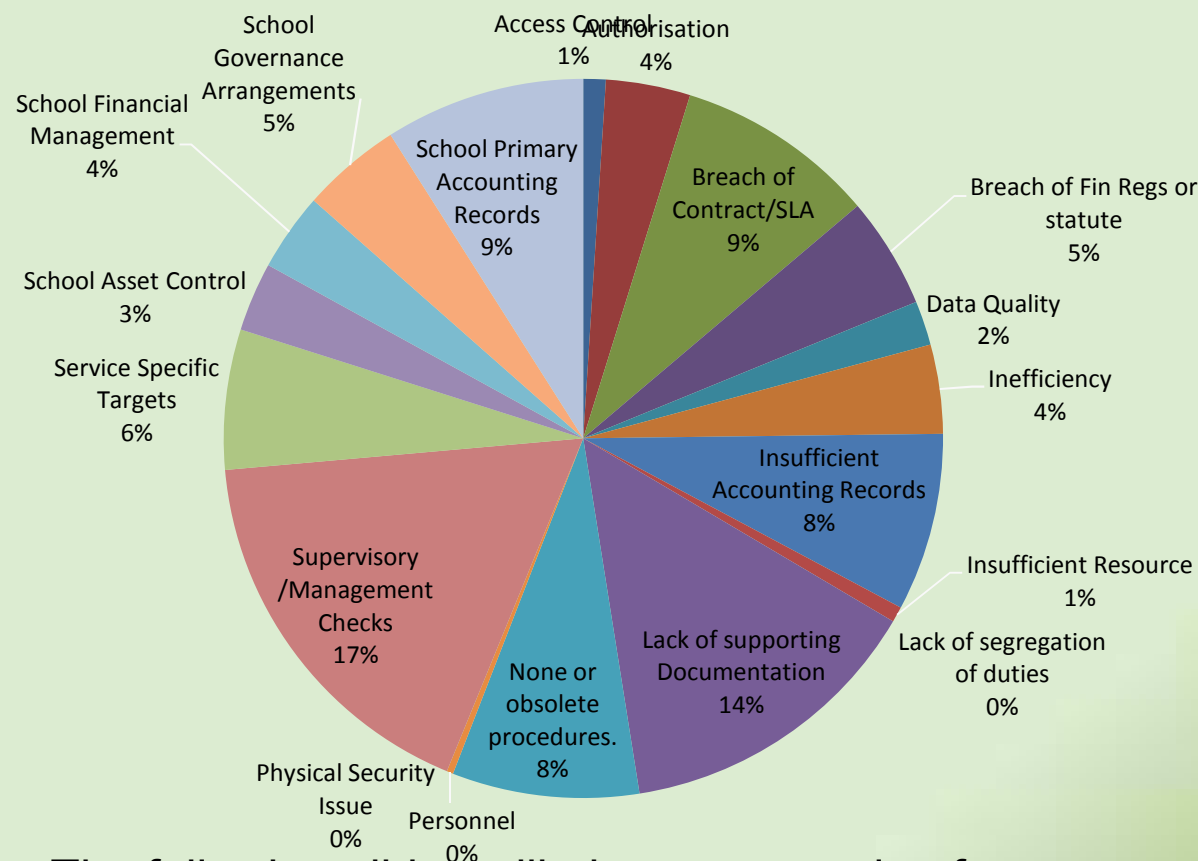
“Any action taken by management, the board and other parties to manage risk and increase the likelihood that established objectives and goals will be achieved. Management plans, organises and directs the performance of sufficient actions to provide reasonable assurance that objectives and goals will be achieved.” *PSIAS 2015*

Or simply

An internal control is a business practice, policy or procedure that is established within an organisation to create value or minimise risk.



2015/16 Summary of Recommendations By Type, based on control weaknesses identified in Internal Audits and Investigations.



The following slides will give an example of expected controls and instances of where these controls were found to be absent.

Segregation of Duties

Segregation of duties is the concept of having more than one person required to complete a task. The separation by sharing of one single task by more than one individual is an internal control intended to prevent fraud and error.

Lessons learnt

In 2013, Bromley Internal Audit identified that the Insurance Manager had due to a lack of segregation of duties and other control weaknesses been able to process and approve fraudulent payments to his relatives and a friend of £47,500 over three years.

For further information see Section 20 of the [Financial Procedures](#)

Procurement

As per Financial Regulations and Contract Procedure Rules there is a requirement for contracts to be put in place with suppliers for all regular spends. This will insure services/goods delivered are as expected.

Lessons learnt

An audit of the Behavioural Service in 2012, found that Bromley had spent £1.4 million with the company, Classroom Ltd but did not have a contract in place. Some services were paid for but were not delivered and performance monitoring of services delivered was not possible.

For further information see the Contract Procedure Rules

Contract Monitoring /Management

Contract monitoring should be objective and ensure compliance with service standards, contract terms, conditions and specifications.

In accordance with Contract Procedure Rules during the life of the contract, the Officer must monitor in respect of:

- Performance;
- Compliance with specification and contract;
- Cost;
- Any Value for Money requirements;
- User satisfaction;
- Risk management.

The key issues relating to contracts which have been identified from our audit reviews and investigations can be grouped into the following themes: Personnel Issues, Key Documentation and Contract Monitoring. Many of these issues have been brought to Audit's attention by members of the public and Officer's raising concerns.

For further information see section 8 of Financial Procedures Payment of Accounts

Contract Monitoring

Audit Reviews have repeatedly found the following issues with the overall management/monitoring of contracts:

- Ineffective contract monitoring including lack of and/or inaccurate information, including that supplied by contractors to support invoices submitted, not being able to run performance reports and relying on the contractor to do this.
 - Non-monitoring of KPIs
 - Officers managing a contract do not have access to a copy of it.
 - A lack of regular contract monitoring meetings.
- A lack of clarity in the recording of contract monitoring meetings and matters discussed.

Lessons Learnt:

- An Audit Investigation into a contract in Environment in 2015 found that underutilisation of a service being paid for, of 54% for 2013/14 and 64% for 2014/15 cost the Authority £58k in total.

For further information see Contract Monitoring Guidance Notes available on Onebromley and [Contract Procedure Rules](#)

Contract Monitoring- Key Documentation

Requirements in Financial Regulations and Legislation are that for most types of documents they should be retained for at least six years and that they should be held securely.

Audit Reviews have repeatedly found the following issues with contract documentation:

- A lack of administration and record keeping of key documentation, including tender evaluation documentation
- Completion and authorisation of contract award documentation not taking place
 - A lack of contract or signed agreement for measuring delivery of the service
- Wording within contracts is not specific enough to enable defaults to be enforced on the contractor for lack of performance or not meeting KPIs
- Waivers – timing of submission, completeness of information and authorisation by key officers. Consistency issues in the use of forms and completion of them.

Lessons learnt

A Management review in 2015 of a contract in Environmental services found that for contract key performance documents and records were not retained. It was calculated that £10,520 had been overpaid to the contractor based on inflated figures provided by the Contractor.

For further information see the Document retention appendix in Financial Procedures

Contract Monitoring- Personnel Issue

Audit Reviews have repeatedly found the following issues with personnel who procure as well as monitor and manage contracts:

- A lack of clarity of the roles and responsibilities of those officers involved, including the engagement of external specialists
- A lack of Training for those officers involved, including completion of on-line training of Contract Procurement Rules and Financial Regulations
- Declaration of interests not being completed for those involved in the contract award process, including external Specialists

Lessons Learnt

An investigation into Children and Family centres found that Bromley was paying £20,000 per annum for the storage of files in a facility owned by the Service Manager's father. Subsequently the facility also leaked, damaging items held inside and it was identified the costs paid were excessive for the service provided.

For further information see Declaration of Interest guidance and Financial Regulations Interactive Training

Asset Register

An asset register should be accurate, comprehensive and up to date, recording all assets which are attractive and portable. A log should be kept of who assets are loaned to when taken off site.

Lesson learnt

In September 2012 Internal Audit were notified of equipment that had gone missing from the former Design Studio. It was found that former staff had left and taken Bromley equipment. A record of assets held by the department or borrowed or loaned items was not kept. A rough approximation of £9000 of equipment went missing.

For further information see Financial Procedures section 17

Cash Handling

Section 9 of the Financial Procedures states in detail the requirements for making expenditure via Petty Cash. Broadly this is that all transactions should be supported by a valid receipt and voucher and all transactions appropriately signed for. Payments should be for under £250 and properly account for VAT if applicable.

Additional controls exist for those staff who maintain the account, to ensure cash is securely held, reconciled and not incorrectly used.

Lessons Learnt

An audit in Children's Social Care in September 2014, petty cash vouchers for expenditure were lost, vouchers not being signed to show clients have received money, workers holding on to cash, no controls over who can access the safe or accountability of what is held in the safe.

For further information see Financial Procedures sections 9

Recruitment and Management of Staff

Although it is a requirement for HR to request references, qualifications and identification for potential new members of staff, Managers still have a responsibility to check the identity of staff when they first arrive. Furthermore Managers should not accept new staff in post until references have been received and verified.

Lessons Learnt

A former Care Worker was recently sentenced to 15 months imprisonment for claiming to be a French citizen and thus gaining a right to work in the UK. She worked for Bromley, Adults Social Care for over 10 years under this assumed name, as well as fraudulently claiming Housing Benefits.

For further information see Adecco guidance and Manager's Toolkit, Recruitment Guidance

Reconciliations

Financial Regulations require all subsidiary accounts to the authority's main account, should be reconciled at least on a monthly basis. Reconciliations will help identify any errors, failed payments or transactions that have not cleared.

Lessons Learnt

During an audit in Housing in 2014 it was found that an estimated £632k of rent due from a contractor had not been received and the rent which had been paid over, had not been reconciled for over 6 months. Controls should have been to reconcile rent received against amounts expected to have been received according to the terms of the contract to identify any discrepancies and none payment of rent.

For further information see section 13 of the Financial Procedures

IT Controls

Financial Regulations and numerous other policies and procedures govern how staff should use IT systems and procedures they should follow to ensure asset and data are held securely. Although the ICT contract in place prevents staff from mistreating/using most equipment, it cannot stop all instances and thus staff must follow these procedures to safeguard themselves.

Lessons learnt

A senior member of staff was dismissed in August 2014, following a joint HR and Audit investigation into internet misuse and personal conduct. Controls were not in place on the member of staff's computer system and he was able to download over 1200 pictures, songs and media clips. He was also able to download and view inappropriate material.

For further information see the Internet Code of conduct and section 22 of Financial Procedures

Other lessons learnt

- Payments have been made without checking backing documentation to substantiate the payment made to a contractor for services received in ECHS and payment for mobile working keyfobs, where nearly twice the amount were paid for as held by the authority.
- Between 01/01/14 to 31/01/15, 8981 retrospective purchase orders were raised across the authority.
- In December 2013 it was found that the approval rates of budgets on FBM across the authority was only 49% within the prescribed time.
- In a Purchase card audit in 2014 it was found receipts were not being obtained for 32% of transactions sampled and VAT was not being claimed for $\frac{3}{4}$ of transactions.

Who are Internal Audit and what do we do ?

We carry out audits as agreed in the annual plan approved by the 151 Officer and Audit Committee

Internal Audit review and report on the effectiveness of controls in place within the authority and make recommendations based on any weaknesses in controls.

Major weaknesses are reported to Audit Sub-Committee with Managers requested to attend, to explain any failings and actions that will be taken to improve the controls in place.

Other work undertaken by Internal Audit includes:

- Provide advice and information on risks and controls
- Responsible for Financial Regulations
- Investigate potential irregularities
- Respond to raising awareness and whistleblowing referrals
- Facilitate Data matching exercises

Finally ...

Thank you for reading. Copies of Audit Reports are published on www.Bromley.gov.uk

Remember we are here to help you and give advice on financial controls

If you have any concerns raised by reading this, contact:

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Corporate Anti-Fraud working in Partnership with the Royal Borough of Greenwich

Download the App 'Bromley Fraud Reporter' on Apple and Android mobile devices from; Google Play and the App Store

