

13 January 2017

London Borough of Tower Hamlets (LBTH) - Clear Up Project Investigations Phase – Overview of Process

Nomination Period Phase

The nomination period for the Clear Up Project ran from 8 September – 8 December 2016. The published Clear Project Reporting Guidance http://www.towerhamlets.gov.uk/lgn/council_and_democracy/Transparency/Clear_up_project.aspx confirmed that in order for allegations to be considered they must meet the following criteria:

- *The allegation refers to a decision or activity that occurred between October 2010 and June 2016;*
- *The allegation is notified directly to the Clear Up Team between Thursday 8th September 2016 and Thursday 8 December 2016 via the confidential email inbox or by post, or via the Secretary of State's Commissioners, a Member of Parliament or a Councillor;*
- *The allegation must include details of the alleged impropriety and any evidence which supports the complainant's claim. The complainant should also provide their contact details to allow a member of the Clear Up Team to discuss further the allegation.*
- *Allegations will not be investigated if they have already been satisfactorily considered or investigated through another process. This includes, but is not limited to the Council's complaints process, the Council's Whistleblowing procedures, the Council's Code of Conduct for Members, the Council's staff disciplinary procedures, a Council management investigation or review, an Audit Review (internal or external), a Judicial Review, and the Best Value Inspection of Tower Hamlets Council.*

At the close of the nomination period the Clear Up Project Board (comprising the three LBTH Statutory Officers and a Secretary of State appointed Commissioner) considered recommendations from the Project Manager concerning which of the allegations received met the criteria and as a result should progress to the investigations phase of the project.

Where the Project Board agreed that an allegation should not progress to the investigations phase, in each case the Project Manager has contacted the complainant (where contact details were provided) to confirm the reason for this.

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Investigations Phase

The investigations phase of the project commenced in late December 2016. A team of independent, expert investigators has been appointed to support this phase of the project, working to the Clear Up Project Manager. The investigators are all independent of the Council.

The investigations phase of the Project consists of two stages:

1) Scoping Stage

The purpose of this stage is to qualify the allegations received in advance of any full investigation, including seeking further evidence from complainants where required. During this stage:

- Complainants will be notified to confirm that scoping work is taking place
- Each allegation will be assigned to a lead investigator
- The investigator will seek to qualify the allegation in order to determine whether a full investigation is required
- This stage may include the investigator seeking to obtain further evidence to support the allegation, including from the complainant where it is possible to do so, further fact finding work through document review, interviews with Council officers/other parties, and/or review of any previous Council investigatory work completed in relation to the allegation
- For each allegation a scoping report will be completed for Project Board decision, detailing whether a full investigation is recommended, and if so setting out the proposed approach and timings for this
- It is anticipated that in some cases it will be possible to complete all required investigatory work during the scoping phase
- At the end of the scoping stage and following Project Board decision the Project Team will provide an update to the complainant on the resolution.

During scoping, and also during any subsequent full investigation, the Clear Up Team will continue to protect the identity of the complainant, including with the Project Board. If it becomes necessary to disclose the complainant's identity in order to progress an investigation the consent of the complainant will be sought.

2) Full Investigation

Following scoping, where the Project Board decides that a full investigation is required the Clear Up Team will commence this work, seeking to complete all investigations by 31 March 2017, subject to the complexity of the matter to be investigated. The complainant will be notified of the outline timetable.

Investigation plans will be agreed with the Project Board and will be consistent with existing LBTH processes and procedures for investigations.

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At the end of this stage the Clear Up Team will report detailed findings and recommendations to the Project Board for a decision, detailing whether each allegation is upheld or rejected. Where an allegation is upheld, a view on whether the impropriety has since been remedied will be provided. This will include recommendations for further action, including in relation to individuals involved, and the Clear Up Board will consider each investigation report and recommend action, if any, to the appropriate body or person.

The Team will seek to provide details on the resolution of the investigation to the complainant.

Embedding Learning into Enduring Council Processes and Procedures

Throughout the project lessons learned will be captured and fed into the Council's enduring processes so these can continue to improve e.g. the LBTH new Whistleblowing Procedures

Project Close

At project close a final report on the work of the Clear Up Team will be produced including details of the number and nature of the allegations made; the number of allegations that were substantiated and any action taken as a result of the investigations. The report will also summarise any lessons learnt from the project and how these will be fed into policy and practice in the future. The report will be submitted to a public meeting of the Council and published on the Council's website