

London Borough of Tower Hamlets

**Member Enquiries
(ME)
Policy and Process**

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1.0 Context

- 1.1 Members are an instrumental part of the Council and a prominent element of the local community. The views of Members have an impact on how the Council operates and the way services are delivered.
- 1.2 The roles and responsibilities of Members are contained in the Council's Constitution and the ME Process has been developed in conjunction with these.
- 1.3 The ME Process enables Members to request relevant information from Council officers in connection with Council duties although there are certain exceptions.
- 1.4 All levels of staff, including Senior Management, must be actively involved in good quality and timely responses to Members, ensuring any action points are followed through.
- 1.5 All MEs are registered and tracked on iCasework and all correspondence must be made through the system.
- 1.6 Each iCasework user is only given access to the team module they require in order to manage their cases. An audit trail is registered on the system and any breach of file access will result in disciplinary action.
- 1.7 There are a library of ME reports within iCasework for staff from all services to run reports relating to their service. All services must utilise the reporting mechanism to monitor their own cases. The IG Service can create specific template reports at the request of staff.
- 1.8 The IG Service will not act as a Members Support Service as it will focus on screening, filtering, logging and processing MEs.
- 1.9 The Council may choose to publish a redacted ME response for the public record if appropriate.
- 1.10 Each Corporate Director is ultimately responsible for MEs relating to their particular Directorate and they must ensure appropriate protocols are in place within their services to ensure the efficient running of the ME Process, including delegating to appropriate signatories if appropriate.
- 1.11 This is a working document and regular updates will be made if and when the need arises.

2.0 Definition of an ME

- 2.1 An ME is defined as a routine enquiry made by a Member, normally on behalf of a resident or customer in their Ward.
- 2.2 The enquiry may relate to issues concerning specific impact of an event on a Member's Ward or relate to a resident or a group of residents in a Member's Ward.
- 2.3 An ME will only be registered if it is raised by a Member and not anyone else.

3.0 What Is Excluded under the ME Process

3.1 A Member must not raise an enquiry where the following apply:

- There is a standard Service Request for a resident such as an adult social care assessment or collection of a bin as these should be made through the normal channel directly with the relevant service
- The Council has existing protocols to deal with the matter such as the Corporate Complaints Process, Parking Appeals Process, Safeguarding investigation, Housing Priority List, School Admission Appeals or first time requests for Landlord property repairs
- The matter has already been processed under any of the routes in the above bullet point
- Where the enquiry relates to any external body such as the police, a utility company or a government department and where the external body has not been commissioned by the Council
- They are requesting committee information as they have direct access to Directors for Portfolio issues.
- See 8.0 Below (Urgent MEs).

3.2 Although not an exhaustive list, it demonstrates areas where the ME Process should not be used.

4.0 Need to Know Principle

4.1 The Need to Know Principle will no longer be operated in terms of the ME Process although it will remain as a concept as it is still part of the Constitution. There are other areas where the Need to Know will still be actively used such as requests for Committee reports, draft policy papers or personal information relating to people. Council officers, in these instances, will still refuse on various grounds such as confidentiality.

5.0 Information Law

5.1 The Council will no longer run the practice of refusing MEs and directing Members to Information Law such as the Freedom of Information Act, Environmental Information Regulations or the Data Protection Act.

5.2 Instead, these will be dealt with as MEs in their own right. However, where the Member has requested in-depth information for example, the responding service will contact the Member direct and seek to narrow the information sought.

6.0 What Information Must a Member Submit

6.1 When a Member submits an ME, the Member must provide:

- their own email address for correspondence
- the resident's or customer's name, address, telephone number and email address
- consent of the resident or customer for the Member to deal with the enquiry
- precise nature of the enquiry including any supporting documentation and desired outcome
- any history relating to the enquiry
- council reference numbers if any
- the responsible service, team or staff member
- the name of the Registered Social Landlord where applicable

6.2 This will enable the ME to be dealt with in an efficient manner and prevents delays.

7.0 Confidentiality

7.1 Where a Member raises an enquiry on behalf of a resident, the Member should include in the initial contact the consent of the resident or their legal representative to allow the Council to provide information to the Member.

7.2 However, the Council recognises that, generally, Members have implied consent for the Council to release information to the Member. However, implied consent only applies to the release of basic, non-sensitive information.

7.3 It must be noted that Members are not automatically entitled to sensitive information such as social care support plans and personal health data.

7.4 If an ME relates to sensitive information, the Member must provide specific, written consent, recently dated, from the relevant person such as the resident or their legal representative.

7.5 If the Member requests information that is beyond the enquiry made by the resident, the Council will reject the ME.

7.6 The nature and details regarding an ME are confidential to that Member and can only be shared with other Members with the consent of the relevant persons, which may be the resident and/or the Member who originally raised the enquiry.

8.0 Urgent MEs

8.1 Where a matter is urgent, for example a resident is threatened with eviction and bailiffs are present, a Member must contact a Senior Manager in the relevant service by telephone to raise the issue.

8.2 In this scenario, the Senior Manager will immediately work with all interested parties and address the issue.

- 8.3 If the enquiry is resolved, the case will not be registered on iCasework. If, however, the case is unresolved, the ME will be logged by the Directorate ME Officer from within the relevant service.

9.0 Multiple Requests

- 9.1 MEs initiated and raised by a single Member will directly receive a response.
- 9.2 However, where the resident or customer has raised the same or similar enquiry with numerous Members (either directly or copied them in correspondence), the enquiry will only be registered on iCasework once and a single response will be sent to the relevant Member. Other Members may be copied in the response but only if appropriate.
- 9.3 Where the ME relates to different services, the ME will be assigned to the Directorate where the majority of the issues rest and that service will be responsible for collecting the information from the other Directorate(s) and sending a response. In this situation, all efforts will be made to send Members a single, joint response on behalf of all services involved.

10.0 Member of Parliament (MP) Enquiries

- 10.1 MP Enquiries are processed by the IG Service and are managed in the same manner as MEs with the exception that MPs send their enquiries to a designated Council Mailbox for MPs and responses are sent directly to the MP by the responding service.

11.0 Process and Timeframe

- 11.1 All Members must submit their enquiries through the Online Members Portal to ensure all cases are registered and monitored. Members must not contact services directly unless Section 8 above applies.
- 11.2 If a Member contacts a service or staff direct in a non-emergency situation to raise an ME, they will be directed to the Online Members Portal to register their enquiry. The Portal can be found using the following Link:
<https://towerhamletsportal.icasework.com/>
- 11.3 Once a Member registers their enquiry through the Online Members Portal, an iCasework reference number is automatically generated, which will be quoted on the automatic initial acknowledgement and used in future correspondence relating to that particular ME.
- 11.4 All cases will be registered in the order they are received for fairness and to prevent any bias.
- 11.5 The Members Enquiries, Information and Complaints Officer (**MEICO**) will then screen the ME from the 'Unassigned Cases' on iCasework, carry out an initial assessment and if the ME is accepted, the MEICO will formally acknowledge the Member within two working days from receipt.

- 11.6 The MEICO will then, within two working days, assign the ME to the relevant Directorate or service in order for that Directorate or service to reassign to the appropriate officer for a response.
- 11.7 If the ME is not accepted, the MEICO will send an email to the Member stating that the enquiry cannot be processed and state the reasons for this.
- 11.8 If the MEICO, Directorate ME Officer or any other staff member notices that the ME has been incorrectly assigned, that staff member will alert the relevant Directorate ME Officer from the responding service and the ME will be urgently reassigned. The timeframe for the ME response will not change if the ME is transferred from one Directorate or service to another.
- 11.9 Once the service receives an accepted ME from the MEICO, the service will respond in writing to the resident and copy in the Member within a **maximum of 10 working days** from the Council's receipt of the ME.
- 11.10 All responses are to be quality checked by relevant staff and also approved by a Senior Manager or an appropriate staff member delegated for this task
- 11.11 The response should state that the Member has not approved the content and advise that it has been sent directly to the resident to ensure a speedy response.
- 11.12 In exceptional circumstances where the 10 day timeframe cannot be met, the responding service must send the resident and copy the Member an interim response. This should include an explanation for the delay and the new expected date of the full response.
- 11.13 If the Member is unhappy with delays in the response, they should raise this directly with the relevant Divisional Director or Corporate Director for immediate action.
- 11.14 Once the response is sent to the resident and copied to the Member by the responding service, that service will close the case on iCasework on the same day.
- 11.15 If a resident or Member is dissatisfied with the ME response, they have the option to raise their dissatisfaction by replying to the iCasework link provided in the response, which then automatically feeds into the case and then picked up by the Directorate ME Officer to assign as appropriate for a further response.
- 11.16 When responding to an ME, if the service identifies that there may be a potential media angle related to the enquiry, the service should make contact instantly with the Council's Communications Service. In these instances, the service will still respond to the resident as appropriate but may have input from the Communications Service.

12.0 Registered Social Landlords (RSLs)

- 12.1 RSLs will send their responses directly to the resident and copy in the Member as this will ensure a speedy response. The RSL will also copy in the Council's MEICO as this will enable the case to be closed on iCasework.

12.2 Members will be given a list of named persons with email addresses and/or telephone numbers as this will enable Members to chase RSLs direct where there is a delay in a response.

13.0 Quality monitoring

13.1 All ME responses must be quality checked by a Senior Manager within the responding Directorate, or an appropriate staff member who has been delegated this task, for appropriateness before they are sent. This includes ensuring:

- the response is in plain English with correct spelling and grammar
- any acronyms are explained
- all the issues raised have been adequately addressed and are up to date
- actions to be taken are clearly stated
- style, tone and feel of the response is appropriate

13.2 Where the responses are not to the expected standard, the Senior Manager of the responding service, or a relevant staff member who has been delegated this task, will ask for the response to be revised to an appropriate and acceptable level.

14. ME Flow Line For Council Services

MEICO receives ME through iCasework.



Within 2 Working Days:

MEICO Filters ME to determine whether it fits the criteria for an ME.



If it is not accepted as an ME, Member will be informed by MEICO, case status on iCasework changed (eg. rejected/withdrawn) and case closed.

If it is accepted as an ME, MEICO assigns to relevant Directorate/service in order for the responding service to reassign to the appropriate officer for a response.

MEICO completes the initial assessment on iCasework.



MEICO sends an acknowledgment to the Member.



On 8th Working Day:

If no response apparent, Directorate ME Officer from the responding service escalates to the Divisional Director and/or the Corporate Director of the responding service.



Within A Maximum of 10 Working Days:

When a response is drafted, it is also quality checked by a Senior Manager or other staff under delegated authority (IG and Complaints Service can assist where necessary)



Responding service sends a full, written response directly to the resident and copies in the Member through iCasework.



Departmental ME Officer from the responding service completes the case details on iCasework and then closes the case.