

DURHAM COUNTY COUNCIL

AT A STANDARDS COMMITTEE meeting in Committee Room 2 at County Hall, Durham on **19 FEBRUARY 2010** at **10.00AM**.

PRESENT

Members of the Standards Meeting:

Chairman: Councillor D Winter

Members: Councillors J Armstrong, A Bainbridge, E Bell, C Carr, P Charlton, P Jopling, J Shiell, D Southwell, W Stelling and M Williams

Mr B Argyle, Mr D Balls and Mrs D Balmer

Councillors J Day, F Duggan, M Goyns, D Liversidge and T Batson

Other Members:

Councillors B Myers

Apologies:

Councillors D Farry, G Holland, J Marr; Mr J Armstrong, Mrs E Davies, Mr J Marples, Mrs T Naples, Mr L Petterson and Mr P Thompson

A1 Minutes

The minutes of the meeting held on 20 November 2009 were confirmed as a correct record and signed by the Chairman, with the inclusion of Councillor C Carr in the attendance.

A2 Declarations of Interest

There were no declarations of interest received.

A3 Feedback from Children and Young Peoples Services

Further to the last meeting of the Committee, consideration was given to an update report of the Head of Safeguarding and Specialist Services, regarding the recruitment and retention of staff within Safeguarding and Specialist Services. The Strategic Manager, Looked After Service, was in attendance to respond to questions. She clarified for the Committee the way in which

agency staff were utilised by the service and the circumstances in which such staff would be used.

Resolved:

1. That the report be noted;
2. To request the attendance of the Head of Safeguarding and Specialist Services at the next meeting of the Committee.

**A4 Complaints, Compliments, Comments and Suggestions
Performance Report – Quarter 3 (1 October to 31 December 2009)**

The Committee noted a report from the Corporate Director, Neighbourhood Services providing details of complaints, compliments, comments and suggestions for quarter 3 (1 October to 31 December 2009)(for copy see file of Minutes).

The Head of Policy, Planning and Performance, Neighbourhood Services, was in attendance to present the report and advised the Committee that the number of complaints had reduced significantly in the quarter, which was partly attributed to the populating of staff structures. He advised that there were learning issues to be taken from the report such as the improvement of response times, and he clarified that all service areas had responsibility to the report in terms of developing improvement.

In response to queries from the Committee, the Head of Policy, Planning and Performance clarified that a technical solution was being developed for collating data. Once that had been utilised and learning outcomes had been assessed, action points could then be developed. It was hoped that the revised format for the collation of data would be available for the next meeting of the Committee.

Resolved:

That the report be noted.

A5 Adjudication Panel for England Update

The Committee considered a report of the Head of Legal and Democratic Services regarding the work of the Adjudication Panel for England transferring into the unified tribunal structure and into the new General Regulatory Chamber within the First-tier tribunal (for copy see file of Minutes).

The Head of Legal and Democratic Services clarified from the report, how the changes affected the local Standards Committee.

Resolved:

That the report be noted.

A6 Update on the Standards Committee Webpage

The Chair reported that work on the Standards Committee webpage was ongoing. The personal statements of each Committee member were circulated for consideration of accuracy, with a view to the webpage being updated with those details in due course.

Resolved:

That member's advise the Committee Services Officer of any amendments to the personal statements within a month of the meeting.

A7 Feedback from Members on the Development Strategy

The Committee considered a proposal put forward by the Chair regarding the introduction of a Development Strategy for the Standards Committee (for copy see file of Minutes).

Resolved:

That member's forward comments or concerns on the proposed Development Strategy to the Chair, within 7 days of the meeting.

A8 Parish and Town Council Conference

The Chair advised the Committee that a Parish and Town Council Conference had been arranged to take place at County Hall on 19 July 2010. The Head of Legal and Democratic Services gave an overview of the proposed programme for the Conference which was ultimately aimed at advising and motivating local councils on how to be the best councils possible. All members of the Committee were invited to attend, with accurate details to follow in due course.

A9 Exclusion of the Public

That under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 4 of Part 1 of Schedule 12A to the said Act.

B10 Local Investigation – Case Reference: 0010

The Committee considered a report detailing the investigation conducted into an allegation that a former Councillor contravened the Code of Conduct. The Investigating Officer's report concluded that there was no breach of the Code of Conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

B11 Local Investigation – Case Reference: 0011

The Committee considered a report detailing the investigation conducted into an allegation that a former Councillor contravened the Code of Conduct. The Investigating Officer's report concluded that there was no breach of the Code of Conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

B12 Local Investigation – Case Reference: LA35

The Committee considered a report detailing the investigation conducted into an allegation that a Parish Councillor contravened the Code of Conduct. The Investigating Officer's report concluded that the Code of Conduct had potentially been breached and as such the case would be forwarded to a Standards Committee hearing panel for determination (for copy see file of Minutes).

Resolved:

That the report be noted.

B13 Local Investigation – Case Reference: SC0030.08 and LA42

The Committee considered two reports detailing the investigations conducted into allegations that a Councillor contravened the Code of Conduct. The Investigating Officer's reports concluded that there was no breach of the Code of Conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

B14 Outcome of recent Adjudication Panel Hearing

The Committee considered a report of the Head of Legal and Democratic Services which advised of the outcome of an Adjudication Panel Hearing which had looked into a decision of the Durham County Council Standards Committee (for copy see file of Minutes).

Resolved:

That the report be noted.

B15 Monitoring Officers Other Action – Complaint Reference: LA37

The Committee considered a report following allegations that a Parish Councillor had contravened the Code of Conduct. The Review Sub-Committee determined that it did not merit a formal investigation and

therefore the Monitoring Officer met with the Councillor to advise on future conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

B16 Monitoring Officers Other Action – Complaint Reference: LA43-51

The Committee considered a report following allegations that 9 Parish Councillors had contravened the Code of Conduct. The Assessment Sub-Committee determined that it did not merit a formal investigation and therefore the Monitoring Officer's representative discussed with those concerned their roles, responsibilities and conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

B17 Monitoring Officers Other Action – Complaint Reference: LA69

The Committee considered a report following an allegation that a County Councillor had contravened the Code of Conduct. The Assessment Sub-Committee determined that it did not merit a formal investigation and therefore the Monitoring Officer met with the Councillor to give advice on dealing with members of the public and speaking in public (for copy see file of Minutes).

Resolved:

That the report be noted.

B18 Monitoring Officers Other Action – Complaint Reference: LA71

The Committee considered a report following an allegation that a County Councillor had contravened the Code of Conduct. The Assessment Sub-Committee determined that it did not merit a formal investigation and therefore the Monitoring Officer met with the Councillor to discuss their obligations under the Code of Conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

B19 Monitoring Officers Other Action – Complaint Reference: LA72

The Committee considered a report following an allegation that a Parish Councillor had contravened the Code of Conduct. The Assessment Sub-Committee determined that it did not merit a formal investigation and therefore the Monitoring Officer wrote to the Councillor regarding his obligations under the Code of Conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

B20 Monitoring Officers Other Action – Complaint Reference: LA74-75

The Committee considered a report following an allegation that two Parish Councillors had contravened the Code of Conduct. The Assessment Sub-Committee determined that the element of the complaint against one of those Councillors was not a matter for the Standards Committee and as such returned a verdict of no further action. In relation to the elements of the complaint concerning the other Parish Councillor the Assessment Sub-Committee determined that it did not merit a formal investigation and therefore the Monitoring Officer wrote to the Parish Councillor to remind them of the duty to declare personal and prejudicial interests (for copy see file of Minutes).

Resolved:

That the report be noted.

B21 Monitoring Officers Other Action – Complaint Reference: LA78-79

The Committee considered a report following an allegation that two Town Councillors had contravened the Code of Conduct. The Assessment Sub-Committee determined that it did not merit a formal investigation and therefore the Monitoring Officer's representative attended a meeting with the Town Council to deliver training to members on the Code of Conduct and the Local Assessment Procedure (for copy see file of Minutes).

Resolved:

That the report be noted.

B22 Monitoring Officers Other Action – Complaint Reference: LA81

The Committee considered a report following an allegation that a Town Councillor had contravened the Code of Conduct. The Assessment Sub-Committee determined that it not merit a formal investigation and therefore the Monitoring Officer's representative met with the Councillor to provide refresher training on the Code of Conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

B23 Monitoring Officers Other Action – Complaint Reference: LA85

The Committee considered a report following an allegation that a Town Councillor had contravened the Code of Conduct. The Assessment

Sub-Committee determined that it did not merit a formal investigation and therefore the Monitoring Officer's representative attempted to arrange a refresher training session on the Code of Conduct with the Councillor. The Committee were made aware that the Town Councillor had subsequently given written notification that they did not intend to undertake the training (for copy see file of Minutes).

Resolved:

That the report be noted.

B24 Update on the Handling of Current Complaints

The Committee considered an update report in respect of complaints of alleged breaches of the Code of Conduct (for copy see file of Minutes).

The Head of Legal and Democratic Services advised Members that the turnover of dealing with complaints had considerably improved, attributed in part to the appointments of staff to roles within the structure to deal with standards matters.

Resolved:

That the report be noted.

B25 Review of Completed Complaint Files

Members of the Committee inspected a sample of completed complaint files for the review period in question.