

## **DURHAM COUNTY COUNCIL**

**At a Meeting of the Standards Committee held at the County Hall, Durham on Tuesday 15 August, 2006 at 10.00 a.m.**

**Present:**

**Mr E Marchant** in the Chair

### **Members of the Standards Committee for Durham County Council**

Councillors Barker, Southwell, Stelling and Mrs D Winter, J.P.

### **Other Members**

Councillors Davies, Foster, Graham, Knox, Magee, Meir, Myers, Pendlebury, Pye, Walker and Wright.

### **Member of the Standards Committee for Durham Police Authority**

The Venerable J.D. Hodgson

### **Member of the Standards Committee for County Durham and Darlington Fire and Rescue Authority**

Mr D Balls

**Apologies for absence were received from Councillors O'Donnell and Williams**

### **A1 Minutes**

The Minutes of the meeting held on 23 May, 2006 were agreed as a correct record and signed by the Chairman.

In relation to Minute A1 (Future Training Arrangements) the Committee were advised that arrangements would be made shortly for the familiarisation exercise with the Chairmen and Vice-Chairmen of the three Standards Committees on the procedures for investigation and determination.

In addition, it was clarified that the training session on 26 September would be open to all members and would take the form of a refresher of the whole conduct regime in the morning session whilst the afternoon session would involve a practical scenario of a local investigation and hearing.

With reference to the use of the self assessment diagnostic tool available through the Standards Board/Audit Commission/IDeA, Sunderland City Council was piloting its use and would be reporting to the Northern Secretaries Officers Group on their findings.

In relation to Minute A4 (Complaints Handling) the Chairman commented on the positive messages in the Annual Report with the number of complaints decreasing and the number of compliments increasing. A press release had been issued highlighting the Authority's performance.

## **A2 Declarations of Interest**

There were no declarations of interest.

## **A3 Local Government Ombudsman – Annual Review 2005/06**

The Committee considered a report of the Acting Director of Corporate Services and Monitoring Officer advising about the publication of the Annual Review of the Local Government Ombudsman Service for England 2005/06 entitled 'Delivering Public Value' (for copy of report see file of minutes).

The report provided a broad overview of the national picture on performance for 2005/6 and key areas of development activity and had been published to coincide with the issue of Annual Letters to all principal authorities.

Members were advised that the Commission would publish its Annual Report in September, which would include summary details of complaints handling in principal authorities and this would be of some comparative value.

### **Resolved:**

That the report be noted.

## **A4 Standards Board for England – Annual Review 2005/06**

The Committee considered a report of the Acting Director of Corporate Services and Monitoring Officer advising about the publication of the Annual Review of the Standards Board for England 2005 entitled 'Devolution' (for copy of report see file of minutes).

Much of the content confirmed and reinforced what had been reported on to the Committee in the previous twelve months. Paragraphs 3 and 4 of the report focussed on the shift in ownership of the conduct regime to local level with the Standards Board taking a more strategic; regulatory role.

It was anticipated that the Board would produce a revised Code of Conduct in the next few months which would require updated guidance to assist Standards Committees, Monitoring Officers and Members to understand their responsibilities.

The Chairman commented that nationally the number of complaints received by the Standards Board remained relatively constant with the majority coming from members of the public. In addition, there were now more local hearings and local investigations, as the Standards Board referred more and more cases back to authorities. As far as the nature of complaints was concerned, these in the main related to conflicts of interest, declarations of interest, disrepute and disrespect.

Independent assessment of an authority's standards regime would be very useful in demonstrating to the Audit Commission commitment to stronger Corporate Governance.

**Resolved:**

That the report be noted.

**A5 Complaints Handling for the Period 1 April to 30 June 2006**

The committee considered a report from the Acting Director Corporate Services and Monitoring Officer which provided details of complaints handling in the Council during the period April to June 2006 (for copy of report see file of minutes).

Members were advised that as a result of recent restructurings within the Council a direct Service comparison was not possible. The quarter had seen a modest increase in the number of complaints received compared with the same quarter in the previous year. In this first quarter of 2006/07, 77 complaints had been received, averaging 26 per month, compared with 19 per month in the period April to June 2005. Corporate performance targets for the period had been met with all complaints acknowledged and having received either full responses or progress reports within the Council's performance targets.

In this quarter, poor service had been the largest single category of complaint at 61% compared with 38% in the same period in 2005. Staff conduct represented 12% of complaints received in the first quarter of this year compared with 28% in the comparison period.

In Paragraphs 9 through to 39 Services had provided more detail on the nature of complaints received and their outcomes where appropriate

In relation to compliments, these continued to far outnumber complaints. The total number of recorded compliments for this quarter was 216.

The Local Government Ombudsman undertook a health check on each relevant authority and produced an Annual Letter which was aimed at helping Councils learn from the outcome of complaints, underpinning effective working relationships and generally providing complaint based information to help Council's assess and review performance.

This Council's Annual Letter for 2005/06 revealed that complaints to the Ombudsman totalled 36, compared with 38 and 35 respectively in the two previous years (for copy of the letter see file of minutes).

The Ombudsman did not identify any issues of concern arising from the distribution of complaints within service areas, nor did the Ombudsman feel it necessary to issue any formal reports about the Council in the year in question.

It was also noted that the Authority had received praise in relation to how complaints had been dealt with at a local level.

However, there had been criticism about the ongoing issue of the Authority's response times. The Committee was advised that the timescales set for Councils to respond to the Ombudsman were quite challenging and sometimes difficult to meet given the often complicated nature of complaints and our very thorough investigation methods. It was intended to closely monitor this particular situation as part of the quarterly examination of complaints handling and in addition the Ombudsman would be invited to meet and discuss with Members and Officers how collectively response times could be improved and to consider the content of the Annual letter in general. The Ombudsman has also made mention of two locally settled cases involving delay and procedural shortcomings and these would be further examined.

It was also highlighted that the Ombudsman's Annual letter now formed part of the evidence gathered in the Comprehensive Performance Assessment process.

Members suggested that in future if there was a problem in meeting the Ombudsman's target for completion of a particular complaint then it might be appropriate for the Local Member to be kept apprised of the situation.

**Resolved:**

That the report be noted.

**A6 Exclusion of the Public**

**Resolved:**

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

**B7. Review of Completed Complaints**

Members of the Standards Committee reviewed a sample of completed complaint files for the period in question.