

DURHAM COUNTY COUNCIL

At a Meeting of the Standards Committee held at the County Hall, Durham on **Thursday 16 November 2007 at 10.00 a.m.**

PRESENT:

Mr E Marchant in the Chair

Members of the Committee:

Councillors Barker, Southwell and Stelling.

Other Members:

Councillors Meir, O'Donnell and Walker.

Apologies for absence were received from Councillors Fergus, Knox and Wright.

A1 Minutes

The Minutes of the meeting held on 15 August 2006 were agreed as a correct record and signed by the Chairman.

With reference to Minute A3 the Committee were advised that the Local Government Ombudsman Annual Report had now been received and was available for inspection in the Members' Resource Centre, or could be accessed online via the Local Government Ombudsman's website.

Whilst there was some degree of overlap with the Review reported previously, the report did include some additional statistics and information about the Commission itself.

A2 Declarations of Interest

There were no declarations of interest received from members in relation to the business on the agenda.

A3 Ethical Standards Training Event – 26 September 2006

The Committee noted the Report of the Acting Director of Corporate Services and Monitoring Officer about the Ethical Standards Training Event that was held at County Hall on 26 September 2006 (for copy of report see file of Minutes). Copies of all relevant supporting documentation had been placed in the Members' Resource Centre.

It was further reported that the robustness of current procedures around the Members' Register of Interests were being reviewed. Members were again encouraged to contact relevant officers should they have any queries in relation to the requirements of the Register or the Code of Conduct in general.

A4 Fifth Annual Assembly of Standards Committees – 16-17 October 2006 – ICC Birmingham

The Committee noted a report of the Delegates who attended the Fifth Annual Assembly of Standards Committees on 16 and 17 October 2006 at the ICC in Birmingham (for copy of report see file of Minutes).

The Chairman commented on the following key issues: -

- The Revised Code of Conduct
- Numbers of complaints
- Effective Ethical Environment – the importance for Council performance assessment
- Freedom of Expression
- Standards Committee – Raising the Profile
- Implications of the Government White Paper.

The Chairman further explained how the local filter mechanism proposed in the White Paper would operate – the principle being to allow local Standards Committees to consider allegations in the first instance.

A5 Indemnities for Members and Officers

The Committee considered the report of the Acting Director of Corporate Services which sought endorsement of the Cabinet's decision to grant indemnities to cover the potential liability of Members and Officers of the Authority in a wide range of circumstances following the introduction of new regulations (for copy of report see file of Minutes).

The question of whether the indemnity cover would extend to appointments to outside bodies would be investigated.

Resolved:

That Cabinet's decision be endorsed.

A6 Annual Report of Social Care and Health Representations Procedure 2005/06

The Committee considered the Annual Report of the Social Care and Health Representations Procedure 2005/06 as presented by the Head of Strategic Planning and Health Improvement (for copy of report see file of Minutes).

It was explained that if a staff training need was identified as a result of representations received, details would be held on a supervision database and updated when training was complete. In addition, the system also identified when training had not been completed. There was also an expectation that the relevant line manager would monitor progress in such matters. Checks would be made again to make sure the necessary audit rail was in place.

It was further explained that every effort was always made to resolve complaints at Stage 1 of the Representations Procedure and if there was a significant increase in the number progressing to Stage 2 this would be a cause for concern and further investigation.

Resolved:

That the report be noted and the positive achievements in Social Care's performance in the handling and consideration of representations, including a number of key areas for further development, be welcomed.

A7 Complaints Handling for the Period July to September 2006

The Committee noted a report from the Acting Director of Corporate Services and Monitoring Officer which provided details of complaints handling in the Council during the period July to September 2006 (for copy of report see file of Minutes).

Once again, Members were advised that, as a result of recent Service restructurings, direct comparisons were not possible and this would take time to regularise.

In the second quarter of 2006/2007, 73 complaints had been received, which averaged 24 per month (compared with 30 per month in the period July to September 2005).

All complaints in this quarter had been acknowledged and received full responses or progress reports within the Council's performance targets. 40 complainants were either satisfied as to how their complaint had been handled or did not pursue their complaint further beyond Stage 1. However, these numbers were expected to increase considerably when the significant numbers of complaints still under investigation were complete.

In this quarter, poor service was the largest single category of complaint at 58% compared to 50% in the same period in 2005. Staff conduct represented 23% of complaints received in the second quarter of this year compared with 21% in the comparison period.

As far as evidenced compliments were concerned, 195 were received during the quarter.

The report also included additional information which individual Services had provided on the nature and outcome of complaints during the period in question.

As far as Local Government Ombudsman complaints were concerned, it was reported that the Chairman and relevant officers had subsequently met with the Assistant Ombudsman and as a result a formal response had been made to the Council's Annual Letter, a copy of which was attached to the report as an Appendix. On the specific issue of response times to Ombudsman enquiries, there had been agreement on a number of practical measures designed to improve on performance.

In addition, the importance of improving our performance on Ombudsman investigations had been impressed on all Services and the Legal Services Team had put in place new liaison arrangements to make sure there was no unnecessary delay.

Two complaints had been received from the Ombudsman in this quarter. One was out of their jurisdiction and the other was resolved within the specified time period.

As far as tracking progress with complaints was concerned, it was explained that for Ombudsman investigations a rigorous system was now in place within Corporate Services. For other complaints, responsibility lay with individual Services. Further work would be undertaken to ensure consistency across the Council.

A8 Exclusion of the Public

Resolved:

That under Section 100A(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 4 of Part 1 of Schedule 12A to the said Act.

B9 Review of Completed Complaint Files

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