

**AT A JOINT MEETING** of the **STANDARDS COMMITTEE OF DURHAM COUNTY COUNCIL, COUNTY DURHAM AND DARLINGTON FIRE AND RESCUE AUTHORITY AND DURHAM POLICE AUTHORITY** held at the County Hall, Durham on **THURSDAY 22 MAY 2007** at **10.00 a.m.**

**PRESENT:**

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

Councillors Barker and Maddison and Mr E Marchant.

**Members of the Standards Committee for County Durham and Darlington Fire and Rescue Authority:**

Councillor Myers and Mr W Ault.

**Members of the Standards Committee for Durham Police Authority:**

Mrs C Blythe.

**Other Members:**

Councillors Chaplow, Davies, Hunter, Iveson, Gray, E Foster, Morgan and O'Donnell.

Apologies were received from Councillors Bell, Knox and Southwell and Mr D Balls (Durham and Darlington Fire and Rescue Authority).

**A1 Chairman of Joint Meeting**

**Resolved:**

That Mr E Marchant be elected as Chairman of the Joint Meeting.

**Mr E Marchant** in the Chair.

**A2 Declarations of Interest**

There were no declarations of interest.

### **A3 Minutes**

The Minutes of the meetings held on 15 February and 8 March (two sets) 2007 were agreed as a correct record and signed by the Chairman.

With reference to Minute A1 of the meeting held on 15 February 2007 (ethical governance audit) the Committee was advised that the External Auditor had conducted an online survey with members and senior officers to assess the level of awareness and understanding of ethical standards. This had resulted in a 48% return rate which was a good rate of return in comparison with other authorities. The results of the survey were now being analysed with a meeting scheduled in the near future to discuss the feedback from the survey which would result in a report being prepared for members. It was anticipated that the next stage of the process would involve a series of workshops organised to test the levels of awareness and effectiveness of the Council's arrangements for ethical governance.

In relation to Minute A3 of the meeting held on 15 February 2007 (the local Member being kept informed about service complaints), the Authority was currently in discussions with the Information Commissioner regarding this issue, on the understanding that any such information would exclude anyone in receipt of a personal caring service.

On a general point Members were advised that the previous 'need to know' principle had been overlaid by the rules in relation to data protection.

### **A4 Revised Members' Code of Conduct**

The Committee considered a report from the Acting Director of Corporate Services and Monitoring Officer advising that the Department for Communities and Local Government had issued the Local Authorities (Model Code of Conduct) Order 2007 on 4 April which prescribed a revised Model Code of Conduct for members of local authorities. The order had come into effect on 3 May 2007 with Authorities having until 1 October 2007 to adopt the code (for report see file of Minutes).

The revised Code applied to all Members, Co-opted and Appointed Members of relevant authorities in England and Police Authorities in England and Wales. It consolidated and replaced the four separate models for Members of principal authorities, parish councils, the National Park and Broads authorities and police authorities.

A number of training events had been organised in respect of the new code and places had been reserved for Standards Committee Members at these sessions. It was anticipated that training for all members would be provided following the training sessions for Standards Committee Members when new guidance had been received on the revised code.

**Resolved:**

1. That Durham County Council and County Durham and Darlington Fire and Rescue Authority be recommended to adopt the Model Code of Conduct without any additional local provisions.
2. That a meeting of the Durham Police Authority Standards Committee be arranged as soon as possible to determine a recommendation to that Authority.

**A5 Standards Committee Hearing Panel – Local Determination of Complaint (Reference SBE 16236.06)**

The Committee considered a report from the Acting Director of Corporate Services and Monitoring Officer about the outcome of a complaint made against County Councillor Shuttleworth which had been investigated locally and then determined by the Standards Committee.

The complaint had consisted of three elements as follows:-

- That Councillor Shuttleworth failed to treat the complainant and officers of the Durham Dales Primary Care Trust and of the North East Ambulance Service NHS Trust with respect by his alleged conduct at the Public Consultation Meeting of the PCT on 31 July 2006.
- That he damaged the reputation of his office and that of Durham County Council by virtue of his conduct referred to in the first allegation.
- That he failed to treat the complainant with respect in a letter subsequently sent by him to the complainant.

The Standards Committee Hearing Panel had met on 9 May 2007 to consider the Investigating Officer's report and the evidence presented by both the Investigating Officer and Councillor Shuttleworth.

The Panel determined that in relation to the first allegation, it was not proven to their satisfaction that Councillor Shuttleworth had failed to comply with the Code of Conduct. In so finding, the Panel noted the conflicting perceptions of a number of witnesses about the language and behaviour complained of which left doubt as to whether this had crossed the boundary from robust debate into disrespect.

The Panel accepted the Investigating Officer's findings that there had been no breach of the Code in relation to the second and third allegations.

**Resolved:**

That the report be noted.

## **A6 Complaints Handling for the period January to March 2007**

The Committee noted a report from the Acting Director of Corporate Services and Monitoring Officer which provided details of complaints handling in the period January to March 2007 (for copy of report see file of Minutes).

In the final quarter of 2006/07, 70 complaints had been received averaging 23 per month, compared with 28 per month in the period January to March 2006. This brought the total number of complaints received during 2006/07 to 289, compared with 299 complaints received during 2005/2006.

In this last quarter of 06/07, 94% of complaints received had been acknowledged within the Council's performance targets, 78% of the Stage 1 complaints resolved were also done so within target. In addition, 52 complainants had either been satisfied as to how their complaint was handled or had not pursued their complaint further beyond stage 1.

Poor service had been the largest single category of complaint at 41%, compared with 44% in the same period in 2006. Staff conduct represented 13% of complaints received in the final quarter of this year compared with 38% in the comparison period.

As far as evidenced compliments were concerned, the total number recorded for this quarter was 161. For 2006/07 as a whole, a total of 656 compliments were received compared with the total of 289 complaints during the year reported earlier.

## **A7 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.

## **B8 Review of completed complaint files**

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