

Durham County Council

At a Meeting of the Standards Committee held at the County Hall, Durham on **Thursday 21 August 2008 at 10.00 a.m.**

PRESENT:

Mr E Marchant in the Chair

Members of the Standards Committee:

Councillors J Armstrong, A Bainbridge, E Bell, C Carr, G Holland, M Plews, J Shiell, W Stelling, M Williams, Mr W Ault, Mr Balls and Mrs D Winter

Other Members

Councillors J Blakey and J Gray and Mrs E Davies

Apologies for absence were received from Councillors P Jopling and D Southwell, Mrs Khan-Willis and Mr P Thompson

A1 Minutes

With the addition of Councillor Carr's name to the list of apologies, the minutes of the meeting held on 10 July 2008 were confirmed as a correct record and signed by the Chairman.

A2 Declarations of Interest

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

A3 Corporate Complaints Policy and Procedure

The Committee noted a presentation from the Acting Director of Corporate Services on the content and the application of the current Corporate Complaints Policy and Procedure (for copy of the Policy and Procedure see file of Minutes).

The procedure, which was introduced in 2003, had been drawn up in consultation with the Local Government Ombudsman based on best practice at the time.

Work was underway in the relevant LGR Workstream to harmonise existing practices in the eight Authorities and produce a new Policy and Procedure for the Unitary Authority. This work would be shared with the Committee in due course.

A4 Local Government Reorganisation Update – Impact on the Standards Committee

The Acting Director of Corporate Services provided an update on LGR preparations with an impact on the Committee, briefly summarised as follows:

- The Interim Constitution had expanded the role and composition of the Committee to address new responsibilities for local assessment of Member conduct complaints.
- From April 2009 the Committee's workload would increase considerably with responsibility for all Parish and Town Council Member complaints. Capacity to handle this increase in workload would be reflected in the Monitoring Officer's new staffing structure.
- The Council would carry out a new recruitment and appointment process for Independent Members of the Committee to operate from 1 April, 2009.
- An all-party Member Group had been established to examine future constitutional requirements, including governance arrangements. This might include a further review of the size of the Standards Committee in terms of its capacity to handle the expected increase in workload. Any such development would be shared with the Committee.

A5 Standards Board for England – Annual Review 2007-2008

The Committee noted a report of the Acting Director of Corporate Services which summarised the content of the Annual Report of the Standards Board for England 2007–08 (for copy of report see file of Minutes).

A full copy of the Board's Annual Report had been deposited for inspection in the Members' Resource Centre.

A6 Annual Report of Representations 2007/2008

The Committee considered a Report from the Corporate Director of Adult and Community Services on performance in respect of the handling and consideration of representations as contained in the attached Annual Report on Representations 2007/2008 (for copy see file of Minutes).

The Report showed a fall of 58.7% in complaints in the last six years and the Committee requested information as to how this figure compared with other Authorities. The Director advised that figures from other Authorities could be provided at a future meeting for comparison purposes.

In response to a question about the independence of investigations, the Director explained that external organisations with appropriate knowledge and experience were employed and in addition conciliation and advocacy training was also undertaken.

The Service was commended for its performance and the Committee requested that its views be shared with relevant staff.

Resolved:

That the report be endorsed for publication and circulation to key stakeholders.

A7 Complaints handling for the period April to June 2008

The Committee noted a Report of the Acting Director of Corporate Services and Monitoring Officer providing details of complaints handling during the period April to June 2008 (for copy of report see file of Minutes).

Complaints for the first quarter of 2008/09 had fallen from 76 to 65. Poor service and staff conduct continued to account for the majority of complaints. 184 compliments had been received during the same quarter.

B8 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 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.

B9 Adult and Community Services Complaint

The Committee considered a report of the Acting Director of Corporate Services requesting payment of compensation to a complainant under Article 9.03(n) of the County Council's Constitution, in accordance with Section 92, Local Government Act 2000 (for copy of report see file of Minutes).

The Acting Director of Corporate Services confirmed that the complainant had indicated acceptance of the compensation payment in principle.

Resolved:

That the recommendations within the report be approved.

B10 Review of Completed Complaints

Members of the Committee inspected a sample of completed complaint files for the review period in question. The Committee suggested that a random sample of compliments received in the review period in question should be made available for inspection at future meetings.

B11 Local Assessment of Member Complaints

The Acting Director of Corporate Services advised the Committee that two Member complaints had been received and under the new Local Assessment Procedures an Assessment Sub-Committee would be convened to consider the complaints.