

## **DURHAM COUNTY COUNCIL**

### **STANDARDS COMMITTEE**

At a Meeting of **Standards Committee** held in Committee Room 2 - County Hall, Durham on **Friday 18 November 2011 at 10.00 am**

#### **Present:**

**Councillor D Winter (Chairman)**

#### **Members of the Committee:**

Councillors P Charlton (Vice-Chairman), A Bainbridge, E Bell, G Holland, J Shiell, D J Southwell, W Stelling and M Williams

Mr JG Armstrong, Mr D Balls, Mrs D Balmer, Mr J Hitchman and Mrs T Naples.

Parish Councillors T Batson, M Goyns and D Liversidge

#### **Apologies:**

Apologies for absence were received from Councillors Joseph Armstrong and Francis Duggan, and Police Authority representatives Mr W Ault and Mrs E Davies.

#### **Also Present:**

Councillor B Myers

#### **1 Minutes of the Meeting held on 16 September 2011**

The minutes of the meeting held on 16 September 2011 were confirmed as a correct record and signed by the Chairman.

#### **2 Declarations of Interest, if any**

There were no declarations of interest received.

#### **3 Performance Report for Quarter 2, 2011/12 - Report of Corporate Director, Neighbourhood Services**

The Committee noted a report of the Corporate Director, Neighbourhood Services, the purpose of which was to present performance in relation to complaints, compliments and suggestions for quarter 2 of 2011/12 and to highlight any learning outcomes resulting from them. In addition the report provided an update in relation to developments in the collection, monitoring and management of complaints (for copy see file of Minutes).

The Service Development Manager was in attendance to deliver the report and an overview presentation of the statutory, non statutory and Local Government Ombudsman complaints received throughout the period (for copy of slides see file of Minutes)

Both the Chair and Vice Chair took the opportunity to update the Committee regarding the visits they took to the Corporate Complaints team. During the recent visit both had expressed concerns regarding the increase in Revenues and Benefits related complaints which had resulted from the project to harmonise the Council's Benefits systems.

The Divisional Head of Revenues and Benefits was in attendance to advise Members of the processes involved in harmonising the systems and to respond to questions. Members were reassured that measures had been taken to ensure that the problems encountered would be resolved imminently.

Councillor E Bell reassured the Committee that the Audit Committee had received a presentation regarding the problems which had been encountered by the Revenues and Benefits section during the harmonisation process. The Audit Committee had accepted that there were extenuating circumstances which had led to difficulties occurring and Members had been left reassured that the situation would be resolved by the end of 2011.

In response to a query regarding the acknowledgement of letters of complaint, the Service Development Manager advised that all complaints were considered and processed based on the date they were received by the Authority, not just by the Complaints Team. This would ensure that the majority of complaints were acknowledged within 10 days of being received by the Authority. He continued to advise that new measures had recently been put into place which allowed customer service staff to respond to complaints, and more information on this would be presented to the next meeting of the Committee.

The Chair requested that Revenues and Benefits were represented at the next meeting of the Committee in order to provide Members with a progress report.

**Resolved:**

That the report be noted.

**4 Progress of the Localism Bill Provisions relating to Standards - Report of the Head of Legal and Democratic Services and Monitoring Officer**

Consideration was given to a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update on recent changes to the Bill made in the House of Lords (for copy see file of Minutes).

The Head of Legal and Democratic Services advised that since production of the report the Localism Bill had received Royal Assent on 15 November 2011, as such

Members were provided with an overview of new legislation in relation to Standards.

The Committee were advised that the current Code of Conduct would cease to have effect however a relevant authority would be required to adopt a code to deal with the conduct that was expected of members and co-opted members of the authority when acting in that capacity. Any such Code adopted should be consistent with the Nolan Principles and must also provide for the registration and disclosure of pecuniary and non pecuniary interests.

In relation to Standards Committees, the Head of Legal and Democratic Services advised that the new legislation still required a principal authority to operate a Standards Committee, the general functions of which had remained unchanged. Arrangements would need to be put in place for complaints against Councillors to be investigated and decision to be made. A minimum of one independent person would need to be appointed from whom views would be sought on such complaints.

In summary, the Head of Legal and Democratic Services clarified that the next steps would be for the Council to come to an agreement about the arrangements to be put in place and in conjunction with the Deputy Monitoring Officer and Chair of the Standards Committee, she would be preparing a report to be considered by the Constitution Working Group.

Councillor T Batson advised of the position being communicated by the National Association of Local Councils, which was that on principle, they would recommend to all Parish and Town Councils that they opt to adopt the Code of the principal authority.

Following discussion of the new legislation and the future arrangements to be established by Durham County Council, the Chair confirmed that the views of the Committee would be taken into account when preparing recommendations to the Constitution Working Group.

**Resolved:**

That the report be noted.

**5 Town and Parish Council Sub Committee - Report of the Chair of the Town and Parish Council Sub Committee**

Consideration was given to a report of the Chair of Town and Parish Council Sub Committee which provided an update on the work of the Sub Committee (for copy see file of Minutes).

The Head of Legal and Democratic Services delivered the report advising that the work programme had been suspended for the current time and would be reviewed in due course.

**Resolved:**

That the report be noted.

**6 Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.**

**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 3 of Schedule 12A to the said Act.

**7 Update on the handling of Current Complaints - Report of Head of Legal and Democratic Services and Monitoring Officer**

The Committee considered a report of the Head of Legal and Democratic Services which provided an update report in respect of complaints of alleged breaches of the Code of Conduct (for copy see file of Minutes).

**Resolved:**

That the report be noted.

**8 Review of Completed Complaints**

Members of the Committee inspected a sample of completed complaints, comments and compliment files for the review period in question.