

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

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

Present:

Mrs D Winter (Chairman)

Members of the Committee:

Councillors P Charlton (Vice-Chairman), J Armstrong, A Bainbridge, D Farry, J Shiell, D J Southwell, W Stelling and S Zair

Co-opted Members:

Parish Councillor T Batson, F Duggan, M Goyns and D Liversidge

Apologies:

Apologies for absence were received from Councillor Edward Bell, Councillor Colin Carr, Councillor Grenville Holland, Councillor Mac Williams, Elsie Davies and William Ault

Also Present:

Councillor Brian Myers

1 Minutes of the Meeting held on 22 November 2010

The minutes of the meeting held on 22 November 2010 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 3, 2010/11: Complaints, Compliments and Suggestions - Report of Corporate Director, Neighbourhood Services

The Committee noted a report of the Corporate Director, Neighbourhood Services, the purpose of which was to present progress for quarter 3 of 2010/11 in relation to corporate complaints, compliments, comments and suggestions (for copy see file of Minutes).

The Service Development Manager was in attendance to present the report. He advised that there had been a substantial increase in the number of complaints which was largely attributed to the long period of inclement weather which affected front line services. Some of these complaints related to the lack of information regarding the winter maintenance and revised bin collections, however the Service Development Manager advised that this information was available through the website and County News. In total there had been 525 complaints received for the quarter which was an increase from 206 complaints in the same quarter of the previous year. However attention was drawn to the fact that the inclement weather in the previous year had occurred in quarter 4.

The Service Development Manager advised that 86% of stage 1 complaints and 83% of stage 2 complaints had been acknowledged within 2 working days, both figures being reflecting improved performance since the previous quarter.

Members were advised that Neighbourhood Services had recently established a complaints group to embed the complaints process within the service grouping. The work of the group would be centred around the proper logging of all complaints and how complaints could be turned around quicker.

In relation to learning outcomes the Service Development Manager advised that further to previous requests from the Standards Committee, examples of learning outcomes were now included in the report and additional functionality had been added to the complaints CRM system to allow services to log these against the complaint or suggestion.

The Service Development Manager advised that 59 suggestions had been received during the quarter, all of which were considered on a case by case basis for learning outcomes. In addition a very large number of compliments had been received with an overall increase from 323 in quarter 2 to 526 in quarter 3.

In response to Members clarified that the reason the number of unjustified complaints was high was due to the Council not being at fault. For example, complaints had been received relating to a lack of bin collections during the period, however the Council was not at fault as the collections needed to be scaled back for health and safety reasons, as such the Council had not been at fault.

The Service Development Manager agreed that a percentage increase for compliments would be included in future reports.

In relation to paragraph 21 of the report the Service Development Manager clarified that just 44% of stage 2 complaints were dealt with within the target time of 10 working days as many stage 2 complaints were particularly complex and required officer investigation. However he advised that the complainants were regularly corresponded with progress updates on their complaints.

The Chair advised that she had again visited the Corporate Complaints section and had witnessed many of those complex complaints. She continued to be extremely impressed with the work of the Corporate Complaints Team.

Members also commended those staff who had worked hard during the inclement weather to ensure that disruption to frontline services was kept to a minimum.

Resolved:

That the report be noted.

4 The Localism Bill - Standards - Report of the Head of Legal and Democratic Services

Consideration was given to a report of the Head of Legal and Democratic Services advising Members of the key provisions of the Localism Bill in relation to Standards (for copy see file of Minutes).

The Deputy Monitoring Officer outlined the report and advised that the Committee would be kept informed of any future relevant developments. Members were keen to see a Standards Committee remain within the authority past the inception of the Localism Bill, even though it was recognised that a future Committee may not have the powers that the current Standards Committee had. Members requested that plans for the future of standards within the authority be explored well in advance of the Localism Bill receiving Royal Assent.

It was further suggested that the authority work closely with the County Durham Association of Local Councils in establishing plans for the future. Furthermore it was suggested that implementing a collective relationship for Standards between Durham County Council, Durham Police Authority and County Durham and Darlington Fire Authority also be given consideration.

The Chair advised that she had already entered discussions with the Monitoring Officer on the issue. Further opinion on the future of Standards was being sought and meetings would be held with appropriate partners. The Chair would communicate the wishes of the members of the Committee in all future discussions on the matter and the Committee were assured that they would be kept updated.

Resolved:

That the report be noted and the Chair communicate the Committee's views to the Monitoring Officer.

5 Decision of the First Tier Tribunal in the Appeal by Councillor Blenkinsopp against the Decision of the Standards Committee - Report of the Head of Legal and Democratic Services

Consideration was given to a report of the Head of Legal and Democratic Services which provided an update following the decision of the First Tier Tribunal in

Councillor Blenkinsopp's appeal against the decision of the Standards Committee (for copy see file of Minutes).

The Governance Solicitor advised that although the First Tier Tribunal upheld the original decision of the Standards Committee that there had been a breach of the Code of Conduct, their determination was to vary the sanction which had originally been imposed from a three month suspension to a one month suspension.

Resolved:

That the report be noted.

6 Town and Parish Council Sub Committee - Report of the Head of Legal and Democratic Services

Consideration was given to a report of the Chair of the Town and Parish Council Sub-Committee, providing an update of the activities of the Sub-Committee (for copy see file of Minutes).

It was reported that the Town and Parish Council would be meeting following conclusion of the Standards Committee meeting. Members were advised that the Sub-Committee had established a Terms of Reference and that several requests had already been received from Parish and Town Councils for members of the Sub-Committee, accompanied by officers from the Legal and Democratic Services Team, to visit them in order to provide training and support.

Resolved:

That the report be noted and the terms of reference adopted by the Sub-Committee be endorsed.

7 Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.

The Deputy Monitoring Officer advised that a letter had been hand delivered earlier that morning, addressed to the members of the Standards Committee, by a member of the public who had previously taken a number of complaints to the Committee for consideration (for copy see file of Minutes). It was requested that the letter be considered during the meeting and as such copies were circulated to all present.

As the letter contained direct references her, the Chair of the Committee offered to leave the room while the matter was considered. Unanimously, the Members of the Committee believed it unnecessary for the Chair to leave the room, as such she remained in the meeting.

Having been given an opportunity to consider and debate the contents of the letter, Members determined that the issues raised therein had previously been subject of thorough debate. The Deputy Monitoring Office was therefore directed to respond accordingly and advise that the Members of the Committee considered the correspondence to be closed.

Resolved:

That the Deputy Monitoring Officer prepare a response on behalf of the Standards Committee in accordance with their views.

8 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.

9 Local Investigation - Case Reference LA88 - Report of the Head of Legal and Democratic Services

The Committee considered a report of the Head of Legal and Democratic Services which informed of the outcome of a Standards Committee Hearing into allegations that a Town Councillor contravened the Code of Conduct (for copy see file of Minutes). The Committee were advised that the Investigating Officer's findings of a breach of the Code of Conduct were partially upheld by the Hearing Panel. The Town Councillor had since complied with the sanction imposed by the Hearing Panel and provided a written apology to the complainants.

Resolved:

That the report be noted.

10 Update on the Handling of Current Complaints - Report of the Head of Legal and Democratic Services

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).

A working document detailing and tracking the exact status of all complaints was circulated for information and Members noted that all complaints had been dealt with in designated timescales.

Resolved:

That the report be noted.

11 Review of Completed Complaints

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