

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 2 - County Hall, Durham on **27 May 2011** at **10.00 am**

Members of the Standards Committee:

Chairman: Councillor P Charlton (Vice Chair)

County Councillors J Armstrong, A Bainbridge, C Carr, D Farry, J Shiell and S Zair.

Mr D Balls, Mrs D Balmer and Mr J Hitchman.

Councillor D Liversidge

Other Members:

County Councillor B Myers

Apologies:

Councillors E Bell, G Holland, D Southwell, W Stelling, M Williams, Parish Councillors T Batson, F Duggan, M Goyns and J Marr, Mrs D Winter, Mr J Greenwell Armstrong, Mrs T Naples, Mrs Khan Willis, Mr W Ault and Mr P Thompson.

1 Minutes of the Meeting held on 18 February 2011

The minutes of the meeting held on 18 February 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 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 performance in relation to complaints, compliments and suggestions for the financial year 2010/11 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. He began by providing an overview of non-statutory complaints, of which 1787 had been received during the period. The majority of those complaints related to Neighbourhood Services with issues such as the proposed closure of sports centres and the collection of bins during inclement weather being the key topics.

86% of non statutory complaints had been acknowledged within target at Stage 1 and the Committee were advised that the aim was to improve on that performance. The Service Development Manager clarified that although 72% of non statutory complaints had been responded to within target, contact was always maintained with complainants even though a response could not be provided within the preferred timescales. In relation to Stage 2 complaints, the Service Development Manager explained that due to their complexity, a much lower percentage were responded to on target, but again regular contact would be maintained with complainants.

553 (31%) of non statutory complaints during the period, had been found to be justified or partly justified and the Service Development Manager advised that when a determination of partly justified was delivered, that the Council was wholly or partly at fault.

The Committee were advised that 509 non statutory complaints were received during quarter 4 of 2010/11, 60% of which related to Neighbourhood Services. Again many of these related to refuse collections during December and January. In addition many related to the Medium Term Financial Plan proposals regarding leisure centres and public transport. The Service Development Manager advised that such complaints were fielded through to the service area as comments on the consultations.

The Service Development Manager highlighted that during the quarter there had been a reduction in the number of Stage 2 complaints which was possibly due to more satisfactory Stage 1 responses.

The Committee were provided with an overview of quarter 4 non statutory complaints received by each service area.

Four non statutory complaints had related to the Assistant Chief Executive Service and eleven had related to Adult, Wellbeing and Health. It was reported that no key trends or learning outcomes had been identified.

In response to the 6 complaints received which related to Children and Young People's Services, the Committee were advised that all staff had been made aware of the policy regarding the use of social media sites. Additionally where template letters were used, staff had been advised that care should be taken to ensure that all details were accurate. Finally, in areas where nurseries were being taken over by private providers, staff had been advised that the process including the payment of fees, should be fully explained to affected parents.

In response to the 113 complaints which related to Corporate Resources during quarter 4, additional staff had been delegated to deal with land purchases and right to buy matters and procedural changes had been made in relation to the handling of e-petitions. Furthermore changes had been made to the service delivery within both Derwentside and Chester le Street benefits services following some of the complaints which had been received.

A significant number of improvements and changes had been made as a result of learning outcomes identified from the 303 Neighbourhood Services specific complaints. Measures which had been taken to improve service delivery included the introduction of "queue busting" roles and also diverting calls to offices which tended to experience lower call volumes.

The Service Delivery Manager advised that as a result of the 72 complaints received which related to the Regeneration and Economic Development service, new tenant information had been produced and a new tenancy agreement had been introduced which required tenants to take out contents insurance. Measures had also been taken in conjunction with customer services to improve the reporting and recording processes in relation to repairs and maintenance.

The Committee were also provided with an overview of the statutory complaints which had been received during quarter 4 of 2010/11, which related specifically to Adult, Wellbeing and Health and Children and Young People's Services. In addition the Service Development Manager advised of the learning outcomes which had been identified following receipt of those complaints.

Members were informed that during quarter 4 16 complaints had been submitted to the Local Government Ombudsman, although 1 had been referred back to the authority as it had become apparent that the matter had not been considered as a corporate complaint in the first instance.

The Service Delivery Manager provided an overview of the compliments and suggestions which had been received during 2010/11. Members were advised of actions which had been taken further to receipt of suggestions, such as the implementation of extended opening hours at Durham City Homes' Customer Service Centres.

Members commended the report and the inclusion of the overview of suggestions which had been received. Members also welcomed the presentation which had accompanied the report.

Resolved:

That the report be noted.

4 Town and Parish Council Sub Committee

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

The Deputy Monitoring Officer outlined the report and Members were made aware that the Town and Parish Council would be meeting following conclusion of the Standards Committee meeting.

Having visited a number of Parish and Town Councils in her role as a member of the Sub Committee, Councillor Liversidge advised that the main area of concern amongst Parish and Town Councillors and Clerks seemed to be regarding the future when the current standard regime would cease to exist, including the requirement to adopt a Code of Conduct. She continued by advising that the general consensus was a desire within the Parishes to retain a Code of Conduct, with many hopeful that Durham County Council would adopt a Code of Conduct which could then be issued to Parish and Town Councils as a template.

Councillor Armstrong advised that the Constitution Working Group had already considered a report of the Head of Legal and Democratic Services that advised on the future of obligations by councils in relation to the Code of Conduct and Standards Committees. The report sought the views of Members on whether this was an issue they wished to consult upon, sought views on whether a voluntary code should be adopted, and sought views on whether a Standards Committee would continue to be required. The Constitution Working Group had requested that a draft voluntary Code of Conduct be prepared with details of how it could be operated for their future consideration. That work was currently being undertaken by the Head of Legal and Democratic Services.

Resolved:

That the report be noted and the Committee be kept updated as to the future decisions taken by Constitution Working Group in relation to a future Code of Conduct and Standards Committee.

5 Composition of the Standards Committee

Consideration was given to a report of the Head of Legal and Democratic Services which provided an update on the membership of the Standards Committee (for copy see file of Minutes).

The Deputy Monitoring Officer outlined the report advising that Mr J Hitchman and Mr J Greenwell Armstrong had both been temporarily appointed as independent members of the Standards Committee until such time as the Decentralisation and Localism Bill received Royal Assent.

The Vice Chair welcomed both members to the Standards Committee.

Resolved:

That the report be noted.

6 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 3 of Schedule 12A to the said Act.

7 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.

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.