

Standards Committee

A meeting of Standards Committee was held on Thursday, 24th August, 2006.

Present: Mr F. W. Hayes (Independent Chairman), Cllr P Baker, Cllr Mrs J Beaumont, Cllr J A Fletcher, Cllr A B L Sherris, Mr T. Bowman (Parish Representative), Mr L. W. Hedley (Parish Representative)

Officers: D. E. Bond, M. Henderson, S. Johnson (LD)

Also in attendance: No other persons present

Apologies: Cllr N Teasdale, Mrs E. Chapman (Independent Member) Mrs F. Robinson (Independent Member)

466 Minutes of the Meeting held on 22nd June 2006

The minutes of the meeting held on 22nd June 2006 were confirmed as a correct record.

467 Commendations and Complaints 2005/06 and First Quarter of 2006/07

The Committee considered a report that presented details of commendations and complaints received during 2005/06 and the first quarter of 2006/07 (end of June 2006). The main points were summarised as follows:

- During 2005/06 the Council received 920 complaints (compared to 918 for 2004/05). The two biggest categories were Children and Adults' Social Care (162) and Direct Services, which included refuse collection (80).
- During the same period 1,574 commendations were received. The two biggest categories were again Children and Adults' Social Care (188) and Direct Services (580).
- A full breakdown of complaints and commendations were provided to Members.
- For the period 1 April to 30 June, 2006 (first quarter 2006/07), the Authority received 190 complaints (compared to 224 complaints in quarter 1 of 2005/06) Children and Adults' Social Care and Tristar Repairs, Admin, received the most complaints.
- A total of 506 commendations were received in the same period (compared to 365 in the same quarter last year), with the two areas receiving the most commendations being the Road Safety Team's training schools' event and Direct Services, including street cleaning and horticultural services.
- A breakdown of the first quarter's details was provided to Members.
- The Council's Commendations, Comments and Complaints Policy (details provided) was to be reviewed, particularly insofar as the four stage process and the scope of the remit of the Appeals and Complaints Committee were concerned. The review would be conducted by the Head of Legal Services and fed back to the Council's Corporate Management Team and this Committee.

RESOLVED that the report be received.

468 Local Government Ombudsman - Annual Letter 2005/06

Consideration was given to a report that provided details regarding the Local Government Ombudsman's Annual Letter for 2005/06. Some of the key points referred to in the Annual Letter were summarised as follows:

- complaints received fell again to 59 (10 down on 2004/05 and 17 down on 2003/04);
- the largest single category for complaints was planning, as it was in 2004/05, although the number of complaints received dropped to 20 from 23 in 2004/05;
- the next highest category of complaints was housing, although again the number of complaints fell for the third year running to 15;
- no reports were issued in 2005/06;
- nine local settlements were reached during the year, a third successive drop in number;
- compensation of just over £3,500 was paid as a result of the local settlements
- the Council's response time to the Ombudsman's initial enquiries rose from 27.8 days in 2004/05 to 35.1 days in 2005/06, as against the Ombudsman's target of 28 days.

With regard to the increase in the response time to the Ombudsman's initial enquiries there was an awareness that cases were getting more complex, more services and parties were involved and the workloads of officers dealing with complaints had increased. It was discussed that services would be asked to take more responsibility for complaints.

Details of the action proposed in response to the issues raised in the Annual Letter were provided:

- (a) circulate the annual letter 2005/06 and response times information to Complaints Officers, Heads of Service and CMT highlighting the 28 day timescale;
- (b) wherever considered appropriate, arrange for relevant services (through Complaints Officers/Heads of Service) to investigate and respond direct to Ombudsman enquiries/requests, liaising as necessary with the relevant Legal Officer regarding the content of the responses; and
- (c) ensure that the initial contact officer arrangements were more robust.
- (d) the Annual Letter will also be circulated electronically to all Members.

RESOLVED that:-

1. the report be received; and that
2. the action specified at paragraph 7 of the report be endorsed.

469 Members' Code of Conduct Referrals 2005/06 Review

Members considered a report that provided details of allegations of misconduct referred to the Standards Board for England during 2005/06.

The details of allegations/referrals of complaints about Stockton Councillors and Town/Parish Councillors were summarised as follows:

Stockton-on-Tees Borough Council

- During 2005/06, there were eleven allegations/referrals of complaints about Stockton Councillors to the Standards Board for England. Eleven Councillors in total were the subject of those complaints. This compared to twelve allegations/referrals and eight Councillors being the subject of those allegations/referrals during the period 1 April, 2004 to 31 March, 2005.
- Of the eleven allegations/referrals to the Standards Board in 2005/06 four of the allegations were referred to an Ethical Standards Officer for investigation.
- Insofar as those four referrals for investigation by an Ethical Standards Officer were concerned, they resulted in no evidence of failure to comply with the Code of Conduct in three cases, and one case where a breach was found to have occurred but with no action being considered to be required.
- No allegations were referred by an Ethical Standards Officer to the Standards Committee during 2005/06.

Town Parish Councils

- For the period 1 April 2005 to 31 March, 2006 five allegations/complaints against Town/Parish Councillors were submitted to the Standards Board. Five Town/Parish Councillors in total were the subject of these complaints. Of the five complaints, the Standards Board referred them all to an Ethical Standard Officer for investigation.
- In relation to those five investigations, the decision in each case was that breaches of the Code of Conduct had occurred, but that no action needed to be taken.
- No allegations against Town/Parish Members were referred to the Standards Committee in 2005/06.
- As previously reported to the Committee, a case tribunal was held in Stockton on 1 February, 2006 to consider two references by an Ethical Standards Officer that Town/Parish Councillors had failed to comply with their authority's code of conduct. A copy of the Tribunal's decision was published locally in the press by the Adjudication Panel and the full decision was placed on the Panel's website

(at adjudicationpanel.co.uk). The Tribunal made a recommendation to Stockton-on-Tees Borough Council that code of conduct training should be repeated for the relevant Council Members. Training sessions were provided on 29 and 30 June, 2006. The Standards Board had confirmed that it is content with this response and that it considers the matter to be closed.

RESOLVED that the report be received.

470 Confidential Reporting Policy

Members considered a report that provided an update on progress following on from the report to the Committee at its meeting on 28 April 2006.

- Members were informed that the proposed revised Policy was approved by Council on 3 May, 2006. Action had been taken to ensure that a copy of the revised Policy was placed in the hand book of Policies and Procedures and was available on the Intranet and Internet. It would, in addition, be incorporated into the Constitution.
- The revised Policy had been incorporated into the standard “new starter pack” sent out with contracts of employment.
- The Corporate Procurement Working Group had passed a copy of the Policy to all Heads of Service, asking them to ensure that it was incorporated into contract documents and raised at management team meetings.
- It had also been agreed that based on the contracts register, there would be a rolling programme, at the time of contract renewals of writing to contractors with details of the revised policy, indicating where it could be accessed; and that in the case of existing long-term contractual arrangements, such as for instance in health and social care, the existing contractor would be advised of the Policy as soon as practicably possible.
- Further to the survey of Nominated Officers, they had been asked to take whatever steps they considered appropriate to bring the revised policy to their colleagues’ attention and to replace copies of the old policy, with the revised one.
- The revised Policy had been emailed to all HR employees; all Council Members; Unison Branch Office; Heads of Service and the Corporate Management Team.
- An item about the Policy had appeared in KYIT (July, 2006) and the Anti-Fraud and Corporation Strategy had been updated to reflect the revisions to the Policy.

Members were reminded that at its meeting held on 28th April 2006 the Committee had agreed an action plan based on a survey of Nominated Officers. Details of progress against the action plan was provided.

It was explained that one of the outcomes of the Nominated Officers' Survey was the identification of the need for an Employee Survey to ascertain their

views on the policy and to develop and implement an action plan. Members noted that this had been undertaken and an analysis of completed returns was provided together with key outcomes. In response to those outcomes a number of necessary actions had been identified and those were provided to Members in paragraphs 17 and 19 of the report.

RESOLVED that:-

1. the report be noted; and that
2. the actions proposed at paragraphs 17 and 19 be endorsed.

471 Information/Discussion Items

The Committee received and considered the following information:-

- Survey of Standards Committees on behalf of the Standards Board
- Whistleblowing – Bolton School -v- Evans
- Standards Board Bulletin – Issue 30
- Standards Board Annual Review 2005/06

RESOLVED that the information be noted.

472 Standards Committee Forward Plan 2005/07

The Committee was provided with an updated version of the Committee's Forward Plan for 2005/2007.

RESOLVED that the plan be noted.