

County Council Meeting – 13 October 2009

**REPORT OF THE STANDARDS COMMITTEE**

\*\*+ Mr Simon Edge (Chairman)  
+ Ms Karen Heenan (Vice-Chairman)

\*\*+ Mr Nicolas Davies LVO JP DL  
\* Eber Kington  
\*\* Mrs Angela Fraser DL  
\*\* Mr Geoff Marlow  
\* Mr David Munro  
+\* Mr SFI Rutter  
Mrs Lavinia Sealy  
\*\* Mr Colin Taylor

+ = Independent Representatives

\* = Present (Two meetings)

x = Present for part of the meeting

**A APPLICATION FOR DISPENSATIONS: SPELTHORNE BOROUGH COUNCILLORS AND HEATHROW AIRTRACK**

1. Standards Committee held a special meeting on 4 September 2009 to consider a number of applications for a dispensation to allow Spelthorne Borough Councillors who were members of the Local Committee to speak and vote at the Committee on 9 September 2009 in relation to Airtrack and the Heathrow Airtrack Order.
2. The Committee welcomed the fact that members of the Spelthorne Local Committee had recognised the issue of their prejudicial interest, and their seeking to rectify that issue, within the requirements of the Code of Conduct.
3. The Committee considered the legal criteria for granting dispensations. It was agreed that more than 50% of the members of Spelthorne Local Committee would have a prejudicial interest in the Airtrack item in relation to the effect of the proposed Order and Scheme on Spelthorne Borough Council's financial interest, and, therefore, granting of a dispensation could be appropriate. The Committee considered that the Member's potential prejudicial interest arose from the financial effect the decision might have on a public body of which they were a member, and that the nature of the Member's interest was such that allowing them to participate would not damage public confidence in the conduct of the authority's business. It was agreed, therefore, that a dispensation to allow speaking and voting should be granted to those Members requesting it.
4. The dispensation was granted to the Members who had applied to allow them speak and vote (in line with their normal rights as set out in Surrey County Council's Constitution) at any meeting of Spelthorne Local Committee in relation to Airtrack and the Heathrow Airtrack Order from 4 September 2009 up to and including 31 August 2010.

## **B ASSESSMENT AND REVIEW SUB-COMMITTEES: REPORT BACK**

1. On 2 October 2009, the Monitoring Officer reported that since the last meeting of Standards Committee, there had been one meeting of Assessment Sub-Committee A on 6 August 2009. The Sub-Committee had dealt with two initial assessments of complaints, one had been referred to the Monitoring Officer for investigation and the Sub-Committee had decided to take no further action with the other. The Sub-Committee had reviewed a previous decision not to take further action. The decision was upheld. Finally, the Sub-Committee had been informed that Members of the Council had completed all Register of Interest forms.

## **C CHAIRMAN'S REPORT TO STANDARDS COMMITTEE**

1. On 2 October 2009, the Chairman of Standards Committee informed the Committee that during the summer he had met with the Interim Chief Executive, the Leader and Deputy Leader of the Council, and Leaders of the Liberal Democrat Group and Residents Association Group to discuss how Members perceive Standards Committee and how the Committee could improve its workings.

## **D DISPENSATIONS: GUIDANCE FROM STANDARDS FOR ENGLAND**

1. Standards Committee has considered the new Guidance on Dispensations and agreed a process for making a request for dispensation, a process for determining the granting of dispensations and a set of local criteria against which requests for dispensation will be considered. A statement will be included in the Constitution of the Council and will be published on the Standards Committee web pages.

## **E DETERMINATION HEARINGS SUB-COMMITTEE**

1. Standards Committee has considered how it will address any complaints that reach determination hearings stage. To improve the efficiency of the process, it agreed to delegate responsibility for determination hearings to the Assessment Sub-Committees, which will be renamed General Purpose Sub-Committees. A panel of three members, including an Independent Representative as Chairman, will finally determine the outcome of a complaint.

## **F OTHER ACTION GUIDANCE**

1. Standards Committee has considered the new Guidance on referring a complaint to the Monitoring Officer to carry steps other than carrying out an investigation, known as 'other action'. It has agreed a set of criteria to be taken into account if the assessment sub-committees are considering referring a complaint to the Monitoring Officer for other action, which will be published on the Standards Committee's web pages.

## **G THE STANDARDS COMMITTEE'S ROLE IN THE GRANT AND SUPERVISION OF EXEMPTIONS FROM POLITICAL RESTRICTION**

1. The Local Government and Public Involvement in Health Act 2007 provides that the granting and supervision of exemptions from political restriction are now matters for Standards Committees.
2. On 2 October 2009, Standards Committee agreed a protocol explaining how the rules restricting the political activities of certain local government employees apply in the Surrey County Council context and setting out the procedures for applying to the Council's Standards Committee for a post to be exempt from or included in the list of politically restricted posts. This protocol will be included in the Constitution of the Council and published on S-Net. Standards Committee agreed to delegate responsibility for this function to its Sub-Committees.

## **H SURREY HIGHWAYS: STANDARDS COMMITTEE CONCERNS ABOUT RESPONSES TO COMPLAINTS**

1. Standards Committee has been following up concerns about a mismatch between statistics on the perceived performance of Surrey Highways in response to complaints and anecdotal evidence about that performance. On 2 October 2009, the Head of Customer Services attended the meeting to discuss Members' concerns.

## **I FAMILIES DIRECTORATE COMPLAINTS**

1. On 2 October 2009, Standards Committee received and noted the Families Directorate Statutory Complaints Annual Report 2008/09.
2. Following reports earlier in the year of low levels of complaints within the Special Educational Needs (SEN) Service, Standards Committee had requested some research be undertaken to establish the level of "hidden" complaints work. A report was considered on 2 October 2009 that detailed the outcome of that research. It was found that staff are responding immediately to concerns or complaints which results in fewer logged complaints. This supports the view of the Head of Service that officers working closely with families see resolving problems as a central part of their business. Staff have recently completed Complaints Training and are aware of their responsibilities and the role of Families Customer Relations Team.

2 October 2009

Simon Edge  
*Chairman*