

MINUTES of the meeting of the **STANDARDS COMMITTEE** held at 10am on Monday 14 June 2010 at County Hall, Kingston upon Thames.

These minutes will be confirmed by the Standards Committee at its next meeting on 23 July 2010.

Members:

- +* Mr Simon Edge (Chairman)
- Ms Karen Heenan (Vice-Chairman)
- * Eber Kington
- Mrs Sally De la Bedoyere
- Mr Geoff Marlow
- * Mr David Munro
- +* Mrs Marion Roberts
- * Mrs Dorothy Ross-Tomlin
- * Mrs Lavinia Sealy
- Mr Colin Taylor

- + = Independent Representatives
- * = Present
- x = Present for part of the meeting

PART 1
IN PUBLIC

22/10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Mrs Sally De la Bedoyere, Ms Karen Heenan and Mr Geoff Marlow.

23/10 MINUTES OF THE LAST MEETING: 12 APRIL 2010 [Item 2]

The minutes were agreed as an accurate reflection of the meeting.

24/10 DECLARATIONS OF INTEREST [Item 3]

There were no declarations of interest.

25/10 QUESTIONS AND PETITIONS [Item 4]

There were no questions or petitions.

26/10 CHAIRMAN'S REPORT [Item 5]

The Chairman welcomed to the meeting Mrs Marion Roberts and Mrs Dorothy Ross-Tomlin to their first meeting of the Standards Committee. He also recorded his thanks to Mrs Angela Fraser for her work on the Committee.

The Chairman had met with Mrs Barbara Deacon from the Audit Commission on 11 June to discuss the initial findings of their recent Ethical Standards Survey. The Audit Commission were surprised about the number of paper copies of the survey that had been requested. They wondered if this reflected lack of use of IT by members but it was known that there had been a number of IT problems when members tried to access the survey. The Council's progress on governance and transparency had been recognised but it was felt that there was still some way to go, mainly in keeping the momentum going and building on progress. The Audit Commission had been asked to break down their initial findings into the same format as last year to aid comparison with the Committee's own 2009 survey. A report would be made to the Committee on 23 July.

In respect of Politically Restricted Posts, which were to be discussed later in the meeting, the Chairman reported that at the Annual Council meeting he had agreed to re-examine, and clarify for Members, the guidance for granting exemptions from political restriction.

The Chairman also reported the receipt of a letter from the Standards Board for England (Attached as item 5 to the agenda). The Government had recently announced plans to 'abolish the Standards Board regime'. It was noted that until further information was received the present framework would continue. There was some feeling that the Annual Conference planned for October would be cancelled. There was also speculation that if the Standards Board was abolished some of their functions could transfer to the local Ombudsman. Members were of the view that a Standards Committee was required to consider internal investigations under the Code of Conduct, even if the Standards Board was abolished.

The Chairman would respond to Dr Robert Chiltern, Chair, Standards for England.

The Committee commented on the inclusion of the monitoring of complaints in the Committee's terms of reference which some felt should not be a matter for this Committee. The Monitoring Officer acknowledged these concerns. The decision had been taken by the Leadership to

include complaints monitoring as one of this Committee's terms of reference because previously it was not regularly reported elsewhere, the Committee has some independence from the Council. The Committee also considers Ombudsman findings.

27/10 APPOINTMENT OF INDEPENDENT REPRESENTATIVES [Item 6]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)

Elaine Bayfield (Democratic Services Officer)

Key Points Raised During the Discussion:

- The Monitoring Officer, who had been advising both the short-listing and interview Panels, reported on the successful out-come of the recruitment process. There had been 65 applicants, with some strong candidates but it was clear that a number applicants did not have a clear understanding of what they were applying for.
- Six candidates were originally short-listed with a further two as reserves in case of drop-out. The six were invited to, and accepted, interview.
- It was noted that the diversity of applications had increased which had been one of the Committee's objectives following the last recruitment exercise.
- The Chairman recorded his thanks to all those who had been involved in the recruitment process.

Actions/Further Information to be Provided:

None.

Resolved:

That the report be received and noted.

Next Steps:

None.

28/10 APPOINTMENT OF STANDARDS SUB-COMMITTEES [Item 7]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)

Elaine Bayfield (Democratic Services Officer)

Key Points Raised During the Discussion:

- A schedule of provisional Sub-Committee meeting dates would be circulated after the meeting.
- Agreed that Simon Edge continue as Chairman of Sub-Committee A and Karen Heenan as Chairman of Sub-Committee B.

Actions/Further Information to be Provided:

A schedule of Sub-Committee meetings to be circulated to all Members of the Committee.

Resolved:

That Standards Sub-Committees A and B be constituted as follows:

Sub-Committee A

Mr Simon Edge (Chairman), Mr David Munro, Mrs Marion Roberts, Mrs Dorothy Ross-Tomlin and Mr Colin Taylor.

Sub-Committee B

Mrs Karen Heenan (Chairman), Mrs Sally De la Bedoyere, Mr Eber Kington, Mr Geoff Marlow and Mrs Lavinia Sealy.

Next Steps:

None.

29/10 PROPOSED AMENDMENT TO STANDING ORDERS REGARDING MEMBERS RIGHTS TO ATTEND STANDARDS SUB-COMMITTEES
[Item 8]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)

Key Points Raised During the Discussion:

- The Monitoring Officer reported that the proposed amendment to Standing Orders, as proposed, had come about as a result of two Members exercising their right to attend confidential meetings. In the case of considerations hearings this was something of an anomaly as the subject member and the complainant were prohibited from attending. The Committee had, therefore, proposed an amendment to the Constitution. This was referred back to the Committee by the Council, for further consideration, because the proposal was considered too wide ranging.
- The Committee felt that the wording of the Article needed to be made clearer and more direct suggesting: 'Members **must** withdraw.... if requested to do so by the **Sub-Committee**' rather than 'Members **will** withdraw.....if requested to do so where.....'
- The Committee proposed that the agenda for Standards Sub-Committees should include a specific agenda item, following the exclusion of the Press and Public item, on the lines of 'To consider whether any Council Member exercising their right to attend confidential meetings, should withdraw from the meeting.
- The Chairman asked for clarification on the principle of what a 'compelling need to know' was. The Monitoring Officer said that this was enshrined in law in that it was information that the member needed to properly fulfil their role as a County Councillor. There was no need to make any more explicit reference or include guidance at this stage. The Monitoring Officer would advise in the particular circumstances of each case.
- The Monitoring Officer agreed to look at the wording again, in the light of the Committees comments and to circulate a revised draft prior to its submission to the Council.

Actions/Further Information to be Provided:

That the Monitoring Officer re-draft the proposed amendment in the light of the Committee's views and circulate it to members of the Committee for comment prior to its submission to the Council.

Resolved:

That subject to the proposed amendment being re-drafted by the Monitoring Officer to take account of the Committee's comments it be submitted to the Council for approval.

Next Steps:

A report to be submitted to the Council.

30/10 ADULT SERVICES COMPLAINTS ANNUAL REPORT 2009 – 2010 [Item 9]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Simon Pollock (Head of Customer Services)

Mona Saad (Customer Relations Officer (Families Customer Relations Team))

Key Points Raised During the Discussion:

- New complaints process adopted as of 1 April 2009.
- The service met it's '79% of complaints to time target' but will now aim for 88 -100%.
- The service will aim to ensure accountability at senior manager level and make them aware that they could re-negotiate time frames for resolution.
- It was acknowledged that learning from complaints was poor and case studies would be used in further reviews to improve this.
- For future reports, the Committee felt that they would like to see a statement from the 'Manager Service' to ensure accountability.
- It was noted that monitoring reports were reviewed monthly and then reported quarterly to the appropriate Cabinet Member. The Committee were given assurances that it would go to the appropriate Select Committee if appropriate.
- With reference to page 8/9 – corrective action, it was felt that 61% was quite high to be recorded as 'un-known'. In this respect it was noted that a new outcome sheet was to be introduced to enable this to be monitored more closely.

Actions/Further Information to be Provided:

None.

Resolved:

That the report be received and noted.

Next Steps:

None.

31/10 CHILDREN SCHOOLS AND FAMILIES STATUTORY COMPLAINT REPORT 2009 -2010 [Item 10]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Simon Pollock (Head of Customer Services)

Jessica Brooke (Customer Relations Officer (Family Rights and Participation Service))

Key Points Raised During the Discussion:

- There was a statutory requirement to produce a complaints report.
- Whilst more complaints were going to Stage 2, they were not escalating to Stage 3.
- Schools and Learning were not resolving complaints within agreed timescales. Now re-structured to 4 Area Groups. Looking at coaching and mentoring and meeting with managers to discuss performance issues. This had been reported to the Departmental Leadership Team.

Actions/Further Information to be Provided:

None.

Resolved:

That the report be received and noted.

Next Steps:

None.

32/10 CORPORATE COMPLAINTS ANNUAL SUMMARY REPORT 2009/10 [Item 11]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Simon Pollock (Head of Customer Services)

Loulla Woods (Customer Relations Manager (Customer Services))

Key Points Raised During the Discussion:

- The Customer Relations Manager amended the table shown at paragraph 2 of the report by amending Surrey's overall complaints performance to 88%. This had been achieved and verified by reviewing the cases concerned and by removing any duplicate logging.
- The agreed performance target for 2010/11 has been reduced to 10 working days and set at 90%.
- The Team would focus on any learning points and a report on actions to be taken in respect of more complex complaints to be made to the July meeting of the Committee.
- The Committee noted that over half the complaints were about highways matters.
- It was noted that the Team did look at trends in complaints. For example, the recent problem of flooding was taken to the appropriate Select Committee. There was no failure on the part of the Council but large numbers of complaints were recorded.
- It was noted that complements were also recorded.
- Complaints about the Fire and Rescue Service were initially dealt with by their Service Leader who allocated to the appropriate team. Very few escalated to Stage 2.

Actions/Further Information to be Provided:

None.

Resolved:

That the report be received and noted.

Next Steps:

A report be submitted to the July meeting of the Committee on the improvements to be made to the Customer Complaints Procedure.

33/10 STANDARDS COMMITTEE'S CONCERNS ABOUT HIGHWAY COMPLAINTS [Item 12]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Simon Pollock (Head of Customer Services)

Loulla Woods (Customer Relations Manager (Customer Services))

Key Points Raised During the Discussion:

- The Committee considered whether an on-line reporting system for pot-holes, like the one used for street lighting, might be useful as complainants did not get any feed-back. This was likely to be reviewed as part of the PVR and any new contract.
- In response to the two questions from the Chairman as referred to in the report (paragraph 2) it was noted that these were very inter-linked at the present there was no method of getting the information back to the public. There would need to be a new system, training and feedback.

Actions/Further Information to be Provided:

None.

Resolved:

The report be received and noted and it be agreed that:

1. the Committee consider the outcome and impact on Customer Services PVR when complete; and
2. share the operational issues identified in the report with the Transport and Safer and Stronger Select Committees.

Next Steps:

Consideration of the Customer Services PVR be added to the Work Programme and officers be asked to share the operational issues identified in the report with the Transport and Safer and Stronger Select Committees.

34/10 POLITICALLY RESTRICTED POSTS [Item 13]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)

Elaine Bayfield (Democratic Services Officer)

Key Points Raised During the Discussion:

Item No 2

- A report would be submitted to the People, Performance and Development Committee on the detail of the changes to be implemented including staff consultation.
- The Committee discussed what they felt were inconsistencies between the treatment of Members and Officers when declaring interests
- All posts would need to be assessed as part of the review and the number of restricted posts would reduce. Staff in posts identified as 'sensitive' would have a right of appeal to the Standards Committee.
- All successful appeals would be reported to the Council through the Committee's usual reporting mechanisms.
- All procedures should be clear and transparent.

Actions/Further Information to be Provided:

None.

Resolved:

The report and further action to be taken be noted.

Next Steps:

- (1) The Council's intranet site to be up-dated to reflect the new legislative requirements.
- (2) Stop Press Notice to be issued providing a link to the Council's Code of Conduct.
- (3) Human Resources to review and up-date the list of politically restricted posts by reference to the new requirements.
- (4) The Head of Legal and Democratic Services to revise the procedures to be followed by the Standards Committee to reflect the changes in legislation and report to the next meeting of the Committee.
- (5) Chairman to write to Mr Gosling in response to his question at the Annual Meeting of the Council about guidance for granting exemptions from political restrictions.

35/10 WORK PROGRAMME AND ACTION TRACKER [Item 14]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)

Elaine Bayfield (Democratic Services Officer)

Key Points Raised During the Discussion:

- The actions tracker would be amended for the next meeting to remove all actions before July 2009.
- The Committee felt that promoting the work of the Committee through Surrey Matters should be put on hold for the time being.
- The meeting to be held on 3 September 2010 should only be held if there was sufficient important business. [Mrs Ross-Tomlin recorded her apologies.]

Actions/Further Information to be Provided:

None.

Resolved:

The Actions Tracker and Work Programme were noted.

Next Steps:

Actions Tracker to be amended.

36/10 DATES OF FUTURE MEETINGS [Item 15]

The next meeting of the Committee will be on 23 July 2010 at 10am.

Future meetings will be on: Friday, 3 September 2010 (but only if sufficient important business), Friday 29 October 2010, Monday 13 December 2010.

[Meeting ended: 12.00 noon]

Chairman