

**MINUTES** of the meeting of the **STANDARDS COMMITTEE** held at 10am on Friday 29 October 2010 at County Hall, Kingston upon Thames.

These minutes will be confirmed by the Standards Committee at its next meeting on 13 December 2010.

**Members:**

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

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

**PART 1**  
**IN PUBLIC**

**49/10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS** [Item 1]

Apologies were received from Mr Geoff Marlow.

**50/10 MINUTES OF THE LAST MEETING: 3 September 2010** [Item 2]

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

**51/10 DECLARATIONS OF INTEREST** [Item 3]

There were no declarations of interest.

**52/10 QUESTIONS AND PETITIONS** [Item 4]

There were no questions or petitions.

***Mr Colin Taylor joined the Committee at 10.09am***

**53/10 CHAIRMAN'S REPORT** [Item 5]

The Chairman noted that the amendments to the Constitution regarding politically restricted posts and exemption from political restriction had been agreed at the Council meeting held on 12 October 2010.

The Chairman informed the Committee that Mrs Marion Roberts had recently attended a meeting for independent representatives of standards committees , and invited Mrs Roberts to update the Committee on the main points arising at the meeting. The Committee were advised that the meeting was an opportunity to hear what Council's were doing with regards to standards. In one case a Council had introduced training sessions for prospective Members to facilitate an understanding of codes of practice and behaviours before they were formally in post. Discussions had taken place around what might replace the standards regime and whether Councils would be comfortable with a new standards/ethics monitoring body. It was emphasised that authorities would need to wait for legislation to be available before realistically considering the role of standards/ethics committees post-abolition of the standards regime. It was noted that the meeting had been specifically for independent representatives and that there was a general interest in keeping a body to monitor conduct. It was agreed that the minutes of the meeting would be shared with the rest of the Committee.

The Chairman requested that the order of items on the Committees agenda be changed so that Item 9 on the abolition of the Standards regime would be the first item of consideration.

**Actions/Further Information to be Provided:**

- That Mrs Marion Roberts share the minutes from the meeting of Independent Representatives of Standards Committees with the Committee.

**54/10 ABOLITION OF THE STANDARDS REGIME [Item 9]**

**Officers present:**

Ann Charlton, Head of Legal and Democratic Services

***Key issues raised during the discussion:***

- The Committees attention was drawn to a statement by the Communities Minister attached at Annex A to the officer report. The statement expanded on the government's announcement in May 2010 that the Standards Board regime would be abolished.
- It was noted that there would be changes to legislation regarding the way in which misconduct issues are dealt with. Serious misconduct, such as fraud cases, would be considered a criminal offence and dealt with by the courts instead of by committees.
- The Committee noted that behavioural issues were not covered in the statement and it was considered that Members and officers need to have the opportunity to sign up to protocols that govern behaviour. It was considered that a simple Member/officer protocol was vital.
- The Chairman advised that until further notice the current standards regime and legislation continued to exist and therefore the immediate role of the Committee had not changed. The Head of Legal & Democratic Services confirmed that in terms of the role of the monitoring officer and standards committee in relation to complaints it was 'business as usual'.

- The Committee discussed whether it would be helpful to put forward suggestions to Council in relation to what could succeed the standards regime at Surrey, and decided that that would be premature pending clarity on what the new legislation entailed.
- The Committee agreed that it was important to have a process that would stop frivolous and petty complainants persisting.
- The Committee queried whether there was any data or statistics to show how many complaints had been made in the current regime without foundation and how many would have resulted in court action
- There was concern about how complaints that were not serious enough to be considered by the courts but were not petty would be dealt with. The Committee queried whether the Council's existing codes of conduct were strong enough to govern standards of behaviour.
- The Committee agreed that it was important to promote good standards in public life. A key problem with the current regime was that the process exposed people who had allegations made against them to reputational damage, whether or not the allegations were justified.

**Resolved:**

- That the report be noted
- That the Committee continue in its current format until legislation dictates otherwise.

**55/10 RECOMMENDATIONS TRACKER AND FORWARD WORK PROGRAMME**  
[Item 6]

**Officers present:**

Ann Charlton, Head of Legal and Democratic Services

***Key issues raised during the discussion:***

- The Chairman confirmed that the advice in the 'Guidance on Members Correspondence' circulated in December 2009 remains extant.
- The Head of Legal & Democratic Services informed the Committee that the number of individual cases in the work programme had reduced. One recent complaint was not upheld as it was not an issue for the Standards Committee to deal with. A further complaint had been received on 29 October 2010 that would need to be reviewed. The Committee were advised that there was currently nothing in the pipeline for the work programme.

**Resolved:**

- That the recommendations tracker and forward work programme be noted.

**56/10 STANDARDS COMMITTEE ROLE IN COMPLAINTS** [Item 7]

**Officers present:**

Nigel Bartlett-Twivey, Customer Service Improvement Manager  
Mona Saad, Customer Relations Officer  
Ann Charlton, Head of Legal & Democratic Services

***Key issues raised during the discussion:***

- The Head of Legal & Democratic Services introduced the item and advised the Committee that instead of receiving regular reports detailing the number of complaints it was recommended that the process be amended so that the Committee could operate more effectively in its role of monitoring complaints.
- It was recommended that the Committee receive an annual report on the complaints process at the end of the financial year and additional reports in the interim as and when necessary.
- It was clarified that the Committee would take an 'overview' role in relation to complaints.
- The Committee agreed that their role should be to review the process of complaints handling and that specific issues should be referred to Select Committees to ensure that the relevant people are held to account.
- The Customer Service Improvement Manager advised the Committee that he had attended Select Committee Chairmen's Group with the Head of Customer Services to suggest areas for scrutiny.
- Consideration was given to the recommendations on page three of the officer report and the Chairman suggested an additional recommendation regarding referring specific concerns to select committees. The Committee had confidence that select committees would include items on complaints where necessary on their forward work programmes without the need for a referral from the Standards Committee. It was agreed that this would be reviewed as part of the annual report and a recommendation would be made then if necessary.

**Resolved:**

- That the Committee will continue to fulfil its duty to ensure the Council's complaints procedure operates effectively.
- That an annual report on the complaints process be presented to the Committee at the end of the financial year.
- That the Committee receive additional reports as and when necessary.

**57/10 COMPLAINT PERFORMANCE SUMMARY REPORT – 2<sup>nd</sup> QUARTER 2010/11 [Item 8]**

**Officers present:**

Nigel Bartlett-Twivey, Customer Service Improvement Manager  
Mona Saad, Customer Relations Officer  
Ann Charlton, Head of Legal & Democratic Services

***Key issues raised during the discussion:***

- The Customer Relations Officer advised that Appendix A included corporate and families complaint performance data. It was clarified that 'families complaints' included Adult Social Care and Children's, Schools and Families directorates.
- The overall performance for the Council was 86%. The Committee were informed that results in Schools & Learning and Adult Social Care had brought the overall figure down. Relevant Heads of Service had been held to account at select committees regarding performance.
- The Customer Service Improvement Manager explained that there had been a positive improvement in terms of corporate complaints. The overall performance figure was 91%, against a target of 90%. In addition the target response time had been reduced from 20 days to 10 days.
- Surrey Highways had performed very well in the quarter. The Committee were advised that the integration of support services in the Environment and Infrastructure Directorate meant that improvement could hope to be seen in the results for the Environment Service.
- The Committee were informed that the Customer Relations Team had been working hard to improve performance figures and it was noted that the PVR of Customer Services had recognised the value of the Customer Relations network of Service Leads and made proposals to enhance its role in driving improvements based on customer feedback.
- The Committee queried the Families complaints figures, where a total of 27 complaints had not been dealt with in the agreed timescales. The Customer Relations Officer advised that teams in Adult Social Care do not have access to the same system and therefore data is not always reliable. If information is not logged it presents in the system as 'unknown', and results in this category are counted in the 'not responded' figures.
- The Committee requested that the issue be highlighted to the Strategic Director and Cabinet Member for Adult Social Care. It was agreed that they would report back to the Chairman of the Standards Committee.

**Resolved:**

- That the Committee note the report
- That concerns regarding performance figures against timescales in Adults Social Care be brought to the attention of the Strategic Director and Cabinet Member.

**58/10 DATE OF THE NEXT MEETING**

The date of the next meeting was confirmed as 13 December 2010.

Mrs Lavinia Sealy offered apologies for the meeting on 18 February 2011.

**Meeting closed: 11.10am**

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**Chairman**