

B R O M S G R O V E D I S T R I C T C O U N C I L

M E E T I N G O F T H E S T A N D A R D S C O M M I T T E E

W E D N E S D A Y , 2 1 S T S E P T E M B E R 2 0 1 1 A T 6 . 0 0 P . M .

PRESENT: Independent Members: Mr. N. A. Burke (Chairman) and Ms. K. J. Sharpe (Vice-Chairman)
Councillors: Mrs. S. J. Baxter, S. R. Colella and Mrs. M. A. Sherrey JP
Parish Councils' Representatives: Mr. I. A. Hodgetts
Observers: Councillor M. A. Bullivant (Portfolio Holder)
Officers: Mrs. C. Felton, Mrs. S. Sellers and Ms. D. Parker-Jones

25/11 CHAIRMAN'S WELCOME

The Chairman opened the meeting and welcomed Councillor M. A. Bullivant, Portfolio Holder for (amongst others) Legal, Equalities and Democratic Services, who was attending the meeting in an observational capacity.

26/11 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs. G. Bell, Independent Member, Mr. J. Cypher, Parish Councils' Representative, and Councillor L. C. R. Mallett.

27/11 DECLARATIONS OF INTEREST

No declarations of interest were received.

28/11 MINUTES

The minutes of the meetings of the Standards Committee held on 8th June 2011, 8th July 2011 and 19th July 2011 were submitted.

RESOLVED that the minutes be approved as correct records.

29/11 MONITORING OFFICER'S REPORT

The Committee noted the contents of the Monitoring Officer's (MO's) report and the issues detailed below were raised during the consideration of this.

(i) Member Investigations and Associated Matters

It was noted that following the Final Determination Hearings which had taken place for the complaints against former District Councillor Mrs. Luck and the complaints arising from the meetings of full Council on 29th July 2009 and 20th January 2010, local press notices detailing the Committee's findings were currently being arranged. The required training for Councillor Mrs. McDonald in relation to the 29th July 2009 complaints outcome was also being finalised. One Final Determination Hearing remained; for linked Complaint References 03/10 and 04/10 against Alvechurch Parish Councillor Matthews, which was scheduled to take place on 18th October 2011.

(ii) Member Training

The MO advised that Members who had been unable to attend any of the required training sessions would receive individual sessions with officers to ensure that they completed all necessary training elements. Some of the sessions had been a learning curve, with any required adjustments being noted for the future, and with training having been well-attended and received by Members. In areas where officers might hold a particular view, such as planning and enforcement, external providers were conducting the training to ensure that this was unbiased.

A number of sessions had also been run in conjunction with Redditch Borough Council Members, which it was reported had worked well in the sharing of knowledge and experiences. This has proven useful in the building of relationships between Members, which was particularly useful given the different dynamics which prevailed between the two authorities. Councillor Bullivant stated that he, as a newly-elected Member, had found the joint sessions with Redditch to be very positive.

The MO added that she would be taking to the Member Development Steering Group the issue of a recommendation which the Standards Committee had made to the authority as part of its decision at the Final Determination Hearing on 8th July 2011 against former District Councillor Mrs. Luck.

(iii) Parish Council Matters

The MO reported that the Monitoring Officer Liaison Meetings (MOLMs), which took place periodically between Officers and the parish council clerks, had proven to be very successful and that it was hoped that it would be possible to continue with such proactive work in the future. Given however that the authority was currently entering into a programme of shared services with Redditch Borough Council, a great deal would depend on resulting Officer workloads. Whilst it was proposed to offer the same level of service as currently, any capacity to undertake additional proactive work would need to be looked at.

A question was raised regarding the level of support given by the MO to Redditch's single (Feckenham) parish council, and whether that support in any way impacted on the support which the MO gave to the Bromsgrove parishes. The MO confirmed that there was no detrimental

effect to the Bromsgrove parishes and that invites to both the District Council's Parish Councils' Forum and the MOLMs were extended to Feckenham Parish Council, meaning that there was no duplication of effort.

(iv) Localism Bill

The MO advised that she was working with the Leader of the Council and the Leader of the Labour Group regarding possible future proposals for any successor local standards regime.

A Member stated their understanding that an amendment had been tabled to the Localism Bill during the final stages of the House of Lords, which was being supported by the National Association of Local Councils (NALC), proposing the restoration of a mandatory code of conduct for all local authority Members. NALC had reportedly offered to work with other relevant bodies, such as the LGA, to draft such a code. The MO stated that she would check the current position with this.

The MO added that it was her personal view that it would be wrong to remove the code in its entirety and that the local Member-Member protocol might be a good starting point for any future considerations, particularly given that the current Code of Conduct was so rigid. The key factor would be in determining, with the agreement of all 39 councillors, what the 'bar' for acceptable conduct should be.

RESOLVED:

- (a) that the contents of the report be noted; and
- (b) that any required actions arising from the points detailed in the report and the preamble above be acted upon and reported back to the Committee as appropriate.

30/11 **PARISH COUNCILS' REPRESENTATIVES' REPORT**

Mr. Hodgetts advised that a meeting of the Bromsgrove Area Committee of the Worcestershire Association of Local Councils had taken place in September and that he had nothing further to report on this.

RESOLVED that the position be noted.

31/11 **OMBUDSMAN REVIEW**

Members considered a report which presented the Local Government Ombudsman (LGO) Annual Review Letter. The Annual Review Letter provided a summary of statistics on the complaints made to the LGO about the Council for the year ending 31st March 2011.

A Member noted the slight increase in the average number of days it had taken the Council to respond to complaints in comparison with previous years. Officers detailed the types of issues which impacted on response times and it was noted that the Council fell within the 65% of district councils that

responded to complaints within 28 days (as opposed to those who took between 29-35 days or 36+ days to respond). It was also noted that there had been a relatively small number of complaints received during the period, in addition to which that there had been neither any findings of maladministration nor any agreements to pay compensation.

The Deputy Monitoring Officer (DMO) added that over the last 12 months there had been a significant amount of work undertaken throughout the organisation relating to customer service and in raising staff awareness of the importance and benefits of good customer service, which would ultimately impact on complaints made to the Ombudsman.

Members agreed that it was key for any staff involved in gathering information in response to Ombudsman complaints to understand the significance of doing this as quickly as possible and of proving this to the Council's Ombudsman Link Officer in the required format, particularly given the complex nature of some complaints which could require responses from a number of different Officers.

RESOLVED that the contents of the report and the Local Government Annual Review Letter be noted.

32/11 **PUBLICATIONS**

It was noted that there were no publications to be brought to the Committee's attention.

33/11 **WORK PROGRAMME**

Consideration was given to the Committee's Work Programme.

RESOLVED that the Work Programme be approved.

The meeting closed at 6.32 p.m.

Chairman