

STANDARDS COMMITTEE

11 June 2008
(6.00pm – 7.55pm)

PRESENT: Councillors Bick, Dryden, McGovern, Pitt, and Taylor

External Members: Dr Clark and Mr A Dasgupta

FOR INFORMATION OF THE COUNCIL

08/s/12 APPOINTMENT OF CHAIR AND VICE CHAIR

Director of Customer and Democratic Services [the Council's Monitoring Officer] in the Chair.

The Committee noted that under the provisions of the Local Government and Public Involvement in Health Act 2006, the Standards Committee must annually appoint an independent (ie not a Councillor) member as its Chair.

Councillors Dryden and Taylor proposed and seconded Dr Clark as Chair and Mr Dasgupta as Vice Chair. As both positions were uncontested, there was no requirement for an election.

Resolved –

That Dr Clark and Mr Dasgupta be appointed Chair and Vice Chair respectively of the Standards Committee.

08/s/13 MINUTES

The minutes of the meeting held on 9 April 2008 were confirmed as a correct record and signed by the Chair.

08/s/14 APOLOGIES FOR ABSENCE

Apologies were received from Cllr McPherson and External Member Mr Williams.

08/s/15 DECLARATIONS OF INTEREST

There were none.

08/s/16 PUBLIC QUESTION TIME

No members of the public were present.

08/s/17 PROCEDURE FOR THE LOCAL ASSESSMENT OF COMPLAINTS

The Head of Legal Services introduced his report and outlined the role of the Standards Committee. The Committee has a role as the custodian of high standards and quality monitoring of Cambridge City Council. It has a growing role in the determination of complaints and allegations. The role is changing to encompass a strategic role in breach of conduct issues.

The new procedural document "Procedure for the Local Assessment of Complaints" was summarised and its close adherence to the Standards Board for England recommendations explained. Members were provided with copies of "Local Assessment of Complaints" and "The Role and Make-up of Standards Committees" published by the Standards Board for England.

The Head of Legal Services suggested that in the past there had been very few complaints compared to peer authorities. However, it was agreed that the Committee need to be prepared and informed so that they could deal promptly with any issues that arose in future.

Publicising the new policy was discussed. Newspaper advertising would be used and there would be increased space and prominence given to this issue on the website. Members felt it should also be advertised on the display boards around the Guildhall. The Head of Legal Services explained that it would be integrated into other complaints procedures. There would be a standardised form for complaints. This would be user friendly and staff would be trained to offer help filling it in if required. The Monitoring Officer, in consultation with the Chair, might decide an issue is not a matter for the Standards Committee and offer alternative suggestions to resolve the issue.

The composition of Assessment Sub-Committees was discussed as outlined in the tabled document. Each Sub-Committee would have three members and would be chaired by an external member. Ideally the Sub-Committees would be called on as a group. However, if availability proved a problem, alternates would be allowed. Members agreed the suggestions.

Assessment/Review Sub-committee A	Assessment/Review Sub-committee B	Assessment/Review Sub-committee C
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Chair: Dr Clark	Chair: Mr Dasgupta	Chair: Mr Williams
Members: Councillors Bick and Dryden	Members: Councillors McGovern and McPherson	Members: Councillors Pitt and Taylor

The assessment criteria and guidance information in the procedure was discussed. Dr Clark felt this was helpful but argued that members needed to be free to use their judgement. Mr Dasgupta asked if the Committee would be notified that a complaint had been made where the Monitoring Officer had decided the complaint was outside the remit of the Standards Committee. The Monitoring Officer would be reporting these complaints to the Committee.

Members asked if the Review Sub-Committee could call on the Assessment Sub-Committee when making a decision. The Head of Legal Services explained that this should not be seen as an appeals process and the Review Sub-Committee decision should be seen as independent of the Assessment Sub-Committee decision.

Councillors Taylor and Pitt expressed concern that when a complaint had been made about a member, it could be some time before the member was aware of it or was given details of the nature of the complaint. Councillor Dryden asked if members would be informed that a complaint had been made when the Chair and Monitoring Officer had decided there were no grounds to investigate or take further action. The Chair suggested this would be good practice. The Head of Legal Services would take this under advisement. He explained that the Monitoring Officer could not disclose information to members but the Sub Committee could make the decision to disclose. However, there could be circumstances where the member was not informed in the early stages. Councillors Pitt and Taylor felt this was unfair and requested that members be told as soon as possible.

Dr Clark asked if a complaint could continue, even if the complainant withdrew it, in a situation where the Monitoring Officer felt it justified investigation or was a serious matter of public concern. It was agreed that this would be difficult to pursue as there would be no witness statements and possibly no evidence.

The Committee then considered the later stages of the process. The Head of Legal Services outlined the suggestion that the Hearing Panel consist of five

members as a matter of good practice. However, a minimum of three would be sufficient to meet the requirements of the procedure. Discussion followed and it was agreed that this would be decided on a case-by-case basis dependent on how serious the complaint is seen to be. Appendix 2, paragraphs 13 and 14 would be amended to reflect this.

Discussions followed on the suggested timeframes. Members felt they might need longer to reach decisions. Mr Dasgupta felt that five days reflection time should be written into the procedure. Paragraphs 32 and 46 would be amended to reflect this.

Resolved

The policy will be adopted, subject to the Chair's approval of the amendments detailed above. It would be reviewed in 12 months time.

08/s/18 CODE OF CORPORATE GOVERNANCE – CHANGES IN 2008/09

The Director of Customer and Democratic Services introduced the report. This was a draft for comment. The Code would then be considered by the Civic Affairs Committee on 24th June and later by full Council. Councillor Boyce was present to hear the debate and to report back to the Civic Affairs Committee. The agreed version would be on the website, with hyper-links to relevant sections. The Director of Customer and Democratic Services drew attention to the partnership working arrangements where demonstrating transparency and consistency had been more problematic due to the requirement to establish shared protocols. Small changes had been made to the Code of Corporate Governance since the agenda of this meeting was published and the draft was sent to members. These covered freedom of information, data protection and improved monitoring of members skills and training.

Discussions followed on the best way to identify any gaps. Councillor Pitt was concerned that it could be viewed externally as an exercise in saying how well the Council are doing. The Director of Customer and Democratic Services stated that the aim was to improve performance. This document identified what Cambridge City Council should be achieving while the Annual Governance Statement sought to identify any shortfalls.

Mr Dasgupta asked for clarification on the Standards Committee audit responsibility. The Director of Customer and Democratic Services explained

that the Committee was responsible for ethical standards. The Chair asked if members of the Committee could be supplied with a statement of the audit responsibility of the various committees. The Director agreed to supply this.

08/s/19 ANNUAL REPORT ON PREVENTION OF FRAUD AND CORRUPTION POLICY

The Principal Auditor introduced the policy. The policy set out the culture at Cambridge City Council for not tolerating any type of fraud and the responsibilities for investigating cases where fraud was suspected. Revisions to the previous policy were highlighted. The PA outlined two separate cases investigated by Internal Audit during the year, which resulted in procedures being reviewed and improved to prevent further occurrences. Councillor Dryden asked if staffing was an issue, as other councils appeared to achieve higher success rates. He also stated that hearsay suggested that reported matters were not always investigated. The officer stated that the team had experienced some staffing pressures but still achieved good results when compared to peer authorities. Councillor Pitt asked if there was any supporting performance monitoring information to demonstrate this. This is available and would be circulated.

08/s/20 PUBLIC PERCEPTION OF CAMBRIDGE CITY COUNCIL

The Best Value Performance Officer outlined the survey process covering the main survey and the smaller BME additional survey. She explained that the BME survey was too small to be statistically sound. Councillor Taylor questioned why it happened at all if it was not big enough to be statistically sound. The Officer explained that although small, it did yield some useful information. It gave an indication of difference and would have highlighted any areas of concern. There were some differences between the two surveys. These were small and overall both reported similar levels of satisfaction.

Discussion followed about possible reasons for better results in 2004 compared to other years. The Officer explained that there was no obvious reason for this. It appeared to be a real difference rather than a result of inconsistent sampling methods.

Councillor Bick asked how the results compared to national trends. The Director of Customer and Democratic Services explained that some national trend information was available. However, not all information was directly comparable. The Chair suggested that the sub-regional nature of Cambridge

resulted in blurred perception amongst the public. National and County issues and services coloured the way residents viewed Cambridge City Council.

The Officer explained that being the council tax billing authority did not help. Councillor McGovern asked what could be done to help the public understand Cambridge City Council's areas of responsibility. The Officer responded outlining how information was sent to residents about areas of responsibility and Council Tax bills also came with information on where the money went.

08/s/21 ANNUAL COMPLAINTS REPORT 2007/08

The Best Value Performance Officer outlined performance against indicators for complaints handling. The corporate structure had changed over the last year and this meant that direct comparisons between departments were not possible this year. However, the overall trend showed improvement with fewer complaints received. In previous years specific issues, such as events at the Corn Exchange or Folk Festival ticket sales, had generated a number of complaints. No specific issues had generated a number of complaints this year.

Responses to the Council's satisfaction monitoring about the complaints process have been falling. There had been a small rise in dissatisfaction and action had been taken to ensure managers follow up any actions arising from complaints. Officers proposed to suspend satisfaction monitoring until the customer service centre was fully operational.

Councillor Pitt questioned why this was happening. The current system of satisfaction monitoring was very time consuming and required letters and pre-paid response forms to be sent to all complainants every quarter. Once the customer service centre was fully operational the Council could look at more efficient and effective ways of monitoring satisfaction.

The number of cases referred to the Local Government Ombudsman were low. However, some problems had been experienced in meeting deadlines in this area. Councillor Dryden asked if this was related to staff shortages. The Officer said this was unclear but that many cases were complex and the Council sometimes had to seek information from partners, which could take some time.

"The report also noted that during 2007/08 two complaints were made to the Standards Board alleging breaches of the Members' Code of Conduct. The Chair asked if these cases would have come to the Standards Committee

under the new arrangements. The Director of Customer and Democratic Services stated that they would have and that an increase in the numbers of complaints should be expected once the new arrangements were advertised and promoted.

08/s/22 DATES OF FUTURE MEETINGS

The Director of Customer and Democratic Services asked if members wanted training before the next meeting. The Head of Legal Services offered to circulate a web link to some test cases that could be the basis of discussion. Members felt this would be helpful. The material would be circulated and a follow up discussion session to work through the cases would be arranged.

Committee meeting dates of 15th October 2008, 14th January 2009 and 4th March 2009 agreed.

The meeting closed at 7.55pm.

Chair