

Standards Committee

MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 18 APRIL 2024 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Paul Oatway QPM (Chairman), Cllr Allison Bucknell (Vice-Chairman), Cllr Andrew Davis, Cllr Matthew Dean, Cllr Ruth Hopkinson and Gordon Ball (non-voting)

86 **Apologies for Absence**

Apologies were received from:

Cllr Mike Sankey
Cllr Bill Parks

87 **Minutes**

The minutes of the previous meeting held on 3 October 2023 were presented for consideration.

It was;

Resolved

To approve and sign the minutes as a true and correct record.

88 **Declarations of Interest**

There were no declarations of Interest.

89 **Chairman's Announcements**

There were no announcements.

90 **Public Participation**

There were no questions or statements at the meeting.

The Chairman noted that one question had been rejected on the Monitoring Officer's advice in accordance with the constitution for legal reasons.

91 **Status Report on Code of Conduct Complaints**

The Committee received the status report, updating on the number and outcome of Code of Conduct complaints received since the last meeting and a summary of the complaints considered by the Assessment Sub-Committee (ASC).

There had been 44 Code of Conduct complaints received by the Monitoring Officer during the period of 23 September 2023 to 8 April 2024. Of these, 31 were determined No Further Action (NFA) by the Monitoring Officer, 2 were determined NFA by the ASC, 1 was resolved via Informal Resolution, 3 were referred to the Monitoring Officer for Investigation by the ASC, 1 was dismissed as 'out of time' by the Monitoring Officer, 2 were withdrawn by the Complainant and 4 were unable to proceed due to insufficient information being provided by the Complainant.

A new section had been included within the report which provided a breakdown of the findings of the ASC and the number of Hearing Sub-Committee meetings had been held.

A table of current cases had been provided to the Chairman on 15 January 2024 for a dip sample of cases to be undertaken to enable oversight.

The Committee discussed the proportion of complaints received which related to social media behaviour and whether there was merit in providing new guidance for members on the use of social media to set out more clearly some simple rules which were more accessible and user friendly.

After a discussion, it was,

Resolved:

To note the position on Code of Conduct Complaints.

92 **New Complaint Handling Codes from the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO)**

The Committee received the report which set out the implications on the council's complaints handling processes, of the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) new Complaint Handling Codes.

The Committee noted the different legal powers of the two Ombudsmen, in that the HO was a legal requirement which the council must comply to and the LGSCO was guidance which if not complied to would require the council to explain why it had chosen not to do so.

The changes were set to be enforceable from April 2026, however the proposal was that the council adopted the new timescales in autumn 2024.

The Committee discussed how the timescale changes would impact the council, noting that some services would find the new timescales to be quite challenging to adhere, with the proposed adoption to give time for them to prepare.

It was considered that to achieve the timescale would require additional support to services in responding to complaints, however with limited resources this would require a system of prioritisation and efficient use of the limited dedicated complaint response officers.

The Monitoring Officer confirmed that service heads had been briefed on the changes and the timeframe for implementation.

After a discussion, it was,

Resolved:

The Standards Committee noted that:

- 1. The new Complaint Handling Codes published by the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) and the associated changes required to the council's complaint handling practices.**
- 2. The council's current complaint handling processes are already largely compliant with the new Codes and that all the changes required – excepting those relating to complaint response timescales – are being actioned immediately.**
- 3. The Standards Committee, at its 3 October 2024 meeting would consider an amended Protocol 6 – Complaints Procedure reflecting the complaint response timescales required under the new LGSCO and HO Codes (set out at paragraphs 11 and 19) and would be asked to recommend these for adoption by Full Council on 21 October 2024.**

93 Constitutional Changes

The Committee received a report on the proposed changes to:

- Part 11A – Corporate Parenting Panel
- Part 5 – Access to Information Procedure Rules
- Part 7 – Cabinet Procedure Rules
- Part 8 – Overview and Scrutiny Procedure Rules

All changes had been recommended by the Constitution Focus Group following several meetings reviewing the sections.

The Committee discussed the proposed changes as set out in the appendices to the report and highlighted some areas where minor tweaks were required.

In addition to any grammatical corrections, the Committee requested wherever possible consistent terminology for example in reference to the position of Chairman.

Under Part 7 – Cabinet procedure rules, the Committee approved the changes subject to confirming the written record of Cabinet Member delegations, being the detail of their portfolios, be provided to the next available meeting of Full Council.

The Committee also discussed the wide range of terminology used for senior officer roles, including the proper officer, chief executive and monitoring officer and sought some clarity on how members of the public could more easily understand who these roles related to, as this could be unclear where a person occupied multiple roles.

It was agreed that where possible reference to such roles would be simplified , possibly with linking to Part 2 of the Constitution which sets out which officers occupy which statutory Posts.

Subject to the minor additions and amendments discussed, it was,

Resolved:

To recommend Full Council approve changes to the following sections of the Constitution:

- **Part 11A – Corporate Parenting Panel**
- **Part 5 – Access to Information Procedure Rules**
- **Part 7 – Cabinet Procedure Rules**
- **Part 8 – Overview and Scrutiny Procedure Rules**

94 **Annual Update**

The Committee considered the report proposing delegating authority to the Director, Legal and Governance, after consultation with the Chairman, to prepare an annual update to Full Council.

After discussing the benefits of an annual report, it was,

Resolved:

To delegate authority to the Director, Legal and Governance, after consultation with the Chairman, to prepare an annual update to Full Council

95 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 - 11.40 am)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail lisa.alexander@wiltshire.gov.uk

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