

STANDARDS COMMITTEE

MINUTES of a MEETING of the STANDARDS COMMITTEE held at COUNTY HALL, TROWBRIDGE on THURSDAY 8 JULY 2004.

PRESENT:

Mr R Tickell (Chairman), Mr P McGuigan, Mrs P Rugg and Ms C O'Sullivan

30. **Apologies**

Apologies for absence were received from Mr PCB Coleman and Mr A Gooch.

31. **Minutes of Previous Meeting**

Resolved: *To confirm and sign the minutes of the meeting held on 10 June 2004.*

32. **Chairman's Announcements**

Standards Conference in Bristol

The Chairman reported that both he and Ms O'Sullivan had attended a standards conference in Bristol on 30 June 2004. The conference had been very informative giving an opportunity to meet with representatives from the Standards Board and from other local authorities. Ms O'Sullivan informed members that the two main points highlighted during the day were the need for standards committees to be pro-active and the importance of ensuring that the correct processes were in place.

Annual Standards Committee Conference

The Chairman informed members that the Annual Standards Committee Conference would be held on 13 and 14 September in Birmingham.

Resolved: *To agree that Mr P McGuigan should attend the Annual Standards Committee Conference in Birmingham.*

33. **Constitutional Review – Implementation of Recommendations**

The Committee considered a report by the Monitoring Officer. The report updated members on the progress made in the implementation of its suggestions arising from the review of the Constitution. The Committee was

encouraged by the positive response of the Council to their recommendations.

It was noted that some backbench members continued to feel ill informed about local issues. There was some feeling that more might be done to successfully engage with backbench members. The Committee agreed that it would be useful to investigate these concerns in more detail.

Resolved:

- (1) *To note the current position regarding the implementation of the Committee's suggestions arising from the review of the Constitution.*
- (2) *To ask officers to undertake some research to establish how well the Constitution is working to engage backbench members and what might be done to improve the support to enable them to better fulfil their constituency roles.*

34. Complaints Statistics

The Committee considered a report by the Monitoring Officer. The report gave details of the stages in the complaints procedure at which complaints had been resolved.

Officers explained that they continued to receive a number of complaints which were outside the jurisdiction of the County Council, for example, complaints about refuse collection. The Complaints Officers' Forum was currently discussing the implementation of a common customer care procedure for District and County Councils within Wiltshire. Members noted that some complaints were directed straight to the ombudsman rather than being considered under the corporate complaints procedure.

Resolved: *To note the report.*

35. Complaints Procedure – Amendments

The Committee considered a report by the Monitoring Officer. The report proposed further amendments to the Corporate Complaints Procedure.

The Monitoring Officer explained to members that the Chief Executive would wish to recommend to the Committee that a panel of three elected members should make the final decision if the departmental director does not agree with the recommendations of the Panel. Members discussed this option and while noting that the financial consequences of any decision could have a wider impact, they nonetheless felt they could effectively balance these against the merits of the complaint as long as they were provided with the relevant information. They were concerned that a further hearing before members could be confusing to the complainant and could challenge the independence of the complaint process. On balance members felt that it would be preferable for the Review Panel to be the body of final decision provided the Chief Officer was given an opportunity to comment upon the operational implications before the final decision was made.

Resolved: To recommend the County Council:

- (1) To amend the Corporate Complaints Procedure so that:
 - (a) in Stage 3 of the Corporate Complaints Procedure the Review Panel is the final arbiter in the complaints process.
 - (b) the relevant Director is given the opportunity to comment on the operational implications of any recommendations made by the Review Panel prior to confirmation of the final decision.
 - (c) the Chairman may reconvene the Review Panel in order to consider the Director's comments on the operational implications of its proposed decision. For the avoidance of doubt no new evidence should be introduced at this stage.
 - (d) in exceptional circumstances the Chairman may agree to the Review Panel considering a complaint on written evidence.
- (2) To incorporate the amended procedure within the Protocol Section of the Constitution and to authorise the Monitoring Officer to make such further revisions as he sees fit, subject to any changes being reported to the Standards Committee.

36. Annual Report

The Chairman informed members that the Committee should be starting to think about producing its annual report. It was agreed that members should write about 100 words on the following items:

- Financial Aspects – George Thompson (completed)
- Complaints – Richard Tickell
- Ethical Governance – Peter McGuigan
- First Impressions – Catherine O'Sullivan
- Review of the Constitution and Forthcoming Year's Work – Gus Gooch
- Induction of New Members – Pat Rugg

These items should be drafted and either sent to the Chairman or to Nina Wilton before the next meeting in October.

(Duration of meeting: 3.00pm – 4.25pm)

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