

STANDARDS COMMITTEE AGENDA



Tuesday 22 November 2011

at 4.00 p.m.

**in Committee Room C,
Civic Centre, Hartlepool.**

MEMBERS: STANDARDS COMMITTEE:

Councillors Barclay, Fleet, Griffin, Morris, Preece, Shaw and Sutheran.

Co-opted Members: B Footitt, B Gray, T Jackson and Reverend John Lund.

Parish Councillors: A Bell, Hart Parish Council, R Musgrave, Elwick Parish Council and 1 vacancy.

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. TO CONFIRM THE MINUTES OF THE MEETING HELD ON 11 OCTOBER 2011**
- 4. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006**

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, information relating to any individual (para 1) and (para 7c), information presented to a Standards Committee or to a Sub-Committee of a Standards Committee, set up to consider any matter under Regulation 13 or 16 to 20 of the Standards Committee (England) Regulations, 2008, or referred under Section 58(1)(c) of the Local Government Act, 2000.

- 5. LOCAL ASSESSMENT OF COMPLAINTS – CASE REFERENCES SCO15-2009 AND SCO4-2010** *(Chief Solicitor and Monitoring Officer)*

STANDARDS COMMITTEE

MINUTES AND DECISION RECORD

11 October 2011

The meeting commenced at 4.00 pm. in the Civic Centre, Hartlepool

Present:

Mr B Gray (In the Chair)

Councillors Barclay, Griffin, Morris, Preece, Shaw and Sutheran

Co-opted Members: Professor Footitt and Ted Jackson

Parish Councillor A Bell

Officers: Peter Devlin, Chief Solicitor
Denise Wimpenny, Principal Democratic Services Officer

11. Apologies for Absence

Councillor Fleet

12. Declarations of interest by members

Independent Members Alan Bell and Professor Brian Footitt declared a personal interest in minute 14 as the applicant was a friend.

13. Minutes of the meeting held on 9 August 2011

Confirmed

14. Appointment of Independent Member to the Council's Standards Committee *(Chief Solicitor and Monitoring Officer)*

The Chief Solicitor reported that following an earlier publicity exercise for applications to become an Independent Member of the Standards Board and therefore a co-opted member of the Council's Standards Committee, Reverend Lund had submitted an application to be considered for the position of Independent Member of the Standards Committee.

A formal interview process was necessary and Reverend Lund had been invited to attend this meeting. In response to the Chair's request for clarification as to whether the applicant wished to be considered as a

Member of the Independent Remuneration Panel, the applicant confirmed that he was agreeable that his application be put forward for this position.

The interview was conducted in respect of Reverend Lund's interest in the vacancy on the Standards Committee and the Independent Remuneration Panel.

Members referred to Reverend Lund's application, a copy of which was attached as a confidential appendix to the report together with a list of questions, copies of which were circulated at the meeting. The applicant responded to questions raised by Members. Following the interview process, Reverend Lund withdrew from the meeting to allow the Committee to consider its recommendation.

Members agreed that Reverend Lund was an 'ideal candidate' for the positions of Independent Member of the Standards Committee and the Independent Remuneration Panel.

Decision

That a report be submitted to the next meeting of the Council indicating the Committee's recommendation that Reverend Lund be appointed as an Independent Member to both this Committee and the Independent Remuneration Panel.

15. Complaints to the Local Government Ombudsman in 2010/11 *(Assistant Chief Executive and Chief Solicitor)*

The report included background information in relation to the role of the Local Government Ombudsman. Attached to the report was the Local Government Ombudsman's Annual Review for the year ended 31 March 2011 which summarised the complaints relating to Hartlepool Borough Council which had been dealt with by the Ombudsman's Office over the period in question.

It was noted that for the period ending 31 March 2011, the Ombudsman's Office received a total of 27 enquiries and complaints which was a rise of almost 60% on the previous year. However, from October 2010 all complaints about injustice connected to adult social care services came under the Ombudsman's jurisdiction, meaning that the figure was not directly comparable with the previous year. If the three enquiries and complaints relating to adult social care were removed from the calculations there was a 41% rise to 24 enquiries and complaints. Nationally there was an increase of 21% in the number of enquiries and complaints received by the Local Government Ombudsman and although this was lower than the rise in relation to Hartlepool the relatively small numbers involved mean that a small rise in actual numbers relate to a higher percentage rise. Of the enquiries and complaints received, eight complaints were judged to be premature with

14 complaints being referred for consideration to the Ombudsman's investigative team. In total, 13 complaints were determined during the year as outlined in the Annual Review. Of those complaints, four saw the Ombudsman exercise the general discretion available not to pursue the matter, in another four cases no evidence of maladministration by the Council was sufficient to justify the Ombudsman's continued involvement, the adult social care investigation had been discontinued as the injustice had been remedied. The Council agreed to settle the remaining four complaints accepting that something had gone wrong and it was appropriate to offer some form of remedy to the complainant's satisfaction.

The Committee were pleased to note that the level of complaints from this authority was low, response times for complaints were good and wish to see the standards of performance maintained. A Member commented that some sections of the community were reluctant to lodge complaints, the potential reasons for which were debated. The Chief Solicitor highlighted the opportunity to invite a representative from the Ombudsman's Office to a future meeting of this Committee to comment on the authority's performance and discuss complaints in further detail.

Decision

That the contents of the report and the comments of the Committee, be noted.

16. Local Government (Access to Information) (Variation) Order 2006 *(Chief Solicitor and Monitoring Officer)*

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 7 (c) of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 17 [Local Assessment of Complaints – Case References SC015 and SC04-2010] (Paragraph 1 namely information relating to any individual and Paragraph 7(c), information presented to a Standards Committee or a to a Sub-Committee of a Standards Committee, set up to consider any matter under Regulation 13 or 16 to 20 of the Standards Committee (England) Regulations, 2008, or referred under Section 58(1) (c) of the Local Government Act 2000).

17. Local Assessment of Complaints – Case References SC015-2009 and SC04-2010 *(Chief Solicitor and Monitoring Officer)*

The Chief Solicitor and Monitoring Officer presented a report which provided the background and outcome to the investigation. Further details were included within the exempt section of the minutes.

Decision

The decision was set out in the exempt section of the minutes.

The meeting concluded at 5.10 pm.

CHAIR