

# Agenda Item 3

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## STANDARDS COMMITTEE

21 OCTOBER 2015

(7.15 pm - 8.30 pm)

PRESENT Councillor Peter McCabe (in the Chair),  
Councillor David Williams, Councillor John Dehaney,  
Councillor Mary-Jane Jeanes, Councillor Ian Munn,  
Sophie Bowen, Councillor Tobin Byers and  
Councillor Najeeb Latif

CO-OPTED MEMBER Sophie Bowen

INDEPENDENT MEMBERS Suresh Patel and Derek Prior

ALSO PRESENT Paul Evans - Assistant Director of Corporate Governance  
Peter Stone - Head of Commercial Services  
Hilary Gullen – Democratic Services

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies were received

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No Declarations of Pecuniary Interest were received

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the meeting held on 16 June 2015 were agreed as a correct record

### 4 REGULATION OF INVESTIGATORY POWERS ACT (Agenda Item 4)

Paul Evans introduced this report. There had been no covert surveillance requests and no authorisations to magistrates. Paul Evans explained that the Standards Committee have oversight on surveillance to check there is no abuse of powers. The report provided benchmarking against LBRUT.

Discussion took place around whether the public were aware of the number of prosecutions, and what the costs involved were to the council. Paul Evans confirmed the figures were for all prosecutions, although it was possible that files might have been prepared and the prosecution then not gone ahead. It was acknowledged that the costs awarded did not cover the full cost to the council, and that each prosecution took an estimated 4 – 5 hours work at around £55ph. Paul Evans also confirmed that it would be unusual to take a decision not to prosecute on account of cost. Paul Evans also stated that while overt cameras could be used, there was a resourcing issue with using cameras to check problem areas for flytipping. Comparison was

made with restaurants that are prosecuted and how this information is publicised, and that enforcement regarding flytipping etc was not.

Derek Prior informed the committee that LBM has a good reputation with residents and there was a balance to strike between a 'Big Brother' approach and being robust.

**RESOLVED:**

That the information in the report be passed to the communications team for a press release. That future prosecutions for flytipping etc should be publicised. The committee expressed thanks to Pat de Jesus and her team.

**5 COMPLAINTS AGAINST MEMBERS (Agenda Item 5)**

Paul Evans stated there were none since the last meeting.

**6 GIFTS AND HOSPITALITY - MEMBERS (Agenda Item 6)**

Paul Evans introduced this item and explained that members with no declarations had been contacted prior to the report being compiled to ensure there were no omissions. There were no specific issues of concern.

It was pointed out that members only need to declare items received in their capacity as councillors and Councillor McCabe would bring this to relevant members' attention.

Sophie Bowen commented that the list was smaller than last year and that this implied councillors were taking their responsibilities in this area very seriously.

**RESOLVED**

The Standards Committee noted the report.

**7 GIFTS AND HOSPITALITY - OFFICERS (Agenda Item 7)**

It was noted the appendix to this report was missing and would be circulated to members of the committee by email. Any issues relating to the appendix could be brought to the next meeting.

**RESOLVED**

The appendix to be circulated after the meeting and comments brought to the next meeting.

**8 ANNUAL COMPLAINTS REPORT (Agenda Item 8)**

Paul Evans introduced this report. The level of complaints had remained consistent. There had been movement in the drop in stage 2 complaints, and the number of complaints upheld at stages 1 and 2 had increased by one third.

It was suggested that a member of the complaints team might meet with officers in CSF to improve turnover.

It was noted that informal complaints around service delivery had increased. The Local Government Ombudsman had only upheld 7 complaints after investigation, which compared favourably with other boroughs.

Discussion took place around the member enquiry system. Councillor Ian Munn suggested that most of the formal complaints might be from members of the public, and that the data does not include complaints outside the system. This meant it was difficult to gauge the actual number of complaints as the member enquiry system under reports.

Councillor David Williams pointed out that a 10 day response time was not suitable for immediate problems, such as street scene issues, and that sometimes a reply was not received from the system.

Paul Evans agreed that the information gathered needed to be passed on for action, and as there was currently work being done on the customer service interface, that he would bring it to the relevant officers' attention. It was also agreed that it would be brought to the attention of the chair of Overview and Scrutiny, and if this was not accepted, to then be taken to General Purposes Committee.

Councillor Tobin Byers felt there was a lack of dialogue between the complaints team and the relevant service department, and felt this relationship needed looking into.

Sophie Bowen pointed out a possible error in the figure for CSF complaints in table 4.2 that '2' should be '39'.

Discussion ensued about how the figures might represent a positive change in culture, and that council officers were better at accepting mistakes and were ready to engage over issues.

Councillor Najeeb Latif had experienced that the initial response from the member enquiry system might come within the ten day period, but a full response sometimes needed to be chased.

#### RESOLVED:

Paul Evans to liaise with chair of Overview and Scrutiny Commission, or bring issue to General Purposes if deemed not a scrutiny matter. Paul Evans also to report back to the team on the difficulties experienced with the member enquiry system.

#### 9 APPOINTMENT OF INDEPENDENT PERSONS (Agenda Item 9)

#### RESOLVED:

The Standards Committee noted the appointment of Suresh Patel and Derek Prior and welcomed them to the committee.

The Standards Committee noted that the independent persons are invited and encouraged to attend meetings of the Standards Committee in an advisory, non-voting capacity.

The Standards Committee agreed to review the arrangement in February 2016 to take a view on whether it still requires a co-opted member once Sophie Bowen's first term of office finishes in June 2016.

## 10 SHARED SERVICES REPORT - INCLUDING GOVERNANCE ARRANGEMENTS (Agenda Item 10)

Paul Evans introduced the report and explained that there were three types of shared service;

- I. Where a team was jointly managed with another council – informal ie adoption
- II. Where there was a governance board/collaboration – directors of the council operating as shareholder board ie legal and audit
- III. Where there was member involvement – joint committees ie Joint Regulatory Committee.

Discussion ensued around how members would know who to go to with questions about a particular shared service, what savings were made through shared services and whether the shared services were efficient.

Paul Evans agreed to bring some close-down reports on shared services to the next meeting.

Councillor David Williams felt that going to a shared service should be seen as a procurement exercise to check whether services are better provided jointly, and how this could be checked in future years.

Paul Evans agreed to check whether there was a shared services scrutiny task group at present and to circulate the answer to members.

Sophie Bowen felt the information was too confusing for the public and this meant transparency was an issue. Sophie also felt that the lack of oversight was alarming and that a structured framework was required showing governance arrangements.

Paul Evans noted these points, but explained there was no huge shift in the way services were run and that directors were responsible for the services provided ie Caroline Holland was still responsible for pensions.

Peter McCabe said there was a need to find out who has scrutiny responsibility, and that there was 'creep' in terms of shared services. The council needs better oversight on performance of shared services.

### RESOLVED

Paul Evans to find out who has oversight of shared services performance and report back to the committee.

## 11 REVISIONS TO CONTRACT STANDING ORDERS (Agenda Item 11)

Peter Stone introduced this report, giving information about the recent significant changes in the Public Contracts Regulations. This was different to previous years, where there were usually just threshold changes. Peter outlined a number of the main points; that there is no prequalification process permitted in certain circumstances, ie where, there have to be open tenders, to simplify the process and that social care now has a Light Touch Regime.

The standing orders have to be changed to include these changes. Peter's team have also tried to make the document flow better, and had improved the 'tool-kit' associated with it, to provide more guidance and self service. (eg checklists, flowcharts and template letters, where appropriate).

#### RESOLVED

The Standards Committee noted the report and recommended that General Purposes approve the proposed revisions. The committee also expressed thanks to Peter Stone.

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