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STANDARDS COMMITTEE

23 OCTOBER 2014

(19.15 - 21.15)

PRESENT: Councillor Peter McCabe (in the Chair),
Councillor David Williams, Councillor Tobin Byers,
Councillor Michael Bull, Councillor John Dehaney,
Councillor Mary-Jane Jeanes, Councillor Philip Jones and
Councillor Ian Munn
Co-opted members Nigel Brotherton and Beverley Huie

ALSO PRESENT: Zoe Church (Head of Business Planning), Paul Evans (Assistant Director of Corporate Governance), Karin Lane (Head of Information Governance) and Julia Regan (Head of Democracy Services)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were from Sophie Bowen.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No declarations were made.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: that the minutes of the meeting held on 17 June 2014 are agreed as an accurate record.

The Chair noted that all additional information requested at the last meeting had been provided to members of the committee.

4 RECORDING OF KEY AND NON-KEY DELEGATED DECISIONS (Agenda Item 4)

Paul Evans introduced the report. He said that the proposals on recording non key delegated executive decisions were in response to the Openness of Local Government Bodies Regulations 2014. The report also contains a change to the constitution in order to comply with recent legislation on filming council meetings.

Members discussed the distinction in the proposals whereby non key delegated executive decisions made by a cabinet member would be subject to call-in and those made by an officer would not.

Paul Evans advised that if Council wished to extend the range of officer decisions that could be called in, that could be done by reducing the financial limits on key decisions. He reminded the committee that notification of a key decision has to be

published on the Forward Plan for 28 days prior to being taken, it is subject to call-in and cannot be implemented until the call-in period has elapsed.

The Committee RESOLVED to make a recommendation for consideration by General Purposes Committee that non key delegated decisions made by officers should be subject to call-in so that they are treated in the same way as non key delegated executive decisions taken by a cabinet member.

5 ANNUAL COMPLAINTS REPORT 2013/14 (Agenda Item 5)

Karin Lane introduced the report and provided additional information in response to questions from members of the committee:

- The Member Enquiry data in the report relates just to those that are logged through the in-box held by the corporate Complaints Team
- The number of missed refuse collections is collected and monitored by the waste services team
- Penalty charge notices (PCNs) are dealt with through a separate appeals procedure
- The “report it” icon is used for service failures and these are actioned by the appropriate service
- The Local Government Ombudsman (LGO) report and letter is available via a link on the council’s website the LGO website
- Karin Lane regularly meets with departmental management teams and provides monthly monitoring reports to action any trends to trends and identify any action that is required by the department

Members had had differing experiences of using the Member Enquiries in-box compared to making direct contact with officers and agreed that this choice should continue to be made available to councillors.

Following discussion, the Chair suggested that it would be helpful to add a note to the table in Appendix E to make it clear that many member enquiries are also sent direct to officers and the table does therefore not reflect the level of activity by ward councillors. He suggested renaming the report in future – complaints management and member enquiries – and more consistency in the presentation of data (i.e. so that the tables in sections 3 and 5 would both show percentage change).

Members were impressed with the information in Appendix F showing action taken by parking services in response to analysis of trends in complaints made.

Karin Lane undertook to seek comparative data from other local authorities on how much is paid out in compensation to complainants.

RESOLVED: to note the report.

6 ANNUAL FREEDOM OF INFORMATION REQUESTS REPORT 2013/14

(Agenda Item 6)

Karin Lane introduced the report. She explained that it was the first annual report on Freedom of Information (FOI) requests, showing an increase in the number of FOIs received and a slight drop in performance on response times. She drew attention to the estimate of cost made by the University College of London (paragraph 14.1), saying that she thought the estimate of average time taken of 7.5 hours was perhaps a little high.

Karin Lane provided further information in response to questions and observations from members of the committee:

- officers have to provide the information that is requested unless there is a valid reason for the information to be exempted
- the reason for the increase in the number of exemptions (Appendix 1) is that the overall number of FOIs has increased
- the FOI team (1 officer) only co-ordinates requests that cross departments, otherwise departments send the response themselves

Karin Lane undertook to:

- add the cost estimates to the FOI webpage
- clarify and send to committee members the reason why the new category of “charity” was chosen and how this is defined.

RESOLVED: to note the report.

7 FINANCIAL REGULATION UPDATE (Agenda Item 7)

Zoe Church introduced the report. She explained the reasons for making each of changes to the Financial Regulations that were underlined in the appendix to the report. She said that, subsequent to the publication of the agenda, the limits for capital virements (referred to in paragraph 2.2c) had not been increased.

Members discussed the issue previously raised at General Purposes Committee regarding the transparency of transfers made to and from the council’s reserves and the desirability of opportunities for councillors to question these prior to transfers being made.

RESOLVED:

- 1) To note the report
- 2) to ask the Director of Corporate Services to consider what arrangements could be made to increase the transparency of movements in the council’s reserves, if this is not already addressed through reports to Cabinet.

8 MEMBERS GIFTS AND HOSPITALITY REGISTER (Agenda Item 8)

Paul Evans introduced the report, saying that the level of declarations was as expected and that there were no unusual items to indicate issues of concern. In response to questions and a request, he undertook to:

- provide information to committee members on former councillors for the period 23 October 2013 to 24 May 2014
- check and confirm the entry for Councillor Edith Macauley
- review the form to check there is a box to declare the name of the donor

RESOLVED:

- 1) To note the report
- 2) To request that future reports should include an assurance that those councillors who have not declared gifts and hospitality have been contacted to confirm that they had nothing to declare

9 OFFICERS GIFTS AND HOSPITALITY REGISTER (Agenda Item 9)

Paul Evans introduced the report.

Members commented on the number of low value gifts declared by the Community and Housing department. Paul Evans said this reflected an increased level of awareness of the need to make such declarations following the low number declared in the previous report to the committee.

Members requested that the donor name be recorded unless there was a reason for confidentiality.

RESOLVED: to note the report

10 REGULATION OF INVESTIGATORY POWERS ACT (Agenda Item 10)

Karin Lane introduced the report and outlined the investigations authorised since June 2014 under the Regulation of Investigatory Powers Act. In response to a question she explained that one request could include a large number of venues.

RESOLVED:

- 1) To note the report
- 2) To request that the number of venues be provided in future reports

11 WORK PROGRAMME (Agenda Item 11)

Noted that the agenda for each meeting should include reports on:

- Regulation of Investigatory Powers Act 2000 authorisations
- Complaints against members

Paul Evans gave a verbal update on complaints against members. He has received three in the last 6 weeks and discussed each with an Independent Person. None require further action.

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