

STANDARDS COMMITTEE

Friday 2nd October 2009

PRESENT: The Vice-Chair (Anne Gwinnett), Councillors Brundin, Craft, Sanders and Smith; Martin Gardner (Independent member); Fred Mogridge (Parish Council representative).

COUNCIL OFFICERS PRESENT: Jeremy Thomas (Head of Legal and Democratic Services and Monitoring Officer); William Reed (Democratic Services Manager), Helen Lynch (Legal and Democratic Services).

13. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dhall and from Chris Ballinger, Meryll Dean and John Lay (independent members)

On membership, the Democratic Services Manager reported that Paul Phipps, the second Parish Council representative on the Committee, had resigned due to ill health. The Democratic Services Manager said that he had written to the four Oxford parish councils to invite nominations to fill the vacancy (Littlemore Parish Council being ineligible to nominate because the remaining parish representative on the Standards Committee was from that Council).

The Committee noted the position.

14 DECLARATIONS OF INTEREST

There were no declarations of interests by the Committee members present.

15. MINUTES

- (1) Resolved that the minutes (previously circulated) of the meeting of the Committee held on 12th June 2009 be confirmed as a correct record.
- (2) Arising from the minutes:-
 - (a) On item (2) of minute 8 that dealt with the meeting between the Chair and Vice-Chair of the Committee and the Leader and Chief Executive, the Vice Chair reported that the meeting would take place on Tuesday 27th October 2009.

- (b) On item (2) in minute 8 that related to attendance that the Standards for England Annual Assembly, Martin Gardner confirmed that he would be attending the Assembly.
- (c) On paragraph 3 of minute 10 (**ANNUAL AUDIT AND INSPECTION LETTER – 2007/08**) the Monitoring Officer confirmed that the use of resources assessment did cover the Council's dealings on complaints.

16. TRAINING FOR MEMBERS

(a) Code of Conduct and other Matters

The Head of Legal and Democratic Services submitted a report (previously circulated and now appended). In response to a question he said that the non-attendees at the required training sessions included two members of the Committee.

Resolved to note the contents of the report.

(b) Code Training – Joint Training Events

The Democratic Services Manager reported that at the last meeting of the Oxfordshire Monitoring Officers it had been agreed that a joint training event for all members of the Oxfordshire districts and the County's Standards Committees to be arranged for January 2010. Standards for England would be invited to speak at the event. Monitoring Officers had felt that the focus of the training event should be local assessment. The Democratic Services Manager said that the training event would take place at County Hall on Thursday 14th January 2010.

The Committee noted the position.

17. COMPLAINTS MONITORING - PROGRESS

The Chief Executive submitted a report (previously circulated and now appended).

The Committee resolved:-

- (1) That there should always be an officer present at the Committee meeting when complaints reports were on the agenda;
- (2) To note that complaints and the monitoring of them would be discussed at the meeting between the Chair, the Vice-Chair, the Leader and the Chief Executive on 27th October;

(3) To raise the following queries and comments on the report, and that the Committee expected them to be answered and responded to before its next meeting:-

- (a) Appendix 1(a) – should the headings for 2008/09 read 1.4.08 – 30.09.08 and 1.10.08 – 31.03.09? If not, and they should read as typed, where was the data for March and April 2009?
- (b) For Oxford City Homes and Leisure complaints in appendix 1(a), if multiple complaints by the same complainant were taken out, how many complaints would there be?
- (c) Appendix 1(c), Oxford City Homes, work undertaken as a response to justified the complaints - the figures were high. They also fluctuated in a marked manner. If the expressed amount of work was undertaken as a response to complaints, why was the Council not getting it right first time? Why had things gone wrong to the extent that work of the amount shown in the table was having to be undertaken as a response?
- (d) Appendix 2(c) table 4 – the totals for 2008/09 show that for 40% of Stage 3 complaints, complainants were still not satisfied (i.e. eight go on to the Ombudsman, six were ongoing and 12 disputed the findings). This was a high percentage. A breakdown of complaints at this stage should be submitted to the next meeting of the Committee.
- (e) Paragraph 8 of the report said that a detailed analysis of all justified.....complaints had not been possible. But given today's meeting had been put back by a month, why was this?
- (f) On section 12(1), fourth paragraph of the report, where have the compliments come from? It was unusual to receive compliments, certainly in the number mentioned.
- (g) The role of the Ombudsman and the stages complainants should go through to resolve complaints before going to the Ombudsman should be made clear in complaints publicity.

18. LOCAL DETERMINATIONS – PRE-HEARINGS

The Head of Legal and Democratic Services submitted a report (previously circulated and now appended)

Resolved:-

- (1) To note the contents of the report (including the decisions on procedure that had been reached by the Committee in December 2008) and the guidance given by Standards for England on pre-hearings;
- (2) That wherever the Committee conducted a local determination it would follow Standards for England guidance (that said the pre-hearing process should normally be carried out in writing except in exceptional circumstances).

19. PARISH COUNCILS – REGISTER OF INTEREST AND CODE TRAINING

The Democratic Services Manager explained that this item was a standard one on the Committee's agenda in order to enable him to report upon any register of interest matters (for example non-completion of the register or an amendment to it by a parish member) and Code training matters (for example training offered to parish councils) and other standards matters in relation to the four parish councils in Oxford.

There was nothing he needed to report upon in these respects to this meeting.

The Committee noted the position.

20. MEMBER/OFFICER RELATIONS CODE – REVIEW

The Head of Legal and Democratic Services submitted the Member/Officer Relations Code (previously circulated and now appended) that formed part of the Council's Constitution and which contained suggested amendments by himself.

The Committee resolved to ask the Head of Legal and Democratic Services to make changes to paragraphs 24.6 and 24.9 as follows:-

- (a) Paragraph 24.6 – add a new sentence to read “if a relationship is unavoidable it must be declared to the monitoring officer and the relevant head of service in order that conflicts of interest may be avoided”.

- (b) Paragraph 24.9 – add a final paragraph as follows “if not politically restricted an officer can be a councillor on another council”.

21. PLANNING CODE OF CONDUCT - REVIEW

The Head of Legal and Democratic Services submitted the Planning Code of Conduct (previously circulated and now appended) that formed part of the Council’s Constitution and which contained suggested amendments by himself.

The committee resolved to ask the Head of Legal & Democratic Services to make a change to paragraph 25.13 to add wording as follows at the start of that paragraph “A member may view an application site prior to the determination of a planning application”, and to add the word “formal” to the first line of the following paragraph before the words “site visit”.

22. ASSESSMENT PANEL DECISION NOTICES

The Democratic Services Manager submitted three assessment panel decision notices (previously circulated and now appended) for panels that had met since the Committee’s last meeting.

The Committee resolved:-

- (1) To observe that the same three members of the Committee had formed the panel of members for the three assessment panels and to record that the work of assessing complaints was a responsibility of all members of the Committee and that all members should make every effort to offer their services as and when assessment panels needed to be convened;
- (2) To ask that an analysis of Code breach allegations and assessment panel findings be presented to the Committee’s next meeting.

23. STANDARDS BOARD – GUIDANCE ON DISPENSATION, OTHER ACTION AND JOINT COMMITTEES

The Head of Legal and Democratic Services submitted a report (previously circulated and now appended).

Result to note the contents of the report.

24. STANDARDS BOARD BULLETIN

Resolved to receive and note the contents of the Standards Board's Bulletins 44 and 45 (previously circulated and now appended).

25. INDEPENDENT MEMBERS' FORUM MATTERS

The Head of Legal and Democratic Services said that there was nothing to report upon in relation to this forum other than to observe that the forum appeared for the moment to be inactive.

The Committee noted the position.

26. DATE OF NEXT MEETING

Resolved to note that the Committee would next meet on Friday 4th December 2009 at 9.30 am

The meeting commenced at 3.00 pm and closed at 4.22 pm.