

## STANDARDS COMMITTEE

4 November 2019

### Present:-

Councillors J Mathews (Chair), M Asvachin, R Bloxham, P Colthorpe, A Connett, C Slade and P Twiss.

Co-opted Members Sir Simon Day, R Hodgins, A Mayes and R Saltmarsh

### Apologies:-

I Hipkin

\* 68

### Minutes

It was **MOVED** by Councillor Bloxham, **SECONDED** by Councillor Twiss, and

**RESOLVED** that the minutes of the meeting held on 16 July 2019 be agreed as a correct record.

\* 69

### Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

\* 70

### Customer Feedback Monitoring Report

The Committee considered the Report of the Customer Relations Manager which provided a quarterly update on the volumes and themes for all types of customer feedback (compliments, comments and complaints), letters from Members of Parliament and complaints being dealt with by the Local Government and Social Care Ombudsman about the Council. In addition, it provided information regarding the Council's performance in responding to and learning from the outcomes of complaints. It covered quarters 1 and 2 (April to June and July to September 2019).

Appendix 1 and table 1 contained a summary of feedback related activity within the reporting year to date.

The Committee was reminded of their comments made at the Committee meeting on 16 July 2019 that the Leadership Group be asked to re-emphasise the importance of dealing with complaints in a timely manner and furthermore noted that the meeting at which this issue was to be raised had been deferred to 25 November 2019.

Members noted that;

- the number of stage 1 complaints had continuously reduced through most of 2018-19 and had remained low in quarters 1 and 2 of 2019-20 (See appendix 1 – table 2);
- there had been a continual decrease in Stage 2 complaints received quarter on quarter in 2018-19, the number of Stage 2 complaints received in 2019-20 had remained low. It was hoped that the lower numbers remained as a direct result of improved Stage 1 responses and earlier intervention by managers (Appendix 2 – table 6);

- there had generally been a decline in numbers of LGSCO complaints received in 2018-19, and this had continued into the first half of 2019-20 (Appendix 2 – table 9);
- 18% of LGSCO complaints were upheld over 2017-18, which compared to 30% across 2018-19 and 53% across quarters 1 and 2 of 2019-20, strongly suggesting an upward trend;
- it had not been possible to log all the quarter 2 compliments received to include them within the Report, but table 13 (Appendix 2) showed those received in quarter 1 and the numbers recorded were higher than in each of the quarters in 2018-19, which was encouraging; and
- the number of MP enquiries reduced quarter on quarter throughout 2018-19 and remained low in 2019-20 (Appendix 2 – table 14).

Members commented and asked questions on the number of complaints upheld in Children's Services, attitudes of staff and perceived rudeness as a recurring theme, that 57% of stage 2 complaints closed were made in time (which was just over half), the recording of phone calls and how they were used for training purposes and the representation of data (percentages verses numbers).

It was **MOVED** by Councillor Mathews, **SECONDED** by Councillor Twiss, and

**RESOLVED**

- (a) that the contents of the Report be noted;
- (b) that the comments of the Committee, as outlined above, be referred to the Leadership Group for their consideration; and
- (c) that the Manager of the Customer Service Centre be invited to a future meeting of the Committee to discuss call recording and associated performance management and training.

\* 71

**Ethical Governance Framework: Monitoring**

The Committee received the Report of the County Solicitor ([CSO/19/23](#)) summarising feedback from Co-opted Members of this Committee on their attendance at meetings of the Council, Cabinet and Committees since the previous meeting monitoring compliance by Members and Officers with the Council's ethical governance framework. Meetings observed included Public Rights of Way, East Devon Highways & Traffic Orders, Investment and Pension Fund, Children's Scrutiny, Development Management, Procedures and the Health and Wellbeing Board.

Members noted that audio visual issues had been a recurring theme, but the recent upgrade to the system should solve many of these sound problems.

Members further commented that guidance on how the microphones picked up sound would be beneficial, for example optimum distances to obtain the best performance.

The Committee were pleased to note that there had been no areas of significant concern or any indication of actions or behaviours that might be felt to have resulted in a potential breach of the Code, acknowledging also that steps would continue to be taken to address practical and procedural matters in light of Member's comments arising from both this Report and the previous monitoring Reports in future training sessions.

\* 72 **Annual Review of the Code of Conduct (Minute \*53 - 4th April 2019)**

The Committee noted that at its meeting on 4<sup>th</sup> April 2019, it had considered the Executive Summary of 'Local Government Ethical Standards - A Review by the Committee in Public Life'. The Council's Standards Committee had previously submitted a response to the Consultation.

As part of that debate, the Committee had RESOLVED that, in line with the best practice recommendation 3, the Standards Committee reviews its Code of Conduct on an annual basis.

The Committee therefore had the Code of Conduct before it for that review. Members also noted that the Code had been amended to reflect that best practice guidance to include the matter of Members complying with any formal Standards process / investigation that might occur.

Members commented that a unified code for all Authorities would be beneficial for those in twin or triple hatted positions.

It was **MOVED** by Councillor Mathews, **SECONDED** by Councillor Slade, and

**RESOLVED** that the content of the current Code of Conduct be noted and that the Committee await the revised guidance / code from the Local Government Association, expected in the Summer, 2020.

\* 73 **Ethical Governance Survey 2019 - Outcomes and Results**

The Committee considered the Report of the County Solicitor (CSO/19/24) which outlined the Ethical Governance Survey for 2019 and the results generated by the survey. Between 27 August 2019 and 20th September 2019, responses were collected via an online multiple-choice survey from Members, Leadership Group, Heads of Service and their direct reports, known as LG80.

Members noted that the Council was required to demonstrate how it supported ethical governance in its policy and procedures, culture and values to ensure high standards of behaviour for Members and Officers.

In both 2009 and 2013, the Council tested its approach to ethical governance, the code of conduct and compliance with ethical standards and the Standards Committee recommended in its last annual report that a further ethical governance audit and self-assessment survey be undertaken during the first two years of the current administration to assess how the Council met the ethical agenda.

The overall response rate was pretty positive in the region of 60-65% which was an improvement on the rate of 59.5% in 2014. In total, 47% or 28 out of the 60 County Councillors responded. 63 Officers responded to the survey (which would be in the region of 75%).

The results of the self-assessment showed the majority of responses to each question was positive, particularly in relation to engagement with democracy and the local community and that both Councillors and Officers felt that the Council considered ethical conduct and high standards as an important component of its vision for the future.

One point of note related to training on the code of conduct where some 34% of respondents said they had not received such training. However further analysis showed that this was in fact only 1 Councillor who said they had not received any training. Three further Members said they had received training 'to some extent', so it was felt there might be more work to do in this regard.

The Committee also noted the qualitative responses under question 9 which again appeared to give reassurance in terms of good standards of Governance.

It was **MOVED** by Councillor Mathews, **SECONDED** by Councillor Bloxham, and

**RESOLVED**

(a) that the responses to the Ethical Governance Survey and its implications for the improvement of the Council's ethical or corporate governance frameworks be noted;

(b) that the issues and suggestions referred to in paragraphs 5 to 14 be explored at future refresher briefings;

(c) that the Monitoring Officer be asked to continue to provide regular refresher briefings on the Council's Ethical Governance Framework as appropriate;

(d) that a further self-assessment survey be undertaken by Members, the Leadership Group, Heads of Service and their direct Reports in four years' time (mid-point between Election cycles) in 2023, ensuring the responses from Officers and Members be separated; and

(e) that future Standards Annual Reports be published on the Council's 'Inside Devon'.

\* 74 **Open Letter - From Lord (Jonathan) Evans, Chair of the Committee on Standards in Public Life (to all public office holders)**

The Committee noted that Jonathan Evans, Chair of the Committee on Standards in Public Life had published an open letter to all public office holders on the importance of upholding public standards. The contents of which were outlined below.

*Standards in public life have rarely been more in the spotlight than they are today. Both as a Committee and as individual members we are frequently asked what can be done to maintain high standards and implement the Nolan Principles in the current political situation, which is causing real concern to many people who care about how our public life is conducted.*

*At one level, the key institutions of our democracy are doing their job providing important constitutional checks and balances. The long running and fierce dispute over Brexit is being played out largely in Parliament, the courts and the media, including social media. Such openness is itself a key principle in our public life.*

*But behaviour matters as much as formal structures. Leadership of standards needs to come from the top: from Government and from Parliament. In the current political situation, it is the view of our Committee that it is even more important that high standards are not only consistently observed but also demonstrably valued.*

*It is also vital that the tone of public debate should avoid abuse and intimidation, which have become increasingly widespread. Parliamentary democracy is under threat if those in public life and public office cannot express their views freely and without fear.*

*These long-established principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership are a personal responsibility and set the tone for leadership across the whole of public service. They are what the public expect of us.*

Lord (Jonathan) Evans of Weardale Chair, Committee on Standards in Public Life.

\* 75      **Local Determination of Complaints**

The County Solicitor reported that, since the last meeting, 1 complaint concerning an alleged breach of the Members Code of Conduct had been received relating to a Councillor failing to respond to constituent queries.

Following an initial assessment of the complaint and consultation with the Independent Person appointed by the Council it had been agreed that no further action should be taken on the complaint on the basis that there would be no public interest in progressing the complaint further.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 2.45 pm