



Leicester  
City Council

Minutes of the Meeting of the  
STANDARDS COMMITTEE

Held: TUESDAY, 28 NOVEMBER 2017 at 5:30 pm

P R E S E N T :

Councillor Byrne (Chair)  
Councillor Shelton (Vice-Chair)

Councillor Dr Moore

Also present:

Ms Fiona Barber	Independent Member
Mr Mike Galvin	Independent Member
Ms Jayne Kelly	Independent Member
Mr Alison Lockley	Independent Person

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**15. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Rae Bhatia, Mr Simon Smith, Mr Michael Edwards and Mr David Lindley.

**16. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**17. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That, subject to the date in resolution 2 of minute 9, (“Discussion Paper – Meetings of the Standards Committee”), being amended to March 2018, the minutes of the meeting of the Standards Committee held on 20 June 2017 be confirmed as a correct record.

## **18. BI-ANNUAL REPORT (2015-2017) OF COMPLAINTS RECEIVED**

The Monitoring Officer presented the draft Bi-Annual Report on complaints received for the period July 2015 to June 2017.

It was noted that, although ten referrals had been made to the Monitoring Officer in 2015/16, only four of these were held to be valid complaints. In 2016/17, 25 referrals had been made, with 11 being held to be valid complaints. Of the 11, five were complaints from Councillors about other Councillors arising from one Council meeting.

The Monitoring Officer advised the Committee that:

- A complaint could not be made against all of the Members of the Council at once;
- Complaints seeking resolution of operational matters, (such as Ward issues), could not be processed as Member misconduct complaints;
- Some complaints about Member misconduct related to times when an elected Member was not acting as such at the time complained of. For example, during the canvassing period of an election, the Member could have been acting on behalf of a political party, not as a Councillor; and
- The number of complaints made relating to activities on social media was increasing and it was anticipated that this trend would continue. Councillors therefore needed to be careful to ensure that there was no confusion about when they were using social media as a Councillor, or in another capacity, such as a personal one, or as a representative of a political party.

RESOLVED:

That Bi-Annual Report of the Standards Committee July 2015 – June 2017 be welcomed and endorsed.

## **19. CORPORATE COMPLAINTS SYSTEM**

The Service Manager – Business Service Centre introduced a report setting out details of the Corporate Complaints System, reminding the Committee that the report contained annual figures for non-statutory complaints. The figures therefore did not include complaints in relation to service areas such as child and adult social care.

The Service Manager advised the Committee that:

- The current complaints process had been in place for one year;
- Under the new complaints process, a corporate complaints team, independent of any service areas, had been established;

- Over the last year, 100 cases had gone to the Local Government Ombudsman, 14 fewer than the previous year. Of these, only 29 had been investigated and the Council had been found to be at fault in ten of them. The Complaints team had upheld all ten;
- Service improvements were being sought continuously. For example, in three of the cases considered by the Ombudsman, service improvements already had been identified and implemented before the Ombudsman's findings were known;
- A "triage" process had been introduced for complaints. This enabled issues that had could be addressed through other processes, (such as through an appeal process, or as a service request), to be taken out of the complaints system;
- Although the triage process had reduced the number of complaints being processed, the ones remaining in the system tended to be multi-faceted and therefore more complex. More outcome categories therefore had been introduced, (such as complaints being partially upheld);
- Service managers no longer carried out initial investigations in to complaints. Instead, these were now done by the corporate complaints team;
- When a complaint was received, the officers involved were asked for their version of events. If subsequent investigations showed that intervention was needed by Human Resources, the complaint was taken out of the complaints system;
- Over the last few years the same services had been receiving the highest numbers of complaints. It was hoped that service improvements would help reduce these complaints;
- Complaints regarding housing repairs tended to arise because of the volume of work being done by the service, (for example, lack of appointments, or a second visit being needed to rectify a problem), or due to high expectations of the service;
- Most complaints were received through the Customer Service Centre. Staff at the Centre were trained to deal with people who were angry or upset. The Council also held lists of customers considered to be vexatious and pre-vexatious. It was recognised that many of those people had issues other than with the Council, but when added to the lists their sole point of contact became the Service Manager – Business Service Centre;
- No correlation had been identified between the number of complaints received and reductions in funding and/or staffing levels; and
- This Council received approximately the same percentage of complaints as

neighbouring Councils, (for example, Nottingham City Council and Coventry City Council).

RESOLVED:

That the report be noted.

## **20. REVIEW OF SOCIAL MEDIA GUIDANCE FOR MEMBERS**

The Monitoring Officer reminded the Committee that guidance to Councillors on the use of social media had been agreed in July 2014. It therefore was considered appropriate to review the guidance, to ensure it remained appropriate.

It was noted that Councillors could publish material on a Council content area and post a link to this from social media. The pages in this content area contained a disclaimer stating that the Council did not endorse or share the views expressed on those pages. Councillors therefore needed to maintain separate identities on social media as individuals and local authority representatives. For example, it could be difficult to maintain those separate identities if a councillor identified themselves on social media as a councillor, but stated that they were commenting under that title as an individual.

To date, there had not been a noticeable increase in the number of complaints regarding Councillors and social media. Complaints that had been received tended to be about comments made by councillors commenting as individuals, not as councillors.

RESOLVED:

That no changes be made at this time to the guidance to Councillors on using social media.

## **21. COMPLAINTS AGAINST COUNCILLORS - UPDATE**

The Monitoring Officer submitted a report giving feedback on complaints against Councillors reviewed and/or determined since the last meeting of the Committee. The report also updated the Committee on progress on outstanding complaints against Councillors.

RESOLVED:

that the press and public be excluded during consideration of the remainder of this item in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

### Paragraph 1

Information relating to any individual

### Paragraph 7c

The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.

Further to minute 12 of the meeting of this Committee held on 20 June 2017, (“Hearing Panel Recommendations – Complaint 2016/11”), , the Monitoring Officer reported that he had advised Councillor Porter of the decisions taken under that minute, but the required apology from him had not been forthcoming to either Councillor Thomas, or to the Council Chamber. As a result, a press release had been made, which had been reported on by local media.

Having discussed the options available to it, the Committee expressed disappointment at this situation and at the limited range of sanctions available to it under current legislation. It was recognised that the limitation on sanctions was a cause for concern nationally, so it was suggested that representations could be made to any forthcoming national review of these sanctions, to encourage the reinstatement of a wider range.

#### RESOLVED:

- 1) That the Monitoring Officer consider sending representations on this Committee’s behalf to any relevant forthcoming national review of the Councillors’ Code of Conduct, requesting that the range of sanctions available for breaches of the Code be made wider ranging and stronger; and
- 2) That no further action be taken with regard to the non-compliance by Councillor Porter. Frustrating though his lack of contrition is, the process has resulted in public censure of his conduct and it was always known that this was the most that could be achieved under the regime. Any further action, such as a re-referral for misconduct owing to failure to comply with recommended reparations, would only provide a platform for more attention.

## **22. RE-ADMISSION OF THE PRESS AND PUBLIC**

#### RESOLVED:

That the press and public be readmitted to the remainder of this meeting.

**23. DATE OF NEXT MEETING**

NOTED:

That the next meeting of this Committee will be held at 5.30 pm on Tuesday 13 March 2018.

**24. CLOSE OF MEETING**

The meeting closed at 6.35 pm