



Leicester  
City Council

Minutes of the Meeting of the  
STANDARDS COMMITTEE

Held: WEDNESDAY, 9 JULY 2014 at 5.30pm

P R E S E N T :

Councillor Waddington (Chair)  
Councillor Senior – Vice Chair

Councillor Sood

Also present:

Mr Desmond Henderson	Independent Member
Mr Stephen Purser	Independent Member
Mr David Lindley	Independent Person

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**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Shelton, Fiona Barber, Amanda Fitchett, and Caroline Roberts.

**2. DECLARATIONS OF INTEREST**

Members were asked to declare any interests they might have in the business to be discussed. No such declarations were made.

**3. RESIGNATION OF INDEPENDENT MEMBER**

The Monitoring Officer reported the resignation of Ms Joanne Holland as an Independent Member of the Standards Committee and Standards Advisory Board.

RESOLVED:-

- 1) That the resignation be noted and Ms Holland be thanked for her service to the Committee and the Board;

- 2) That the Independent Member vacancy remain unfilled at the present time as it is felt that there are sufficient Independent Members to allow the Committee and Board to operate efficiently given the current workloads, but that the Monitoring Officer keep the situation under review.

#### **4. MINUTES OF PREVIOUS MEETING**

**RESOLVED:**

That the minutes of the meeting of the Standards Committee, held on 10 April 2014 be confirmed as a correct record.

#### **5. MONITORING OFFICER UPDATE ON MATTERS CONSIDERED AT PREVIOUS MEETINGS**

The Monitoring Officer provided an update on matters which had been considered at previous meeting.

a) Non-Compliance with informal resolution

The protocol approved at the last meeting had been used to invite the Councillor to a meeting with the Chair of the Committee, the Monitoring Officer and the Independent Person at which the expectations of the member to comply with the outcome of the informal resolution were stated. The Councillor had also been advised that any failure to comply with the informal resolution within the given timescale would result in a new complaint being raised against them. The Councillor had subsequently complied with the actions required in the informal resolution. A signed record of the meeting with the Councillor had been produced.

b) Vexatious Complainant

The Monitoring Officer had previously circulated a discussion paper on the definitions of a vexatious complaint and a vexatious complainant used by the Local Government Association (LGA) together with examples from a number of other internal policies.

It was noted that the LGA guidance was primarily aimed at serial complainants and that these were less likely to occur with the type of complaints expected under the Code of Conduct. It was more likely that in some circumstances a complaint could become vexatious as it progressed, particularly if the complainant was not in agreement with the proposed course of action or suggested outcomes.

Following a question, the Monitoring Officer stated that he and the Independent Person had the responsibility to determine whether a complaint was vexatious. The complainant would have the right of

review to the Monitoring Officer and the second Independent Person to review the decision. Members felt that it was important to have a robust opportunity for a vexatious complainant to have their situation looked at again.

The Monitoring Officer undertook to include the number of complaints determined as vexatious in the Annual Report on complaints and the definition of a vexatious complainant would be added to the Code of Conduct and the associated Arrangements.

c) Social Media Guidance.

The protocol had been circulated to members for comment and a number of helpful suggestions for minor amendments had been received which had now been incorporated into the protocol. One such amendment had arisen from the fact that the Council hosted Councillor's social media on the Council platform. An explanatory note had been included to indicate that the profile afforded to the City Mayor on the Council's webpages was related to his capacity as the prime Executive Decision Maker on behalf of the Council and not as an individual person.

Some members had requested training on the use of social media and the Monitoring Officer confirmed that this was now in the future training programme for members. He would inform members of the intended timescale for the training in due course. The protocol would be issued to all members during the following week.

d) Independent Person Protocol.

The protocol had now been issued with a minor amendment to reflect that one of the original intentions for role of Independent Persons had been to allow a member who felt pressured by other members to have an opportunity to raise any concerns. The revised protocol would be appended to the revised Code of Conduct and associated Arrangements when it was submitted to Council for approval later in the year.

RESOLVED:-

That the Monitoring Officer's updates be noted.

## **6. WORK PROGRAMME**

Members discussed items for the Committee's work programme for the municipal year 2014/15.

It was noted that a 'Review of the Code of Conduct and associated Arrangements' has been scheduled for the meeting on 8 October 2014.

A Member suggested that the Code of Conduct and associated Arrangements should be reviewed to ensure that they were consistent with the various guidance that had been issued by the Government and case law which had

arisen during the course of the last two years Training for members was also suggested.

Following a question, the Monitoring Officer confirmed that the Annual Report on Complaints would also be included in the work programme.

RESOLVED:-

That the work programme be noted and amended with the inclusion of the review of the Code of Conduct and associated Arrangements, Training and the Annual Report on Complaints.

## **7. CORPORATE COMPLAINTS MONITORING**

Further to Minute No 29 of the meeting held on 10 April 2014, members considered a copy of a report to the Operations Board on the revised monitoring information that was now provided for the Corporate Complaints System. The Director of Finance and the Director of Information Services attended the meeting to present the report.

The responsibility for Customer Services (including corporate complaints) had recently transferred from the Director of Information Services to the Director of Finance and both Directors had a number of years' experience of dealing with corporate complaints.

Following discussion and questions the following points were noted:-

- The Council had an ethos of accepting complaints and, given the high volume of daily transactions with the public, the number of complaints received was comparatively low.
- There was also a low volume of complaints which escalated from Stage 1 to Stage 2 in the complaints process.
- Complaints were logged and routed to one of the 4 Departmental Complaint Officers (2 of those being the statutory required adults and children's complaints functions). These officers were now meeting regularly to review progress in dealing with complaints and to discuss emerging themes and share good practice. A revised monitoring report was being submitted to corporate directors on a quarterly basis.
- There was now a requirement, as part of the new monitoring arrangements, for departments to identify the service improvements identified in response to a complaint.
- Directors were encouraged to carry out spot checks on the responses to complaints to ensure consistency and compliance with corporate standards.
- The new monitoring arrangements had recently been used as an opportunity to raise the profile of the corporate complaints system.

- Improvements planned for the future were to:-
  - undertake further training to ensure that service users' 'comments on a service were not necessarily recorded as a complaint that needed to be dealt with under the corporate complaints system.
  - progress the checking of the quality of responses to complaints under Stage 1 of the procedure, as experience had shown that poorly worded and/or confusing responses could lead to complaints escalating from Stage 1 to Stage 2.
  - capture 'complaints' received from third parties such as MPs and Councillors which were not submitted under the corporate complaints process.
- Where a complaint contained a number of issues, Customer Services Officers assigned the complaint to a lead officer who then co-ordinated the various responses to all elements of the complaint.
- There was also further work to be undertaken on managing customers' expectations to avoid a complaint on a service standard being submitted prematurely, particularly where the service response standard had not been exceeded.

Members felt reassured that the new monitoring and reporting arrangements were addressing a number of concerns expressed at the last meeting.

Members made the following comments and suggestions:-

- The monitoring report should include an analysis of whether complaints were dealt with within the prescribed timescales.
- The complaints system should be able to provide a robust mechanism for providing information and dealing with complaints from service users whose first language was not English or where language was a barrier to effective communication.
- It was important when services were contracted out that the contract required the provider to have a robust complaints system in place to deal with service issues.
- It would be useful for members to have guidance on how to deal with constituents' complaints where services had been commissioned on behalf of the Council or contracted out to external providers.

RESOLVED:

- 1) That whilst the new reporting and monitoring arrangements have provided some re-assurance, further quarterly

monitoring reports should be submitted to the Committee until such time as all their previous concerns had been satisfied.

- 2) That an analysis of whether complaints are dealt with within the prescribed time scales be incorporated into the statistical analysis of the report.

## **8. COMPLAINTS AGAINST COUNCILLORS**

The Monitoring Officer reported that no new complaints have been received against Councillors since the Committee's meeting held on 30 January 2014.

RESOLVED:

That the report be noted.

## **9. CLOSE OF MEETING**

The Chair declared the meeting closed at 6.35pm.