



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: WEDNESDAY, 10 SEPTEMBER 2008 at 5.30pm

P R E S E N T:

Mrs Sheila Brucciani (Chair and Independent Member)

Councillor Blower

Councillor Clair

Councillor Corral

12. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business on the agenda and/or declare that Section 106 of the Local Government Finance Act 1992 applied to them. No such declarations were made.

16. LOCAL ASSESSMENT OF COMPLAINTS - MAKING THE NEW SYSTEM WORK

The Monitoring Officer submitted a report that enabled Members to review practical issues that had emerged since May 2008 when the Council was obliged to introduce a new system for the local assessment of complaints against elected Members; to understand concerns that had been raised by members and to consider officer proposals for implementing essential legal requirements and statutory guidance in a way which ensured that the new system was both effective and fair.

The Monitoring Officer commented that the report sought to address Members' concerns and to find practical solutions for tackling issues which have emerged to date. In that context, there were 2 principal issues. The first was the development of a filtering process when complaints were initially received. A diagram appended to the report detailed how to apply the different complaints processes. It was noted that there was a likelihood that some service complaints could incorrectly be submitted as complaints against Members. A Member of the Committee queried what would happen if a Member had not acted upon a query that a member of the public had presented to them and if this was a breach of the Code of Conduct. The Monitoring Officer commented a complaint such as this would go to the relevant department first and if needed would then be referred to the Standards Committee. The Monitoring Officer stated that it should be made clear in both publicity and guidance for the public

what can and cannot be complained about.

The Monitoring Officer commented that some complaints could be resolved informally and in order to do this it was important that the right channels were used. It was also stated an officer initially receiving a complaint may need to ensure clarity regarding a complaint but that care should be taken to avoid any perception of coaching of complaints when drafting their complaint. A Member of the Committee raised concern that people who wanted to make a complaint may require assistance in filling out the complaints form if they were not educated.

The Monitoring Officer stated that the second principal was to make sure that the system is as far as possible and particularly to consider how to balance the need for confidentiality with the right for any subject member to know and be able to respond to allegations against them. A Member of the Committee queried at what point in the process did the Member have the right to know about the complainant. The Monitoring Officer commented that it was at the Committees discretion. The Complaints form did ask about confidentiality and if the complainant was concerned about it then they had to give a reason.

The Chair queried who a person addressed the form to when they wished to make a complaint and what happened if that person was absent. Kate Owen, the Member Support Officer present, commented that all complaint forms initially went to her however she was liaising with the Head of Democratic Services to create a generic mailbox where complaint forms would go and would be accessible by both of them to ensure the forms would be dealt with even if either of them was absent.

RESOLVED:

- 1) that Members agree to endorse the actions that were taken by Officers; and
- 2) that the report go to Cabinet for approval then onto Council.

