



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: THURSDAY, 30 JANUARY 2014 at 5.30pm

P R E S E N T :

Councillor Waddington (Chair)

Councillor Senior

Councillor Sood

Also present:

Ms Fiona Barber

Independent Member

Ms Amanda Fitchett

Independent Member

Mr Desmond Henderson

Independent Member

Mr S Purser

Independent Member

Mr David Lindley

Independent Person

Ms Caroline Roberts

Independent Person

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18. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Shelton who was on other Council business and Ms J Holland.

19. DECLARATIONS OF INTEREST

Members were asked to declare any interests they might have in the business to be discussed.

Councillor Senior declared an Other Disclosable Interest in the item on 'Complaints Against Officers' as her partner was a member of staff. However, since the item would be a generic discussion affecting all officers, Councillor Senior indicated that although the interest would not be prejudicial to her judgement of the public interest she had nevertheless decided to abstain from the discussion.

20. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of the Standards Committee, held on 7 November 2013, be confirmed as a correct record subject to the Resolution in Minute No. 16 be amended to read "That the report be noted and the actions suggested by Members be added to the Work Programme."

21. MINUTES OF THE STANDARDS ADVISORY BOARD

RESOLVED:

that the minutes of the meetings of the Standards Advisory Board held on 10 October 2013 and 19 December 2013, be confirmed as a correct record.

22. SOCIAL MEDIA GUIDE

The Monitoring Officer submitted a draft Social Media Guide for Councillors which has been amended and redrafted following consideration of it at the last meeting in November.

Members discussed the draft code and made the following comments and observations:-

- The guide had no contact point for members to ask for guidance.
- The emphasis on personal liability for a councillor's comments on social media was welcomed.
- Training on the use of social media would be helpful.

A member also commented that Councillors' social media accounts were often a mixture of personal and political issues and because of this there were reasons why the Council should be cautious about supporting Councillors' 'private' social media accounts with corporate resources.

In response, the Monitoring Officer stated that the guidance was intended as a training resource for Members. The Council had no available technical resources to provide assistance with setting up social media for members or to provide a technical support service for any problems when using social media. It was for this reason that the guide did not include a telephone contact number. The Monitoring Officer offered to add a paragraph with his contact details as the initial point of contact and indicating that whilst there was not corporate technical support, training could be available.

The Director of Delivery, Communications and Governance stated that she would feed the Committee's comments back to the Workforce Development

Team to see if further training for Members could be incorporated into the Member Development Offer and e-learning package.

RESOLVED:

- 1) that the draft guide be endorsed and circulated to all councillors for comment;
- 2) that councillors be asked if they would like to be offered training opportunities on the use of social media; and
- 3) that councillors' responses to the draft guidance and the offer of training opportunities be considered at a future meeting.

23. COMPLAINTS AGAINST COUNCILLORS - UPDATE

a) Councillors' Complaints against officers

The Monitoring Officer stated that he had invited the Director of Delivery, Communications and Governance to respond to the request at the last meeting when members had asked for guidance on how Councillors could make complaints against officers, particularly where an issue had been raised with the Head of Service and they had decided not to pursue the complaint.

The Director of Delivery, Communications and Governance outlined procedures for Members to make complaints against officers. The Monitoring Officer also circulated a schematic diagram of the Corporate Complaints Process for Members information.

The Director of Delivery, Communications and Governance stated that council officers were required to work to a Code of Conduct as part of their terms and conditions of employment, which were negotiated through a set process involving trades union. Any changes would require further negotiations and agreement. The Director commented that the Corporate Complaints System had two stages, the second of which escalated the complaint to be reviewed by a senior manager in another department. The Council's constitution also included Codes and Protocols dealing with relationships between Members and Officers. These provided that unresolved problems could be raised with the Divisional Director, or, if necessary, the Group Whip and the Monitoring Officer. The Director felt that as there were already two routes for complaints to be made against officers, to introduce a third could be viewed as being disproportionate and unfair compared to the procedure in place for making complaints against councillors.

Following discussion by Members, the Director of Delivery, Communications and Governance stated that the Corporate Complaints System was monitored and the progress and outcomes of complaints were regularly reviewed. The Monitoring Officer also commented that an investigation into a complaint against a member under the Code of Conduct would exclude an officers' action, but it would be mentioned in the report if it contributed to delays etc on a

Member's behalf. The Monitoring Officer would however pursue any residual officer issues through the appropriate processes.

Other local authorities had been canvased on this issue and there was no evidence that other authorities had specific procedures in place other than those which already existed at the Council. Members commented that it was important for Councillors to register complaints under the Corporate Complaint System and to make it clear when the complaint was being escalated to a stage 2 complaint.

RESOLVED:

- 1) that the Director of Delivery, Communications and Governance issue a general reminder to senior managers that complaints from Councillors should be treated and dealt with in the same way and within the same timescales as any other complaint under the Corporate Complaints Procedure;
- 2) that the Corporate Complaints Procedure be reviewed to see if it was sufficiently fit for purpose in relation to the complaint details outlined by the Chair, and that the tracking data for corporate complaints be submitted to a future meeting;

b) Complaints against Members

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

The Chair requested that more information be included in future reports as it was difficult to determine whether the Committee should be taking action on any lessons learned from the complaints. In addition it would be useful to have details of whether complaints were repeats of previous complaints against a councillor and whether the councillor was, or had been, the subject of a number of complaints.

The Monitoring Officer stated that he saw the report as a tracking report on the progress of dealing with the complaints. It was difficult to provide more detailed information in the report in its current form without identifying a councillor, particularly as the report was considered in the 'open' part of the meeting when the public and press were able to attend the meeting.

Councillor Senior referred to the changes in the Housing Ombudsman scheme under the Localism Act and stated that she had undertaken considerable research on the issues involved and would be prepared to share this with all councillors.

The Monitoring Officer indicated he would be prepared to provide more detailed information should the Committee exclude the public and press from the

meeting.

PRIVATE SESSION

RESOLVED:

That the press and public be excluded during consideration of the following matter in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it was likely to disclose 'exempt' information, as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, and taking all 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 an individual.

The Monitoring Officer provided more detail on each complaint in response to Members' comments and discussion.

RESOLVED:

that the monitoring report be received and noted and that more information be provided in future to enable members to have a more meaningful discussion of the issues involved in order to determine if there were any lessons to be learned from complaints and whether the Committee needed to issue any guidance etc.

24. CLOSE OF MEETING

The Chair declared the meeting closed at 6.55 pm.