

City of Bradford Metropolitan District Council

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Minutes of a meeting of the Standards Committee held on Thursday 10 September 2009 at City Hall, Bradford

Commenced 1305
Concluded 1425

PRESENT –

Independent Persons

Mrs P Essler, Mr G Dobson and The Very Revd Dr D J Ison

Parish and Town Council Members

Parish Councillors Bowen and Mitchell

Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Binney	Ferriby	Middleton
Owens	A Thornton	

Apologies: Mr Shakeel, Town Councillor Jay, Councillors Lee and D Smith

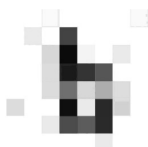
Mrs Essler in the Chair

11. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

12. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.



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Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



BRADFORD
METROPOLITAN DISTRICT COUNCIL

13. **MONITORING OFFICER'S REPORT ON COMPLAINTS**

The Monitoring Officer reported to the meeting the receipt of complaints notified to her and the stage that complaints had reached, including the final outcome, where appropriate.

She presented that information in a new, more detailed format than had previously been used. While still anonymising complaints, it allowed Members of the Committee to have a clearer insight into the type of complaint coming forward.

The document circulated included all complaints processed since local investigation had begun and was intended to provide baseline information for Members.

Members thanked the Monitoring Officer for the update, which they considered would be useful in identifying trends in complaints and in building up a reference tool for the various sub-committees to use.

The Monitoring Officer was requested to provide an update of ongoing cases in future, rather than the whole document each time. She was also requested to diary an item on the Committee's forward plan so that complaints could be reviewed annually, possibly in conjunction with the Member Development Manager, to identify any gaps in Member training and development.

The Chair also considered that the information would be useful for inclusion in the Committee's annual report; to publicise the work of the Committee and for self assessment purposes.

The Monitoring Officer was encouraged to note that, in Bradford, there was no emerging trend of politically motivated complaints being made by Members about fellow Members.

Resolved –

- (1) That the table circulated at the meeting be noted.**
- (2) That complaints for the relevant municipal year be reviewed annually in conjunction with the Council's Member Development Manager.**
- (3) That the table be used proactively to promote the work of the Committee.**

ACTION: Assistant Director, Corporate Services (City Solicitor)

14. **LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW 2008/09**

The Assistant Director Corporate Services (City Solicitor) presented a report (**Document "E"**) containing the Annual Review issued by the Local Government Ombudsman (LGO). The Annual Review provided a summary of the complaints the LGO had dealt with about Bradford Metropolitan District Council.

The Monitoring Officer gave a brief overview of the role of the Ombudsman, developments since the appointment of the new Ombudsman and the intention to publicise that the Ombudsman had a much wider remit than identifying when maladministration had occurred.

She was extremely pleased with the significant improvement noted in the report of the time it took for Bradford to deal with complaints, which she attributed to the hard work of the Ombudsman Liaison Officer. She was also very pleased with the good working relationship which the Council had with the Ombudsman's office.

The Chair concurred with that view and added her thanks to those of the Monitoring Officer.

The Ombudsman Liaison Officer went through Document "E" in detail, explaining that the Ombudsman would not now begin an investigation until all internal complaints procedures had been exhausted. She noted that the number of general complaints had remained steady and that, although the number of complaints about school appeals had increased, that had not led to any findings of maladministration.

Members noted that, when people made a complaint to the Ombudsman, especially in relation to school appeals, they did so because they wanted the decision to be changed. That was not the role of the Ombudsman and it was important to be very clear about that when advising constituents.

The Ombudsman Liaison Officer advised that there was a minor error in the Ombudsman's report, which stated that a complaint about a school appeal had been resolved by offering a place as it had been accepted that the case had not been properly considered. In fact, the place had been offered because one had become available.

In response to a question, the Monitoring Officer advised that, if the Ombudsman considered that an appeal had not been conducted correctly, it would be the Council's practice to offer a second appeal. It would not be possible to simply change the decision. Likewise if the Council discovered through its own investigations that an error had been made, a second appeal would be offered.

Resolved –

That the contents of the Annual Review be noted and the Ombudsman Liaison Officer be thanked for all her hard work.

ACTION: Assistant Director, Corporate Services (City Solicitor)

15. RECENT DECISIONS OF THE ADJUDICATION PANEL FOR ENGLAND

The Assistant Director Corporate Services (City Solicitor) presented a report (**Document "F"**) which outlined summaries of the recent decisions made by the Adjudication Panel for England regarding allegations of misconduct against members.

She advised that she had chosen the two decisions highlighted as they contained points of particular interest for Members to consider, namely:-

- the importance attached to disclosures of interest
- public perception of whether a member was acting in their official capacity or not
- the firm view that the Adjudication Panel had taken on an issue of poor conduct.

Members considered that the Waverley case had interesting ramifications for neighbourhood forums, where members attended alongside the general public. They reported that when attending such meetings they were often introduced as "Councillor" and regarded as being in their official capacity regardless of their own view on the matter.

The importance of strong chairmanship and general good conduct during such meetings was also highlighted.

Resolved –

That the information provided in Document "F" be noted.

ACTION: No Action

16. **STANDARDS COMMITTEE WORK PROGRAMME**

An updated copy of the Committee's work programme was provided for Members' information.

The Monitoring Officer noted a new item listed for 4 March 2010 to look at past recommendations of the Committee, which she had considered would be a useful tool for performance management.

The Chair also considered it to be useful for auditing purposes.

Resolved -

That the work programme be noted.

ACTION: No Action

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Committee.