

BIRMINGHAM CITY COUNCIL

STANDARDS COMMITTEE 12 FEBRUARY 2020

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD ON WEDNESDAY, 12 FEBRUARY 2020 AT 1400 HOURS IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM B1 1BB

PRESENT: - Mr Peter Wiseman in the Chair;

Councillor Deirdre Alden, Stephen Atkinson, Alastair Cowan, Councillor Peter Fowler, Councillor Julie Johnson, Steven Jonas, Mohammed Khan, Councillor Carl Rice and Councillor Paul Tilsley.

ALSO PRESENT: -

Raymond Tomkinson, Independent Observer
Safeena Tonks, Electoral Services Manager, Finance and Governance

APOLOGIES

341 Apologies were received from Councillor Neil Eustace, New Frankley Parish Councillor Ian Bruckshaw, Sutton Coldfield Parish Councillor Derrick Griffin, Professor Stephen Shute and Rob Connelly, Acting Assistant Director - Governance.

DECLARATIONS OF INTEREST

342 No interests were declared.

MINUTES

343 The Minutes of the public session of the meeting held on 14 August 2019, having been previously circulated, were noted, subject to the line 8 of the second paragraph of Minute No. 336 on page 118 being amended by deleting "contract" and inserting "the code", to read "breach of the code".

INTRODUCTIONS TO NEW LAY MEMBERS

344 Members noted the appointment of the following 3 new Lay Members of the Committee for the term from 6 November 2019 to 31 October 2023:

Stephen Atkinson
Alastair Cowan
Mohammed Khan

UPDATE ON COMPLAINTS 2019/20

The Chairman advised that Rob Connelly, Deputy Monitoring Officer, had provided details of complaints during 2019/20. 10 complaints had been received to date, as opposed to 26 received in 2018/19. 3 complaints were by the same person. 3 complaints were made by an employee and in 1 case an apology from the Councillor had been accepted. In another of the cases, an apology had been made, but it had not been accepted to date. In a further case, mediation was to take place. One case had been formally resolved. A complaint had been received that case work had not been undertaken properly and 1 case involved service delivery. As a consequence of election pressures prior to Christmas 2019, 4 cases were at stage 1 currently.

27 cases had been raised that were outside the code of conduct and the complainant had been advised accordingly. There had also been 78 contacts from persistent emailers, which had been rejected. Members noted that assistance had been given by Group Secretaries and Group Whips with resolving issues, but that there had been some delays in investigations. Some complaints related clearly to service delivery and officers were trying to make it clear to the public that those could not be investigated by the Standards Committee.

Concern was expressed that some complaints were objectionable and insulting and that Councillors needed a code of conduct giving guidance on how to deal with them. Councillors faced communication issues, trying to identify the appropriate officer and waiting for the service area to respond. While Councillors advised of timescales, flagged cases and suggested a 'call back' after a defined period, the resulting delays caused public frustration as they wanted a quick answer.

The Committee was advised that Overview and Scrutiny Members were reviewing customer services within 3 parts of the City Council. It was hoped to encourage greater clarity and consistency in the approach to complaints regarding services and Members were preparing a protocol for Member enquiries, which could include a 'code of conduct'. While there was a corporate complaints system, it was understood that the many services within the City Council undertook inconsistent practices.

The Committee discussed good practices by Members and services.

It was

345 **RESOLVED:-**

That an item be included on the next agenda to discuss a protocol for replying to concerns and complaints raised by residents and that Wendy Griffiths, Customer Services and Business Support, be invited to attend the meeting.

COMMITTEE ON STANDARDS IN PUBLIC LIFE - LOCAL GOVERNMENT ETHICAL STANDARDS REPORT

The Chairman outlined issues raised and the matters discussed previously by the Committee. Local authorities had been allowed freedom to determine their own codes of conduct, but there had been found to be much consistency in their content. In comparisons with recommendations of good practice, the City Council's code of practice had been found to be satisfactory. It was noted that a model code of practice was been given national consideration.

Members discussed the importance of having a rolling programme of mandatory training and an accompanying checklist for Councillors. It was noted that 3 days of training sessions were provided for new Councillors, but that those sessions were not mandatory. Flexibility would be needed to take into account the availability of Councillors with full-time jobs, with some training provided online and some in face-to-face sessions. Consideration was given to what sanctions could be imposed if Councillors failed to undertake mandatory training. Participation in the meetings of some Committees was dependent upon prior training having been undertaken, but the sanctions that could be imposed were limited during the 4-year term of office. It was felt that consultation should take place on what training should be mandatory and within what timescale it should be completed.

346 **RESOLVED:-**

That the Chairman be requested to contact the Group Secretaries regarding mandatory training on standards in public life and that an item be included on the next agenda.

OTHER URGENT BUSINESS

347 No matters were raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

348 **RESOLVED: -**

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

EXCLUSION OF THE PUBLIC

349

RESOLVED:

That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting: -

(Paragraphs 1, 2 and 3)
