

SC7

Contact Officer: Andrea Woodside - Tel. 01484 221715

KIRKLEES COUNCIL
STANDARDS COMMITTEE

Tuesday 24 February 2009

Present: Councillors C Smith and K Smith

Co-opted Members: Mr D J Binns, Councillor J Nottingham, Mr P Blythe (Chair) and Councillor C Kaye

Apologies for absence were received from Councillor Hardcastle, Councillor Patrick, Councillor Ridgway, Councillor M Barlow and Rev M Roberts

1 Minutes of Previous Meeting

RESOLVED - That the Minutes of the previous meeting be approved as a correct record.

2 Interests

No interests were declared.

3 Admission of the Public

It was noted that all agenda items would take place in public session.

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No questions were asked.

6 Presentation - Corporate Standards

Chris Read, Corporate Complaints Officer, provided an overview of the Council's Corporate Complaint procedure. He informed the Committee of both the first and second stages of complaint process, advising that 'serious complaints' jump immediately to stage two whereby a Head of Service would become involved, and outlined the work undertaken at the 'third stage review' stage. The third stage review would provide the Corporate Complaints Officer with the opportunity to try and identify learning points or procedural issues arising from the process.

Chris also outlined the process of the Ombudsman Investigation, indicating that this usually followed the third stage of the complaints

process. The Ombudsman enquiry is usually concerned with checking that decisions taken were in line with the Council's own procedures, or legislation, and whether the complainant had suffered an injustice.

If the Ombudsman determines that the Council has made an error it will produce a report for public inspection and will recommend various courses of action, and/or payment of compensation.

With regard to linking into Standards Committee, Chris advised that he had a duty to highlight any negative criticisms of an Elected Member for the attention of the Monitoring Officer. Most commonly, this related to Planning Committee matters and complaints regarding the improper conduct of Members in determining planning applications.

RESOLVED - That the presentation be noted.

7 Update on Received Complaints

The Head of Legal Services advised that a total of 17 complaints had been received, three of which related to one matter. Members were informed of the details of several investigations which were ongoing and two which were about to start.

The Committee noted the time consuming nature of the investigation process and were informed that, with the exception of one complaint, all investigations were being carried out in-house.

8 Standards Board for England - Case Summaries

The Committee received a report which set out, for information, details of two case summaries setting out the decisions of the Adjudication Panel for England. The report provided case details of Panel decisions regarding appeals against the decisions of Local Standards Committees at (i) Liverpool City Council and (ii) Long Lawford Parish Council.

RESOLVED - That the report be noted.

9 Terms of Reference - Review of Local Determination

The Committee gave consideration to a report which set out the terms of reference for a review into the system of local determination of complaints.

The report suggested that the Chair of the Committee, along with one Kirklees Metropolitan Council Councillor, and one Parish Councillor, undertake the review in conjunction with the Monitoring Officer. It also set out a number of suggested areas for the review to consider.

RESOLVED -

(1) That the need for a review, and the terms of reference as detailed within the report, be agreed.

(2) That the Monitoring Officer undertake to seek volunteers for the Panel.