

Standards Committee

Tuesday 24 October, 2022 at 6.00pm.

In a Conference Room at the Council House, Walsall

Members Present

Councillor Kaur (Chair)
Councillor Burley (Vice-Chair)
Councillor Allen
Councillor Elson
Councillor James
Councillor Lee
Councillor Nazir
Councillor Towe
Councillor Young

Independent Persons Present

Mr A. Green
Mr C. Magness

Officers Present

Mr A. Cox	-	Director of Governance
Mrs V. Buckley	-	Head of Finance – Strategic Planning & Assurance
Mr M. Halliwell	-	Assurance Lead Officer – Strategy, Change and Performance
Ms S. Lloyd	-	Democratic Services Officer

27/22 Apologies

Apologies were received from Councillor Andrew and Ms. S Gulzar.

28/22 Substitutions

There were no substitutions.

29/22 Declarations of Interest

There were no Declarations of Interest.

30/22 Local Government (Access to Information) Act, 1985 (as amended)

There were no items for consideration in private session.

31/22 Local Government and Social Care Ombudsman – Annual Review 2021/22

The Assurance Lead Officer presented a report regarding the information received from the Local Government and Social Care Ombudsman (LGSCO) in relation to the number and range of complaints referred by them to the Council during the financial year 2021/22. It was noted that there were 41 complaints received by the LGSCO in the last financial year with regard to Walsall Council but not all of these progressed to full investigations. The Assurance Lead Officer advised that of the nine complaints that did proceed to investigation stage, six were at least partially upheld, which was close to an average percentage for similar organisations. He informed the Committee that in 100% of cases the Council had satisfied the LGSCO that it had successfully implemented their recommendations within the directed timescale and that no major concerns had been raised by the LGSCO in relation to any directorates as a result of the complaints received.

Following questions from Members of the Committee the Assurance Lead Officer clarified that his role ended at the end of the LGSCO stage and he was not aware of any specific process for following up changes to policies after any investigations by the LGSCO. The Director of Governance added that this could be considered as part of the review of the remit of Standards Committee. Members asked further questions regarding the age and demographic of those who were raising complaints.

Resolved

That the report be noted.

32/22 Report of Grant Thornton Lesson from Public Interest Report and Other Intervention

The Director of Governance presented the Grant Thornton report to the Committee, explaining that it considered malpractice and serious interventions needed in local government across the UK in order to provide lessons learnt and advice to councils how to avoid any such issues occurring. He highlighted that many of the suggestions related to culture and behaviour at councils, in particular the relationships between officers and Members.

Members of the Committee commented that as there was a specific section in relation to Audit Committee it would be beneficial for them to also consider what lessons can be taken from the report. They also requested clarification on the zero tolerance approach for inappropriate behaviour which the Director of Governance advised was the way in which people are held to account using the Code of Conduct and governance procedures that were in place.

It was emphasised by Members of the Committee that Walsall should take a positive and proactive approach to ensuring that the content of the report is analysed and implemented wherever required.

Resolved

That:

1. **The report be noted;**
2. **The report also be recommended for consideration by Audit Committee; and**
3. **The Director of Governance circulate a copy of the Grant Thornton report to all Elected Members.**

33/22 Review of Terms of Reference/Remit of Standards Committee

The Director of Governance provided a report to the Committee in respect of the remit of the Standards Committee. He advised that the remit of all committees were considered on an annual basis as part of the governance review which culminated in a report to annual council, but this was not an in-depth review and the last amendments to the remit of Standards Committee had been made in May 2019.

The Director of Governance provided remits of Standards Committees at other Local Authorities for reference and explained that some councils had amalgamated the standards function with the audit function in terms of committee but Walsall Council had previously opted to have a distinct Standards Committee to emphasise the importance of Standards to the operation of the Council and he believed this was preferable.

Resolved

That:

1. **The report be noted; and**
2. **The Committee establish a working party consisting of Councillors Burley, Lee and James and Mr A. Green to review the remit of the committee to ensure that it is fit for purpose and report back to the next meeting of Standards Committee.**

34/22 Update on Member Complaints

The Director of Governance presented a report on complaints in relation to Members which had been requested by the Committee at a previous meeting, noting that some details had to be removed for confidentiality purposes. He

highlighted that a larger proportion of the complaints were in relation to Planning Committee which was thought to be in part due to its adversarial nature where usually one party does not obtain the outcome that they wished. The Director of Governance added that this highlighted the need for members to be sensitive about comments they make before, during and after such meetings due to the potential for allegations to be made against them.

In regard to the timescale it was noted that many complaints were taking longer than the 20 working days target, particularly those that involved external solicitors or legal experts. The Director of Governance stated that he believed that it was important however to retain this figure as aspirational.

Following questions from Members of the Committee the Director of Governance advised that there can be a number of reasons that an external solicitor becomes involved in cases including benchmarking, ensuring independence in the review and to expedite the process. He also explained that annual training was mandatory for members on Planning Committee and this training did make reference to bias and predetermination due to the nature of this meeting although further training on this point could be considered as it is a complex area.

Resolved

That the report be noted.

35/22 Review of Work Going To Standards Committee

Following a request at the meeting of Standards Committee on 11th July the Director of Governance presented an item in relation to the previous work undertaken by the Committee and benchmarking the frequency, type of work and volume of work before standards committees at other councils. He advised that in reviewing other councils Standards Committees the frequency of meetings would appear to be in general once per quarter and this meant Walsall was in line with other authorities.

Resolved

That:

- 1. The report be noted; and**
- 2. Standards of Conduct for Senior Officers and Members DBS Checks be discussed at the next meeting of the Standards Committee.**

36/22 Date of next meeting.

It was noted that the date of the next meeting would be the 31st January 2023.

There being no further business, the meeting ended at 7.21pm.

Chair

Date