

Standards Committee

Monday 24th April 2018 at 6.00 p.m.

at the Council House, Walsall

Present

Councillor Underhill (Chair)

Councillor A. Andrew

Councillor P. Bott

Councillor K. Chambers

Councillor S. Ditta

Councillor E. Hazell

Councillor J. Murray

Mr. A Sen

Independent Member

Mr A. Green

Independent Member

Mr T. Cox

Monitoring Officer

Mr J. Pryce-Jones

Assurance Officer

30/18 Apologies

Apologies for non-attendance were submitted on behalf of Councillor R. Martin.

31/18 Substitutions

There were no substitutions for the duration of the meeting.

32/18 Minutes

The Committee considered the minutes as circulated.

Resolved

That the minutes of the meeting held on 22nd January, 2018 copies having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record, subject to the inclusion of Andy Green as in attendance.

33/18 Declarations of interest

There were no declarations of interest.

34/18 Local Government (Access to Information) Act, 1985 (as amended)

There were no items for consideration in private session.

35/18 Report on complaints received by the Council

The Assurance Officer introduced the report (annexed) and the Committee were informed that the item was requested by Members in response to the Local Government Ombudsman's 2016/17 Annual Review. The Committee were informed of a corporate team which dealt with complaints and passed them onto individual services for a response. It was noted that there was a separate procedure for the children's and adults social care service.

Members raised concerns that it could be difficult to contact officers on occasions. The Monitoring Officer stated that as part of the transformation programme the Council were reviewing the way in which it interacted with individuals and issues such as contact details for officers etc would be addressed as part of this review. The review would be managed and led by the transformation team and outcomes should be known before the autumn. A Member suggested that all Elected Members should be contacted to ensure they were able to have an input into the customer service transformation. Members agreed that customer services must improve and it was essential for Members to be able to contact Officers. Also Members should be receiving feedback from Officers on issues within their wards.

Mr A. Sen suggested that it was difficult for members of the public to gain access to Council departments and suggested that complaints were evident of a deeper issue with procedures. He stated that effectiveness could not be achieved if the Council did not communicate effectively with residents. A Member agreed that the Council should be striving to receive fewer complaints and to ensure that residents were satisfied in the first instance.

Mr A. Green suggested that a Council Committee should have corporate oversight of complaints data. The Monitoring Officer agreed that it was important that there was internal control of the analysis of complaints and suggested that this would best sit with the audit committee.

Resolved that

The review of complaints, comments and compliments procedure is considered by the Committee at its next meeting;

36/18 Refresh of Vexatious and Unreasonably Persistent Complainant Procedure

The Assurance Officer introduced the report (annexed) and the Committee were advised that the present arrangements had been in place since 2012, to provide guidance to Council services in cases where a complainant may be considered to be unreasonable, unreasonably persistent or vexatious in their behaviour or approach. Members were presented with the current draft of a revised set of procedures and guidance and were invited to consider and comment upon these draft procedures.

The procedure was designed to differentiate residents who may pursue their complaints with the Council in a way that is unreasonable. They may behave unacceptably, or be unreasonably persistent in their contacts with and submission of information to the Council. This can impede the investigation of their complaint (or of complaints by others) and can have significant resource

issues for the Council, and for its services. These actions can occur either while a complaint is being investigated, or after the Council has completed its investigation of the matter and the complaint has exhausted local complaints procedures.

An Elected Member asked for figures on how many times it had been used since 2012, the Committee were informed it had been used very occasionally and no more than five times in the previous twelve months. It was stressed that it was not used lightly, and only used as a last resort when circumstances required.

The Monitoring Officer responded to questions about the procedure to state that the policy was rarely used, and residents were given many options prior to its implementation.

Mr A. Sen raised concerns around the culture, spirit and philosophy of the procedure. He expressed the view that this group of individuals should be dealt with differently such as through a panel of peers. He expressed frustration that this policy would cause further harm to individual complainants, and present an obstacle to individuals seeking to make complaints. The Monitoring Officer stressed that this was used as a last resort and that some officers faced real and threatening behaviour from some individuals and there was a need to safeguard staff. Once the procedure was implemented individuals were still able to contact the Council, for example via a single point of contact. Members discussed the need to protect Council resources for the good of the general population.

Officers explained that the complaints team worked with services to resolve matters without having to use the vexatious and unreasonably persistent complainant procedure and provided guidance to services where this was not possible liaising with Legal Services. Individuals affected by the use of the procedure were able to refer the decision to the ombudsman; however an Independent Member suggested that the Ombudsman was not objective.

Resolved

That the report be noted.

37/18 Date of Next Meeting

The date of the next meeting would be confirmed at annual council.

38/18 Termination of Meeting

There being no further business, the meeting terminated at 7.45 p.m.

Chair:

Date: