

Minutes of: STANDARDS COMMITTEE

Date of Meeting: 21 September 2023

Present: Councillor K Hussain (in the Chair)
Councillors R Bernstein, A Booth, D Green and M Hayes

Also in attendance: Jacqui Dennis, Director of Law and Democratic Services
Michael Cunliffe, Democratic Services
Independent Persons: Craig Ainsworth and Stuart Birtwell

Public Attendance: No members of the public were present at the meeting.

ELECTION OF A CHAIR

A Chairperson was required due to the Chair of the Standards Committee, Councillor Sandra Walmsley (Mayor) being unavailable and absent from the meeting due to a Mayoral engagement.

Delegated decision:

That Councillor Khalid Hussain (Deputy Mayor) be elected acting Chairperson of the Standards Committee for this meeting only and took the Chair.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors J Mason, T Rafiq, S Walmsley, D Vernon and M Whitby along with J Gallagher, Head of Democratic Services.

Councillor Walmsley was in attendance at a Mayoral function and Councillor Whitby was isolating due to Covid.

Councillor R Bernstein acted as a substitute representative for Councillor Vernon.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES OF THE LAST MEETING & ANY MATTERS ARISING

The Minutes of the meeting held on 14th March 2023 were approved as a correct record.

There were no matters arising.

4 MEMBER CODE OF CONDUCT

Jacqui Dennis, Bury Council's Monitoring Officer provided Members with an update in respect of the Code of Conduct, task and finish group review.

The accompanying report attached to the agenda pack set out details of earlier plans made by this Committee to form a working group and consider the current code of conduct and whether revisions should be made. The working group would then make recommendations for a revised code to be considered by this Committee in the first instance.

Due to a number of factors, the working group had to be postponed on 2 separate occasions over the summer period and the Chair of Standards was in agreement for this item to be discussed at the meeting tonight.

The report included the current Council code, proposals to comply with the Local Government Ethical Standards report and best practice recommendations along with comparison for other local authorities and their adaptations.

Following discussions, Members were of the opinion that a new date for the working group should be formed to reflect the new membership of the Standards Committee for the 2023-24 municipal year and report back to the next meeting.

The Monitoring Officer stated some aspects of the changes were not applicable to Bury and in some parts the Council met the standard already. The bullying and harassment element needed to be considered and it was reported that across Greater Manchester there was not a general agreement in place for one code.

It was agreed:-

That a single in person working group be held before the next Standards Committee scheduled for the 29th November 2023 and be made up of Councillor Booth (RF), Councillor Hussain (Con), Councillor Rafiq (Lab), the Independent Person- Mr Craig Ainsworth and the Monitoring Officer.

The chart containing best practice recommendations would be circulated prior to the working group and be updated with comments from the Monitoring Officer and Independent Person.

Since the Standards meeting took place the working group had been arranged following communications with all the membership and agreed to take place at 6.00pm on the 9th November 2023, to be held in Bury Town Hall.

5 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL REVIEW LETTER 2022-23

The Monitoring Officer presented to Members of the Standards Committee a summary of the Local Government Ombudsman's Annual Report for 2022-2023.

The Council received an Annual Report summarising all complaints dealt with by the Local Government and Social Care Ombudsman ("LGO"). The Ombudsman provided, statistics on how complaints upheld against the Council were remedied and those not

pursued. This year's letter again includes a breakdown, showing the complaints and enquiries received and decisions made. The number of complaints and enquiries received for 22/23 as compared 21/22 had increased slightly but was still similar to pre Covid year figures.

The number of complaints upheld were 22 in 2022/23 and in relation to Childrens Services complaints, the majority of complaints involving the LGO are SEND (Special educational needs and disabilities) related.

The LGO acknowledged the challenges local authorities face, at the heart of many SEND complaints were children and young people going without the support they are entitled to, and the LGO would continue to hold authorities to account for what they are required to provide.

The LGO like many organisations have been focussed on doing the most they can with their resources, prioritising cases where it was in the public interest to investigate. As a result, they are less likely to carry out investigations into 'borderline' issues and are therefore finding a higher proportion of fault.

While allowing a more sustainable way for the LGO to work, the change means that their uphold rate has increased by 8% to 74% this year. The LGO confirm a steadily increasing uphold rate for several years, but this year's increase is not wholly attributable to the nature of the cases that came to them.

The Annual Review letter provided an annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about Bury Council to the year ending 31st March 2023.

The LGO had an interactive map of performance which showed annual performance data for all Councils in England, with links to published decision statements, public interest reports, annual letters and information about service improvements that have been agreed by each Council. The intention of this tool was to place a focus on the authority's compliance with the recommendations.

Councillor Green questioned the issue of a possible witness summons being produced and responding, the Monitoring Officer reported that there had been no issues with deliberately blocking a complaint and withholding information to the LGO.

Councillor Hayes enquired about a recommendation not being fulfilled and a new case being created. It was reported that the process involved a report going to Cabinet to create the requirements for compliance of the case.

Members of the committee analysed any trends within the number of complaints per service area.

The Monitoring Officer added that a piece of work was taking place to look at how complaints are dealt with and investigate any improvements to the function and upgrade of systems if required.

It was agreed:

That the Local Government and Social Care Ombudsman Annual Review Letter be noted.

6 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR K HUSSAIN
Chair

(Note: The meeting started at 6.00pm and ended at 6.55pm)