

PUBLIC

MINUTES of a meeting of the **STANDARDS COMMITTEE** held on 4 July 2018 at County Hall, Matlock

PRESENT

Councillor K Buttery (in the Chair)

Councillors A Fox, L Grooby, G Hickton (substitute Member), D McGregor, C Moesby, I Ratcliffe (substitute Member), and D Taylor (substitute Member)

Also in attendance – Messrs K Jackson-Horner and L Newby MBE (Independent Persons)

Apologies for absence were received on behalf of Councillors J Coyle, W Major and C Short and P Smith (Independent Person)

4/18 **JANIE BERRY** Janie Berry the recently appointed Director of Legal Services was welcomed to her first meeting of the Standards Committee.

5/18 **MINUTES RESOLVED** that the minutes of the meeting of the Standards Committee held on 16 April 2018 be confirmed as a correct record and signed by the Chairman.

6/18 **ANNUAL REVIEW LETTER OF THE LOCAL GOVERNMENT OMBUDSMAN** The terms of reference of the Standards Committee included “the overview of Local Government Ombudsman’s investigations.” Accordingly, the Committee was invited to receive the Annual Review Letter from the Local Government Ombudsman, giving details of the total number of complaints for Derbyshire County Council for the year ending 31 March 2017. The letter was attached as Appendix A to the report for consideration.

The aim of the Annual Review Letter was to provide councils with information which would help them assess their performance in handling complaints. For the period ending 31 March 2017, the LGO had received 84 complaints relating to Derbyshire County Council. The 84 complaints compared to 96 complaints for Derbyshire in the period 2015-16 (a decrease of 12.5%).

In respect of the 12 complaints upheld by the LGO in 2016-17, only 7 required the Council to provide a remedy; this was on the basis that of the 12 cases upheld the LGO determined that in 5 of those cases, although there was fault, there were no grounds to say that the fault caused an injustice that ought to be remedied. Details of the twelve complaints, identifying the department and highlighting the remedies, were presented.

Members requested assurances that contractors or third party agencies were aware of the complaints procedure. When setting up a contract with a third party, clear arrangements for complaint handling should be included, as any complaint about a service provided by a third party working on behalf of the Council was treated as a complaint against the Council itself.

Members welcomed the report and noted the information provided but suggested it would be useful to have some benchmarking with neighbouring authorities and similar sized councils in order to draw comparisons.

RESOLVED to note the annual review letter of the Local Government Ombudsman for the year ended 31 March 2017.

7/18 REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS

Janie Berry the new Director of Legal Services and the Council's Monitoring Officer was implementing a review of the Council's governance framework, including both the assurance framework and the ethical governance framework, in order to ensure that it met legislative requirements.

It was proposed that the review would include a review of the Constitution and the Code of Conduct for Members. The terms of reference of the Standards Committee included advising the Council on the adoption or revision of the Members' Code of Conduct and oversight of the Constitution. Therefore, it was proposed that Members be involved in developing any revisions to the Code of Conduct and the Constitution through the creation of working groups. Initially, Members' views were sought as to their perception of the ethical governance framework and how this could be developed.

Members of the Committee agreed to review the Council's Constitution and ethical governance framework and the scope and amount of work undertaken would be agreed in due course. Consideration would be given to an independent person being involved in any working group that was established.

Members would also be aware that new data protection legislation had been implemented and the requirements of this new legislation would have to be taken into account in developing the governance framework. Elizabeth Wild, Principal Solicitor, attended the meeting to give a presentation to Members on the General Data Protection Regulation and the work that had been undertaken by the Council to implement the required changes.

RESOLVED to note the proposals to review the governance framework of the Council and the presentation regarding the new data protection legislation.