



St. Helens Council

Town Hall, St. Helens, Merseyside, WA10 1HP

Telephone: 01744 673219 (Mrs Joanne Griffiths MBE)

Agenda

STANDARDS COMMITTEE

PUBLIC MEETINGS ARE WEBCAST (LIVE STREAMED)

Date: Monday, 13 January 2020 Time: 4.00 pm Venue: Room 10

Membership

Lab 7 Councillors Bond (Chairman), Groucutt, J Jackson, D Long, Murphy, Quinn and Sweeney

LD 1 Councillor Sims

Con 1 Councillor Jones

IND 1 Councillor Greaves

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STANDARDS COMMITTEE

At a meeting of this Committee held on
1 July 2019

(Present) Councillor Bond, J Jackson, Jones, Murphy, Pritchard and Quinn.

(Not Present) Councillors Groucutt, D Long, Sims and Sweeney

1 APPOINTMENT OF CHAIRMAN

- * **Resolved that Councillor Bond be appointed Chairman.**

Councillor Bond here took the Chair.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Groucutt and Sims.

3 MINUTES

- * **Resolved that the Minutes of the meeting held on 2 April 2019 be approved and signed.**

4 DECLARATIONS OF INTEREST FROM MEMBERS

No Declarations of Interest from Members were made.

5 OMBUDSMAN CASES 2019/20

A report was submitted which informed the Committee of Ombudsman cases from 1 April 2019 to 31 May 2019.

The report summarised the number of complaints against the Council determined by the Ombudsman which were explained by the Monitoring Officer.

- * **Resolved that the report be noted.**

6 MEMBERS' TRAINING AND DEVELOPMENT

A report was submitted which informed Members of a summary of the Training and Development Courses offered to Members from 1 January 2019 to 18 June 2019.

A Councillor Training and Development Events Report was attached at Appendix 1 to the report.

Member Training had always been promoted and supported as an effective way to ensure that Members were properly equipped to fulfill the wide-ranging important roles required of them.

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Members stressed the importance to attend training provided on the role of Corporate Parenting. The Monitoring Officer would forward comments to the Senior Assistant Director, Children's Services.

* **Resolved that the report be noted.**

7 UPDATE ON REVIEW OF CODE OF CONDUCT FOR ELECTED MEMBERS/PLANNING PROTOCOL/MEMBER-OFFICER RELATIONS PROTOCOL

A report was submitted which updated Members on the progress of the review of the following documents and proposed changes agreed by Standards Committee on 2 April 2019:

- Code of Conduct for Elected & Co-Opted Members;
- Protocol for Councillors and Officers dealing with Planning Matters (Planning Protocol); and
- Protocol on Member / Officer Relations

The review was supported by David McGrath of Link Support Services, who delivered the Code of Conduct training to Members in October 2018. He had reviewed the Council's current documents and benchmarked them against other local authorities.

The best practice recommendations set out in the recent Committee on Standards in Public Life ("CSPL") Review report have informed the review. Standards Committee considered a report on the CSPL recommendations at its meeting on 2 April 2019.

In order to enable new Members and new political groups to consider the proposed changes, it was recommended that a cross-party working group be formed from the membership of Standards Committee, including a representative from each political group to meet in July 2019. A further update would be provided to Members of the Standards Committee on the outcome of the considerations of the Working Group with a view to the proposals being recommended to Council for adoption in due course.

The Committee was invited to nominate members from Standards Committee to form a cross-party working group, including a representative from each political group, to meet in July 2019 to consider the proposed changes to the following documents with a further update provided to Standards Committee in due course.

* **Resolved that a cross-party working group made up of Members from the Standards Committee and a representative from each political group to meet in July 2019 to consider the proposed changes to the following documents with a further update provided to Standards Committee in due course:**

- **Code of Conduct for Elected & Co-Opted Members**
- **Protocol for Councillors and Officers dealing with Planning Matters (Planning Protocol)**
- **Protocol on Member / Officer Relations**

8 UPDATE ON COMPLAINTS

A verbal report was made by the Monitoring Officer which updated the Committee on complaints received alleging breaches of the Code of Conduct. Council had delegated

STANDARDS COMMITTEE

powers to the Monitoring Officer to consider complaints and determine if they should be the subject of a full investigation.

Since the last update provided at the meeting in January, the Monitoring Officer had resolved nine complaints against Members which had been dealt with under delegated powers. Out of the nine complaints, three did not progress to investigation as there was no apparent breach of the Code, two related to matters which did not appear to be whilst acting in the capacity of a councillor and four complaints were resolved by alternative resolution with informal advice given relating to obligations under the Code of Conduct. There was one live complaint under consideration

- * **Resolved that the verbal update be noted.**

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Standards Committee
13 January 2020

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN
ANNUAL REVIEW LETTER 2018/19

WARDS AFFECTED

N/A

EXEMPT/CONFIDENTIAL ITEM

No

1. Purpose of the Report

1.1 To report the receipt of the Annual Review Letter from the Local Government Ombudsman.

2. Background

2.1 The Local Government and Social Care Ombudsman (LGSCO) provides an Annual Review Letter to each Council to help inform elected members of their respective Council's performance in relation to complaints. A copy of the letter is attached to the report at Appendix 1.

2.2 The Annual Review Letter provides information in relation to the number of complaints received by the LGSCO in the twelve-month period ending 31 March 2019, as well as the decisions reached by the LGSCO in the same period. Members will note that in the period, five complaints were upheld, which, in comparison to 2017/18, was three less.

2.3 The significant challenges facing the Council in terms of budget reductions does mean that it becomes harder to continue to meet expectations and can impact on the scope for, and level of, complaints. The Council continues to treat all complaints seriously and ensures we take on board any learning points and make necessary changes to our processes where appropriate.

3. Recommendation

The Committee is asked to note the report.

Mark Fisher
Monitoring Officer

The Contact Officer for this report is Joanne Griffiths MBE, Corporate Services, Town Hall, Victoria Square, St Helens, WA10 1HP
Telephone: (01744) 673219

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24 July 2019

By email

Mike Palin
Chief Executive
St Helens Metropolitan Borough Council

Dear Mr Palin

Annual Review letter 2019

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2019. The enclosed tables present the number of complaints and enquiries received about your authority, the decisions we made, and your authority's compliance with recommendations during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

Complaint statistics

As ever, I would stress that the number of complaints, taken alone, is not necessarily a reliable indicator of an authority's performance. The volume of complaints should be considered alongside the uphold rate (how often we found fault when we investigated a complaint), and alongside statistics that indicate your authority's willingness to accept fault and put things right when they go wrong. We also provide a figure for the number of cases where your authority provided a satisfactory remedy before the complaint reached us, and new statistics about your authority's compliance with recommendations we have made; both of which offer a more comprehensive and insightful view of your authority's approach to complaint handling.

The new statistics on compliance are the result of a series of changes we have made to how we make and monitor our recommendations to remedy the fault we find. Our recommendations are specific and often include a time-frame for completion, allowing us to follow up with authorities and seek evidence that recommendations have been implemented. These changes mean we can provide these new statistics about your authority's compliance with our recommendations.

I want to emphasise the statistics in this letter reflect the data we hold and may not necessarily align with the data your authority holds. For example, our numbers include

enquiries from people we signpost back to your authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside our annual review of local government complaints. For the first time, this includes data on authorities' compliance with our recommendations. This collated data further aids the scrutiny of local services and we encourage you to share learning from the report, which highlights key cases we have investigated during the year.

New interactive data map

In recent years we have been taking steps to move away from a simplistic focus on complaint volumes and instead focus on the lessons learned and the wider improvements we can achieve through our recommendations to improve services for the many. Our ambition is outlined in our [corporate strategy 2018-21](#) and commits us to publishing the outcomes of our investigations and the occasions our recommendations result in improvements for local services.

The result of this work is the launch of an interactive map of council performance on our website later this month. [Your Council's Performance](#) shows annual performance data for all councils in England, with links to our published decision statements, public interest reports, annual letters and information about service improvements that have been agreed by each council. It also highlights those instances where your authority offered a suitable remedy to resolve a complaint before the matter came to us, and your authority's compliance with the recommendations we have made to remedy complaints.

The intention of this new tool is to place a focus on your authority's compliance with investigations. It is a useful snapshot of the service improvement recommendations your authority has agreed to. It also highlights the wider outcomes of our investigations to the public, advocacy and advice organisations, and others who have a role in holding local councils to account.

I hope you, and colleagues, find the map a useful addition to the data we publish. We are the first UK public sector ombudsman scheme to provide compliance data in such a way and believe the launch of this innovative work will lead to improved scrutiny of councils as well as providing increased recognition to the improvements councils have agreed to make following our interventions.

Complaint handling training

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2018-19 we delivered 71 courses, training more than 900 people, including our first 'open courses' in Effective Complaint Handling for local authorities. Due to their popularity we are running six more open courses for local authorities in 2019-20, in York, Manchester, Coventry and London. To find out more visit www.lgo.org.uk/training.

Finally, I am conscious of the resource pressures that many authorities are working within, and which are often the context for the problems that we investigate. In response to that situation we have published a significant piece of research this year looking at some of the

common issues we are finding as a result of change and budget constraints. Called, [Under Pressure](#), this report provides a contribution to the debate about how local government can navigate the unprecedented changes affecting the sector. I commend this to you, along with our revised guidance on [Good Administrative Practice](#). I hope that together these are a timely reminder of the value of getting the basics right at a time of great change.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a horizontal line underneath.

Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Local Authority Report: St Helens Metropolitan Borough Council
For the Period Ending: 31/03/2019

For further information on how to interpret our statistics, please visit our [website](#)

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
13	5	2	6	5	2	2	3	0	38

Decisions made

12

Decisions made				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate (%)	Total
0	1	15	13	6	5	45	40

Note: The uphold rate shows how often we found evidence of fault. It is expressed as a percentage of the total number of detailed investigations we completed.

Satisfactory remedy provided by authority

Upheld cases where the authority had provided a satisfactory remedy before the complaint reached the Ombudsman	% of upheld cases
0	0

Note: These are the cases in which we decided that, while the authority did get things wrong, it offered a satisfactory way to resolve it before the complaint came to us.

Compliance with Ombudsman recommendations

Complaints where compliance with the recommended remedy was recorded during the year*	Complaints where the authority complied with our recommendations on-time	Complaints where the authority complied with our recommendations late	Complaints where the authority has not complied with our recommendations	
5	4	1	0	Number
	100%		-	Compliance rate**
<p>Notes:</p> <p>* This is the number of complaints where we have recorded a response (or failure to respond) to our recommendation for a remedy during the reporting year. This includes complaints that may have been decided in the preceding year but where the data for compliance falls within the current reporting year.</p> <p>** The compliance rate is based on the number of complaints where the authority has provided evidence of their compliance with our recommendations to remedy a fault. This includes instances where an authority has accepted and implemented our recommendation but provided late evidence of that.</p>				

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OMBUDSMAN CASES 1 JUNE 2019 – 30 NOVEMBER 2019

WARDS AFFECTED

All

EXEMPT/CONFIDENTIAL ITEM

No

1. Purpose of the Report

Members are asked to note the summary of the number of complaints determined by the Ombudsman from 1 June 2019 to 30 November 2019 and the attached schedule:-

Premature Complaints <i>People's Services – 3 (Children's)</i> <i>Environmental Services - 1</i>	4
Complaints Settled Locally	
Closed after Initial Enquiries – No Further Action <i>Environmental Services - 1</i>	1
Closed after Initial Enquiries- Out of Jurisdiction	
Not Upheld: No Maladministration	
Not Upheld: No Further Action	
Report Issued: Not upheld; No Maladministration	
Upheld: Maladministration; No Injustice	
Upheld: Maladministration and Injustice <i>People's Services – 1 (Children's)</i>	1
Upheld: No Further Action <i>People's Services – 1 (Adults)</i>	1
Report Issued: Upheld; Maladministration and Injustice	
Report Issued: Upheld; Maladministration; No Injustice	
Not Upheld: Maladministration but No Injustice	
Not Investigated/Discontinued Investigation	
Total number of Complaints Determined	7
Ongoing complaints as yet undetermined, carried forward <i>People's Services – 2 (Children's)</i> <i>Highways & Transport - 1</i>	3

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***Red font denotes open cases as at 30 November 2019**

Department	Subject of Complaint	Details of progress and Ombudsman's Decision
Environmental Services	Councils dealing of case regarding noise nuisance from neighbours	13/6/2019 - Complaint received from Ombudsman - Closed after Initial Enquiries - No Further Action
People's Services - Adults	Payments incurred after mother's death	13/6/2019 - Complaint received from Ombudsman 13/6/2019 - Response sent to Ombudsman 17/9/2019 - Draft decision received from Ombudsman with request for comments - Council confirmed no comments 19/6/2019 - Closed - Upheld: No further Action
People's Services – Children's	Handling of complaint by Children's Services	17/7/2019 - Complaint received from Ombudsman with Draft Decision with request for comments (originally received as pre-investigation 2/5/19 with request for information – Response sent to Ombudsman) 31/7/2019 – Response sent to Ombudsman 2/8/2019 - Closed - Upheld: Maladministration and Injustice
People's Services – Children's	Handling of EHCP for son	16/8/2019 - Complaint received from Ombudsman - Closed, Premature
People's Services - Adults	Care package received	28/8/2019 - Complaint received from Ombudsman (was a pre-investigation) - Closed, Premature
People's Services – Children's	Assessment of son's educational needs	7/10/2019 - Complaint received from Ombudsman 24/10/2019 - Council requested extension from Ombudsman - Ombudsman granted extension 13/11/2019 - Council requested further extension due to the amount of paperwork to go through on the case - Ombudsman granted extension to 29/11/2019. 28/11/2019 - Response sent to Ombudsman
Environmental Services	Assisted Refuse/recycling collection	18/10/2019 - Complaint received from Ombudsman (was pre-investigation). Closed, Premature
Highways & Transport	Parking issues	27/11/2019 - Complaint received from Ombudsman 2/12/2019 - Response sent to Ombudsman
People's Services – Children's	Assessment of son's needs	27/11/2019 - Complaint received from Ombudsman 28/11/2019 - Draft decision received from Ombudsman with request for comments
People's Services – Children's	Handling of Residence Order Allowance	28/11/2019 - Complaint received from Ombudsman - Closed, Premature

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Standards Committee

13 January 2020

MEMBER TRAINING AND DEVELOPMENT

WARDS AFFECTED

All

EXEMPT/CONFIDENTIAL ITEM

No

1 Purpose of the Report

1.1 Members are asked to note the summary of the Training and Development Courses offered to Members from 19 June 2019 to 31 December 2019 attached at Appendix A.

2 Financial Implications

2.1 Financial implications are covered in the Member Training and Development Budget.

Mark Fisher
Monitoring Officer

The Contact Officer for this report is Joanne Griffiths MBE, Corporate Services Department, Town Hall, St Helens, WA10 1HP. Telephone: 01744 673219.

BACKGROUND PAPERS

The following list of documents were used to complete this report and are available for public inspection for four years from the date of the meeting from the Contact Officer named above:

None

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Councillor Training and Development Events Report –19 June 2019 – 31 December 2019

Event	Date(s)	Number Attended	Satisfaction Rate (%)
Hate Crime Ambassador	19 June 2019	18	88.7
Corporate Parenting	24 June 2019	4	N/A
Fraud Awareness (Induction)	24 June 2019	5	N/A
Licensing Committee Training – Taxi Licensing	25 June 2019	3	100
Introduction to Adult Safeguarding (Induction)	9 July 2019	3	N/A
Hate Crime Ambassador	13 August 2019	5	99
Introduction to Children and Young People Safeguarding (Induction)	19 August 2019	0	N/A
Planning Committee Overview (Induction)	20 August 2019	1	N/A
Scrutiny Essentials	27 August 2019	6	93.9
Contact Centre overview	28 August 2019	0	N/A
Autism Awareness	29 August 2019	11	88.5
Council Improvement Fund (Induction)	30 August 2019	2	N/A

Event	Date(s)	Number Attended	Satisfaction Rate (%)
Corporate Parenting Overview (Induction)	4 September 2019	2	N/A
Introduction to Emergency Planning	4 September 2019	0	N/A
Scrutiny Essentials	5 September 2019	13	93.3
What Councillors need to know (Induction)	5 September 2019	0	N/A
Introduction to Adult Safeguarding	11 September 2019	0	N/A
Guidance on the use of Social Media (Induction)	12 September 2019	1	N/A
Introduction to Children and Young People Safeguarding (Induction)	13 September 2019	1	N/A
How Local Government is Financed (Induction)	13 September 2019	1	N/A
Introduction to Housing and Safer Communities (Induction)	6 September 2019	2	N/A
Corporate Parenting and Children's Safeguarding	1 October 2019	4	97
Corporate Parenting and Children's Safeguarding	7 October 2019	13	80
Performance Indicator Database Overview	24 October 2019	1	80
Performance Indicator Database Overview	28 October 2019	1	100

Event	Date(s)	Number Attended	Satisfaction Rate (%)
Performance Indicator Database overview	5 November 2019	1	100
Chairing Skills	18 November 2019	8	88
Data Protection	25 November 2019	7	95.5

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