

## LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the STANDARDS COMMITTEE, which was open to the press and public, held at LEWISHAM TOWN HALL, CATFORD, SE6 4RU on THURSDAY, 11 NOVEMBER 2004 at 7.30 p.m.

### Present

Councillors Adefiranye, Houghton and Morrison

Independent members: Sally Hawkins (Chair); and C Sullivan.

Apologies for absence were received from Councillor Eytle.

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1	<u>MINUTES</u> (page  RESOLVED that, subject to the inclusion of apologies for absence from Councillor Adefiranye, the Minutes of the meeting of the Committee held on 22 July 2004 be confirmed and signed.	
2	<u>DECLARATIONS OF INTERESTS</u>  None was declared.	
3	<u>CORPORATE COMPLAINTS PROCEDURE</u> (page  Ralph Wilkinson, Head of Accessible Services, gave a presentation on developments in the Council's complaint handling processes and future plans on handling corporate complaints.  Questions were raised by members of the committee on a variety of issues arising from the presentation, namely: <ul style="list-style-type: none"><li>• the assistance given to persons wishing to complain for whom English is not their first language; and</li><li>• whether there was a process to monitor holding responses to prevent an abuse of the process.</li></ul> RESOLVED that the progress to date and the workplan set out in Appendix 11 be noted.	

4      CONSULTATION ON EMPLOYEE CODE OF CONDUCT (page

Christine Bushell, Personnel and Development Section, introduced this report, advising the Committee of the current consultation exercise being carried out by the Government on a new statutory Code of Conduct for Employees, which will automatically be incorporated into individual employment contracts and the Council's Standing Orders.

The Committees view on the indicative response which was appended to the report was sought.

Kath Nicholson, Head of Law and Monitoring Officer explained that the proposed Code was very brief and it is intended to flesh this out with appropriate guidance.

It was noted that the suggested response to Question 6 contained an omission and should properly refer to actions that do not conflict with the above provisions.

Clarification was sought on the suggested response to Question 10. Kath Nicholson explained that the requirement for a list of interests and/or hospitality /benefits/ gifts was parallel to the Members' Register of Interests.

There was concern in relation to the suggested response to Question 13. It was explained that it would very much be dependent on the degree of misconduct. There is an obligation to report and deal with incidents of misconduct, however with minor transgressions this may not necessarily occur.

It was agreed that the suggested response be reviewed.

It was also noted that there needs to be a distinction between policy decisions and individual staffing decisions and it was agreed that the phraseology should be changed as it currently seems quite restrictive.

RESOLVED      that

- (i)    the Council support the introduction of a statutory code of conduct for employees;

(ii) the proposed response to the specific issues raised in the consultation document as outlined in Appendix B be supported; and

(iii) the Committee's views on the proposed response set out above be agreed.

5 WHISTLEBLOWING REVIEW (page

Kath Nicholson, Head of Law and Monitoring Officer, introduced the report and explained that there was an editing problem at Cases B and C, in that elements of Case B appeared under section headed Case C.

She went on to explain that there were no major cases founded under the Whistleblowing procedure. It also was the case that the procedures are often used in cases where there is a dispute between parties. However, the Committee was assured that all referrals are treated very seriously.

A query was raised as to the publicity of the procedures as the member was not aware that such procedures existed. Kath Nicholson responded to the steps previously taken to publicise these procedures and to the suggested steps to promote the new policy.

It was also questioned whether the procedures applied to members. It was confirmed that it does apply and that the applicability of the procedure was very wide.

RESOLVED that

(i) the referrals under the Council's Whistleblowing policy set out in the report and the action taken in relation to them be noted;

(ii) the Whistleblowing policy be amended in accordance with the proposals set out in Appendix 1; and

(iii) the Head of Law be asked to ensure that the new policy is promoted in accordance with paragraph 6 of the report.

6 FINDING BY THE ETHICAL STANDARDS OFFICER (page

Kath Nicholson, Head of Law and Monitoring Officer, informed the Committee of the decision of the Ethical Standards Officer relating to a referral to the Standards Board in respect of Parmavir Singha who had recently resigned from the Council.

The Ethical Standards Officer had decided that the matter should be referred to the Adjudication Panel for England for adjudication by a case tribunal.

RESOLVED that

(i) the position in relation to the referral to the Standards Board be noted; and the matter be considered again when the findings of the Adjudication Panel of the Standards Board are referred to the Committee; and

(ii) the Monitoring Officer be asked to present a report to the Committee following receipt of the findings of the Adjudication Panel.

7 CORPORATE GOVERNANCE (page and Appendix page

Kath Nicholson, Head of Law and Monitoring Officer introduced the report and explained that this was a review of the Council's performance in respect of the Code of Corporate Governance which had previously been endorsed by the Committee. The local Code of Corporate Governance appeared at Appendix 1 of the report.

It was explained that Appendix 2 was an assessment of the Council's compliance against each of the recommendations as proposed by the CIPFA /SOLACE

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guidance. The Committee was also informed that in the recent Corporate Performance Assessment the Council was awarded a rating of 4 which is the highest level of performance.

The Committee welcomed the report and expressed the view that it was a great start. There were however a couple of observations:

- it would be helpful if performance information put in the public domain could be made as simple as possible using a commentary if appropriate;
- the report deals with monitoring of processes but the Council now needs a strategy to use such information in a planned and anticipated way.

RESOLVED that

(i) the outcome of the review be noted and the Committee's comments set out above be agreed; and

(ii) the report be referred to full Council for consideration.

DATE OF NEXT MEETING

To be arranged.

The meeting ended at 8:35 p.m.

Chair