



Standards and General Purposes Committee minutes

Minutes of the meeting of the Standards and General Purposes Committee held on Thursday 14 July 2022 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 2.00 pm and concluding at 3.13 pm.

Members present

T Broom, M Baldwin, B Chapple OBE, S Chhokar, P Gomm, T Green, R Matthews, H Mordue, L Smith BEM, M Smith and D Thompson

Apologies

R Carington and S Lambert

Agenda Item

1 Appointment of Vice-Chairman

The Chairman appointed Councillor Bill Chapple OBE as his Vice Chairman of the Standards and General Purposes Committee for the ensuing year.

2 Apologies

Apologies were received from Councillors R Carington and S Lambert.

3 Minutes

RESOLVED –

That the Minutes of the meetings held on 14 April 2022 and 18 May 2022 be approved as correct records.

4 Declarations of Interest

There were none.

5 Compliments and Complaints Report 2021-22

The Committee received an annual report on compliments and complaints for Buckinghamshire Council for the period 1 April 2021 to 31 March 2022. The Local Government and Social Care Ombudsman's annual review letter would likely be issued to authorities in July for 2021/22. For this reason, there was no ombudsman case information in this report. An update on this area will be issued later in the year.

It was explained that the Council operated 3 complaints systems. 2 related to

statutory responsibilities for Adults Social Care and Children's Social Care complaints, with all other complaints recorded separately. Data from all 3 sources had been combined into the annual report.

912 compliments had been received during 2021/22, which was less than the 1,029 received in 2020/21. The majority of compliments were thanking officers for their contributions to individual situations, particularly in areas like social care and SEND. Compliments were shared with services so that they could be passed on to individuals.

1,988 complaints had been managed through the corporate complaints process during 2021/22 (2,099 in 2020/21). The highest number of complaints were received for the Southern Waste and Recycling team (859), Transport for Buckinghamshire (219), SEND (129), Planning and Development Management (173), and Revenue and Benefits (135).

The Corporate Complaints Policy stated that the Council would attempt to respond to complaints within 20 working days. Where a complaint took longer than 20 working days to answer the Complaints and Improvements Team would write to the complainant and explain that there was a delay. The average response time for Stage 1 Corporate Complaints for 2021/22 had been 21 working days.

Stage 2 of the corporate complaints process involved an in-depth review of the stage 1 response carried out by Stage 2 officers who worked within the Complaints and Improvements Team. 186 Stage 2 complaints had been considered which represented an escalation rate of 9.35% from stage 1 complaints. This compares to 172 stage 2 complaints received during 2020/21. The average response times for Stage 2 Corporate Complaints for 2021/22 was 42 working days.

The Adults Social Care (ASC) statutory complaints process was a one stage process that encouraged local resolution to resolve issues within 48 hours. The complaints process usually began once the Concern Stage had been exhausted. The pre-complaint stage (called the Concern Stage) allowed the Service 48 hours to informally resolve issues with the complainant. 105 concerns had been raised this year compared with 75 for the previous year. The average response times for the concerns received was 2 days.

49 ASC statutory complaints had been received during the year that was slightly more than the 44 dealt with in 2020/21. Whilst the statutory timescale allowed up to six months to issue a final response to the complaint, the Council had set a local standard of 28 calendar days during which time most complaints were expected to be resolved. The average response time for 2021/22 had been 28 days which was met in spite of additional pressures that the service dealt with including the impact of the pandemic.

The Children's Statutory Complaints process had 3 stages. Stage 1 was the local resolution stage and involved the service responding in writing to the complaint.

Stage 2 was an independent investigation of the complaint that was carried out externally. The resulting report fed into the formal response that was completed by the relevant Service Director. Stage 3 was an independent review panel.

46 (28) cases received at stage 1 of the process, 13 (7) of which escalated to a stage 2 and in turn 3(1) escalated to a stage 3. The previous year's figures were shown in brackets. Stage 1 of the Children's Statutory Complaints Process had a target of 10 working days, but this can be extended to 20 working days in certain circumstances; usually where the complaint was complex. The average response time for responding to a stage 1 complaint for 2021/22 was 20 working days.

Members were informed that more in-depth reporting would be prepared for individual Directorates and shared with Corporate Directors. An Officer task and finish group had been established to look at how good practice could be embedded in all Directorates with advice and support to staff on ensuring timely and effective early interventions and a personal approach as part an improvement of the Council's responsiveness to those who raise concerns. Directorates had provided a number of examples of good practice in dealing with concerns and complaints at an early stage before they become formal corporate complaints.

Members considered the report and commented:

- That the Ombudsman's report and the number of complaints escalated would provide a good measure of how well the complaints process was working.
- That it was often difficult to contact some services, e.g. highways, missed waste collection, which could mean that customers abandoned calls and there not being an opportunity to capture all complaints. The Council was procuring software to capture missed calls information (other than the Customer Service Centres which already did this) for the future.
- That it was unfortunate that the Fix My Street system had not been working at the same time as there had been issues with missed refuse collections in the south of the Council area. Fix My Street also needed to be clearer on what action would be taken when an issue was reported.
- That people who submitted a SEND query/complaint should be responded to as soon as possible, although it was accepted that many of these were complex in nature.
- That on occasion they had to contact Officers a number of times before they were able to reach them or get a response to a query. It was felt that this could be improved.

Officers informed Members that Officers were encouraged to proactively respond to people to inform them on actions taken or how their complaints were being dealt with. Information was also provided to Corporate Directors and recommendations made to Services where it was thought that processes could be improved. Mention was also made that the Transport, Environment and Climate Change Select Committee would be undertaking an in-depth review looking at issues with waste collection in the South in September 2022, including talking to the new contractors.

Members had been recently provided information on planning surgeries where they could make an appointment to speak to an Officer from the Planning Department.

RESOLVED –

That the Buckinghamshire Council Compliments and Complaints 2021-22 report be NOTED and AGREED.

6 Member Code of Conduct Complaints - Quarterly Review and Benchmarking

The Committee received a report on Member Code of Conduct complaints that were opened and/or closed during Quarter 1 (April to June 2022). As previously requested, the updates included an indication of the source of the complaint (e.g. public, fellow councillor) and of the nature of the alleged behaviour.

The report also informed the Committee of the outcome of a recent benchmarking exercise during which the Council's arrangements were compared with those adopted by other unitary authorities and the Local Government Association's (LGA) best practice guidance. This indicated that the Council's 'Initial Assessment' stage was lacking a defined timescale, although in practice, the Council normally conformed with the 15-day timeframe recommended by the LGA.

Annex 1 to the Committee report contained information on complaints open or closed within Quarter 1 and relating to Parish and Town Councils. Annex 2 contained similar information relating to Buckinghamshire Council. Officer provided a summary of the complaints. 3 of the 4 Parish complaints had related to the same instance and while no breaches had been found and the complaints had been closed, 3 further complaints about this Parish Council/Councillor were currently in progress.

Two complaints had been raised about a Buckinghamshire Councillor during Quarter 1. Both related to the same person and the same incident. In both cases, the complainant had been a fellow Member of the Council. Both had been closed at the Initial Assessment stage as the context suggested that no Code principle was likely to have been breached.

Annex 3 set out the complaints that were currently open, for either tier of local government. This showed four complaints currently open. Three relate to the same council and councillor and were at Stage 3 (Investigation). The other was currently at Stage 1 to determine the facts of the case and whether any informal resolution is possible. Officer reported that another complaint had been received from within the same council about the same incident, which was also at Stage 1. This made 5 complaints currently open at the time of the meeting.

Members were informed that on Monday 4 July 2022, the Deputy Monitoring Officer had given a presentation to the local Association of Parish and Town Councils on the handling of member code of conduct complaints to acquaint parish and town councillors and their clerks on the nature of the complaints process. This had

undertaken as part of the Council's ongoing commitment to raising awareness of Code of Conduct matters among local councils.

Section 3 of the Committee report included information comparing the Buckinghamshire Council's arrangements for dealing with Code complaints against the LGA guidance and the arrangements adopted by other unitary authorities. While principal councils (i.e. not parish/town councils) were legally required to adopt arrangements for dealing with Member Code of Conduct complaints, the law did not specify the format of such arrangements and it was for each council to determine them. The Council's arrangements consisted of 4 parts as detailed at paragraph 3.4 of the Committee report.

Annex 4 set out a comparison between this Council's *Arrangements* and those proposed by the LGA and those adopted by ten other unitary councils. The only clear point of difference between the Council and the LGA guidance was that Buckinghamshire had not adopted a particular timeframe for completing the Initial Assessment (triaging). The LGA suggested 15 working days. Other authorities surveyed show a range between 10-20 working days. In practice, a review of Buckinghamshire Council cases showed that the majority were completed within 10-15 working days.

Five of the 10 unitary authorities and the LGA guidance effectively blended the Council's current Stages 1 (informal resolution) and 2 (determination whether to investigate) together. In separating these out, Buckinghamshire Council was giving transparency to the kinds of considerations involved. However, in practice this did not mean that Buckinghamshire had a lengthier process, those authorities that merged these stages either did so by means of a similar timeframe (40 days) or were open-ended as to the timeframe. Overall, the Buckinghamshire Council's timescales and processes were consistent with the best practice guidance of the LGA and included all the aspects that the LGA recommended in practice.

Members considered the report and commented:

- That they believed the Council should set a target (perhaps 15 days in line with LGA Guidance) for completing the initial Assessment (triaging).
- That the information reported showed the importance of training on the Code for all Members, although the Council couldn't compel Parishes to do so.
- That, if possible, it would be helpful for the Committee to have information on the number of Parishes for which multiple complaints were received, although it might not be possible to publicly identify specific Councils. Members would be appreciative of whatever information Officers could provide although it was also felt by some that the Council currently struck a good balance in mentioning Parishes when reporting information to the Committee.

Members were informed that the subject of complaints were not usually notified of the complaint at the initial assessment stage. An explanation was provided on why

some of the complaints at Annex 3 had not been finalised within 6 months.

RESOLVED –

- (1) That the Member Code of Conduct complaints report for Quarter 1 (April to June 2022) as at Annexes 1-2 be NOTED.**
- (2) That the current open Member Code of Conduct complaints (Annex 3) be NOTED.**
- (3) That the benchmarking information which had reviewed the Council's Member Code of Conduct complaints arrangements against comparative unitary authorities and the LGA's best practice guidance be NOTED.**

7 Electoral Review Working Group - Update report on current position

In April 2022, Council had approved a submission to the Local Government Boundary Commission for England (LGBCE) on the second stage of the electoral review of Buckinghamshire Council. This related to a proposed pattern of 50 wards based on two Member representation and achieving 98 Councillors overall.

The Council had been aware when making the submission that certain aspects of the proposal would potentially be the subject of future dialogue with the Commission and was also mindful that in some instances its own proposals needed revising to come within the acceptable threshold for electoral equality: that is, to bring the electorate figure (per councillor) within +/-10% of the Commission's average. It was also envisaged that some areas might benefit from adjustment to achieve better community identity.

It had been agreed that the Electoral Review Working Group would review any options for change and recommend proposals to this Committee. The Working Group had met on a number of occasions over the past months and had now agreed 3 proposed changes for consideration, as follows:

- A. Booker, Cressex and Castlefield and West Wycombe Wards:** to revise the Council's submission by including the portion around Spearing Road and Grenfell Avenue (part of polling district Oakridge and Castlefield No. 2) back into Booker, Cressex and Castlefield ward; and revising the boundary in the Booker part of the ward. The changes were reflected in the map at **Annex 2** to the supplementary agenda. Electoral equality would be as follows:

Proposal variance	Ward	Ward Members
-7%	West Wycombe (8,417 electors)	2
4%	Booker, Cressex & Castlefield (9,378 electors)	2

- B. Farnham, Burnham Beeches and Stoke Poges:** to create three one member wards, better to reflect the community identity, particularly around Farnham. This would also involve the inclusion of a small portion of the

Fulmer area within Stoke Poges, to enhance electoral equality. Under the Council's current submission, Farnham Common and Burnham Beeches would otherwise come together as a two-member ward. The changes were reflected in **Annex 3** to the supplementary agenda. Electoral equality would be as follows:

Proposal variance	Ward	Ward Members
-8%	Burnham Beeches (4,174 electors)	1
9%	Farnham (4,937 electors)	1
-9%	Stoke Poges (4,123 electors)	1
-2%	Denham & Wexham (8,833 electors)	2

- C. Aston Clinton & Weston Turville; Bierton and Wing:** to revise the Council's submission by bringing the Coppice Way polling district into Aylesbury North ward (from the proposed Bierton and Wing Ward). Creating a more coherent Aylesbury North ward is then further enhanced by the inclusion of the Oldham's Meadow polling district into Aylesbury North, from Watermead & Buckingham Park ward. The changes were reflected in **Annex 4** of the supplementary report. Electoral equality would be as follows:

Submission variance	Proposal variance	Ward	Ward Members
18%	6%	Aston Clinton & Weston Turville (9,621 electors)	2
-5%	7%	Aylesbury East (9,652 electors)	2
-6%	9%	Aylesbury North (9,822 electors)	2
14%	3%	Bierton & Wing (9,346 electors)	2
2%	-6%	Watermead & Buckingham Park (4,267 electors)	1
7%	7%	Wendover, Halton & Stoke Mandeville (9,647 electors)	2

The Committee was informed that the recommendations would only marginally depart from the Council's submission and still meet the 98 Councillor target set by the Commission. It would create two additional single member wards (Farnham and Burnham Beeches) out of the Farnham Common & Burnham Beeches ward. The Working Group also believed that community identity would best be served by this change.

If any of the recommendations for changes were accepted and communicated to the LGBC then they would consider them either before they issued their own proposal or as part of the next phase of the process.

Members were informed that the Commission had published a revised timeframe for the remainder of the electoral review, as detailed in the Committee report. The consultation on their own proposal was expected to begin on 2 August 2022 and run until 10 October 2022. If the Commission's proposal was substantially different from the Council's, then this Committee would need to consider whether to make any recommendations to Council on any proposed response to the Commission. Currently, Council was scheduled to meet on 21 September. A special meeting of the Committee would be needed, in any event, during the Commission's consultation period to consider the Council's response to it.

The Chairman thanked Members of the Committee for their work as part of the Electoral Review Working Group, and Officers for all their hard work in supporting Members, the Working Group and the Committee.

RESOLVED –

- (1) That the 3 proposed changes recommended by the Electoral Review Working Group be AGREED.**
- (2) That the Service Director for Legal and Democratic Services be asked to communicate these additional options for change to the Local Government Boundary Commission for England.**
- (3) That the Commission's published timeframe for the next consultation phase, as set out in paragraph 3.2 of the Committee report, be NOTED.**

8 Work Programme

RESOLVED –

That the proposed Work Programme as submitted to the meeting be noted.

9 Date of Next Meeting

The next meeting would be held at 2pm on Thursday 20 October 2022.