

Agenda Item 3

STANDARDS AND GENERAL PURPOSES COMMITTEE

19 JULY 2023

(7.15 pm - 8.55 pm)

PRESENT Councillor Martin Whelton (in the Chair), Councillor John Oliver, Councillor Laxmi Attawar, Councillor John Braithwaite, Councillor Caroline Charles, Councillor Billy Hayes, Councillor Edith Macauley, Councillor Robert Page, Councillor Michael Paterson Councillor Victoria Wilson, Councillor Michael Butcher and Councillor James Willisroft

ALSO PRESENT Louise Round (Monitoring Officer) Jonathan Berry (Head of Development Management and Building Control), Margaret Culleton (Head of Internal Audit), Ruth Hammick (Complaints Manager) and Richard Seedhouse (Democratic Services Officer)

ATTENDING VIRTUALLY Katy Willison and Clive Douglas (Independent Persons)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Cllrs Bhim and Skeete, Cllrs Butcher and Willisroft attended as substitutes.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting on 27 April 2023 were agreed as a correct record.

4 ANNUAL GOVERNANCE STATEMENT (Agenda Item 4)

The Head of Internal Audit introduced the report noting that the report demonstrated the council's robust corporate governance. Of the previous year's actions, four had been carried forward, and a further 8 actions had been identified for this year a progress report would be provided at the end of the year.

In response to questions, the Head of Internal Audit and the Complaints Manager confirmed that:

- The review looks at the processes in place for the review issues, and whether the opportunity for scrutiny had been offered, it did not assess how much scrutiny actually took place
- The audit assesses whether or not the processes are in place, to be used, it does not assess how they were used
- Concerns can be raised at OSC

- The CRM system went live on 24th June for the complaints module, the member enquiries service still needs work
- The Scheme of delegation is to be brought into line with the new corporate structure
- The Business Continuity Plan is to be reviewed over the course of the year
- The Complaints Manager started in post in 2021 and began a review of the systems, the new CRM system was developed and is fully compliant, so although a new policy has not been written, the processes are now in line with the Ombudsman's guidance form 2020, a rewritten guidance has been produced, changes were procedural rather than policy based.

RESOLVED:

That the Committee agreed the 2022/23 Annual Governance Statement (as contained in Appendix A) for inclusion within the Council's Statement of Account

5 INTERNAL AUDIT ANNUAL REPORT (Agenda Item 5)

The Head of Internal Audit introduced the report which showed the adequate and effective risk management, reflected in the Annual General Statement. 97% of agreed audit days had been achieved. 79% of substantial assurance opinions had been given. There were six outstanding actions. The Head of Development Management and Building Control was in attendance to answer questions on actions relating to that department. The external audit review would be presented at a future meeting.

A paper would be going to Cabinet to review the Building Control Service, there was a need to increase the market share in building control with private approved inspectors. The service had work to do on invoicing and collecting payments, the officers were doing the actual work, but the documents required to raise payments with applicants were not being produced. An interim measure had been introduced, but was working, fee collection was up-to-date, a new staffing structure had been agreed, but recruitment was a challenge, a Building Control Administrator was expected to be in place by October.

The backlog of enforcement cases had been halved, the current load was considered business as usual, enforcement cases can take a long time to resolve. A local Enforcement Plan had been shared with the new director and was being finalised for sharing with LSG and September, along with a new structure for the service, which looked to save costs and identify efficiencies.

The computer system was 20 years old and no longer fit for purpose, consideration was being given to an updated package offered by the current supplier along with looking what is available elsewhere, the aim is to update in 2024. In the meantime, the team were making better use of SharePoint to improve service levels.

Most member enquiries are logged within 24 hours with site inspections logged and taking place within 21 days.

The Head of Internal Audit agreed to provide a fuller answer to the committee on tenancy fraud and the Monitoring Officer agreed to provide an update on children's placement commissioning.

It was confirmed that figures on fraud had been updated following discussion at a previous committee meeting.

RESOLVED:

That the committee reviewed and commented on the Internal Audit Report 2022/23

6 STANDARDS AND GENERAL PURPOSES ANNUAL REPORT (Agenda Item 6)

The Head of Internal Audit introduced the report, the new report followed the CIPFA guidance of 2022, which recommend the SGP Committee had an annual report. Additional training can be provided where necessary in the future. The Terms of Reference were in line with the CIPFA recommendations.

In response to questions, it was confirmed that:

The recommendation from this committee with the decision would go to full council.

This committee covers the role of an Audit Committee, ensuring that arrangements in place are robust. Having the right skills on this committee and the correct reports coming here to review was important.

It was identified that Risk Management Training would be beneficial to the committee.

RESOLVED:

That the committee commented on and approved the content of the Annual Report

That the committee recommended to Council that it note the Annual Report and agree to its for publication and distribution to relevant stakeholders.

That the committee considered whether to appoint an independent person and to co-opt such a person onto the Committee for the purposes of providing advice on its audit functions.

That the committee considered whether to recommend to Council that it agree the amended terms of reference for this Committee in accordance with appendix C

7 RECOMMENDATIONS FROM THE SGP WORKING GROUP ON REMUNERATIONS (Agenda Item 7)

The Monitoring Officer introduced the report, noting that the cross-party working group met three times to review the allowances scheme with recommendations presented to Full Council on 13 September.

Discussions had been constructive, first looking at the basic allowance, which should come into line with the IRP, the figures were based on the January 2022 report, an update was expected in September, but the earlier figures were used to meet our timeframe.

The recommendations in the paper were agreed unanimously by the working group.

Cllr Hayes thanked all members of the working group, the monitoring officer, democratic services staff and the independent person who had contributed to the meeting. Cllr Hayes noted that the problem of councillor allowances had not been addressed for 14 years.

The chair thanked Cllr Hayes for his work as chair of the Working Group and its members.

A proposal to amend part of the recommendation was offered:

- to agree to award the special responsibility allowances set out in appendix A except the awards to whips, deputy leader of the opposition, and chair of the licensing committee.
- And agree on the basis there are no more than 7 cabinet members, including the leader, the multiplier will be 1.5 for cabinet members. If there are greater than 7 cabinet members, the multiple is 1

The following comments were made:

- It's difficult to reduce hours at work in order to fulfil the councillor role, the allowance as is does not make up the difference, it is necessary to look forward to the next generation of councillors, what has been put forward is a good proposal, and would bring us up to the average.
- Cabinet members have responsibility and time to give to their roles, the SRA reflects this
- There is broad agreement on the basic allowance, other councils have smaller cabinet sizes so there is a possibility to reflect that, the Liberal Democrat Group are not comfortable with the current proposal on cabinet member SRAs, perhaps a leaders' Round Table discussion could close the gap
- It's for the Leader to distribute work across portfolios, it shouldn't be for SGP to set limits on the number of cabinet members
- Whips receive an SRA in nearly all councils in London, this is an important role in governance, not solely a political appointment.
- Councillors do not have to take their allowance or SRA
- It will be for Full Council to decide when/whether the proposed scheme is implemented.

The proposed amendment was put to the vote and not carried.

RESOLVED:

- That the Committee considered the recommendations of the working group set out in this report and decided whether to make the following recommendations to Full Council on 13 September 2023:
 - (i) that the basic allowance should be increased to £12,014 in line with the recommendation of the 2022 Independent Remuneration Panel;
 - (ii) to agree to award the Special Responsibility Allowances set out in appendix A;
 - (iii) that Council reaffirms the linking of future allowances to the annual staff pay award, such increases to be applied automatically and that in future the Scheme be approved as part of the annual budget;
 - (iv) that the Licensing Committee chair should also be the chair of the Licensing Sub-committee meetings convened for the purpose of determining individual licensing applications
 - (v) that the new allowances should apply with effect from the date of the Council meeting
- The Committee agreed to ask the Leader to give further consideration to the scope and role of the Tenants' Champion and the London Living Wage Champion;
- That the Committee thanked the working group for its constructive and collaborative approach to this exercise

8 RECOMMENDATIONS FROM THE SGP WORKING GROUP ON FREEDOM OF THE BOROUGH NOMINATION (Agenda Item 8)

The Monitoring Officer introduced the report, the working group had been unanimous, Council would make a decision at a special meeting yet to be fixed, if 2/3rds of the council agreed the nomination, it would be awarded.

The following comments were shared:

- It had been unanimously agreed by all five members of the working group
- Having met Ivor, aware of how much work he did and endorsed the recommendation
- Ivor is a force of nature
- It was a clear-cut decision for anyone who's seen the work done in the community and extra efforts through the pandemic

RESOLVED:

That the Standards and General Purposes Committee recommended to Council that the award of Freedom of the Borough be made to Ivor Heller for his work for AFC Wimbledon and his continuing work within the community

9 RECOMMENDATIONS FROM THE SGP WORKING GROUP ON AWARDS (Agenda Item 9)

The Monitoring Officer introduced the report and noted the recommendation to agree there should be a working group as standard to discuss individual nominations. Freedom of the Borough is something of a mystery to the general public and the criteria should be publicised. Honorary Alderperson is automatic for a councillor who retires/resigns/loses their seat after 15 years, it is recommended to reduce this to 10 years and possible to be awarded for an exceptional contribution in a shorter time. There needs to be some degree of diligence.

The Chair thanked the working group.

The following comments were recorded:

- The group had discussed at length the length of service for retiring members to become alderpersons and looked at other boroughs. Richmond do not have them, Kingston and Wandsworth both award after ten years.
- Janice Howard raised an exceptional amount of money while Mayor, raised the profile of the borough and became an executive member of the LMA for the work she done and continues to support the Mayor's committee
- Only a couple of councillors would receive awards if applied retrospectively

The committee agreed to apply Freedom of the Borough awards retrospectively to those former Leaders of the Council who were eligible to receive the award.

RESOLVED:

- That the Standards and General Purposes Committee consider the report of the working group and agree whether to implement any or all of their recommendations, namely:
 - i) to continue the existing process of establishing a working group of this committee to consider nominations for freedom of the borough status, save in respect of ex Leaders of the Council being considered for such status in accordance with recommendation (vi) below;
 - ii) to publicise the process and criteria for awarding freedom of the borough status more widely;
 - iii) to reduce the length of time for which a retiring member has served as a councillor prior to becoming eligible for honorary alderperson status from 15 to 10 cumulative years;
 - iv) to establish a working group of this committee to consider nominations for honorary alderperson status following local elections and as necessary and to ask that working group to take into account any findings made by a hearing sub-committee in respect of an individual councillor in making any recommendations relating to that person;

- v) to allow honorary alderperson status to be awarded to councillors who have provided exceptional service even where they do not have 10 cumulative years' service prior to retiring, such nominations to be considered by the working group referred to at (iv) above committee;
- vi) to agree that in future retiring councillors who have at some time served a minimum of four years as Leader of the Council should be awarded freedom of the borough status, subject always to the agreement of two thirds of councillors present at a special meeting of Full Council convened for that purpose.

10 22/23 ANNUAL COMPLAINTS REPORT (Agenda Item 10)

The Monitoring Officer introduced the report, and the Complaints Manager took questions. The MO apologised the detailed report only covered 21/22, a detailed report on 22/23 would come in November.

In response to questions, it was confirmed that:

- Cllrs can receive high level information when requested
- Complaints to councillors should be passed to the complaints team to be recorded, it affects the escalation of the complaint, A member response counts as a council response and the ombudsman has criticised this in the past, where the information that must be included is missing
- Work is ongoing to synchronise the member process with the complaints process
- Complaints should not be conflated with service requests
- It's not always easy to determine what is a complaint, a member enquiry, a service request/service failure, but if issues are referred to the team, they can ensure work goes into the correct pathway.
- Before the pandemic, complaints were at a similar level as currently, the numbers dropped off completely during the pandemic, rising to 70% in the year after the pandemic
- Complaints demonstrate that residents' trust the council to sort out problems, it would be a concern if levels were too low.
- The electronic system came online in June, social workers have been briefed, and a paper format for residents without access to the internet will be made available.

Members noted that complaints are a form of engagement, and not necessarily to be taken as a bad thing.

It was RESOLVED that the Committee:

- Noted the new processes for managing and learning from complaints.
- Noted the reports on complaints received in 21/22 attached as appendices A to C

- Noted the high-level detail of complaints received in 22/23 set out in the body of the report and agreed to receive a more detailed report for 22/23 at the meeting in November.

11 LOCAL GOVERNMENT ACT 1972, SECTION 85 (1): APPROVAL OF ABSENCE (Agenda Item 11)

The committee sent Cllr Pearce their best wishes and agreed the extension to excuse his absence as recommended, with the hope that he'll be able to attend again before that period expires.

RESOLVED:

That, if Councillor Dennis Pearce is unable to attend a meeting of the authority in the period 13 September – 13 March 2024, approval is given to the absence for reason of ill-health.

12 WORK PROGRAMME (Agenda Item 12)

RESOLVED: That the work programme was noted and agreed.