



ADJUDICATION AND REVIEW COMMITTEE AGENDA

7.30 pm	Thursday 11 April 2013	Town Hall Romford
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Members 10: Quorum 4

COUNCILLORS:

**Conservative Group
(6)**

**Residents' Group
(2)**

**Labour Group
(1)**

**Independent
Residents' Group
(1)**

Frederick Thompson
(Vice-Chair)
Robert Benham
Eric Munday
Barry Oddy
Linda Trew
Ted Eden (Chairman)

Barbara Matthews
(Vice-Chair)
John Mylod

Denis O'Flynn

Michael Deon Burton

**Ian Burns
Acting Assistant Chief Executive, Legal and Democratic Services**

**For information about the meeting please contact:
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AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS

(if any) – receive.

3 DECLARATIONS OF PECUNIARY INTERESTS

Members are invited to declare any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

4 MINUTES

To approve as a correct record the Minutes of the meeting of the Committee held on 6 November 2012 and to authorise the Chairman to sign them.

5 ORAL UPDATE ON COMPLAINTS

The Head of Customer Services will provide Members with an update on corporate complaints activity.

6 CHANGES WITHIN STAGE THREE OF THE CORPORATE HEARINGS PROCESS

– Report to follow

Members are invited to consider whether to adopt the IAP as a permanent part of the Stage Three process and propose amending the Constitution to incorporate that.

7 CHANGES BY THE LOCAL GOVERNMENT OMBUDSMAN AFFECTING HAVERING – Report to follow

This report is to inform the Committee about recent changes affecting LGO activity in the borough and to review the year 2012/13.

Ian Burns
Acting Assistant Chief
Executive, Legal and
Democratic Services

Public Document Pack Agenda Item 4

**MINUTES OF A MEETING OF THE
ADJUDICATION AND REVIEW COMMITTEE
Town Hall
6 November 2012 (7.30pm - 8.45 pm)**

Present:

COUNCILLORS

Conservative Group Frederick Thompson (Vice-Chair, in the Chair),
Eric Munday, Barry Oddy, Linda Trew and
+Sandra Binion

Residents' Group Barbara Matthews (Vice-Chair)

Labour Group Denis O'Flynn

Apologies for absence were received from Councillors Ted Eden (+Sandra Binion substituted) and John Mylod.

The Chairman reminded Members of the action to be taken in an emergency.

There were no declarations of pecuniary interest

12 MINUTES

The Minutes of the Meeting of the Sub-Committee held on 22 May 2012 were agreed and signed by the Chairman. There were no matters arising.

13 ORAL UPDATE ON COMPLAINT ISSUES

The Head of Customer Services provided Members with an oral report of corporate complaints and MP/Member enquiries for the six month period April 2012 to the end of September 2012. Members questioned him about many aspects of the figures presented to them and their significance. The Committee was not unsurprised to see that the areas with the greatest number of complaints were Housing & Public Protection and StreetCare. In response to a question, Members were informed that the figures for Housing did not contain anything from Homes in Havering and that now the ALMO had ceased and housing repairs had come back to the Council, those figures would almost certainly rise. Several Members noted that the manner in which HiH had managed its complaints had improved greatly during its life and appeared to be very efficient.

Members were also informed that during the same period, there had been over 1,700 Member and MP enquiries, 1,420 of which had been responded to in 10 days or less and most of those which had taken longer had been

due to the enquiry being of a more complex nature or requiring some degree of research.

In respect of enquiries, the vast majority (1,146) related to StreetCare matters. Members also learned that some 88% of enquiries were by e-mail. Members were reminded that if they were in any doubt about whom to contact, the default position was the relevant Head of Service.

The Head of Customer Services explained that the service was being proactive in respect of disseminating good practice and had been developing the new CRM system in order to capture not only complaints, but compliments and comments. Members were invited to have a demonstration of how the CRM System worked and the Committee expressed great interest in this.

The Committee **noted** the oral report and requested the Head of Customer Services to make arrangements for:

- Information concerning complaints etc to be made available to each of the appropriate Overview and Scrutiny committees on a regular basis and
- To make arrangements for Members to see the CRM System in action.

14 **INITIAL ASSESSMENT PANELS (CORPORATE COMPLAINTS & STANDARDS ISSUES) - PROPOSALS**

Members were informed that the report before them was for the IAPs to be organised in a more regular manner. Because during the past few years there had been very few cases which had necessitated a hearing, the procedure had been flexible, essentially being on an ad-hoc basis. More recently, changes to the corporate complaints process had seen a slight rise in the number of cases moving from Stage Two and, in order to ensure that Councillor and Officer time was used wisely, IAPs were set up (modelled on those of the Standards Committee) to sift out matters which were not appropriate for full hearings, whilst still fulfilling the requirement that they be considered by Councillors.

At Annual Council – in the wake of the Localism Act 2011 – the Standards Committee had been abolished and Council transferred the oversight of Members' conduct to Adjudication and Review which was from 1 October 2012 reinstated as a full committee. This step was taken because it was anticipated that there would be an increase of work because of the Standards matters and also because on the same day (1 October), the housing elements which had been the responsibility of Homes in Havering were transferred back to the Council and along with that, the Council became responsible for hearing tenant complaints at Stage Three.

Because of these changes, Members were invited to approve a programme of monthly diary reservations for Initial Assessment Panels to be convened

if there was business to be transacted. The IAPs would deal with any hearing requests on that date and the same date could be used for any Standards issues.

The Committee was assured that endorsing the programme of fixed dates did not preclude IAPs being arranged on other dates and times should they be required.

The Committee **noted** the report and directed that the proposed time-table be adopted and published.

15 **UPDATE ON OMBUDSMAN ISSUES & THE LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL LETTER 2012 - REPORT TO FOLLOW**

The Committee was reminded that before its status was changed to that of a sub-committee, it had met regularly to consider matters (such as the Ombudsman's Annual Letter and review the previous year's complaints and LGO data) as they became available. Members considered that the Committee might return to that arrangement, with meetings held at significant times during the year: May - to receive a report on various activities for the preceding year; late August - to consider the Ombudsman's Annual letter, one in late Autumn and an early Spring meeting.

The Committee was also informed about the changes currently taking place among the Ombudsmen themselves. They were shown communications from both the Local Government Ombudsman and the Housing Services Ombudsman which pointed towards changes – not only to the operational changes under-way within the LGO's organisation, but also that the Housing Ombudsman would be considering Social Housing issues with effect from the start of April 2013.

The Committee **noted** the communications about changes from the Local Government Ombudsman and the Housing Services Ombudsman and **directed** that the Ombudsman's Annual Letter 2012 be circulated to the relevant Overview & Scrutiny committees for them to consider and comment on.

16 **URGENT ITEM: SPECIAL RESPONSIBILITY ALLOWANCE (ADJUDICATION & REVIEW CHAIRMAN)**

A Member asked leave of the Chairman to raise a matter of urgent concern in respect of the Administration's decision to defer making a decision on whether to grant an SRA to the Chairman of the re-formed Adjudication & Review Committee.

It was argued that the Council had always provided an SRA to those Members who had been elected to the chairmanship of committees as these were considered to be positions of responsibility. It was appreciated that when the Administration decided to change the status of the

Adjudication & Review Committee (which was attracting an SRA at the time) and making it a sub-committee, the SRA could, with some justification, be removed. The concern was that when the sub-committee reverted to full committee status on 1 October, an SRA of some sort should have been granted as of that date in recognition of the fact that additional responsibility (the oversight of work previously dealt with by the old Standards Committee) had been added to the committee's business.

When the Governance Committee met in September, the question of the SRA was removed from the decision and deferred. Whilst this might have made sense at the time, it appeared that the continued delay was unreasonable and an affront to the current Chairman of the Committee. It was understood that the Administration was not even going to reconsider the matter until February or March 2013 and this was not acceptable.

The Committee was asked whether it would endorse a request for the matter to be raised at the forthcoming Governance Committee for it to consider the question of an SRA for the Chairman of the Adjudication & Review Committee as a matter of urgency and not leave it any longer.

Members of the Committee (with the exception of Councillor Frederick Thompson) endorsed this request, considering that the decision to with-hold an SRA from the chairman of a committee of the Council was wrong and that an SRA should be agreed and awarded as a matter of urgency.

The Committee therefore **endorsed** the request that the Chairman of the Governance Committee be asked to accept, as a matter of urgency, the Adjudication & Review Committee's request that the decision not to award the Chairman of the Adjudication & Review Committee and SRA (and to delay consideration of the matter any longer) was both unreasonable and contrary to the practice of the Council.

Councillor Frederick Thompson abstained from this decision (which was otherwise unanimous) and, in his capacity as Chairman of the Governance Committee, accepted the request for the matter to be considered as an urgent item at the next Governance Committee meeting.

Chairman