



STANDARDS COMMITTEE

Monday, 1st July, 2013

at 6.30 pm

Council Chamber, Hackney Town Hall, Mare
Street, London E8 1EA

Committee Membership:

Councillor Sophie Linden, Councillor Simche Steinberger,
Councillor Geoff Taylor, Councillor Louisa Thomson,
Councillor Patrick Vernon OBE and Councillor Jessica
Webb

Co-optees:

Julia Bennett, George Gross, Adedoja Labinjo, Onagete
Louison and Elizabeth Coates-Thummel

Gifty Edila
Corporate Director
Legal, HR and Regulatory Services

Contact:
Robert Walker
Governance Services
Tel: 020 8356 3578
Email: Robert.Walker@Hackney.gov.uk

The press and public are welcome to attend this meeting

Dates of future meetings –
4th November 2013
22nd January 2014
9th April 2014

AGENDA

Monday, 1st July, 2013

ORDER OF BUSINESS

Item No	Title	Page No
1.	Appointment of Chair for the 2013/14 Municipal Year	
2.	Appointment of Vice-Chair for the 2013/14 Municipal Year	
3.	Apologies for absence	
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ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to **all** Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- The Corporate Director of Legal, HR and Regulatory Services;
- The Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

1. Do you have a disclosable pecuniary interest in any matter on the agenda or which is being considered at the meeting?

You will have a disclosable pecuniary interest in a matter if it:

- i. relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- ii. relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- iii. affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

2. If you have a disclosable pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- ii. You must leave the room when the item in which you have an interest is being discussed. You cannot stay in the meeting room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the room and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

3. Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

4. If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the room, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the room unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the room. Once you have finished making your representation, you must leave the room whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the room. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

Further Information

Advice can be obtained from Gifty Edila, Corporate Director of Legal, HR and Regulatory Services, on 020 8356 3265 or email Gifty.Edila@hackney.gov.uk



FS 566728



MINUTES OF A MEETING OF THE STANDARDS COMMITTEE

THURSDAY, 18TH APRIL, 2013

- Councillors Present:** Councillor Jessica Webb in the Chair
Cllr Geoff Taylor, Cllr Louisa Thomson and
Cllr Patrick Vernon OBE
- Co-optees Present:** Julia Bennett, George Gross, Adedoja Labinjo,
Onagete Louison and Elizabeth Coates-Thummel
- Officers in Attendance:** Gifty Edila (Corporate Director of Legal, HR and
Regulatory Services), Robert Walker (Governance
Services Officer) and Ian Williams (Corporate
Director of Finance and Resources)
- Also in Attendance:** Jonathan Stopes-Roe (Independent Person)

1 Apologies for absence

- 1.1 Councillor Sophie Linden and Councillor Simche Steinberger.

2 Declarations of interest

- 2.1 There were no declarations of interest.

3 Minutes of the previous meeting - 21 January 2013

- 3.1 The minutes of the previous meeting held on 21st January 2013 were approved as a true and accurate record.

4 Guidance for Members on the use of ICT - 2nd Annual Report

- 4.1 Ian Williams, Corporate Director of Finance and Resources, introduced the 2nd Annual Report on Guidance for Members on the use of ICT. The Standards Committee had requested to receive annual reports on compliance with the Guidance for Members on Use of ICT, following the introduction of the Guidance in 2011 on recommendation of the Internal Audit on ethical governance.
- 4.2 It was noted that there had been one breach during the 2012/13 municipal year, with one laptop being stolen.
- 4.3 **RESOLVED** that the report be noted.

5 Revision to the Members' Code of Conduct: Seven Principles of Public Life

- 5.1 Gifty Edila, Corporate Director of Legal, HR and Regulatory Services, introduced the report recommending that the seven principles of public life, as included in Appendix A to the Members' Code of Conduct, be revised in line with the recommendations of the Committee on Standards in Public Life.
- 5.2 Gifty Edila advised that the recommendations of the Committee on Standards in Public Life were summarised in section 6 of the report and the current and proposed new principles could be found in Appendices 1 and 2 of the report. The Committee on Standards in Public Life recommended updating the descriptions of the principles following a best practice review.
- 5.3 **RESOLVED** that Council be recommended to approve an amendment to the Members' Code of Conduct to incorporate the revised principles of public life, as attached in Appendix 2 of the report.

6 Standards Committee Annual Report 2012/13

- 6.1 Gifty Edila, Corporate Director of Legal, HR and Regulatory Services, introduced the draft Standards Committee Annual Report 2012/13 and gave an overview of the contents. Gifty Edila thanked the Committee for all its hard work over what had been a busy year following the introduction of changes under the Localism Act 2011. Thanks were also made to the Independent Person, Jonathan Stopes-Roe, for his assistance in handling complaints made against Members.
- 6.2 Gifty Edila advised during the presentation of the report that the Government had recently issued a guide on openness and transparency on personal interests, which she would forward to all Members. It was noted that the Government's guide was in keeping with the guidance previously issued by the Council.
- 6.3 The Committee noted that two co-optees of the Council had still not completed their register of interests form. Gifty Edila stated that although the two co-optees were not legally required to complete the form, they were not compliant with the Council's Code of Conduct. Gifty Edila advised that she would contact the co-optees again to ask them to complete and return their register of interests form.
- 6.4 Councillor Webb commented that it would be an important task for the Committee during the 2013/14 municipal year, to consider the Members induction training programme following the 2014 local elections to ensure that Members receive necessary training on the Code of Conduct and other ethical governance issues. Councillor Thomson suggested it would also be useful to involve backbench Councillors in developing the induction training schedule.
- 6.5 **RESOLVED** that the Committee's Annual Report for 2012/13 be commended to Council for noting, subject to the following amendments:
- i) section 7 of the report be amended to record the number of Members and co-optees who had attended Code of Conduct training sessions;

- ii) the second paragraph of section 6 be amended to specify that one complaint was upheld and reported to full Council, one complaint was resolved, and that three complaints were being progressed;
- iii) the first paragraph of section 12 of the report be amended to reflect that, although the Committee was pleased to see that the new framework had been successfully implemented, the Committee regretted the weakened ethical governance regime introduced by the Localism Act 2011.

7 Any other business which in the opinion of the Chair is urgent

7.1 Councillor Taylor commented that, given the number of other commitments which Members have, perhaps consideration could be given to cancel or postpone meetings where no item of business was urgent, or possibly even ask Members to comment on reports via email. Gifty Edila thanked Councillor Taylor for his feedback. Gifty Edila advised that the ongoing review of the Council's governance arrangements was looking at the role and function of all committees and consideration was being given as to whether the number of Standards Committee meetings could be reduced.

Duration of the meeting: 6.30 - 7.00 pm

Signed

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Chair of Committee

Contact:

Robert Walker, Governance Services

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TITLE OF REPORT Complaints and Enquiries – 2012/13	
STANDARDS COMMITTEE DATE: 1 July 2013	CLASSIFICATION: OPEN If exempt, the reason will be listed in the main body of this report.
WARD(S) AFFECTED - None	
CORPORATE DIRECTOR – Tim Shields	

1. INTRODUCTION

- 1.1 This report provides details of the complaints improvement work, information related to complaints and enquiries for 2012/13 as well as a summary of forthcoming changes to the complaints process.

2. RECOMMENDATION(S)

- 2.1 The Standards Committee is recommended to: -
1. note and comment on the complaints improvement work
 2. note and comment on the performance relating to complaints and enquiries during 2012/13

3. BACKGROUND

- 3.1 This report is in accordance with the Standards Committee's role in monitoring Corporate and Local Government Ombudsman complaints.

4. COMMENTS OF THE CORPORATE DIRECTOR OF FINANCE AND RESOURCES

4.1 There are no additional financial implications arising from this report. The cost of staff dealing with complaints across the Council is met from within the relevant revenue budgets, as are any compensation payments made. The cost of complaints monitoring is met within the approved revenue budget of the Business Analysis and Complaints Team.

4.2 Such costs, however, can be minimised by ensuring that complaints are dealt with successfully at Stage One, thus reducing the numbers that proceed to later stages.

5. COMMENTS OF THE CORPORATE DIRECTOR OF LEGAL, HR AND REGULATORY SERVICES

5.1 In accordance with its terms of reference, the Standards Committee is responsible for “monitoring the progress of the Council’s Members Enquiry Protocol, Corporate Complaints Procedure and Local Government Ombudsman cases.”

APPENDICES

1 – Complaints and Enquiries Annual Report 2012/13

BACKGROUND PAPERS

In accordance with Section 100D of the Local Government Act, 1972 - Access to Information a list of Background Papers used in the preparation of reports is required.

Description of document	Location	Date

Report Author	Shivangi Medhi Tel: 020 8356 3169 Email: Shivangi.Medhi@hackney.gov.uk
Comments of the Corporate Director of Finance and Resources	Ian Williams Tel: 020 8356 3003 Email: Ian.Williams@hackney.gov.uk
Comments of the Corporate Director of Legal and Democratic Services	Gifty Edila Tel: 020 8356 3265 Email: Gifty.Edila@hackney.gov.uk

Complaints and Enquiries Annual Report 2012/2013

Complaints and Enquiries Annual Report 2012/2013

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a) Improving Complaints Handling Training and Evaluation	6
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Complaints and Enquiries Annual Report 2012/2013

1. Introduction

- 1.1 This report outlines the key developments in the Complaints Improvement work as well as information on the volume of complaints and enquiries, time taken to reply and the percentages of complaints that escalate to the next stage of the Council's complaint procedure.
- 1.2 The report highlights the current satisfaction levels of complainants as well as recent and forthcoming changes.
- 1.3 In addition, the report features the improvement work undertaken so far and future planned changes.

2. Changes to Corporate Complaint Process

- 2.1 To address the issues related to handling complaints and low satisfaction levels, as well as to initiate a step change in complaint handling, the Council have agreed to a series of changes from Autumn 2013.
- 2.2 The aim is to be more responsive to the public and for senior managers to be more accountable for both ensuring prompt resolution of issues and for dealing with the underlying issues that cause complaints. Aside from the way that residents feel about the whole process, speedier and more effective resolution of complaints should help us to be a more efficient and effective organisation and should lead to a reduction in the number of complaints.
- 2.3 The Council will adopt a two stage complaints process, deleting the current stage 2 of the process. This will release some resources to resolve more complaints at stage one.
- 2.4 All responses to complaints, Members' Enquiries, and Freedom of Information Act responses are to be cleared by the relevant Assistant Director before they are sent. More intensive engagement at a senior level generally leads to higher quality complaints handling and to ensure that resolution is achieved from the resident's perspective and appropriate corrective management action taken (where appropriate) to prevent future occurrences of issues.
- 2.5 There will be a Council-wide target for the average number of days taken to respond to a complaint, rather than targeting a percentage that will be responded to within 15 days. This should provide an incentive to deal with more straightforward complaints quickly, while allowing longer to respond to more complex ones.

- 2.6 More flexibility will be used in responses (both in format and content) appropriate to the complaint, e.g. we will not necessarily provide a formal letter in reply to a complaint if we have resolved a complaint over the phone.
- 2.7 The emphasis will be on officers speaking in person to complainants early on to understand issues from the residents' perspective to seek a timely resolution of issues that have been raised, where possible.
- 2.8 The computer recording database for complaints/Members/Mayors enquiries will be replaced. This will ensure that more management information will be available to managers to understand the reasons for complaints being made.

3. Complaints Improvement Work

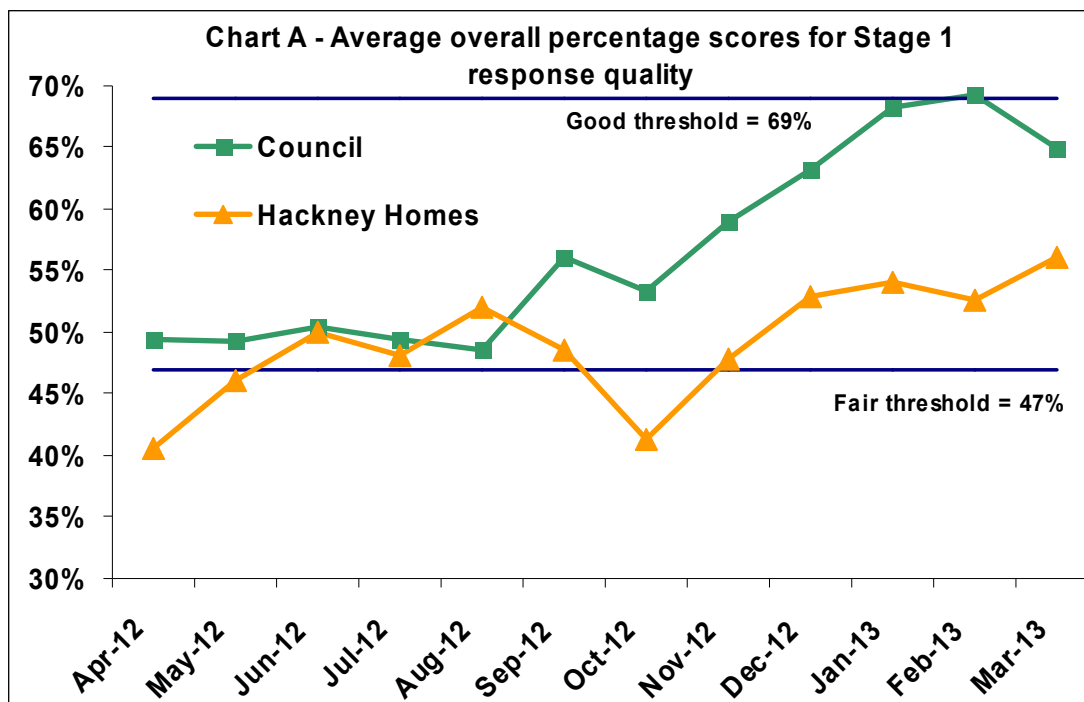
a) Improving Complaints Handling Training and Evaluation

- 3.1 The Council conducts a quarterly satisfaction survey to see what complainants thought about the way the Council and Hackney Homes handled their complaints. Feedback from the survey indicates that only a quarter of complainants are on average satisfied with the way their complaint is handled.
- 3.2 The results from the satisfaction surveys led officers to conduct monthly quality checks on a random sample of responses to complaints from services dealing with higher volumes. The analysis showed a need to improve the way officers investigate and resolve complaints as well as improving the general quality of the response.
- 3.3 A new training course (based on best practice from the Local Government Ombudsman) was rolled out from April 2012 aimed at improving the handling of complaints and the quality of the responses.
- 3.4 597 staff attended one of the 69 workshops between April 2012 and December 2012. These workshops focused on how to investigate a complaint, structure a good response, resolve a complaint, the benefits of contacting the complainant and tips to help improve satisfaction levels. The sessions involved a mixture of learning activities.
- 3.5 All attendees were strongly encouraged to speak to the complainant at the beginning and then throughout the complaints process. In addition, they were guided through the 12 key elements needed to ensure they carry out an effective investigation.
- 3.6 Officers were told that focus should be on resolving the issues, as opposed to simply writing a response. This meant having to take responsibility for any follow-up actions that had been identified.

- 3.7 The importance of engaging with managers was also emphasised, to ensure managers are aware of any issues, as well as to aid the investigation of the complaint.
- 3.8 The evaluation of the training showed that over 90% felt that the training was excellent or very good. All attendees were also asked to complete a post-training survey between 3 to 6 months after attending a workshop to see what impact the training has had on the way they handle complaints.
- 3.9 The survey results showed that 65% have had to handle a complaint since attending a workshop. Such officers all indicated that the training had either fully or partially helped them to investigate a complaint more effectively.
- 3.10 The Council has used the feedback from the evaluation exercises to make further improvement to the training workshops.

b) Quality Check of Complaints

- 3.11 Monthly quality checks on a sample of Stage One and Two complaints have been undertaken since October 2011 and in April 2012 the process was aligned to the key messages communicated in the above training. Early analysis of these quality checks helped to identify good practice and areas that needed to be improved, which fed into the training delivered.
- 3.12 The quality checks focus on the following six service areas, which were chosen due to the larger volumes of complaints received:
- Building Maintenance (Hackney Homes)
 - Development Management
 - Benefits/Housing Needs
 - Revenues
 - Parking
 - Tenancy and Leaseholds (Hackney Homes)
- 3.13 Officers undertaking the quality checks answer a series of questions in relation to the way the complaint has been handled. The scoring mechanism rates each response 'Poor', 'Fair', 'Good' or 'Excellent'. The analysis of the quality checks has allowed the Business Analysis and Complaints Team to focus on areas in need of improvement.
- 3.14 25-30% of all Stage One complaints received are quality checked each month.
- 3.15 The analysis of quality checks conducted on complaints sent out between April 2012 and March 2013 show good levels of improvement overall on the way complaints are handled.



- 3.16 There has been a general trend of month on month improvement for complaints and in February 2013 the average score reached the 'Good' category.
- 3.17 To help facilitate improvement, officers from the Business Analysis and Complaints Team have been liaising with key services and provide regular analysis on their complaints handling, including key recommendations.

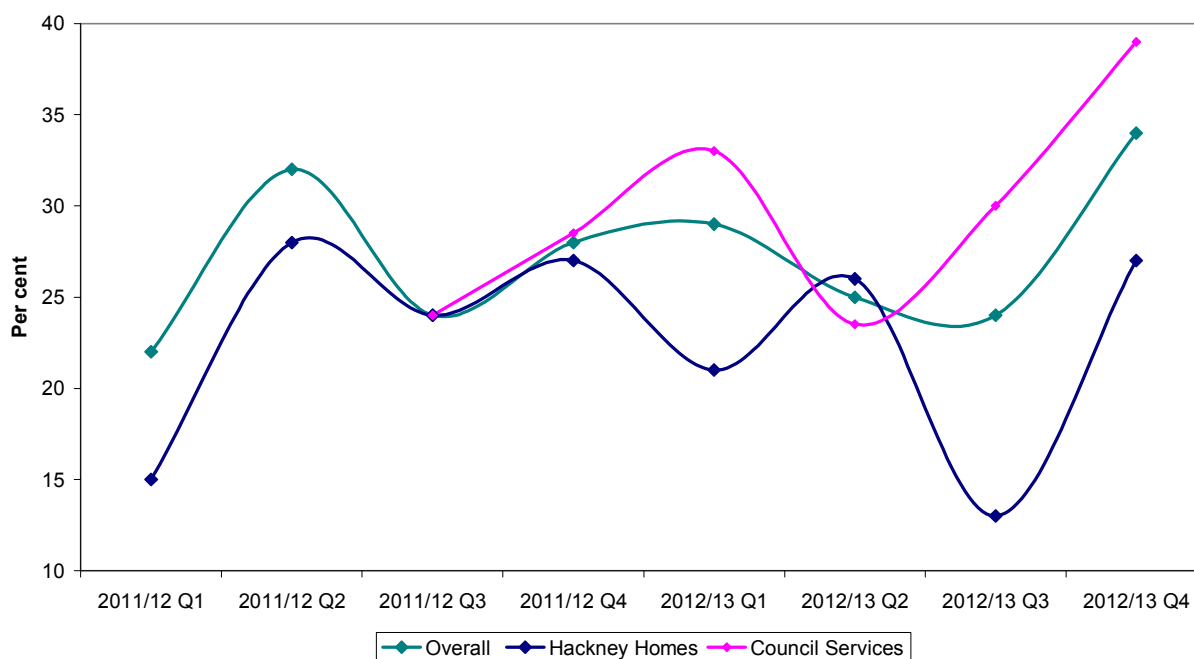
4. Customer Satisfaction Survey

- 4.1 The Council conducts quarterly surveys to measure satisfaction levels of complainants. The survey aims to understand the reasons for dissatisfaction, in particular the complainants' experience of the investigation, explanation of the decision, timeliness, communication and engagement throughout the complaints process.
- 4.2 A link to the satisfaction survey is sent out to all complainants who have had a response to their complaints and have provided an email address. Between Q1 and Q3, 100 postal surveys were sent out each quarter, however, due to the low response rate the team has decided to focus on the online forms.
- 4.3 The table below shows the latest satisfaction scores (Q4 2012/13)

Measure Q4	Strongly agree	Agree	Neither Agree or disagree	Disagree	Strongly disagree
Overall satisfaction	11.8%	22.6%	6.5%	12.9%	46.2%
Satisfaction with investigation	11.2%	21.3%	10.1%	14.6%	42.7%
Satisfaction with explanation	12.4%	20.2%	18%	11.2%	38.2%
Satisfaction that issues understood and addressed	13.5%	19.1%	12.4%	9%	46.1%
Satisfaction with communication	11.5%	20.7%	14.9%	12.6%	40.2%
Satisfaction with Resolution time	11.2%	24.7%	9%	11.2%	43.8%

4.4 Overall satisfaction levels (includes Council and Hackney Homes services) is **34.4%**, which is a 10.4% improvement from Q3 12/13 and 7% annual improvement since 2011/12.

Satisfaction with Complaints Handling



- 4.5 While we should expect some level of dissatisfaction, given that something has caused the need to complaint, the high levels of dissatisfaction are a cause for concern.

5. Complaints and Enquiries Data Analysis (2012/2013)

- 5.1 The following tables show the volumes of complaints and enquiries for the last three financial years

	2010/2011	2011/2012	2012/13
Stage One	2,890	2,930	3,078
Stage Two	277	314	436
Stage Three	107	146	151
Members Enquiries (inc follow-ups)	2,357	2,198	1,848
Mayor's Enquiries (inc Referrals)	2,023	1,604	2,241
Cabinet Member Enquiries (inc Referrals)	262	212	238

a) Complaints

Stage One	2010/11	2011/12	2012/13
Stage One Complaints received	2,890	2,930	3,078
% responded to within 15 working days	88%	86%	81%
Average time taken to respond	13 working days	13 working days	14 working days

- 5.2 The number of stage one complaints in 2012/13 increased by 5% compared to the previous year.

5.3 The performance for responding to Stage One complaints has dropped 7% compared to 2010/11 and the average time taken to respond has increased by 1 working day but is still below the 15 working day target.

5.4 Hackney Homes remains the area with the highest volume, making up 47% of all Stage One complaints.

Stage Two	2010/11	2011/12	2012/13
Stage Two Complaints received	277	314	436
% responded to within 15 working days	55%	73%	76%
Average time taken to respond	33 working days	26 working days	19 working days

5.5 There has been a 40% increase in the number of Stage Two complaints when compared to 2011/12. Hackney Homes Stage Two complaints increased by 37% with 67 more complaints compared to the 179 in 2011/12.

5.6 The performance for responding to Stage Two complaints on time has increase by 3% and the average time taken has dropped by 7 working days compared to 2011/12.

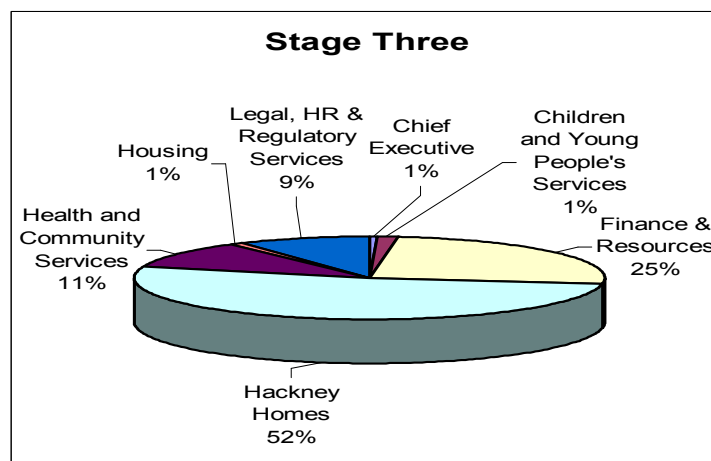
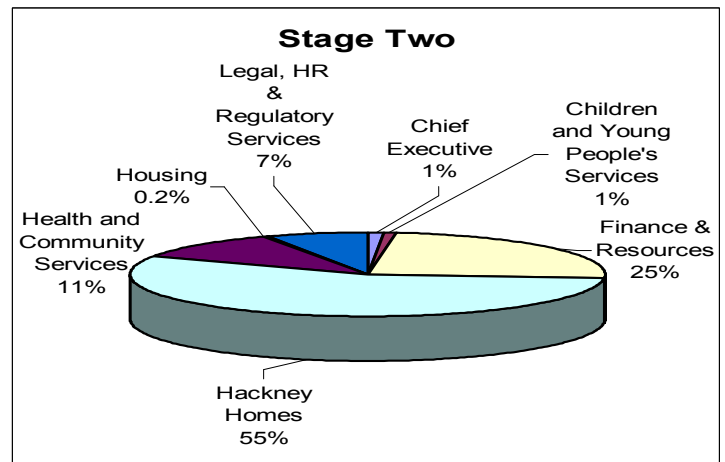
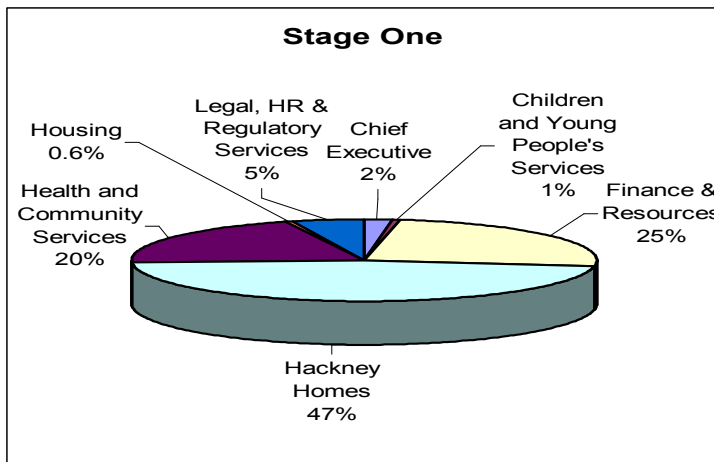
Stage Three	2010/11	2011/12	2012/13
Stage Three Complaints received	107	146	151
% responded to within 20 working days	87%	87%	99%
Average time taken to respond	21 working days	17 working days	18 working days

5.7 There has been a 3% increase in the number of Stage Three complaints when compared to 2011/12.

5.8 While the average time taken has increased by 1 working day, the general performance has improved with 99% of Stage Three complaints responded to on time.

Types of Complaints

5.9 Hackney Homes related complaints make up the largest proportion of complaints at all stages of the Corporate Complaints process.



- 5.10 Approximately 56% of Hackney Homes Stage One complaints are related to Building Maintenance, which includes complaints linked to the delays and poor quality of repairs, missed appointments and follow-up actions not being implemented.
- 5.11 The majority of Finance and Resources complaints are associated to Revenues and Benefits. These complaints relate to processing times for handling applications, employee behaviour, documents going missing and recovery actions taken.
- 5.12 Public Realm issues make up 80% of Health and Community Services complaints. These complaints include issues related to parking (such as parking permits), waste/recycling (such as bins not being collected properly) and employee behaviour.

Escalating Complaints

- 5.13 During 2012/13 3,072 Stage One complaints were responded to, 392 of which escalated to Stage Two. Below is a breakdown for the escalation rates for each directorate and Hackney Homes across the different complaint stages.

Directorate	% escalating Stage One to Stage Two	% escalating Stage Two to Stage Three	% escalating Stage Three to Ombudsman
Chief Executive's	11.5%	16.7%	0%
Children & Young People's Services	11.1%	100% (1)	50%(1)
Finance & Resources	13%	23.85%	18%
Hackney Homes	14%	28.81%	10.8%
Health & Community Services	8.6%	16.28%	0%
Housing	0%	0%	0%
Legal, HR & Regulatory Services	18.6%	40 %	7.69%
Council Total	12.76%	27.00%	11.72%

- 5.14 To help get a deeper understanding of escalation rates, the Business Analysis and Complaints Team grouped services depending on the volumes of complaints they receive to see which services tended to have a higher escalation rate.
- 5.15 Based on the latest escalation rates and factoring the average annual volume of complaints, the following are considered the Top 10 areas which contribute to the higher current rate of escalation.

1. **Neighbourhood Offices** (Hackney Homes)
2. **Building Maintenance** (Hackney Homes)
3. **Housing Needs** (Finance & Resources / Revenues & Benefits)
4. **Development Management** (Legal, HR & Regulatory Services)
5. **Asset Management** (Hackney Homes)
6. **Parking** (Health & Community Services / Public Realm)
7. **Revenues** (Finance & Resources / Revenues & Benefits)
8. **Tenant Management Offices** (Hackney Homes)
9. **Benefits** (Finance & Resources / Revenues & Benefits)
10. **Estate Environment** (Hackney Homes)

5.16 These high escalation rates are currently being examined and addressed through the quality checking element of the complaints improvement work.

b) Local Government Ombudsman Complaints

5.17 There were 97 complaints considered by the Local Government Ombudsman investigation team to examine during the year, which is a 13% drop compared to the 112 cases in 2011/12. Of these complaints, 17 were outside the Local Government Ombudsman's jurisdiction and 27 were closed as there was either no or insufficient evidence of fault to warrant further investigation, or insufficient injustice, or an investigation would not have produced a worthwhile outcome.

5.18 53 initial investigations were undertaken by the Local Government Ombudsman, which is a 25% drop compared to 71 in 2011/12. Of the 53, 26 resulted with the Local Government Ombudsman making suggestions or amendments to the Council's decisions or actions.

5.19 Out of the 26 complaints

- ◆ 13 were investigated without having gone through all stages of the Council's complaints procedure as the Local Government Ombudsman considered them urgent cases which could not wait (6 Hackney Homes, 2 Homelessness, 2 Planning, 2 Council Tax/Benefits and 1 Noise)
- ◆ 2 were Children's Act complaints relating to 'Looked after Children' with a combined £5500 awarded to the complainants.
- ◆ 8 agreed with the stage 3 decision but increased the amount awarded in 6 cases (5 with a slight increase and 1 with £850 rise) and kept at the same award level in 2 cases.
- ◆ 3 overturned the decision made at stage 3 (Environmental Enforcement 1 and Hackney Homes 2)

5.20 Overall, the Council has received no 'judgement of maladministration' and the Local Government Ombudsman has concluded that the Council has not caused any significant faults.

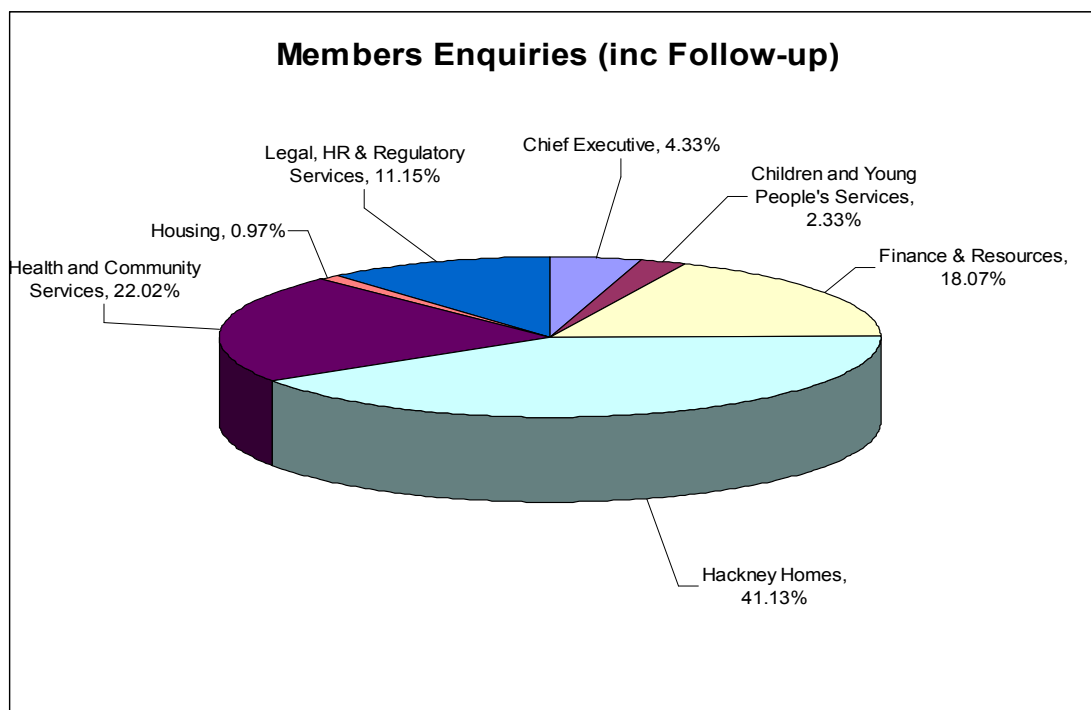
5.21 In 2013/14 responsibility for investigations relating to landlord functions within Hackney Homes move to the Housing Ombudsman Service from the Local Government Ombudsman (see Section 6 for more information).

c) Members' Enquiries

5.22 Members' Enquiries consist of a mixture of complaints, requests for service for residents and requests for information. Currently, there is no distinct separation in the way these different category types are dealt with and all have a response turnaround time of 10 working days.

Members Enquiries	2010/11	2011/12	2012/13
Members Enquiries Received (inc follow-up enquiries)	2,357	2,198	1,848
% responded to within 10 working days	84%	77%	81%
Average time taken to respond	9 working days	8.8 working days	8.5 working days

5.23 There has been a 16% drop in the number of Members' Enquiries when compared to 2011/12 and a 22% drop compared to 2010/11



5.24 Similar to corporate complaints, Hackney Homes make up the largest proportion of Members Enquiries.

d) Mayor's and Cabinet Members Enquiries

5.25 Each Mayor's Enquiry represents a comprehensive, personal response sent from the Mayor to what are often wide ranging and complex enquiries.

Mayor's & Cabinet Members Enquiries (inc Referrals)	2010/11	2011/12	2012/13
Enquiries Received (inc referrals)	2,285	1,814	2,479
Average time taken to respond	9.5 working days	10.2 working days	9.7 working days

5.26 Responses are subject to extensive quality assurance processes by the Mayor's Office and the Mayor before the response is sent, and many drafts have to be returned to departments in cases where the resident's query has not been fully answered. Until a full response is obtained, the case will not be concluded, and therefore this process puts significant pressure on the 10 day target timescale.

5.27 Although 40% of enquiries take longer than 10 working days, the average time taken has dropped from 10.2 working days to 9.7 days when compared to 2011/12.

5.28 Health and Community Services make up just under 30% of all cases dealt with by the Mayor's Office, whereas Hackney Homes represent under a quarter of all cases.

e) Adult Social Care Statutory Complaints

5.29 The table below shows the figures related to complaints covered by the statutory Adult Social Care process

Adult Social Care Local Resolution	2010/11	2011/12	2012/13
Numbers Received	72	97	139
Average time taken to respond	28 working days	12 working days	18 working days

5.30 The majority of the of 2012/13 complaints fell under the following categories: -

- Home Carers and the quality of provided services
- Blue Badge applications renewals
- Queries with regards to Community Care Assessment and Care Provision.

5.31 Following previous analysis of Home Carers related complaints, a Complaints Line was set up. This Freephone number was launched in November 2012 and operated between Monday and Friday, 9am to 5pm and aids early intervention on issues on home care provision and in some cases reduces the need to escalate to a formal complaint.

f) Children’s Social Care Complaints

5.32 Complaints related to Children’s Social Care are handled separately under a statutory process. The numbers of Stage 1 Children’s Social Care complaints have remained the same when compared to 2011/12. For data protection reason, a full breakdown of the volumes by categories cannot be provided in this report.

Children’s Social Care	Stage 1 – Local Resolution	Stage 2 – Investigation	Stage 3 – Review Panel	Total
Total	50	7	3	60

5.33 40% of complaints related to 'Difficulties in Communication'. The main example of these complaints included disputes regarding how parents were represented at Child Protection conference, either through discussion or submitted reports. 24% related to how investigations were carried out. Some parents considered that a lack of sufficient evidence was obtained to justify case decisions (the majority of these cases included children on a Child Protection Plan).

5.34 It is noted that although the number of new formal complaints have stayed the same, the number of Stage 2 and Stage 3 complaints have reduced by approximately 50%. This provides strong evidence to support effective implementation of mediation processes, improved complaints investigation practice and management.

6. Housing Ombudsman Services (changes affecting Hackney Homes complaints)

6.1 Since April 2013, the Housing Ombudsman Service deals with all complaints related to social housing. This means that complaints about the Council’s relationship as landlord to its tenants or leaseholders will be considered by the Housing Ombudsman Service rather than the Local Government Ombudsman.

- 6.2 The Housing Ombudsman Service can only consider complaints that have been referred by a “designated person” (MP, Councillor or recognised tenant panel) or by the complainant themselves if 8 weeks have passed from the completion of the Council’s internal complaints process.
- 6.3 The Council and Hackney Homes have agreed not to use tenant panels at this time so tenants/leaseholders have the option to approach an MP or a local Councillor.
- 6.4 Councillor Karen Alcock and Councillor Philip Glanville are the nominated ‘designated persons’ for Hackney. The main role of a “designated person” is to assist in resolving tenant complaints, to provide a fresh and independent perspective on problems and play a critical friend role. They will suggest views and approaches that may not have been considered by tenants, landlord staff and others in the handling of complaints.
- 6.5 Arrangements are already in place for complaints to be referred to the Housing Ombudsman Service and some analysis of potential volumes of cases has been undertaken. Based on current levels, it is estimated that approximately 20 cases may be received per annum, an average of 2 per month. Following the review by the “designated person”, it is estimated that a significant number will be considered not necessary to investigate or significant enough for the Housing Ombudsman Service to investigate
- 6.6 From April to mid June this year, lead Councillors as ‘designated person’ have received three referrals, which includes one from a Registered Provider. A more in depth analysis of this area of work will be provided in next year’s annual report.

7. Summary

- 7.1 There has been a slight increase in the volumes of complaints across the three corporate stages.
- 7.2 While dissatisfaction levels remain high, the capacity to handle complaint has improved with almost 600 Council and Hackney Homes staff having been trained and regular feedback provided to key Heads of Service following the analysis of quality checking of responses. Latest quality check analysis has shown an improvement in the way complaints are being handled and the most recent survey has shown an increase in the number of complainants who are satisfied with the way their complaint has been handled.
- 7.3 The Council will be facilitating a step change to a two stage complaints process from Autumn 2013 which will see even more effective and responsive complaints handling.



REVIEW OF THE NEW ETHICAL GOVERNANCE FRAMEWORK 2012-13	
STANDARDS COMMITTEE 1st JULY 2013	CLASSIFICATION: Open
WARD(S) AFFECTED All Wards	
CORPORATE DIRECTOR Gifty Edila, Corporate Director of Legal, HR and Regulatory Services	

1 SUMMARY

- 1.1 In 2011 a new Localism Act was passed. It places a duty on all councils to promote and maintain high standards of conduct by Members and co-opted members of the authority.
- 1.2 Local authorities are also required to adopt a code of conduct to help them discharge their obligations under the Localism Act.

2. RECOMMENDATIONS

- 2.1 The Standards Committee is asked to note the report.

3. REASONS FOR THE DECISION

- 3.1 The report is for noting. There is no decision to be made. Following the introduction of the Localism Act 2011 and new ethical governance

arrangements, the Standards Committee decided to conduct a review of the new arrangements following the first year of operation. This report details lessons learned in the first year.

4. COMMENTS OF THE CORPORATE DIRECTOR OF FINANCE AND RESOURCES

- 4.1 This report sets out the review of the new ethical governance framework after its first year of operation and therefore, does not contain any potential financial implications. If the need for additional resources is subsequently identified this would need to be funded from within the existing budget for Governance Services.

5. COMMENTS OF THE CORPORATE DIRECTOR OF LEGAL, HR AND REGULATORY SERVICES

- 5.1 The Localism Act 2011 places the Council under a legal obligation to promote and maintain high standards of conduct amongst elected Members and voting co-optees. The Council is required by law to adopt a Code of Conduct. On 27 June 2012, in response to its legal obligations, the Council adopted a new Code of Conduct.

- 5.2 The Council has established a Standards Committee to help it discharge its legal obligations.

- 5.3 The Council's Monitoring Officer has a legal duty under the Act to establish and maintain a register of interests for Members and voting co-optees. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 details disclosable pecuniary interests that Members and voting co-optees must declare. The Council has discretion to add further requirements to the form for Members to declare non-pecuniary interests.

- 5.4 The Commencement Order and the Regulations brought into force the following requirements:

- Adoption of a Code of Conduct;
- Arrangements to be made for investigating allegations of breaches of the Code of Conduct;
- That the Monitoring Officer establish and maintain a register of interests for elected Members and voting co-optees;
- The Council can adopt standing orders requiring Members and voting co-optees to leave the meeting room when they declare disclosable interests;
- Arrangements to be made for seeking dispensations for Members and voting co-optees who need to declare disclosable interests;

- Appointment of an Independent Person.

6. BACKGROUND

Adoption of a Code of Conduct

- 6.1 At the Council meeting on 27 June 2012 a new Localism Act 2011 Code of Conduct was approved and adopted. The new Code is a combination of the provisions of the Localism Act and Regulations and some of the obligations carried forward from the old Code of Conduct. Recently the Committee on Standards in Public Life has also expanded on the Nolan General Principles to add clarity. A copy is attached at Appendix 1.
- 6.2 To support the Licensing Committee and Planning Sub-Committee, the Standards Committee assisted them in the development and adoption of new Licensing and Planning Codes of Practice.
- 6.3 The Monitoring Officer arranged a series of seminars on the new Code of Conduct for Members, voting and non-voting co-optees and officers. The seminars were well received and responses to some case studies showed a high level of understanding of the provisions of the Code amongst attendees.
- 6.4 Pre-determination continues to be an issue for Members in understanding the extent to which they can participate in decision making after they had actively assisted an individual or external body, in a matter concerning that individual or body. Clarity and guidance will continue to be provided to Members and co-optees. About half of the Members on the Council have not attended any of the seminars on the Code. These Members need to be very careful to ensure they understand and comply with the Code, particularly in view of the new criminal sanction imposed on them by the Act.
- 6.5 From the experiences gained to date, it may be useful for Members to receive a report addressing the issue of pre-determination and bias under the new arrangements, looking at provisions under the old Members' Code of Conduct and how these apply under the new Code.
- 6.6 Experience shows that many Members wait until they are at the meeting to seek advice on whether they need to declare interests. Some of these interests can be complex and unless detailed background information is provided, the advice may not be comprehensive or accurate. Nonetheless Members are legally responsible for getting this right and declaring interests as required by the Code. It is therefore important that Members read reports in advance and, if they believe they may have interests to declare, seek guidance from the Monitoring Officer or their assistants in advance of the meeting.

Register of Interests

- 6.7 The Monitoring Officer has established a register of interests and as required by the Localism Act. The register is also published on the Council's website.
- 6.8 The register was established with the support of Standards Committee. In addition to the statutory disclosable interests, Standards Committee has added 'Other interests' such as membership of external bodies.
- 6.9 All elected Members and voting and non-voting co-optees, except young people on Children and Young People's Scrutiny Commission, have completed a form.
- 6.10 In completing the form, experience shows the areas where Members had the most concern or were uncertain about the requirements were:
- Home address going on the website
 - Spouse or partner's details
 - Membership of other bodies
 - Contracts with the Council
- 6.11 The Monitoring Officer agreed that Members' addresses will not go on the website if they ask for it to be withheld. However their addresses must appear on the hard copy register.
- 6.12 For reasons of confidentiality and right to privacy, Members were concerned about disclosure of their partner's or spouse's details. It was clarified that Members need not disclose names but by law must state employment, trade or vocation, address in the borough and any contracts with the Council.
- 6.13 We have assisted Members, so far as we are aware, to state all the external bodies they sit on. However, the responsibility lies on Members to ensure the disclosure is accurate and up to date.
- 6.14 The requirement to disclose contracts with the Council has proven to be rather confusing for Members and further clarity will be given. A Member would need to disclose in this section of the form if they directly and personally have a contract with the Council, or sit on a body that has a contract with the Council. An example is Members who sit on Hackney Homes Board would need to declare as they are directors of the Board and the Board has a contract with the Council.
- 6.15 On recommendation of the Standards Committee, Council agreed at its meeting on 24 October 2013 to re-introduce a requirement on Members and voting co-opted Members to declare on their register of interests form any gifts and hospitality received with an estimated value of £25. This requirement was removed by the Localism Act 2011 but informal feedback was received from Members requesting the requirement be re-introduced. The Standards Committee also agreed new guidance on declaring gifts and hospitality.

Standing Orders on leaving the meeting room when certain interests are declared

- 6.16 The Localism Act gives the Council power to make standing orders regarding a member who has declared a disclosable pecuniary interest to leave the meeting room when the matter is under consideration. The Council made a standing order requiring Members to leave the meeting when they declare disclosable pecuniary interest. In addition, the Code of Conduct also requires Members to a leave a meeting and not participate in any discussions or vote where contractual, financial, consent, permission or licence matters are under consideration relating to an external body on which the Member sits or relating to an matter where the Member has actively engaged in supporting and individual or organisation.
- 6.17 In practice, experience has shown that where Members have such interests they declare and leave the meeting.

Dispensations

- 6.18 There is provision in the Code for Members to seek dispensations from Standards Committee to enable them to participate in the consideration of a matter in which they have declared disclosable pecuniary interest or other interest. The grounds for seeking dispensations are:
- a) the number of persons prohibited from participating in the meeting would be so great a proportion as to impede the transaction of the business;
 - b) without the dispensation the balance of the political groups on the committee would be affected and affect the outcome of any voting;
 - c) granting dispensation is in the interests of residents;
 - d) without the dispensation, every Member of Cabinet would be prohibited from participating in any particular business to be transacted by Cabinet;
or
 - e) it is otherwise appropriate to grant a dispensation.
- 6.19 To date two applications have been made for dispensations. These were considered by Standards Committee and granted.

Investigation of complaints

- 6.20 Standards Committee has put in place arrangements for dealing with complaints. Initial complaint filtering is managed by the Monitoring Officer. Complaints deemed to be under the Code of Conduct, rather than service delivery issues, are reported to Standards Assessment Sub-Committee. If the complainant is dissatisfied with the outcome, they can refer to the Review Assessment Sub-Committee. Either the Assessment Sub-Committee or Review Sub-Committee can refer a complaint to the full Standards Committee for hearing.

- 6.21 Experience has shown this process works well and Assessment Sub-Committees have dealt with a number of complaints. The full Standards Committee heard a case in October 2012 and made a finding against the Member.
- 6.22 Standards Committee has agreed that when a complaint is upheld this will be reported to Full Council for noting.

Appointment of an Independent Person

- 6.23 The law requires councils to appoint an Independent Person for complaints. Mr Jonathan Stopes-Roe was appointed as the Council's Independent Person on ethical governance matters with effect from 1 July 2012. The role of the Independent Person is to comment on the investigation of complaints. The Independent Person has helpfully considered and commented on complaints reported to the Standards Assessment-Sub-Committee.
- 6.24 Experience shows that the Assessment Sub-Committee members welcome and value this independent contribution to the process. They often refer to the views expressed by the Independent Person in their deliberations. Reasons for their decision invariably include the views expressed by the Independent Person.
- 6.25 Mr Stopes-Roe has readily stepped into the role following his appointment. He has received internal and external training and shows enthusiasm and commitment. As soon as a complaint is referred to him, he responds immediately.
- 6.26 Mr Stopes-Roe has also been available to Members against whom complaints have been made. The procedure enables a Member who is a respondent to a complaint to contact him to discuss.

Guidance to Members

- 6.27 Numerous guidance produced by the Council's Monitoring Officer and the Department for Communities and Local Government have been circulated to Members to assist them in operating under the Code of Conduct.

7. COMMITTEE ON STANDARDS IN PUBLIC LIFE

- 7.1 In January 2013 the Committee on Standards in Public Life produced a report called 'Standards matter – A review of best practice in promoting good behaviour in public life'.
- 7.2 The Committee on standards in Public Life produced a revised version of the Seven Principles of Public Life. They have also indicated that they will in future conduct a review into standards in local government. In their report they commented on the evolution of the standards regime in local government from the Local Government Act 2000, followed by changes in 2007 and finally the Localism Act 2011, abolishing the old regime and introducing a new ethical framework.

7.3 They also said in their report
“The new, slimmed down arrangements have yet to prove themselves sufficient for their purpose. We have considerable doubt that they will succeed in doing so and intend to monitor the situation closely. The arrangements place a particular onus on the Local Government Association to provide leadership for the sector and to ensure that they work in practice.”

7.4 The Committee on Standards in Public Life also expressed two main concerns about the new ethical framework:

- Local authorities previously had power to suspend a Member for breaching the Code of Conduct. The only sanctions now are censure or criminal prosecution. Some recent examples in local government of misconduct would not pass the criminal standard of proof but required a stronger sanction which is more than censure.
- Second concern is the interesting involvement of an Independent Person in disciplinary processes. Previous complaints were dealt with by Standards Committees independently chaired by individuals who are not Members. There is doubt that this new arrangement will be sufficient to provide assurance that justice is being done and, equally important, that it is seen to be done.

Gifty Edila
Corporate Director for Legal HR and Regulatory Services

APPENDICES

Appendix 1 – Nolan General Principles

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NEW PRINCIPLES OF PUBLIC LIFE

The new principles of public life, as recommended by the Committee on Standards in Public Life, are as follows:-

1. Selflessness

Members should act solely in terms of the public interest.

2. Integrity

Members must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Members must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Members are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Members should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.

6. Honesty

Members should be truthful.

7. Leadership

Members should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

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DRAFT STANDARDS COMMITTEE WORK PROGRAMME 2013-14

STANDARDS COMMITTEE

1st JULY 2013

CLASSIFICATION:

Open

WARD(S) AFFECTED

All Wards

CORPORATE DIRECTOR

Gifty Edila, Corporate Director of Legal, HR and Regulatory Services

1. CORPORATE DIRECTOR'S INTRODUCTION

- 1.1 In line with established good practice, the Standards Committee sets out a work programme to help it focus its attention on promoting and maintaining high ethical standards among Members of the Council.
- 1.2 This report outlines the areas of work which the Committee will be undertaking under the new arrangements while building on what has been achieved in the last few years to strengthen the ethical governance arrangements of the Council.
- 1.3 The report therefore invites the Committee to agree a work programme for the year 2013-14.

2. RECOMMENDATION

- 2.1 **Standards Committee is asked to agree the draft work programme for 2013-14 as detailed in Appendix 1 to this report.**

3. REASON FOR DECISION

- 3.1 Issues concerning ethical governance including the promotion and maintenance of high ethical standards among Members of the Council are within the remit of the Committee. Agreement of the Committee's work programme would therefore enhance the work of the Committee.

4. COMMENTS OF THE CORPORATE DIRECTOR OF FINANCE AND RESOURCES

- 4.1 This report sets out the work programme of the Standards Committee and therefore does not contain any potential financial implications. If the need for additional resources is subsequently identified this would need to be funded from within the existing budget for Governance Services.

5. COMMENTS OF THE CORPORATE DIRECTOR OF LEGAL, HR AND REGULATORY SERVICES

- 5.1 The work programme enables the Council to discharge its legal obligation under the Localism Act 2011, to promote and maintain high standards in public office.

6. BACKGROUND/DETAIL

- 6.1 The Localism Act 2011 places an obligation on the Council to ensure that high ethical standards are promoted and maintained among its Members. At the Council meeting on 28 March 2012, the Council appointed the Standards Committee to ensure high ethical standards in the Council. The suggested work programme attached at Appendix 1 is intended to help the Committee to focus attention on its responsibilities and duties. It seeks to balance new areas of work with the regular items of business which have

traditionally formed the bulk of the Committee's work. Responding and reviewing new challenges arising from the Localism Act 2011 is also likely to form a major part of the work programme for 2013-14

- 6.2 There is some flexibility to add items to the work programme subject to time and resources. New areas of work may also be undertaken as the new ethical governance arrangements settle. In line with the Committee's terms of reference, this will include training for all Members of the Council on matters relating to the Members' Code of Conduct (e.g. handling of complaints about Member conduct) and the ethical framework. As a consequence, other activities outside formal meetings will also be programmed in the course of the year to enhance the work of the Committee.
- 6.3 Complaints received in the year may necessitate additional meetings being held by a Sub-Committee of the Standards Committee.

Gifty Edila
Corporate Director
Legal, HR and Regulatory Services

LIST OF APPENDICES

Appendix 1 – Draft Standards Committee Work Programme 2013-2014

BACKGROUND PAPERS

No documents which require listing been relied upon in the preparation of this report.

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STANDARDS COMMITTEE

APPENDIX 1 - DRAFT WORK PROGRAMME 2013-14

MEETING DATE	ITEM	ACTION	PURPOSE	RESPONSIBILITY
01/07/13	Appointment of Chair and Vice Chair	Decision	The Committee will be asked to appoint the Chair and Vice-Chair for the 2013-14 Municipal Year.	LHR&RS (Robert Walker)
01/07/13	Draft Work Programme	Decision	The report will ask Members to agree the priorities for and work of the Committee for 2013-14.	LHR&RS (Robert Walker)
01/07/13	Review of New Ethical Governance Arrangements in Hackney	Decision	The report requests the Committee to comment on the new Ethical Governance arrangements introduced in July 2012 following implementation of the Localism Act 2011 and to discuss whether any changes or further action is required. This report will also take into account the findings of the wider review of the Council's governance arrangements.	LHR&RS (Gifty Edila)
01/07/13	Complaints and Members' Enquiry Annual Report	Information	This report provides detailed information on the volume of complaints/enquiries, time taken to reply and the percentage of complaints that escalate to the next stage of the Council's procedure. The report also provides demographic information on who is contacting the Council to make a complaint; how they are contacting the Council, the issues most often complained about and customer satisfaction with how these complaints were handled.	CE's (Bruce Deville)
04/11/14	No items scheduled – meeting will be cancelled unless there is additional business			

STANDARDS COMMITTEE

APPENDIX 1 - DRAFT WORK PROGRAMME 2013-14

22/01/14	Whistle-Blowing Progress Report	Information	The report informs Members about details of all whistle-blowing cases received by the Council since January 2013.	FR (Tracy Barnett)
22/01/14	Members' Induction Programme	Information	This report informs the Committee of the Members' Induction Programme to be delivered after the 2014 local elections.	LHR&RS (Gifty Edila)
22/01/14	Review of Register of Members' and Co-optees' Interests	Information	The report updates the Committee on Members and Co-optees completion of their register of interests forms.	LHR&RS (Gifty Edila)
09/04/14	Standards Committee Annual Report 2012/2013	Decision	The report will provide Members with an annual review of the Committee's work for comment and commendation to Council. It will also update Members on proposed areas of work for the future.	LHR&RS (Robert Walker)
09/04/14	Annual Report on Compliance with Guidance on Members' Use of ICT	Information	The report will update the Committee on compliance of Members with the guidance on their use of ICT and highlights any areas where improvement was required.	F & R (Christine Peacock)