

**A MEETING OF THE STANDARDS AND GOVERNANCE COMMITTEE
WAS HELD ON 29 OCTOBER 2009**

Councillors Burgess (P), Cully (P), Forder (P), Gill (P), Kimber and Wright (P).

Independent Members: Mr R V Perry (P) and Mr G Lidgley (P).

It was reported that, in accordance with Standing Orders, Councillor Murphy had been nominated to attend this meeting in place of Councillor Kimber.

19. APOLOGIES

An apology for inability to attend the meeting was submitted on behalf of Councillor Kimber.

20. DECLARATIONS OF INTEREST

There were no declarations of interest.

21. MINUTES

RESOLVED: That the Minutes of the meeting of the Standards and Governance Committee held on 10 September 2009 be approved and signed by the Chairman as a true and correct record.

22. DEPUTATIONS

There were no deputations.

23. PUBLIC QUESTIONS

There were no public questions.

PART II

24. COMPLAINTS PROCEDURES AND ANALYSIS

Consideration was given to a report of the Corporate Services Manager which requested the Committee to provide feedback as appropriate to the Council Management Team on the management of the formal complaints received in 2008/9.

Members drew attention to appendix D of the report which indicated that 71% of complainants surveyed were very dissatisfied with the way their complaint was handled. Officers advised that the complainants had not elaborated but that it was mainly the outcome of the complaint which led to dissatisfaction rather the way it was handled.

Members raised the issue of the 10 day response target for Stage 1 complaints not being

met in 24% of cases. Officers advised that Stage 1 Reviews were carried out by Unit Managers and, on occasions, there may be delays as a result of the manager being unavailable, for example, due to being on leave. In these cases the complainant would receive a letter explaining the situation and giving a revised target date.

RESOLVED: That the report of the Corporate Services Manager be noted.

25. LOCAL ASSESSMENT MONITORING REPORT

Consideration was given to a report of the Borough Solicitor and Monitoring Officer which advised the Committee on the operation of the arrangements for Local Assessment.

A question was asked by a Member regarding an assertion that six officers from Gosport Borough Council were currently being investigated by the Audit Commission. Officers advised that they were unaware of any officer of the Council being in this position.

Members referred to Paragraph 2.4 of the report regarding a High Court appeal being made by a Gosport Borough Councillor and were advised that the hearing was unlikely to take place before Christmas 2009.

RESOLVED: That the report of the Borough Solicitor and Monitoring Officer be noted.

26. INTERNAL AUDIT – PROGRESS REPORT FROM 1ST JULY 2009 TO 30TH SEPTEMBER 2009

Consideration was given to a report of the Head of Internal Audit & Risk Assurance which tabled the performance of the Internal Audit Section from 1st July to 30th September 2009) against the agreed audit plan for Members with responsibility for governance. The report also provided Members with an update on other key internal audit business within that same period.

Members drew attention to the vacancy currently being carried by the Internal Audit Section and were advised that an advertisement had been drafted and it was anticipated that interviews would take place in early December. There would inevitably be a gap between the departure of the previous post holder and the new appointment due to the processes that were necessary when re-filling a post.

RESOLVED: That:

- a) the performance of the Internal Audit Section from July to September 2009 had been satisfactorily reviewed; and
- b) the Head of Internal Audit's other key business during the above period be noted.

27. UPDATING THE INTERNAL AUDIT CHARTER

Consideration was given to a report of the Head of Internal Audit & Risk Assurance which updated the Internal Audit Charter in line with good practice.

RESOLVED: That the updated Charter and Terms of Reference for Internal Audit be approved.

28. STANDARDS AND GOVERNANCE COMMITTEE WORKPLAN

Consideration was given to the Workplan of the Standards and Governance Committee.

A number of minor amendments to the Work Programme were made.

The Borough Solicitor and Monitoring Officer advised that a report would be brought to the Committee on the Code of Conduct once updated information had been received.

The Chairman raised a query regarding the effect of common law on the rules relating to the conduct of Members and officers. The Borough Solicitor and Monitoring Officer advised that there had been debate on to what extent legislation on the Code of Conduct was all encompassing. All the Council's powers were derived from Acts of Parliament but the way the Council carried out its business was often dictated by common law. This did not present any significant problems. Changes in European Union law had not yet overridden English law. The general principles of English law would govern the Code of Conduct.

RESOLVED: That the Workplan, including the minor amendments referred to above, be noted.

The meeting commenced at 6.00pm and concluded at 6.24 p.m.

CHAIRMAN