

Decisions of the Constitution and General Purposes Committee

7 February 2022

Members Present:-

Councillor Melvin Cohen (Chairman)
Councillor Laithe Jajeh (Vice-Chairman)

Councillor Richard Cornelius Councillor Geof Cooke
Councillor Helene Richman Councillor Alison Moore
Councillor Barry Rawlings

1. MINUTES

RESOLVED that the minutes of the meeting held on 6 January 2022 be agreed as a correct record.

2. ABSENCE OF MEMBERS

None.

3. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION AND COMMENTS (IF ANY)

None.

6. MEMBERS ITEM (IF ANY)

None.

7. ANNUAL PAY POLICY STATEMENT

The Assistant Director Human Resources and OD, Jon Bell, presented that Annual Pay Policy Statement 2022/23.

A Member questioned what "...a broadly corresponding to points within the National Joint Council (NJC) for Local Government Services (LGS) pay 'spine'..." meant in Barnet where we had adopted the Unified Reward pay and grading structure. The Assistant

Director Human Resources and OD advised the Committee that this meant that the Council broadly corresponded to the NJC spinal column points, but officers could be at any salary between the minimum and maximum for the grade rather than being on set points within the grade.

The Committee noted that for a small number of designated roles where recruitment and retention issues exist, some employees are offered the option of receiving a higher salary in return for sourcing their own pension provision. It was questioned whether this would have a negative impact on the pension fund. The Assistant Director Human Resources and OD advised the Committee that it would have no impact on the fund as the staff in question were not part of it. He added that the staff were mainly in Children's Social Care who had come to Barnet from agencies.

In relation to London Living Wage and apprenticeships, the Committee noted that there was a living wage for apprenticeships in London and questioned whether Barnet were paying at that rate. The Assistant Director Human Resources and OD confirmed that Barnet were paying the London rate.

The Committee noted that the pay negotiations for 2020/21 were not yet completed and questioned whether this was typical. The Assistant Director Human Resources and OD reported that the agreement was between employers and trade unions and was outside of the council's control.

RESOLVED that the Committee approve the Pay Policy Statement 2022/23 attached at Appendix A to the report and refers it to Full Council on 1 March 2022 for approval.

8. LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN (LGSCO) AND HOUSING OMBUDSMAN SUMMARY OF UPHELD COMPLAINTS REPORT 2020/21

The Assistant Director Assurance, Emily Bowler, presented a report on the Local Government & Social Care Ombudsman (LGSCO) and Housing Ombudsman summary of upheld complaints report 2019/20 and 2020/21 which included the annual letters received from Ombudsman in July 2020 and July 2021. It was reported that the picture was generally favourable – the Council had seen a reduction in the number of complaints upheld by the Ombudsman and there has been an improvement in the number of complaints resolved in time. However, it was noted that the report covered the Covid period when Ombudsman enquiries had been suspended for a three-month period. The Committee were informed that complaints per service were in line with the national average.

The Committee noted that the Ombudsman had made comments about an erosion in local authority funding for complaints management and it was highlighted that Barnet were investing in this area. A new complaints management system (iCasework) was being implemented in April which would provide greater insight, workflows, and reporting tools. Other developments included: the Ombudsman delivering staff training in January; internal guidance for staff on complaints management being reviewed; and the on-going use of complaints data to learn from to improve services.

A Member commented that the number of upheld complaints seemed high. The Assistant Director Assurance advised that many referrals to the Ombudsman were

rejected as they haven't been through the Barnet complaints. It was reported that the improvements referred to would result in a reduction in cases. However, it was noted that the Council does get it wrong sometimes and when they do, we should try and seek a resolution before it gets referred to the Ombudsman. The Committee agreed that the Council should try and seek remedies before the Ombudsman wherever possible. Members noted that several complaints were about officers not following procedure and hoped that training would resolve that.

The Committee noted that the reporting of this information had been delayed due to Covid and requested that the 2021/22 information be reported to as early as possible. Officers reported that the Ombudsman letter was received in July and it was expected that the report to committee would be in November 2022. It was requested that the report include more data and details of training.

In response to a question from a Members, the Assistant Director Assurance agreed to consider whether any key performance information measures could be developed for complaints management.

RESOLVED that Committee note the summary of upheld decisions by the Local Government and Social Care Ombudsman during the period from 1st April 2019 to 31st March 2021 as set out in Appendix A.

9. CODE OF CONDUCT ALLEGATIONS 2020/21

The Monitoring Officer, Jessica Farmer, presented a report on Code of Conduct Allegations 2020/21. She reported that a total of seven complaints had been received. Six were from members of the public and one from a Member regarding another Member. Five of the six complaints from the public were from people who had linked corporate complaints which had been through all the stages and were then received as complaints against Members. The Committee were informed that the number of complaints was consistent with previous years.

RESOLVED that the Committee note the update on complaints the Monitoring Officer received about Member conduct during 2020/21 as set out in Appendix A.

10. HEALTH AND SAFETY ANNUAL REPORT

The Committee noted that this item had been withdrawn and would be reported to a future meeting.

11. CONSTITUTION REVIEW

The Monitoring Officer, Jessica Farmer, presented a report which contained a constitution amendment.

RESOLVED that the Committee recommend to Council that the Constitution be amended to incorporate the changes set out in the report and the amended versions attached at Appendices A and B.

12. COMMITTEE FORWARD WORK PROGRAMME

Members noted that the calendar of meetings 2022/23 had been approved by Council on 25 January 2022 and officers would work on developing a work programme for the forthcoming municipal year.

RESOLVED that the Committee note the forward work programme.

13. VOTE OF THANKS

Councillor Richard Cornelius expressed a vote of thanks to the Chairman and Vice-Chairman for their conduct of the Committee during 2021/22.

The meeting finished at 7.31pm