

Decisions of the Constitution and General Purposes Committee

6 October 2022

Members Present:-

Councillor Barry Rawlings (Chair)
Councillor Alison Moore (Vice-Chair)

Councillor Geof Cooke
Councillor Ernest Ambe
Councillor Paul Lemon

Councillor Laithe Jajeh
Councillor Elliot Simberg

Apologies for Absence

Councillor Ammar Naqvi

Councillor Melvin Cohen

1. MINUTES

RESOLVED that the minutes of the meeting held on 7 July 2022 be agreed as a correct record.

2. ABSENCE OF MEMBERS

An apology for absence had been received from Councillor Naqvi who was absent on Council business.

An apology for absence had been received from Councillor Melvin Cohen.

3. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER

None.

5. PUBLIC QUESTION AND COMMENTS

None.

6. MEMBERS ITEM

None.

7. ELECTORAL SERVICES OVERVIEW REPORT

The Chief Executive and Returning Officer, John Hooton, and the Head of Electoral Services, John Bailey, introduced the report which reviewed Barnet's project work to prepare, implement and deliver the Local Government elections in Barnet on 5 May 2022. The report summarised the work undertaken, highlighted learning from the

election and offered recommendations to inform the preparations for future elections in the borough.

The Head of Electoral Services highlighted that following the implementation of the Election Act 2022 voter identification and changes to the handling of postal votes would be in place by May 2024.

The Committee queried what the expected timetable was for the Parliamentary Boundary Review. The Head of Electoral Services advised the Committee that a further round of consultation on the proposed boundaries would start on 8 November and end on 5 December 2022. Following the final consultation, the Boundary Commission for England would form its final recommendations which would be submitted to Parliament by July 2023. The Committee were informed that it was expected that any General Election which took place after Autumn 2023 would be on the new parliamentary boundaries. Members noted that if a General Election and Mayoral / Greater London Assembly election took place on the same day the Council would be involved in election counts in five constituencies which would be challenging.

RESOLVED that the Committee:

- 1. Note the review of the Local Elections May 2022 report attached at Appendix A.**
- 2. Note the recommendations detailed in section 8 of Appendix A.**

8. TRANSFORMATION DIRECTOR AND COVER ARRANGEMENTS

The Chief Executive, John Hooton, presented a report which sought confirmation of a temporary (one-year) secondment to the post of Transformation Director, together with agreement of the proposed arrangements to cover the post holder's substantive duties and responsibilities for the period of the secondment.

In response to a comment about the appointment of the Transformation Director, the Committee noted that officers would seek to clarify the rules relating to the temporary appointment of senior officers in the new Constitution which would be adopted in May 2023.

Following consideration of the item, the Chair moved to vote on the recommendations in the report. The vote was recorded as follows:

For: 5
Against: 0
Abstentions: 2
Absent: 2
Total: 9

RESOLVED that the Committee:

- 1. Approves the creation of a temporary Transformation Director post.**
- 2. Confirms the secondment of the Director of Commercial and Customer Services to the role of Transformation Director.**

3. **Notes that the post holder will retain their substantive duties and responsibilities in respect of Resident Experience and Digital service and the Programmes, Performance and Risk Management service.**
4. **Agrees that the Head of Commercial Management post be temporarily upgraded to Assistant Director, Commercial Services, for the period of the secondment.**
5. **Notes that an appointment to the new post will be made in accordance with the Council's normal Human Resources procedures.**

9. ANNUAL HEALTH, SAFETY AND WELLBEING REPORT 2021/22

The Health & Safety Business Partner, Jay Patel, presented a report which provided information on the Council's health, safety and wellbeing performance for the period 2021/22. It also sets the priorities for the period 2022/24, to ensure continued improvement in health and safety performance as well as improvements in staff wellbeing. The report was based on performance information and data obtained from the council's accident/incident reporting system, together with independent audit results, corporate training records, staff surveys and ill health data.

The Committee noted that it was planned to implement a Corporate Potential Violent Person Register (PVPR) system for lone workers. A Member noted that services may require some guidance regarding engaging with these individuals as persons on the register may also be service users.

Members questioned whether display equipment (DSE) assessments were completed for home working as well as the office. Officers confirmed that these did take place within departments and services. It was suggested that DSE assessments could be extended to Members.

In relation to work related stress, Members questioned what support was available to employees. Officers reported that there was an Employee Assistance Programme in place. In addition, some of the themes arising from the staff survey relating to work related stress were being explored by Organisational Development with a view to supporting staff in this regard.

RESOLVED that the Committee note the report and approve the priorities for the period 2022/23 as outlined in section 3 of Appendix 1 (Councils Annual Health, Safety and Wellbeing Report).

10. LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN (LGSCO) SUMMARY OF UPHELD COMPLAINTS REPORT (2021-2022)

The Head of Assurance and Business Development, Ali Saka, and Improvement Lead Assurance, Andrew Cox, presented a report which provided a summary of the upheld complaints determined by the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman during the period 1 April 2021 to 31 March 2022.

The Committee were informed that the number of complaints referred to the Ombudsman had increased, but the percentage of upheld complaints had reduced. In addition, the overall amount of compensation paid had reduced from around £25K in 2020/21 to £16K in 2021/22. The iCasework system had been introduced for complaints

management which was expected to produce better data which would identify themes and potential improvement areas. Capacity within Corporate Complaints had been increased with a graduate trainee and apprentice recently joining the team.

In response to comments from the Committee, officers reported that the increase in the number of cases (from 75% in 2020/21 to 81% in 2021/22) where the Ombudsman deemed that there was 'no further action' required was positive as they were happy with the actions the Council had taken to resolve the complaint.

In response to a question, officers confirmed that complaints data from the new system could be shared with customer services staff.

RESOLVED that the Committee:

- 1. Note the summary of upheld decisions by the Local Government and Social Care Ombudsman and Housing Ombudsman during the period 1 April 2021 to 31 March 2022, and relevant lessons and actions.**
- 2. Agree that a report should be presented to the Committee in Spring 2023 on the implementation of the iCasework complaints management system including trend data.**

11. MEMBER SAFETY REVIEW

The Governance Officer, Tracy Scollin, presented a report provided the Committee with an update on actions taken by officers further to a review of Member Safety which was considered by the Committee in January 2022. The review considered the safety of councillors in council-owned premises (Hendon Town Hall, libraries, etc.) and the safety of councillors in pursuit of their public duties in particular Members' surgeries. A follow-up under each agreed action had been detailed in the report.

RESOLVED that the Committee:

- 1. Note the actions taken in relation to Member Safety to date as detailed in the report.**
- 2. Note the action areas set out in the report and request that the Member Safety Intranet page (Appendix A) is promoted to all Members.**

12. GOVERNANCE REVIEW - PROJECT UPDATE

The Head of Governance, Andrew Charlwood, presented a report which provided an update on the Governance Review project.

Following consideration of the item, the Chair moved to vote on the recommendations in the report. Recommendation 1 was agreed unanimously. A Member requested that the Committee record the votes on recommendation 2. Votes on recommendation 2 were recorded as follows:

For: 5
Against: 2
Abstentions: 0
Absent: 2

Total: 9

RESOLVED that the Committee:

- 1. Note the progress of the Governance Review project as set out in the report.**
- 2. Agree that Constitution amendments related to the Governance Review project can be reported directly to Council.**

13. MEMBER DEVELOPMENT PROGRAMME 2022-2026

The Head of Governance, Andrew Charlwood, presented a report on the Member Development and Induction Programme 2022 – 2026.

The Committee commented that the delivery of sessions via Teams and sending the training slides and a link to watch back were welcome developments. It was requested that the text message reminder service was used for all sessions as it was a useful prompt about scheduled sessions.

RESOLVED that the Committee:

- 1. Note the sessions delivered since September 2021 as set out in Appendix A.**
- 2. Agree the forward plan of Member Development sessions asset out in Appendix B.**
- 3. Note that officers will commence work on assessment for Charter+ (Plus) status shortly and report to the Member Development Steering Group on next steps.**

14. CODE OF CONDUCT ALLEGATIONS 2021/22

The Monitoring Officer, Jessica Farmer, presented a report which provided an update on complaints received about Member conduct during 2021/22.

RESOLVED that the Committee:

- 1. Note the update.**
- 2. Agree that all Members attend a Code of Conduct training session.**

15. CONSTITUTION REVIEW

The Monitoring Officer, Jessica Farmer, presented a report which detailed proposed amendments to the Constitution.

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 within at Appendices A to D.

16. MEMBERS DBS CHECKS

The Head of Governance, Andrew Charlwood, presented a report on Members Disclosure and Barring Service (DBS) Checks.

RESOLVED that the Committee approve the procedure for requesting Disclosure and Barring (DBS) checks for Councillors and Independent Lay Members as detailed in the report.

The meeting finished at 8.43 pm