



HILLINGDON
LONDON

Internal Audit Service

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To: Raj Alagh – Borough Solicitor

Our reference: **AUD/GW**

Cc: Fran Beasley – Director DCEO
Lloyd White – Head of Democratic
Services

Your reference: Complaints against
Members

Nav Johal – Democratic Services
Officer

Date: 23rd November 2009

CONFIDENTIAL INTERNAL MEMORANDUM

FINAL AUDIT REPORT : COMPLAINTS AGAINST MEMBERS

I attach for your information the final Internal Audit report, which also includes the Management Action Plan of recommendations. The outcome of this audit will be reported to the next Audit Committee.

We will be undertaking a follow-up exercise to confirm the implementation of agreed recommendations, at an appropriate time after the target dates, following the issue of this final report. Additionally, we are required to report the outcomes/implementation status of recommendations against agreed target dates (in terms of whether implemented or late) to the Corporate Management Team and to the Audit Committee.

Further to the above, I should be pleased if you would complete and return the attached questionnaire "Client's View of Internal Audit Service". The Audit Committee use these questionnaires to assist in assessing the work of Internal Audit and will therefore be monitoring the return of questionnaires.

I am pleased to take this opportunity to thank your staff for their assistance during the audit.

Helen Taylor
Head of Internal Audit & Corporate Governance



HILLINGDON
LONDON

FINAL AUDIT REPORT

COMPLAINTS AGAINST MEMBERS

Auditor: Graham Windsor

Draft Issued: 02 October 2009

Final Issued: 23 November 2009

**Internal Audit Service
1S/05
Civic Centre
High St
Uxbridge
UB8 1UW**

Complaints Against Members

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ACKNOWLEDGEMENTS

Internal Audit would like to thank the Head of Legal Services, the PA to Head of Legal and all other officers contacted during the course of this review for their co-operation and assistance during the audit.

1. INTRODUCTION

1.1. This audit was undertaken as part of the Audit Plan for 2009/10. The audit brief, which provided the objective, methodology and scope, was issued on 24th July 2009

1.2. Complaints against a member can be made by the public, officers of the Council or other members.

1.3. All complaints must be made in writing and made through the Members Code of Conduct Complaint form, which should be sent to the Head of Legal Services.

1.4. The Standards Committee has 3 sub-committees; Assessment Sub Committee, Review Sub-Committee and Hearing Sub-Committee. These sub-committees determine the outcome of complaints at various stages of the procedure.

1.5. There were 12 complaints during 2008/09, all by members against other members.

2. EXECUTIVE SUMMARY

2.1. We are pleased to report that all complaints were made on the correct complaints form and were sent to the Head of Legal Services who is the Council's Monitoring Officer.

2.2. All the cases had followed the laid down procedures and supporting documentation was on file.

2.3. Overall Audit's view is that we are able to give **Full Assurance** that the controls in place to manage Complaints against Members are effective. A definition of the assurance level and risk categories is available on the [intranet](#) in the internal audit pages. Detailed audit findings are set out from section three onwards and recommendations have been brought together in Appendix A.

3. POLICIES & PROCEDURES

3.1. There are clear Procedures set out in Schedule J of the Standards Committee Procedure Rules within Hillingdon's Constitution, detailing each stage and how the relevant decisions should be made. The Constitution was last updated in July 2009.

3.2. The complaint files from 2008/09 were reviewed and contained all documents required. All of them had a complaints form, acknowledgement letters, notification letters and meeting decisions.

3.3. The Procedure Rules give a timeline of deadlines within which each stage needs to be completed by. All complaints were dealt with correctly in the relevant time scales.

3.4. On reviewing the files, we found that 3 complaints had been withdrawn and one was withdrawn when the Member was disqualified. However, we only clarified this upon discussing the cases with the Head of Democratic Services.

Recommendation 1

A summary sheet should be placed at the front of the files, showing what stage the complaint is at and the decisions made so far, including dates.

Rationale

If a member of staff were to leave it may not be clear exactly what stage each complaint is at.

4. CONFIDENTIALITY

4.1. All files are stored in the Head of Legal Services office which is locked whenever the room is vacated.

5. ADVERTISING

5.1. As set out Paragraph 2.1 of the Standards Committee Procedure Rules – Schedule J, members of the Public should be made aware of the procedures for making a complaint against Members of the Council.

5.2. The Council should publicise its complaints procedure on the website, in one or more local papers, in its own newspaper and in local libraries and other public areas.

5.3. We found that the complaints procedure for Members is available on the Council website. The complaints procedure had also been published in September's Team Hillingdon and Hillingdon People, which is distributed door to door.

Complaints against Members

5.4. However, after consulting with the Marketing Officer and Publications Officer, it would appear that we do not advertise in local papers or public places. This is set out as a requirement as stated in 5.1. of this report.

Recommendation 2

Management should liaise with the Marketing and Publications officer to arrange for the regular publication of the procedures in local papers, and for leaflet or posters being available in libraries and other public places.

Rationale

Misconduct by a Member may not be reported, as members of the public are not aware of the procedure to follow.

Complaints against Members

APPENDIX B – ACTION PLAN

Rec No.	Recommendation	Rationale	Risk category	Management response (including statement of agreement/disagreement)	Person responsible and time scale
1	<i>A summary sheet should be placed at the front of the files, showing what stage the complaint is at and the decisions made so far, including dates.</i>	<i>If a member of staff were to leave it may not be clear exactly what stage each complaint is at.</i>	Low	<i>Agreed/Disagreed</i>	
2	<i>Management should liaise with the Marketing and Publications officer to arrange the publication of the procedures in local papers and leaflets or posters being available in libraries and other public places.</i>	<i>Misconduct by a Member may not be reported through the correct form or route, maybe even not reported at all.</i>	Low	<i>Agreed/Disagreed</i>	

COMPILED BY:
(Auditor)

SIGNED AS AGREED:

DESIGNATION:

DATE: