

Summary of Discussion and Comments – Member Enquiries Principles, Policy and Process

Need to Know Principle:

Council officers clarified at meetings with Members that the Need to Know Principle is being abolished in terms of the Member Enquiries Process and not as a concept as it is and would still be part of the Constitution. Council officers stated there are other areas where the Need to Know will still be actively used such as requests for Committee reports, draft policy papers or personal information about people. Council officers, in these instances, will still refuse on various grounds such as confidentiality.

A majority of Members highlighted that they were pleased to learn the abolition of the Principle and some made it clear the Principle hampered their enquires, caused a lot of unease with residents, that it stopped legitimate enquiries being addressed and was not conducive.

A small minority of Members were concerned about the extra work this would bring to Council services although another minority highlighted that there would be no extra work.

Information Law:

A majority of Members highlighted that it would be very good to see the Council abolish the practice of refusing MEs and directing Members to Information Law such as FOI/EIR. Members highlighted that the practice of directing MEs through the FOI/EIR route was obstructive and made it harder for them to raise legitimate enquiries on behalf of their residents.

Council officers reassured Members of the paramount issue of confidentiality.

Members support:

A couple of Members stated that there has been a problem with the ME Process since 2014 and it has never been fixed. A couple of Members highlighted that when the ME Function was with Democratic Services, they received 121 support from DS staff and asked if that is going to be possible for the IG Service. Council officers reclarified that the service previously provided by Democratic Services was different in nature to that provided by the IG Service. Council officers made clear that the IG Service would not be providing 121 support as staff resources have reduced over the years. It was suggested that due to resources, 121 support would not have continued with Democratic Services had the function stayed within DS.

Can Members help to reduce the number of MEs and what is an ME?:

On their own accord, some Members asked what they could do to reduce the number of MEs they submit. Members asked for a few examples to be inserted into the ME Process demonstrating what would not constitute an ME such as a Service Request. Council officers highlighted that instead of inserting these examples, the new ME Process makes it clear any elements that do not constitute an ME such as a Service Request, where there is a complaint about the same issue or a PCN Appeal or a School Appeal. In these scenarios, Council officers made it clear that using the ME Process would not be appropriate. A majority of Members were grateful for this clarification in the new ME Process.

RSL Responses:

A majority of Members thought it is a very good idea for RSLs to send their responses directly to Members, instead of through the IG Service which is acting as a mailbox and clogging the system. A majority of Members highlighted this would save a lot of time and effort for all interested parties.

A minority of Members were concerned that Council officers would not see the RLS responses before they were sent to Members as those Members were not confident with the standard of responses from the RSLs.

A large number of Members wanted lists of named individuals from the RSLs so Members could contact them direct for chasers if required.

Sending ME responses directly to residents:

A majority of Members stated that it would be difficult for them to send ME responses directly to residents as suggested in the new ME Process. Members stated that they have jobs and would not have the time to do this type of administrative work.

A majority of Members stated that they would like the Council to send ME responses directly to residents without the Member authorising it and that Members are copied in the responses. Members highlighted that this would save time.

A minority of Members wanted responses still to go to them for approval before the relevant service sends the response to the resident.

A minority of Members had concerns about the quality of Council responses if they were sent directly to residents. Council officers made it clear that these are two separate issues – one is the process of sending the responses directly to residents which would save time and the other is the quality of responses.

A minority of Members stated that if a response is sent directly to the resident, it needs to be made clear that the response was being sent to the resident so they could receive the relevant information quicker and that the response has not been seen by the Member.

Mayor receives detailed responses:

A minority of members highlighted that enquiries raised with the Mayor's Office get detailed responses compared to MEs. Council officers highlighted the new ME Process would include sign off by a Senior Manager or a staff member with sufficient and appropriate knowledge and experience of responding to MEs – this would increase the quality of responses.

Capacity in the IG Service to deal with increase in MEs

A couple of Members were concerned that the IG Service would be swamped with logging and processing MEs and this would result in further delays as there are already delays in this respect. Council officers confirmed the IG Service is currently looking at resources to deal with MEs.

Prioritisation of Enquiries:

A couple of Members wanted a priority system to ensure urgent queries could be addressed in an urgent manner. Council officers made it clear that any urgent enquiries such as 'an eviction on the day' should be raised directly with the Senior Manager in the relevant service and not through the ME Process as it has a 10-day turnaround timeframe. Council officers also made it clear that the enquiries will be dealt with on a first come first served basis as this will be fair for everyone involved. A couple of Members wanted details of the ME Line.

Delays in responses:

A few Members thought it was unreasonable that there were delays in responding services sending

ME responses. Council officers advised that the new ME Process will be streamlined and the expectation is that the delays will be significantly reduced. It was highlighted that the new ME Process will be “work in progress” and if there is a need to revise it further in the future, Council officers would endeavour to do so.

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