



# **STANDARDS AND ETHICS QUARTER 4 REPORT 2017/2018**

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This is the quarterly report to the Audit & Governance Committee detailing both the figures for the Ethical Indicators and the figures for the Local Determination of Complaints process for 2017/18.

For clarification purposes the months covered by the quarters are as follows:

Quarter 1 – 1 April to 30 June

Quarter 2 – 1 July to 30 September

Quarter 3 – 1 October to 31 December

Quarter 4 – 1 January to 31 March

The report is split into 2 parts for ease of reference; Part 1 refers to the local determination of complaints, part 2 is the table showing the ethical indicators figures.

The report will enable the Audit & Governance Committee to build up a picture over time of how many complaints are received and where these are coming from. The parts of the Code of Conduct which have been breached will also be recorded to enable training to be targeted effectively.

The Monitoring Officer received 2 complaints in Quarter 4 of 2017/18 relating to 2 District councillors.

## **2.1 Assessment Sub-committee Decisions**

There has been 0 Assessment Sub-committee meetings in this quarter.

As members will be aware, the Monitoring Officer now pursues an informal dispute resolution process prior to initiating formal proceedings via the Sub-committee route.

**2 complaints have been resolved informally in Quarter 4.**

## **2.2 Timeliness of Decision**

The Standards for England Guidance stated that the Assessment Sub-committee should complete its initial assessment of an allegation “within an average of 20 working days” to reach a decision on what should happen with the complaint. The Council has taken this standard aims to hold an Assessment Sub-committee within 20 working days of notifying the parties that informal resolution is not possible.

## **2.3 Review Requests**

There have been no review requests in Quarter 4. Review requests can only be made following a decision of ‘No further Action’ by the Assessment Sub-committee where there is submission of new evidence or information by the complainant.

## **2.4 Subsequent Referrals**

None to report – see above.

## **2.5 Outcome of Investigations**

There were no investigations concluded in this period.

## **2.6 Parts of the Code Breached**

This section is intended to show where there are patterns forming to enable the Audit and Governance Committee to determine where there needs to be further training for Councillors. Targeting training in this way makes it more sustainable and, hopefully, more effective.

So far this year, the following areas of the code were found to have been breached:

N/A

REF	Performance Indicator Description	Officer Responsible For Providing Information	Q1		Q2		Q3		Q4	
			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
1.0	Objections to the councils accounts	Financial Planning Team Manager	0	0	0	0	0	0	0	0
1.1	Follow up action relating to breaches of the Member/Officer Protocol (Members)	Head of Legal And Support Services	0	0	0	0	0	0	0	0
1.2	Disciplinary action relating to breaches of the Member/Officer Protocol (staff)	Human Resources Team Manager	0	0	0	0	0	0	0	0
1.3	Public interest reports	Senior Auditor	0	0	0	0	0	0	0	0
1.4	Number of whistle blowing incidents reported		0	0	0	0	0	0	0	0
1.5	No. of recommendations made to improve governance procedures/policies		11	17	3	19	9	22	17	15
1.6	No. Of recommendations implemented		8	12	18	16	12	17	9	20

## Definition of a Stage 1 complaint:

First stage of a formal complaint. A formal complaint can be made if a customer believes a service within the Council has let them down, we did something wrong or a service we provided was unfair. We have 10 working days to provide to response to the complaint.

Complaints responded to on time in Q4  
**82%**

We received an average of  
**13**  
Complaints a month in Q4

Our average response time was  
**15 days**

## Top 3 types of Stage 1 complaints Q3

- Housing repairs
- Planning and Development
- Revenues and Benefits

The average response time in Q4 was slightly higher due to several ongoing long-term Housing Repairs and one difficult case for Housing Management being brought to a close. There was also a complaint with Planning & Development which whilst there was constant contact with the complainant throughout the process, did take an extended amount of time to conclude. If you were to take away these long-term and complex cases from Q4, the average response time for the remaining Stage 1 complaints then drops back to within the acceptable timescale of 10 working days.

**31** Stage 1 complaints were resolved in Q4. This is an increase of **32%** from Q4 16/17

REF	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
<b>Stage 1 Complaints Received</b>			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
2.0	Total no. of Stage 1 complaints received	Corporate Complaints Officer	70	28	82	31	37	30	37	38
2.1	No. of Stage 1 complaints Resolved		39	26	70	14	24	26	21	31
2.2	No. of customers who raised their Stage 1 complaint to a Stage 2		10	5	10	3	8	4	9	5
2.3	No. of Stage 1 complaints still open and within 10 days		31	2	12	17	13	4	16	7

## Definition of a Stage 2 complaint:

If the customer is dissatisfied with our response to their Stage 1 complaint, they can ask for this to be raised to a Stage 2 for further investigation. These investigations are carried out by Heads of Service. We have 10 working days to provide a response to the complaint.

5 Stage 2 complaints were received in Q4. All were resolved in Q4

We received an average of 2 complaints a month in Q4

Our average response time was 19 days. This was due to 2 cases with Planning and Development. Both were for issues where the complainant was unhappy with planning permission being granted and these cases required thorough investigation prior to our response

## Top types of Stage 2 complaints Q4

- Customer Service
- Planning and Development
- Revenues and Benefits
- Housings Asset Management

5 Stage 2 complaints were resolved in Q4. This is an increase of 40% from 16/17

The decrease in Stage 2 complaints can be attributed to two key points.

- Stage 1 responses have provided a satisfactory answer to the complainant.
- Any actions that formed part of the Stage 1 response have fully resolved their complaint.

REF	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
<b>Stage 2 Complaints Received</b>			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
3.0	Total no. of Stage 2 complaints received	Corporate Complaints Officer	13	5	10	3	8	4	9	5
3.1	No. of Stage 2 complaints Resolved		6	3	7	1	3	1	3	5
3.2	% of stage 2 complaints answered on time		53	60	30	0	63	75	67	100
3.3	No. of Stage 2 complaints still open and within 10 days		7	2	3	3	5	3	6	0

## Definition of an MP Enquiry:

These are enquiries sent in from local MP's on behalf of their constituent. These can be independent enquiries or could be linked to an earlier complaint which we may not have resolved to the customer's satisfaction. We have 10 working days to provide a response to the enquiry.

MP enquiries responded to within 10 days  
**83%**

Our average response time was **12 days**. This was slightly above average due to compensation being agreed in order to close one case.

We received an average of **8 MP enquiries per month in Q4**

## What the MP Enquiries were about:

- Housing Asset Management
- Planning and Development
- Environmental Protection
- Housing Choices

20 MP enquiries were resolved in Q4. This is an increase of **45%** from 16/17. This can be attributed to more efficient logging of MP enquiries from Feedback and staff resources within the departments preparing the MP responses.

REF	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
<b>MP Enquiries received</b>			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
4.0	Total no. of MP enquiries (req) received	Head of Legal and Support Services	28	19	31	32	23	19	20	24
4.1	% of req responded to on time		64	63	63	44	52	58	45	83



## Definition of an Ombudsman complaint:

If the customer has followed our Stage 1 and Stage 2 complaints procedure and is still unhappy with the outcome, they are entitled to take their complaint to the Local Government Ombudsman for independent judgement. They will review the details and decide whether we, as a Council, have a case to answer in respect of the complainant.

We received an average of **less than 1** Complaint a month in Q4

Ombudsman Complaints received in Q1 was 1

Ombudsman complaints resolved in Q4 were 0

## What the Ombudsman complaints were/are about:

- Issues regarding alleged maladministration involving Planning

We currently have one Ombudsman case now outstanding. This is a case which is planning related and therefore has some complex questions which require answering. We have received the pre-determination from the Ombudsman and they have asked for clarification on some further points before issuing a final determination on the case.

REF	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
<b>Ombudsman Complaints received</b>			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
5.0	Total no. of Ombudsman Complaints received	Head of Legal and Support Services	2	0	6	2	4	0	2	1
5.1	No of req still open and within 10 working days		NA	0	NA	2	NA	2	2	1



The breakdown of Service Areas that received 1 or more complaints in Q4 are:

- Customer Services
- Environmental Health
- Environmental Protection
- Housing Asset Management
- Housing Choices
- Housing Management
- Leisure Services
- Planning and Development
- Planning Policy
- Property Services
- Revenues and Benefits
- Waste

Total number of complaints responded to in Q4  
**36**

We received an average of 14 Complaints per month in Q4

Our average response time was  
**15 days**

**36** complaints were resolved in Q4. This is a increase of **57%** from the same period in 16/17

## What we do differently as a result of the complaints received:

- Ensure that when investigating a complaint, we cover all the points that the complainant has included in their correspondence to us. This will ensure that when preparing the response, we answer their questions/complaint fully and to the best of our knowledge. This will possibly then avoid a raise to a Stage 2.
- Keep the working relationships between Feedback and the teams around the business open and supportive. We have had several new members of staff and it is important that they understand the process of complaints and their part in providing a satisfactory response.
- Services are engaging with Feedback process, seeing complaints as an opportunity to do things differently so that complaints are not arising from repeated failures.

## Type of FOI requests received:

### Business as usual (BAU) requests:

If the requested information can be quickly and easily sent to the requester then it may be dealt with within the normal course of business and treated as BAU.

**Total number of BAU requests in Q4 24**

### Transfers:

Are FOI requests received by us but do not fall within our remit– i.e. Adult Social Care, Children’s Services or Highways are a few examples.

**Total number of Transfers in Q4 11**

### Subject Access Requests (SAR):

A SAR is a request from an individual to see information an organisation holds on them.

**Total number of SAR received in Q4 0**

### Land charges (LC) searches:

Specific information about a particular property and the surrounding area for buyers and sellers.

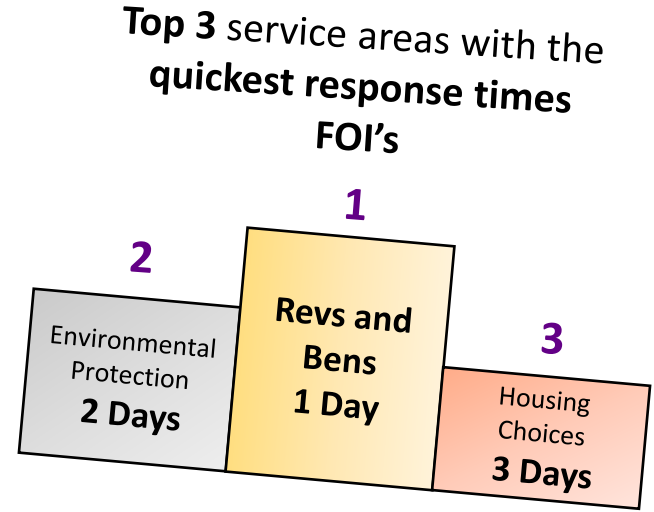
**Total number of LC Searches in Q4 16**

25 unique visitors to the council’s open data page

We received an average of **18** FOI’s a month in Q4

Our average response time was **10** days

We had a decrease of 50% compared to Q4 (16/17) for number of FOI’s received



REF	Performance Indicator Description	Officer Responsible for providing information	Q1		Q2		Q3		Q4	
			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
Freedom of Information Act Indicators			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
6.0	Total no. of requests (req) received	Records Management Officer	143	120	170	82	172	40	111	55
6.1	% req answered on time		%	100	100	100	100	95	100	100
6.2	No. of non compliant req		9	9	13	2	31	0	0	0
6.3	No of FOI appeals		0	0	0	0	0	1	2	0
6.4	Number withheld due to exemptions/fees applied		10	5	13	0	1	1	3	6

REF	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18	Actual 2016/17	2017/18
7.0	No. of directed surveillance authorisations granted during the quarter	Senior Auditor	0	0	0	0	0	0	0	0
7.1	No. in force at the end of the quarter		0	0	0	0	0	0	0	0
7.2	No. of CHIS recruited during the quarter		0	0	0	0	0	0	0	0
7.3	No. ceased to be used during the quarter		0	0	0	0	0	0	0	0
7.4	No. active at the end of the quarter		0	0	0	0	0	0	0	0
7.5	No. of breaches (particularly unauthorised surveillance)		0	0	0	0	0	0	0	0
7.6	No. of applications submitted to obtain communications data which were rejected		0	0	0	0	0	0	0	0
7.7	No. of notices requiring disclosure of communications data		0	0	0	0	0	0	0	0
7.8	No. of authorisations for conduct to acquire communications data		0	0	0	0	0	0	0	0
7.9	No. of recordable errors		0	0	0	0	0	0	0	0