

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**AUDIT AND GOVERNANCE COMMITTEE – 25 SEPTEMBER 2013**

Title of report	<b>STANDARDS AND ETHICS – QUARTER 1 REPORT</b>
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Purpose of report	To receive the figures for local determination of complaints and the ethical indicators for Quarter 1 of 2013/14.
Strategic aims	Value for Money
Implications:	
Financial/Staff	N/A
Link to relevant CAT	N/A
Risk Management	By receiving this information members will be able to manage risks.
Equalities Impact Assessment	N/A
Human Rights	N/A
Transformational Government	N/A
Consultees	N/A
Background papers	None.
Recommendations	<b>THAT THE REPORT BE RECEIVED AND NOTED.</b>



# STANDARDS AND ETHICS

## QUARTER 1 REPORT 2013-2014

## 1. Introduction

This is the first 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 2013/14.

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.

## 2. Part 1 – Local Determination of Complaints

The Monitoring Officer received 4 complaints in Quarter 1 of 2013/14.

### 2.1 Source of Complaints

There were 2 complaints received from the public, 1 from a District Councillor and 1 from a Council Officer.

### 2.2 Assessment Sub-Committee Decisions

There have been no 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. All complaints received in this quarter are currently in that process.

### 2.3 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 and adapted it under the new rules to aim to hold an Assessment Sub-committee within 20 working days of notifying the parties that informal resolution is not possible.

## **2.4 Review Requests**

There have been no review requests this year. 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.

## **2.5 Subsequent Referrals**

None to report – see above.

## **2.6 Outcome of Investigations**

There were no investigations concluded in this period.

## **2.7 Parts of the Code Breached**

This section is intended to show where there are patterns forming to enable the Audit & 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

## 4. Part 2 – Ethical Indicators

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2012/13	2013/14	Actual 2012/13	2013/14	Actual 2012/13	2013/14	Actual 2012/13	2013/14
SE1	Objections to the Councils Accounts	Financial Planning Team Manager	0	0	0		0		0	
SE3	Follow up action relating to breaches of the Member/Officer Protocol (Members)	Head of Legal and Support Services	0	0	0		0		0	
SE3a	Disciplinary action relating to breaches of the Member/Officer Protocol (staff)	Human Resources Team Manager	0	0	0		0		0	
SE4	District Audit Public Interest Reports	Senior Auditor	0	0	0		0		0	
SE5	Number of Whistle blowing Incidents reported		0	0	0		0		0	
SE6	No. of recommendations made to improve governance procedures / policies		0	4	4		2		3	
SE6a	No. of recommendations implemented		7	5	6		1		1	
SE7	No. of Ombudsman complaints received	Customer Services and Corporate Complaints Officer	1	* 2	2		2		2	
SE7a	No. of Ombudsman complaints resolved		1	1 (1 where LGO has sent further enquiries)	2		2		2 (1 responded to in Q1 13/14)	

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2012/13	2013/14	Actual 2012/13	2013/14	Actual 2012/13	2013/14	Actual 2012/13	2013/14
SE7b	No. of Ombudsman complaints where compensation paid	Customer Services and Corporate Complaints Officer	0	1	1		1		0	
SE8	No. of Corporate Complaints received		77	72	84		89		51	
SE8a	No. of Corporate Complaints resolved		75	68	84		89		47	
SE8b	No. of Corporate Complaints where compensation paid		1	3	2		6		0	

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During Quarter 1, the Council received 2 Local Government Ombudsman (LGO) cases, details as below: -

Service Area	Nature of the case	Decision by the LGO	Amount of compensation paid
Repairs & Maintenance	Request for adaptations was refused by the Council as the property was not suitable to carry out adaptations. Appealed against this decision which was not upheld and then complained to the LGO following formal complaint made which advised that correct procedures had been followed in making this decision.	Still waiting for decision	
Repairs & Maintenance	The Council arranged a rewire of a tenant's home but failed to properly advise on the level of disruption and also the conduct of the contractor.	Total payment of £700.00 given as a remedy recognising that the Council failed to adequately prepare complainant for the disruption and mess the rewire would cause and the likelihood he would need to redecorate at his own expense.	£700.00 broken down as follows:  £100 credited to rent account for rewiring credit.  £100 already paid by the contractor for damage they had caused

		Therefore complainant's complaint is upheld and the remedy agreed addresses the injustice caused.  Local settlement	£100 paid for time and inconvenience in making the complaint. Paid by NWLDC  £200 to be paid for the distress caused. Paid by NWLDC and recharged to customer  £200 paid for the avoidable damaged caused by the contractor. Paid by NWLDC and recharged to customer
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Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2012/13	2013/14	Actual 2012/13	2013/14	Actual 2012/13	2013/14	Actual 2012/13	2013/14
<b>Freedom of Information Act Indicators</b>										
SE9	Total no. of requests received	Head of Legal and Support Services	115	116	84		83		148	
SE9a	No. of requests compliant		94	100	59		72		128	
SE9b	No. of Non compliant requests		21	14	14		11		16	
SE9c	No of requests still open and within the 20 working days		0	0	8		0		2	
SE9d	Number withheld due to exemptions/fees applied		12	5	3		9		16	

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2012/13	2013/14	Actual 2012/13	2013/14	Actual 2012/13	2013/14	Actual 2012/13	2013/14
<b>Regulation of Investigatory Powers Act Indicators</b>										
SE10	No. of Directed Surveillance authorisations granted during the quarter	Senior Auditor	0	0	0		0		0	
SE10a	No. in force at the end of the quarter		0	0	0		0		0	
SE10b	No. of CHIS recruited during the quarter		0	0	0		0		0	
SE10c	No. ceased to be used during the quarter		0	0	0		0		0	
SE10d	No. active at the end of the quarter		0	0	0		0		0	
SE10e	No. of breaches (particularly unauthorised surveillance)		0	0	0		0		0	
SE10f	No. of applications submitted to obtain communications data which were rejected		0	0	0		0		0	
SE10g	No of notices requiring disclosure of communications data		0	0	0		0		0	
SE10h	No of authorisations for conduct to acquire communications data		0	0	0		0		0	
SE10i	No of recordable errors		0	0	0		0		0	