



# STANDARDS AND ETHICS

## QUARTER 3 REPORT 2013-2014

## 1. Introduction

This is the third 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 1 complaint in Quarter 3 of 2013/14. This complaint related to a Parish Council.

### 2.1 Source of Complaints

The complaint was received from a member of the public.

### 2.2 Assessment Sub-Committee Decisions

There has been 1 Assessment Sub-committee meeting in this quarter, as follows:

On 13 August 2013 the Monitoring Officer received a complaint from Councillor Adams regarding Councillor Saffell relating to comments made by Councillor Saffell about officers at the Council meeting on 12 August 2013. In summary the complaint is that Councillor Saffell's comments amounted to a public attack on the credibility of officers.

The Assessment Sub-committee meeting was held on 9 December 2013 and the decision was that other action should be taken, namely a letter from the Monitoring Officer to Councillor Saffell expressing the disappointment of the members of the Assessment Sub-committee that he had failed to co-operate with the informal resolution process. They did acknowledge that the Council meeting on 12 August was heated with differing opinions and comments being made across the Chamber and that Councillor Saffell's comments, whilst not directed to a particular officer, were inappropriate for a public meeting.

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.

One complaint (received in Q2) has been withdrawn in this quarter and one complaint (again, received in Q2) has been resolved informally in this quarter.

### **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	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	0	0	
SE3a	Disciplinary action relating to breaches of the Member/Officer Protocol (staff)	Human Resources Team Manager	0	0	0	0	0	0	0	
SE4	District Audit Public Interest Reports	Senior Auditor	0	0	0		0	0	0	
SE5	Number of Whistle blowing Incidents reported		1	0	0		0	0	0	
SE6	No. of recommendations made to improve governance procedures / policies		0	4	4	5	2	0	3	
SE6a	No. of recommendations implemented		7	5	6	2	1	1	1	
SE7	No. of Ombudsman complaints received	Customer Services and Corporate Complaints Officer	1	2*	2	2*	2	2*	2	
SE7a	No. of Ombudsman complaints resolved		1	1 (1 where LGO has sent further enquiries)	2	2 (1 awaiting final decision)	2	1 (1 awaiting final decision)	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	0	1	0 (based on 1 resolved in Q3)	0	
SE8	No. of Corporate Complaints received		77	72	84	75	89	53	51	
SE8a	No. of Corporate Complaints resolved		75	68	84	71	89	50	47	
SE8b	No. of Corporate Complaints where compensation paid		1	3	2	2	6	2	0	

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During Quarter 2, 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
Development Control	Council failed to take into account, complainants objections against Planning issues & failed to take enforcement action regarding planning breaches and statutory noise nuisance on the development site.	LGO agreed that the Council had followed correct process and were not at fault	N/A
Housing Management	Complainant claims that the Council has not correctly handled his Right to Buy application for the purchase of a Council property.	Decision not yet received from the LGO	

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	109	83	165	148	
SE9a	No. of requests compliant		94	100	59	92	72	125	128	
SE9b	No. of Non compliant requests		21	14	14	15	11	31	16	
SE9c	No of requests still open and within the 20 working days		0	0	8	0	0	0	2	
SE9d	Number withheld due to exemptions/fees applied		12	5	3	4	9	5	16	

