

Standards and Ethics

Quarter 2 Report

2019-2020

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Introduction

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 2019/20.

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.

Local Determination of Complaints

The Monitoring Officer received 1 complaint in Quarter 2 of 2019/20.

2.1 Assessment Sub-committee Decisions

There has been no Assessment Sub-committee meetings in this quarter.

The Monitoring Officer pursues an informal dispute resolution process prior to initiating formal proceedings via the Sub-committee route.

No complaints have been resolved informally in Quarter 2.

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 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.

2.3 Review Requests

There have been no review requests in Quarter 2. 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

Ethical Indicators

PERFORMANCE INDICATOR	Q1		Q2		Q3		Q4	
	18/19	19/20	18/19	19/20	18/19	19/20	18/19	19/20
Instances of concerns raised re Modern Slavery	n/a	1	n/a	1	n/a		n/a	
Instances of concerns raised re Modern Slavery referred to national agencies	n/a	1	n/a	1	n/a		n/a	
Number of whistle blowing incidents reported	0	0	0	0	0			
Number of Challenges to procurements	n/a	0	n/a	0	n/a		n/a	
Public interest Reports	0	0	0	0	0			
Objections to the Councils Accounts	0	0	0	0	0			
Disciplinary action relating to breaches of the Member/Officer Protocol	0	0	0	0	0			
Follow up action relating to breaches of the Member/Officer Protocol	0	0	0	0	0			

Modern Slavery – It is the statutory duty of the Council to refer all concerns raised regarding modern day slavery to the national agencies. This does not mean that Modern Slavery has been confirmed. The case referred in Q1 was found not to be Modern Slavery. The figures show that where reported to the Council, we are promptly complying with our duty to report.

Freedom of Information Requests

	Q1		Q2		Q3		Q4	
	18/19	19/20	18/19	19/20	18/19	19/20	18/19	19/20
Total Number (FOIs)	43	84	57	100	69		109	
% answered on time	84%	99%	96%	95.8%	100%		91%	
Average per month	14	28	19	33	23		36	
Average response time (days)	12	11	9	10	11		10	
Business as usual (BAUs)	58	59	86	73	55		73	
Transfers (TFRs)	29	18	32	22	32		42	
Subject access requests (SARs)	3	2	3	12	2		7	
Non-compliant requests	0	0	2	0	0		0	
Appeals	0	0	0	0	0		0	
Withheld due to exemption/fees	7	6	11	18	5		10	
Environmental Information Requests - Land Charges Searches (personal)	40	437	47	367	5			

Increase in FOIs and BAUs could be due to increased public awareness as GDPR matures.

BAUs have doubled since records started: more requests are being responded to within 2 days and not having to be recorded as FOIs. This rate has stabilised in the past 4 quarters.

The number of Exemptions applied to requests has increased sharply this quarter due to a surge of requests for Revenues and Benefits information that was already publically available (S21) or would be available soon (S22). Increase knowledge of Revenues and Benefits publications within the FOI team means exemptions are now being used, saving time both for the team and R&B.

Transfers have dropped sharply since Q4 2018/19. It is possible that as awareness of FOIs has increased customers are more knowledgeable of what different Authorities handle.

SARs also increased last quarter. Proportionally there has been an increase in CCTV requests, though generally low numbers could suggest typical fluctuations.

Response rates are much more consistent over the past 4 quarters.

Typical response time in Q2 2019/20 is two weeks.

Definitions

Business as usual Information requested can be sent quickly and easily within the normal course of business

Land Charges specific information about a particular property

Ombudsman Complaint a customer has followed Stage 1 and 2 complaints procedure but unhappy with the outcome they are entitled to take complaint to the Local government Ombudsman who will decide if the Council has a case to answer.

Subject Access Request a request by an individual to see information an organisation holds on them

Transfers requests received that fall out of our remit i.e. Adult social Care or Highways

Environmental Information Request a right for any person to request access to environmental information held by public authorities.