

Standards and Ethics

Quarter 4 Report

2019-2020

Contents

Page 1 - Introduction

Page 2 - Local Determinations of Complaints

Page 3 - Ethical Indicators

Page 4 - Freedom of Information Requests

Page 5 - Definitions

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 0 complaints in Quarter 4 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.

0 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 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 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

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	0	n/a	0
Instances of concerns raised re Modern Slavery referred to national agencies	n/a	1	n/a	1	n/a	0	n/a	0
Number of whistle blowing incidents reported	0	0	0	0	0	0		0
Number of Challenges to procurements	n/a	0	n/a	0	n/a	0	n/a	0
Public interest Reports	0	0	0	0	0	0		0
Objections to the Councils Accounts	0	0	0	0	0	0		0
Disciplinary action relating to breaches of the Member/Officer Protocol	0	0	0	0	0	0		0
Follow up action relating to breaches of the Member/Officer Protocol	0	0	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	79	109	79
% answered on time	84%	99%	96%	95.8%	100%	99%	91%	95.8%
Average per month	14	28	19	33	23	26	36	26
Average response time (days)	12	11	9	10	11	10	10	11
Business as usual (BAUs)	58	59	86	73	55	62	73	65
Transfers (TFRs)	29	18	32	22	32	30	42	33
Subject access requests (SARs)	3	2	3	12	2	6	7	5
Non-compliant requests	0	0	2	0	0	0	0	n/a
Appeals	0	0	0	0	0	0	0	n/a
Withheld due to exemption/fees	7	6	11	18	5	7	10	8
Environmental Information Requests - Land Charges Searches (personal)	40	437	47	367	5	308		334

- Number of FOIs received was steady, inclusive of BAU requests.
- Average response time remained consistent, though slightly longer at 11 days compared to 10 in 19/20 Q3.
- Exemptions for FOIs remained low, while exemptions under BAU more than halved to 8 (not shown here).
- The percentage of requested answered on time has dropped, possibly due to shifting priorities in March to tackle the COVID-19 pandemic.
- During the pandemic, FOI and DPA rules remain the same, however the ICO has stated that it will not penalise public bodies for exceeding time limits where it prioritises COVID-19 related work.

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.