

# Standards and Ethics

## Quarter 4 Report

2022-2023

# 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 2022/23.

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 2022/23 (1<sup>st</sup> January 2022-31<sup>st</sup> March 2023)

## 2.1 Assessment Sub-committee Decisions

There has been 1 Assessment Sub-committee meeting in this quarter. This was as a result of a complaint received in Q3. However this complaint was omitted from the Q3 figures due to an oversight.

The Assessment Sub-committee referred the complaint to the MO for other action. There was no finding of breach of the code and, with the completion of the other action, the complaint was concluded.

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 0 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

None to report – see above

## 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

# Complaints made to the Monitoring Officer under the Code of Conduct during Q4 2022/23

<u>Qtr 4 22/23</u>	<u>Complaint from</u>	<u>About district/ parish councillor</u>	<u>Regarding</u>	<u>status</u>

# Ethical Indicators

PERFORMANCE INDICATOR0	Q1			Q2			Q3			Q4		
	20/ 21	21/ 22	22/ 23	20/ 21	21/ 22	22/ 23	20/ 21	21/ 22	22/ 23	20/ 21	21/ 22	22/ 23
Instances of concerns raised re Modern Slavery	0	0	0	0	0	0	0	0	0	0	1	0
Instances of concerns raised re Modern Slavery referred to national agencies	0	0	0	0	0	0	0	0	0	0	0	0
Number of whistle blowing incidents reported	0	0	0	0	0	0	0	0	0	0	0	0
Number of Challenges to procurements	0	0	0	0	0	0	0	0	0	0	0	0
Public interest Reports	0	0	0	0	0	0	0	0	0	0	0	0
Objections to the Councils Accounts	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary action relating to breaches of the Member/Officer Protocol	0	0	0	0	0	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	0	0	0	0	0

# Freedom of Information Requests

	Q1			Q2			Q3			Q4		
	20/21	21/22	22/23	20/21	21/22	22/23	20/21	21/22	22/23	20/21	21/22	22/23
Total Number (FOIs)	55	102	147	93	107	122	152	90	108	94	196	148
% answered on time	72.2%	82.9%	51%	84.1%	71.9%	79%	75%	95.1%	60%	86%	78.17 %	91%
Average per month	18	34	49	31	36	41	51	30	38	31	65	49
Average response time (days)	15	14	7	13	13	9	17	10	14	11	15	13
Business as usual (BAUs)	27	1	N/A	24	14	N/A	26	2	N/A	11	N/A	N/A
Withheld due to exemption/fees (FOI and BAU)*	10	19	0	16	12	0	31	15	7	10	13	3
Transfers (TFRs)	14	18	29	18	12	21	25	24	18	23	28	26
Subject access requests (SARs)	3	1	3	6	2	6	12	5	5	5	13	10
Internal Reviews	1	0	1	Tbc	2	3	0	1	3	0	2	1
Environmental Information Requests/ Land Charges Searches (personal)	213	6	4	1	491	4	2	336	7	11	1	7

- We have seen an increase in the number of FOIs and SARs during Q4.
- The aim is to achieve 90% + response rate. This target has been achieved in Q4.
- We do not log requests as a BAU on the new system. All requests are logged on the case management system as FOI/EIR/DP/SAR.

# FOI Exemptions for Q4 22/23

Exemption	Description	FOI	BAU	Total
S21	Information Already Reasonably Accessible	2		2
S22	Information Intended for Future Publication			
S27	International Relations			
S28	Relations within the UK			
S29	The Economy			
S30	Investigations			
S31	Law Enforcement	1		1
S32	Court Records			
S36	Effective Conduct of Public Affairs			
S38	Endangering Health and Safety			
S39	Environmental Information			
S40	Personal Information of the Requester/Personal Information			
S41	Confidentiality			
S42	Legal Professional Privilege			
S43	Trade Secrets and Prejudice to Commercial Interests			
S44	Prohibitions on Disclosure			
<b>Total</b>	<i>Number need not match the number of cases. Multiple exemptions may apply to one case.</i>	<b>3</b>	<b>0</b>	<b>3</b>



# 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.