

# Standards and Ethics

## Quarter 3 Report

2023-2024

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# Introduction

This is the quarterly report to the Audit and Governance Committee detailing both the figures for the Ethical Indicators and the figures for the Local Determination of Complaints process for 2023/24.

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 two 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 and 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 4 complaints in Quarter 3 of 2023/24 (1 October 2023 – 31 December 2023).

1 complaint received in Quarter 2 was unable to be progressed as it was determined in Quarter 3 that the Councillor was acting in a private capacity.

1 complaint received in Quarter 3 is still going.

## 2.1 Assessment Sub-committee Decisions

There has been 2 Assessment Sub-committee meetings in this quarter. 1 of the Assessment Sub-committee meetings was regarding 2 complaints received in quarter 2. The other Assessment Sub-committee meeting was regarding 3 complaints received in quarter 3.

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 3.

## 2.2 Timeliness of Decision

The Local Government Association guidance states that where the decision has been delegated to an officer the authority should aim to complete their initial assessment of an allegation within 15 working days of receiving a complaint. Where the assessment is sent to a committee, the committee should be set up along similar timescales. The Council has taken this standard and included it in the Council's arrangements for dealing with complaints to aim to hold an Assessment Sub-committee within 15 working days of notifying the parties that informal resolution is not possible

## 2.3 Review Requests

There have been 0 review requests in Quarter 3. 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 Q3 2023/24

Qtr 3 23/24	Complaint from	About district/ parish councillor	Regarding	status
	Member of the public	Parish Councillor	Various issues – use of IT and conduct at meetings	Considered by Assessment Sub-committee, three issues referred to the Monitoring Officer for further action and one issue, no further action
	Member of the public	Parish Councillor	Various issues – conduct at meetings/with staff, meeting and training attendance	Considered by Assessment Sub-committee and there was no further action required for all four issues
	Member of the public	Parish Councillor	Various issues – conduct at meetings/with staff, meeting and training attendance	Considered by Assessment Sub-committee, two issues referred to the Monitoring Officer for further action and two issues, no further action
	Member of the public	Parish Councillor	Conduct at meeting/role of Cllr	Ongoing

# Ethical Indicators

PERFORMANCE INDICATOR0	Q1			Q2			Q3			Q4		
	21/ 22	22/ 23	23/ 24	21/ 22	22/ 23	23/ 24	21/ 22	22/ 23	23/ 24	20/ 21	21/ 22	22/ 23
Instances of concerns raised re Modern Slavery	0	0	0	0	0	0	0	0	1	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
Use of RIPA powers	0	0	0	0	0	0	0	0	0	0	0	0

# Freedom of Information Requests

	Q1			Q2			Q3			Q4		
	21/22	22/23	23/24	21/22	22/23	23/24	21/22	22/23	23/24	20/21	21/22	22/23
Total Number (FOIs)	102	147	157	107	122	196	90	108	157	94	196	148
% answered on time	82.9%	51%	93%	71.9%	79%	85.7%	95.1%	60%	91.7%	86%	78.17%	91%
Average per month	34	49	52	36	41	71	30	38	52	31	65	49
Average response time (days)	14	7	11	13	9	12	10	14	10	11	15	13
Withheld due to exemption/fees (FOI and BAU)*	19	0	13	12	0	2	15	7	13	10	13	3
Transfers (TFRs)	18	29	18	12	21	15	24	18	20	23	28	26
Subject access requests (SARs)	1	3	11	2	6	11	5	5	9	5	13	10
Internal Reviews	0	1	1	2	3	2	1	3	1	0	2	1
Environmental Information Requests/ Land Charges Searches (personal)	6	4	6	491	4	7	336	7	360	11	1	7

- There has been a decrease in the number of FOI requests received in comparison to Q2. However, Q2 saw an increase in requests compared to other quarters.
- Approximately 50% of the overdue FOIs are allocated to one service. Measures have been put in place to support this service with the aim of seeing an improvement in QTR 4. The majority of overdue responses from other departments were overdue by one or two days.

# FOI Exemptions for Q3 23/24

Exemption	Description	FOI
S21	Information Already Reasonably Accessible	7
S22	Information Intended for Future Publication	1
S27	International Relations	
S28	Relations within the UK	
S29	The Economy	
S30	Investigations	
S31	Law Enforcement	
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	4
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>12</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 if they are unhappy with the outcome, they are entitled to take the 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 the Council's remit i.e. Adult Social Care or Highways

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