

# Standards and Ethics

## Quarter 4 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 two complaints in Quarter 4 of 2023/24 (1 January 2024 - 31 March 2024).

One complaint received in Quarter 4 was unable to be progressed as three parts did not meet the initial tests and one part was withdrawn.

One complaint received in Quarter 4 had two parts to it. One part has been resolved informally and one part is still ongoing.

## 2.1 Assessment Sub-committee Decisions

There has been one Assessment Sub-committee meeting in this quarter regarding a complaint received in Quarter 3.

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

One part of the complaint has been resolved informally in Quarter 4. One part is still ongoing.

## 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 and 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 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

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 2023/24

<u>Otr 4</u> <u>23/24</u>	<u>Complaint from</u>	<u>About district/ parish councillor</u>	<u>Regarding</u>	<u>status</u>
	Parish Councillor	Parish Councillor	Various issues - conduct at meetings and email issues	Initial tests not met / withdrawn
	Parish Councillor	Parish Councillor	Various issues - conduct at / outside meetings	Resolved informally / ongoing

# Ethical Indicators

PERFORMANCE INDICATOR	Q1			Q2			Q3			Q4		
	21/ 22	22/ 23	23/ 24	21/ 22	22/ 23	23/ 24	21/ 22	22/ 23	23/ 24	21/ 22	22/ 23	23/ 24
Instances of concerns raised re Modern Slavery	0	0	0	0	0	0	0	0	1	1	0	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 Council's 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	21/22	22/23	23/24
Total Number (FOIs)	102	147	157	107	122	196	90	108	157	196	148	194
% answered on time	82%	51%	93%	72%	79%	86%	95%	60%	92%	78%	91%	92%
Average per month	34	49	52	36	41	65	30	38	52	65	49	64
Average response time (days)	14	7	11	13	9	12	10	14	10	15	13	11
Withheld due to exemption/fees (FOI and BAU)*	19	0	13	12	0	2	15	7	13	13	3	19
Transfers (TFRs)	18	29	18	12	21	15	24	18	20	28	27	38
Subject access requests (SARs)	1	3	6	2	6	3	5	5	9	13	10	8
Internal Reviews	0	1	1	2	3	2	1	3	1	2	1	0
Environmental Information Requests/ Land Charges Searches (personal)	6	4	6	491	4	7	336	7	360	1	7	409

- There has been an increase in the number of FOI requests received in comparison to Q3, as well as an increased number of transfers to the County Council.
- Whilst most requests are being answered on time, internal pressures on service areas would seem to be the primary factor in causing some to go overdue.
- Overall, the 90% answered on time target has been met for the 2023/24 year for both FOIs and SARs.

# FOI Exemptions for Q4 23/24

Exemption	Description	FOI
S21	Information Already Reasonably Accessible	8
S22	Information Intended for Future Publication	1
S27	International Relations	7
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	3
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>19</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.