



STANDARDS AND ETHICS

QUARTER 3 REPORT 2014-2015

1. Introduction

This is the first 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 2014/15.

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.

2. Part 1 – Local Determination of Complaints

The Monitoring Officer received 1 complaint in Quarter 3 of 2014/15. The complaint related to a District Councillor.

2.1 Source of Complaints

The complaint was received from a council officer.

2.2 Assessment Sub-Committee Decisions

There has been 1 Assessment Sub-committee meeting in this quarter.

On 21 July 2014 Councillor Cotterill made a complaint about Councillor Johnson regarding comments he made in a pre-briefing for Planning Committee on 8 July 2014. Councillor Cotterill was sitting next to Councillor Allman and overheard the comments being made to him by Councillor Johnson. Councillor Allman had previously posted something on his Facebook page about an event which he had attended as Chairman and Andrew Bridgen MP had attended. The comments made by Councillor Johnson concerned Andrew Bridgen MP and Councillor Cotterill felt that the conduct brought the office into disrepute.

The Assessment Sub-committee meeting was held on 15 December 2014 and the decision was that no further action was required.

As members will be aware, the Monitoring Officer now pursues an informal dispute resolution process prior to initiating formal proceedings via the sub-committee route.

One complaint received in this quarter is currently in that process.

2.3 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.

2.4 Review Requests

There have been no review requests this year. 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.

2.5 Subsequent Referrals

None to report – see above.

2.6 Outcome of Investigations

There were no investigations concluded in this period.

2.7 Parts of the Code Breached

This section is intended to show where there are patterns forming to enable the Audit & 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

4. Part 2 – Ethical Indicators

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2013/14	2014/15	Actual 2013/14	2014/15	Actual 2013/14	2014/15	Actual 2013/14	2014/15
SE1	Objections to the Councils Accounts	Financial Planning Team Manager	0	0	0	0	0	0	0	
SE3	Follow up action relating to breaches of the Member/Officer Protocol (Members)	Head of Legal and Support Services	0	0	0	0	0		0	
SE3a	Disciplinary action relating to breaches of the Member/Officer Protocol (staff)	Human Resources Team Manager	0	0	0	0	0	0	0	
SE4	District Audit Public Interest Reports	Senior Auditor	0	0	0	0	0	0	0	
SE5	Number of Whistle blowing Incidents reported		0	0	0	0	0	0	0	
SE6	No. of recommendations made to improve governance procedures / policies		4	5	5	1	0	2	17	
SE6a	No. of recommendations implemented		5	5	2	7	1	10	9	
SE7	No. of Ombudsman complaints received	Customer Services and Corporate Complaints Officer	2	0	2	1	2	2	0	

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2013/14	2014/15	Actual 2013/14	2014/15	Actual 2013/14	2014/15	Actual 2013/14	2014/15
Ref	PI Description	Responsible Officer	Quarter 1		Quarter 2		Quarter 3		Quarter 4	
			2013/14	2014/15	2013/14	2014/15	2013/14	2014/15	2013/14	2014/15
SE7	No. of Ombudsman complaints received	Customer Services and Corporate Complaints Officer	2	0	2	1	2	2	0	
SE7a	No. of Ombudsman complaints resolved		1 (1 where LGO has sent further enquiries)	0	2 (1 awaiting final decision)	1	1 (1 awaiting final decision)	0 (awaiting final decision on both)	0	
SE7b	No. of Ombudsman complaints where compensation paid	Customer Services and Corporate Complaints Officer	1	0	0	0	0 (based on 1 resolved in Q3)	0	0	
SE8	No. of Corporate Complaints received		72	75	75	104	53	70	84	
SE8a	No. of Corporate Complaints resolved		68	69	71	113	50	91	79	
SE8b	No. of Corporate Complaints where compensation paid		3	1	2	4	2	4	3	

- A total of 70 corporate complaints were received during Q3 which is an increase of 24% when with the same period for Q3 13/14, but is lower than the number received in Q1 or Q2
- Of the 2 complaints received from the Ombudsman, one was relation to works carried out under the Decent Homes Programme, and the other related to way the Council has handled an Anti-Social Behaviour case. We are awaiting the outcome of both, having submitted all the required evidence.
- 39 of the complaints (56%) were for the Housing Service. The most common reason for a tenant making a complaint against the Housing Service was delays in carrying out agreed work (20 complaints received, which equates to 56% of all Housing complaints).

Most of these related to repair works which were delayed during the autumn period of 2014 which are now being completed, and this situation is projected to be corrected in full by the end of Q1 of 2015/16.

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2013/14	2014/15	Actual 2013/14	2014/15	Actual 2013/14	2014/15	Actual 2013/14	2014/15
Freedom of Information Act Indicators										
SE9	Total no. of requests received	Head of Legal and Support Services	116	178	109	147	165	109	208	
SE9a	No. of requests compliant		100	125	92	83	125	82	151	
SE9b	No. of Non compliant requests		14	45	15	47	31	19	51	
SE9c	No of requests still open and within the 20 working days		0	0	0	3	0	0	0	
SE9d	Number withheld due to exemptions/fees applied		5	10	4	29	5	27	6	

- There has been a 34% deduction in FOI requests during Q3 this year compared to the same period of 2013/14.
- Between Q1 & Q3 this financial year there has been a 10% increase in FOI requests overall.
- The sustained increase in exemptions used during quarter 2 and 3 reflects the fact that more information is being made available via the council's web pages. The majority of requests being diverted to the web pages using Exemption 21 (Information reasonably accessible to the applicant by other means) related to Non Domestic Rates (NDR). Moving forward the amount of information made available via the web pages will continue to increase.

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2013/14	2014/15	Actual 2013/14	2014/15	Actual 2013/14	2014/15	Actual 2013/14	2014/15
Regulation of Investigatory Powers Act Indicators										
SE10	No. of Directed Surveillance authorisations granted during the quarter	Senior Auditor	0	0	0	0	0	0	0	
SE10a	No. in force at the end of the quarter		0	0	0	0	0	0	0	
SE10b	No. of CHIS recruited during the quarter		0	0	0	0	0	0	0	
SE10c	No. ceased to be used during the quarter		0	0	0	0	0	0	0	
SE10d	No. active at the end of the quarter		0	0	0	0	0	0	0	
SE10e	No. of breaches (particularly unauthorised surveillance)		0	0	0	0	0	0	0	
SE10f	No. of applications submitted to obtain communications data which were rejected		0	0	0	0	0	0	0	
SE10g	No of notices requiring disclosure of communications data		0	0	0	0	0	0	0	
SE10h	No of authorisations for conduct to acquire communications data		0	0	0	0	0	0	0	

SE10i	No of recordable errors		0	0	0	0	0	0	0	
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