

Standards Committee

**North Committee Room,
Town Hall
11 September 2009 at 2.00pm**

**The Standards Committee deals with
the local code of conduct for councillors and
complaints against individual councillors.**

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**COLCHESTER BOROUGH COUNCIL
STANDARDS COMMITTEE
11 September 2009 at 2:00pm**

Members

**Independent
Members**

Mr Derek Coe (Chairman)
Mr Peter Fitton (Deputy Chairman)
Mr Ian Andrews
Mr Sven Farmer
Mr Steven Roberts-Mee

**Parish
Representatives**

Mr Malcolm Bartier
Mrs Gillian Brown
Ms Vivienne Eden

Councillors

Councillor Nigel Chapman
Councillor Ray Gamble
Councillor Sonia Lewis

AGENDA - Part A

(open to the public including the media)

Members of the Public may wish to note that Agenda items 1 to 4 are normally brief

Pages

1. Welcome and Announcements

- (a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.
- (b) At the Chairman's discretion, to announce information on:
- action in the event of an emergency;
 - mobile phones switched off or to silent;
 - location of toilets;
 - introduction of members of the meeting.

2. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for

the urgency.

3. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

4. Minutes

1 - 5

To confirm as a correct record the minutes of the meeting held on 12 June 2009.

5. Local Government Ombudsman - Annual Review 2008/2009

6 - 18

See report by the Monitoring Officer.

6. Review of Training for Members on the Code of Conduct

19 - 20

See report by the Monitoring Officer

7. Work Programme 2008/09 and 2009/10

21 - 24

See report by the Monitoring Officer

8. Exclusion of the Public

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

STANDARDS COMMITTEE

12 JUNE 2009

Mr Bartier (Parish Council Representative)
Mrs Brown (Parish Council Representative)
Councillor Chapman
Mr Coe (Independent Member)
Ms Eden (Parish Council Representative)
Mr Farmer (Independent Member)
Mr Fitton (Independent Member)
Councillor Gamble
Councillor Lewis
Mr Roberts-Mee (Independent Member)

1. Election of Chairman

RESOLVED that Derek Coe be elected Chairman for the ensuing municipal year.

2. Election of Deputy Chairman

RESOLVED that Peter Fitton be appointed Deputy Chairman for the ensuing municipal year.

3. Minutes

The minutes of the meeting held on 6 March 2009 were confirmed as a correct record.

The Monitoring Officer confirmed that the Standards Committee Annual Report had been noted by Council and the Local Code of Corporate Governance and the Revised Whistleblowing Policy had been approved by Council.

4. Guidance to Members on Gifts and Hospitality

The Monitoring Officer presented a report proposing revised guidance to Members on Gifts and Hospitality. The existing guidance had been approved in 2005 and it was appropriate that it now be reviewed.

The Committee discussed the appropriateness of a threshold of £25 for the declaration of gifts and hospitality and noted that it had suggested that this may be too low when responding to the Department of Communities and Local Government consultation paper on the Code of Conduct for Local Authority members. However, as the revised Code of Conduct had yet to be published, it was appropriate to keep the threshold at £25 to maintain consistency with the existing Code of Conduct. It was noted that some members declared all gifts, regardless of their value, in order to maintain transparency and accountability.

It was agreed that the advice given in paragraph 3.2 of the guidance to officers about whether similar hospitality would be provided if the situation was reversed, was also a useful test for members to apply, (particularly Portfolio Holders) and similar advice should be added to the guidance for members.

RESOLVED that:-

(a) The Guidance to Members on Gifts and Hospitality be approved, subject to the addition of the following sentence to paragraph 5.2:-

“A useful test will often be whether you would provide similar hospitality if the situation was reversed”.

(b) The Guidance to Members on Gifts and Hospitality be included in the Council’s Ethical Framework within the Constitution.

(c) The Monitoring Officer be requested to circulate a copy of the Guidance to all Borough Councillors.

5. Guidance to Officers on Gifts and Hospitality

The Monitoring Officer presented a report proposing revised guidance to Officers on Gifts and Hospitality. The existing guidance had last been reviewed in 2005 and it was appropriate that it now be reviewed again.

The Committee noted that the register of gifts to officers was not open to public inspection, but it was proposed that the Monitoring Officer would report to the Standards Committee on an annual basis on the gifts and hospitality received by officers. This report would be in general statistical terms and would not detail individual gifts received by individual officers.

RESOLVED that:-

(a) The Guidance to Officers on Gifts and Hospitality be approved and that it be included in the Council’s Human Resources Policies;

(b) The Monitoring Officer be requested to circulate a copy of the Guidance to all Officers;

(c) The Monitoring Officer be requested to provide an annual report to the Committee regarding gifts and hospitality received by officers.

6. Guidance to Members for Outside Bodies

The Monitoring Officer presented a report proposing revised guidance for members on Outside Bodies.

The guidance was due for an update and also needed wider promotion to those who were appointed to serve on outside bodies. Incorporating the guidance into the Ethical Framework within the Constitution would raise the profile of the guidance and ensure that members were able to consult it when necessary. However, the Committee felt that the position of Councillors on outside bodies was complex with considerable potential for difficulties and misunderstandings. It considered that it would be useful for the Monitoring Officer to offer to provide advice to all members appointed to serve on outside bodies on their responsibilities.

The Monitoring Officer confirmed that paragraph 4.4(3) of the guidance should be amended to read

“Management Committee Members will have personal liability if they act outside the authority given to them or if they do not comply with statute eg the payment of employees’ tax etc.”

RESOLVED that:-

(a) The Guidance for Members on Outside Bodies be approved, subject to the amendment of paragraph 4.4(3) to read:

“Management Committee Members will have personal liability if they act outside the authority given to them or if they do not comply with statute eg the payment of employees’ tax etc.”

(b) The Guidance for Members on Outside Bodies be included within the Council’s Ethical Framework within the Constitution;

(c) The Monitoring Officer make the Guidance available to Members appointed to serve on Outside Bodies;

(d) The Monitoring Officer to offer provide advice to all members appointed to serve on outside bodies on their responsibilities,

7. The Standards Committee (Further Provisions)(England) Regulations 2009

The Monitoring Officer presented a report setting out the implications of the Standards Committee (Further provisions)(England) Regulations 2009. The Regulations had been published on 21 May 2009 and were due to come into force on 15 June 2009.

In respect of the suspension of the initial assessment functions, the Committee considered that this was a protracted and cumbersome procedure. Concern was expressed that if an authority was directed to deal with allegations relating to another authority, it could not refuse to do so, even though no additional resources would be provided to manage the work involved.

The Committee noted the provisions relating to Joint Standards Committees. It

considered these were complex. The Committee's view was that the existing arrangements were working well and, whilst the facility to establish a joint Standards Committee was noted, there was no need to explore it at this stage.

In relation to the provisions relating to the granting of dispensations, the Committee noted the circumstances in which this could be done. However, it noted that the first of the criteria could only apply if there was prior knowledge of the voting patterns, which raise issues of bias and pre-determination. It therefore felt this criteria was unlikely to be met.

In response to queries from the Committee it was confirmed that the whilst a member could rely on a dispensation for a period of four years, the actual circumstances in which it could be relied upon could be defined very tightly by the Committee when it granted the dispensation.

The Committee stressed the importance of ensuring members were made aware of the need to make applications in good time, given the need for the Standards Committee to give at least five working days notice of a meeting.

RESOLVED that:-

(a) The implications of the Standards Committee (Further Provisions) (England) Regulations 2009 which came into force on 15 June 2009 be noted;

(b) The Monitoring Officer be requested to write to all Borough Councillors informing them of the new dispensation provisions.

(c) The Monitoring Officer be requested to write to all Town and Parish Clerks within the Borough of Colchester informing them of the new dispensation provisions.

(d) That the record of dispensations granted by the Committee be maintained by the Monitoring Officer on behalf of the Committee.

(e) The Monitoring Officer prepare a guide for Members on dispensations and that it be included as part of the Councils Ethical Framework and be included in the Constitution, and that the guide stress the need for applications for dispensations be made in good time.

8. Appointments to Standards Committee Sub-Committees

The Monitoring Officer presented a report proposing the appointment of members of the Standards Committee to the Allegations Sub-Committee, Allegations Appeals Sub-Committee and the Hearings Sub-Committee for the 2009-10 municipal year.

RESOLVED that for the 2009-10 municipal year the membership of the Standards Committee sub-committees be as follows:-

Allegations Sub-Committee

Derek Coe (Chairman)
Ray Gamble
Vivienne Eden

Allegations Appeals Sub-Committee

Sven Farmer (Chairman)
Malcolm Bartier
Sonia Lewis

Hearings Sub-Committee

Peter Fitton (Chairman)
Steven Mee-Roberts
Ian Andrews
Nigel Chapman
Gillian Brown



Standards Committee

Item
5

11 September 2009

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Local Government Ombudsman – Annual Review 2008/2009		
Wards affected	Not applicable		

This report request the Committee to note the Local Government Ombudsman’s Annual Review for 2008/2009

1. Decision Required

- 1.1 To note the contents of the Local Government Ombudsman’s Annual Review for 2008/2009.

2. Reasons for Decision(s)

- 2.1 To inform the Committee of the number and type of decisions made by the Local Government Ombudsman during 2008/2009.

3. Alternative Options

- 3.1 No alternative options are presented.

4. Supporting Information

- 4.1 The Local Government Ombudsman issues an Annual Review (previously referred to as the Annual Letter) to each local authority. The Annual Review for the Council for the year 2008/2009 is attached to this report at Appendix 1. Appendix 2 comprises statistical data. The Local Government Ombudsman has re-organised the manner in which they handle complaints so that the information provided is now divided between the Advice Team, which deals with an initial assessment of enquiries and/or complaints and the Investigative Team which investigates complaints.
- 4.2 Consequent upon this change, the Annual Review for 2008/2009 has been produced in a new format which means that no comparative data has been included regarding the previous years figures due to the data being collated differently. In subsequent years the comparative data will be included.
- 4.3 It is worth noting that anyone can choose to make a complaint to the Local Government Ombudsman. Accordingly, the number of complaints is not an indicator of performance or level of customer service. In most instances there was no case to answer. The Local Government Ombudsman will always insist that the Council has the opportunity to resolve the complaint locally through its own complaints procedure before commencing its own investigation.
- 4.4 The Standards Committee has an overview of Local Government Ombudsman investigations as part of its terms of reference. The contents of this report were initially reported to Cabinet on 9 September 2009 when Cabinet noted the report

5. Key Headlines

- 5.1 There were no findings of maladministration against the Council and no formal reports were issued.
- 5.2 Last year 48 enquires were received by the Advice Team. Of these 16 were referred back to the Council to be considered as part of its own complaints procedure. A further 9 enquiries were dealt with by advice and the remaining 23 were referred to the Investigative team for consideration.
- 5.3 The Advice Team received 12 enquires in relation to housing (which included homelessness and repairs). Of these 6 were referred for investigation. The Advice Team received 11 enquires in relation to planning issues. Of these 7 were referred for investigation.
- 5.4 The Investigate Team decided 27 complaints against the Council. In 2007/2008, 40 complaints were decided against the Council. A total of 2 local settlements were agreed (where the Council agreed to take action which the Ombudsman considered was a satisfactory response to a complaint) which is a reduction on 2007/2008's total of 8. The Council paid a total of £1768 in compensation. The service areas involved have learnt from the circumstances of the particular complaints and have improved their procedures accordingly.
- 5.5 The average response time of the Council to Ombudsman first enquiries was 34.5 days. The Ombudsman's target is 28 days. Steps are being taken to reduce the response times in order to meet the Ombudsman's target. The increased usage of e-mail correspondence with the Ombudsman's office is expected to improve this figure.
- 5.6 The Annual Review refers to training and we are reviewing this option for officers within the Services who respond to Ombudsman queries in order to improve our response times.

6. Financial Considerations

- 6.1 No direct implications other than mentioned in this report.

7. Strategic Plan References

- 7.1 The lessons learnt from complaints to the Ombudsman link in with our Customer Excellence element of the Strategic Plan by constantly learning and putting lessons learnt into practice. This will in turn lead to improved customer service as we continue to meet and exceed our customers' expectations

8. Equality, Diversity and Human Rights Implications

- 8.1 No direct implications.

9. Publicity Considerations

- 9.1 Details of the Annual Review will be posted on the Council's website.

10. Consultation Implications

- 10.1 No direct implications.

11. Community Safety Implications

11.1 No direct implications.

12. Health and Safety Implications

12.1 No direct implications.

13. Risk Management Implications

13.1 No direct implications.

**The Local Government Ombudsman's
Annual Review
Colchester Borough Council
for the year ended
31 March 2009**

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual reviews.

Contents of Annual Review

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Section 1: Complaints about Colchester Borough Council 2008/09

Introduction

This annual review provides a summary of the complaints we have dealt with about Colchester Borough Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can assist with your service improvement.

I hope that the review will be a useful addition to other information your authority holds on how people experience or perceive your services.

Two appendices form an integral part of this review: statistical data for 2008/09 and a note to help the interpretation of the statistics.

Changes to our way of working and statistics

A change in the way we operate means that the statistics about complaints received in 2008/09 are not directly comparable with those from 2007/08. Since 1 April 2008 the new LGO Advice Team has been the single point of contact for all enquiries and new complaints. The number of calls to our service has increased significantly since then. It handles more than 3,000 calls a month, together with written and emailed complaints. Our advisers now provide comprehensive information and advice to callers at the outset with a full explanation of the process and possible outcomes. It enables callers to make a more informed decision about whether putting their complaint to us is an appropriate course of action. Some decide to pursue their complaint direct with the council first.

It means that direct comparisons with some of the previous year's statistics are difficult and could be misleading. So this annual review focuses mainly on the 2008/09 statistics without drawing those comparisons.

Enquiries and complaints received

Of the 48 enquiries received by our Advice Team in 2008/09, 16 were passed back to the Council to attempt to resolve in the first instance as the complainant had yet to exhaust your complaints procedure, and it seemed that they would not be disadvantaged by doing so before complaining to me if they remained dissatisfied at the end of that process. A further 9 enquiries were dealt with by the provision of advice. The remaining 23 enquiries were passed on to an investigative team for consideration.

Housing generated most contacts: 12 in total of which six were passed for investigation. These concerned homelessness and repairs. Of the 11 enquiries we received about planning issues, seven were forwarded to the investigation team to consider.

Complaint outcomes

Local settlements

A 'local settlement' is a complaint where, during the course of our investigation, a council takes or agrees to take some action that we consider to be a satisfactory response to the complaint. In 2008/09, 27.4% of all complaints the Ombudsmen decided and which were within our jurisdiction

were local settlements. This year I agreed two local settlements with your Council and asked you to pay £1,768 in compensation.

One of the two settlements involved housing repairs. The complainant experienced recurrent flooding of her home during periods of heavy rain as a result of water run off from a nearby road for which the County Council was the highways authority. There was some disagreement between the County Council and the Borough Council as to which authority was responsible for solving this problem. There was further delay by the Council in carrying out works to increase the drainage in front of the building to prevent surges of water entering the building, and then assessing the effectiveness of those works following a further incident. The Council agreed to carry out additional work to the drainage system and paid £1,000 in recognition of the delay and distress caused to the complainant as well as agreeing to promptly consider her insurance claim for damage to her possessions.

The second settlement concerned delay in dealing with a homelessness application. As a result of the time taken the complainant incurred unnecessary costs storing his belongings while awaiting permanent accommodation. The Council agreed to pay those storage costs as a means of redress.

Ombudsman's discretion

Sometimes though the Council may be at fault I use my discretion not to pursue the investigation, often because the fault did not result in any injustice to the complainant. But there may still be lessons for the Council to draw from such cases. This year I closed 12 cases using my discretion.

In one of them, a complaint about how the Council had dealt with an application for assistance from someone claiming to be homeless and in priority need, I did not feel there was sufficient injustice arising from the fault to warrant a settlement. But you agreed to ensure that letters to applicants telling them of the decision on their applications contained appropriate information about why their application had been unsuccessful.

Liaison with the Local Government Ombudsman

The average time taken by the Council to reply to our written enquiries was 34.5 days, which exceeds last year's average response time of 30.7 days. The target response date I set for local authorities is 28 days. It cannot be in either the Council's or the complainant's best interests for my investigations to be prolonged as a result of delays in receiving responses to our enquiries and so any steps that could be taken to meet this target in future would be welcomed.

I am pleased to note that two of your officers recently attended a seminar at my office when we were able to update Council officers who co-ordinate the responses to our enquiries on recent developments in our service and the way in which we conduct our investigations. I hope that they found the seminar useful.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. All courses are presented by experienced investigators. They give participants the opportunity to practise the skills needed to deal with complaints positively and efficiently. We can also provide customised courses to help authorities to deal with particular issues and occasional open courses for individuals from different authorities.

I have enclosed some information on the full range of courses available together with contact details for enquiries and bookings.

Conclusions

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Tony Redmond
Local Government Ombudsman
10th floor
Millbank Tower
Millbank
London
SW1P 4QP**

June 2009

Section 2: LGO developments

Introduction

This annual review also provides an opportunity to bring councils up to date on developments – current and proposed – in the LGO and to seek feedback. It includes our proposal to introduce a ‘statement of reasons’ for Ombudsmen decisions.

Council First

From 1 April 2009, the LGO has considered complaints only where the council’s own complaints procedure has been completed. Local authorities have been informed of these new arrangements, including some notable exceptions. We will carefully monitor the impact of this change during the course of the year.

Statement of reasons: consultation

The Local Government and Public Involvement in Health Act 2007 made provision for the LGO to publish statements of reasons relating to the individual decisions of an Ombudsman following the investigation of a complaint. The Ombudsmen are now consulting local government on their proposal to use statements of reasons. The proposal is that these will comprise a short summary (about one page of A4) of the complaint, the investigation, the findings and the recommended remedy. The statement, naming the council but not the complainant, would usually be published on our website.

We plan to consult local authorities on the detail of these statements with a view to implementing them from October 2009.

Making Experiences Count (MEC)

The new formal, one stage complaint handling arrangement for adult social care was also introduced from 1 April 2009. The LGO is looking to ensure that this formal stage is observed by complainants before the Ombudsmen will consider any such complaint, although some may be treated as exceptions under the Council First approach. The LGO also recognises that during the transition from the existing scheme to the new scheme there is going to be a mixed approach to considering complaints as some may have originated before 1 April 2009. The LGO will endeavour to provide support, as necessary, through dedicated events for complaints-handling staff in adult social care departments.

Training in complaint handling

Effective Complaint Handling in Adult Social Care is the latest addition to our range of training courses for local authority staff. This adds to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution), and courses for social care staff at both of these levels. Demand for our training in complaint handling remains high. A total of 129 courses were delivered in 2008/09. Feedback from participants shows that they find it stimulating, challenging and beneficial in their work in dealing with complaints.

Adult Social Care Self-funding

The Health Bill 2009 proposes for the LGO to extend its jurisdiction to cover an independent complaints-handling role in respect of self-funded adult social care. The new service will commence in 2010.

Internal schools management

The Apprenticeship, Skills, Children and Learning Bill (ASCL) 2009 proposes making the LGO the host for a new independent complaints-handling function for schools. In essence, we would consider the complaint after the governing body of the school had considered it. Subject to legislation, the new service would be introduced, in pilot form, probably in September 2010.

Further developments

I hope this information gives you an insight into the major changes happening within the LGO, many of which will have a direct impact on your local authority. We will keep you up to date through LGO Link as each development progresses but if there is anything you wish to discuss in the meantime please let me know.

**Tony Redmond
Local Government Ombudsman
10th floor
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Millbank
London
SW1P 4QP**

June 2009

Appendix 1: Notes to assist interpretation of the statistics 2008/09

Introduction

This year, the annual review only shows 2008/09 figures for enquiries and complaints received, and for decisions taken. This is because the change in the way we operate (explained in the introduction to the review) means that these statistics are not directly comparable with statistics from previous years.

Table 1. LGO Advice Team: Enquiries and complaints received

This information shows the number of enquiries and complaints received by the LGO, broken down by service area and in total. It also shows how these were dealt with, as follows.

Formal/informal prematures: The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it back to the council as a 'premature complaint' to see if the council can itself resolve the matter. These are 'formal premature complaints'. We now also include 'informal' premature complaints here, where advice is given to the complainant making an enquiry that their complaint is premature. The total of premature complaints shown in this line *does not include* the number of resubmitted premature complaints (see below).

Advice given: These are enquiries where the LGO Advice Team has given advice on why the Ombudsman would not be able to consider the complaint, other than the complaint being premature. For example, the complaint may clearly be outside the Ombudsman's jurisdiction. It also includes cases where the complainant has not given enough information for clear advice to be given, but they have, in any case, decided not to pursue the complaint.

Forwarded to the investigative team (resubmitted prematures): These are cases where there was either a formal premature decision, or the complainant was given informal advice that their case was premature, and the complainant has resubmitted their complaint to the Ombudsman after it has been put to the council. *These figures need to be added to the numbers for formal/informal premature complaints (see above) to get the full total number of premature complaints. They also needed to be added to the 'forwarded to the investigative team (new)' to get the total number of forwarded complaints.*

Forwarded to the investigative team (new): These are the complaints that have been forwarded from the LGO Advice Team to the Investigative Team for further consideration. The figures may include some complaints that the Investigative Team has received but where we have not yet contacted the council.

Table 2. Investigative Team: Decisions

This information records the number of decisions made by the LGO Investigative Team, broken down by outcome, within the period given. **This number will not be the same as the number of complaints forwarded from the LGO Advice Team** because some complaints decided in 2008/09 will already have been in hand at the beginning of the year, and some forwarded to the Investigative Team during 2008/09 will still be in hand at the end of the year. Below we set out a key explaining the outcome categories.

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS (local settlements): decisions by letter discontinuing our investigation because action has been agreed by the authority and accepted by the Ombudsman as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb disc: decisions by letter discontinuing an investigation in which we have exercised the Ombudsman's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the Ombudsman's jurisdiction.

Table 3. Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

Table 4. Average local authority response times 2008/09

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.

LGO Advice Team

Enquiries and complaints received	Adult care services	Housing	Benefits	Public Finance inc. Local Taxation	Planning and building control	Transport and highways	Other	Total
Formal/informal premature complaints	1	4	2	1	2	1	4	15
Advice given	0	2	1	0	2	2	3	10
Forwarded to investigative team (resubmitted prematures)	0	2	1	0	3	0	0	6
Forwarded to investigative team (new)	0	5	0	0	4	2	6	17
Total	1	13	4	1	11	5	13	48

Investigative Team

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Total
01/04/2008 / 31/03/2009	0	2	0	0	12	12	1	27

Response times

	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
1/04/2008 / 31/03/2009	16	34.5
2007 / 2008	18	30.7
2006 / 2007	17	32.5

Average local authority resp times 01/04/2008 to 31/03/2009

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	60	20	20
Unitary Authorities	56	35	9
Metropolitan Authorities	67	19	14
County Councils	62	32	6
London Boroughs	58	27	15
National Parks Authorities	100	0	0

11 September 2009

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Review of Training for Members on the Code of Conduct and Local Assessment		
Wards affected	Not applicable		

This report provides the Committee with an update of training for Members on the code of conduct and the local assessment process

1. Decision(s) Required

- 1.1 To note the contents of this report

2. Introduction

- 2.1 The Committee's terms of reference state that it will:

"Train or arrange training for elected and co-opted Members on matters relating to the Members' Code of Conduct."

This requirement is both for Borough and Town and Parish Councillors.

- 2.2 The Committee last considered Member training at its meeting on 5 December 2008. It was anticipated then that we would provide training on the revised code of conduct in May/June 2009 and for it to be aimed particularly at parish Council Chairmen and clerks. However the revised code of conduct has not yet materialised although it may appear by the end of the year.

3. Update

- 3.1 I would suggest that the Committee should seek to organise a number of training sessions each year which could be either generic or adapted specifically if required. It may be prudent to arrange these quarterly depending on the Committees thoughts. The subjects covered should continue to be the Code of Conduct, Local Assessment and possibly governance issues particularly to assist Town and Parish Councils.
- 3.2 A session has been arranged to update Borough Councillors on the Code of Conduct and the Local Assessment process in September. In addition a separate training session has been arranged for members of a Parish Council following a recommendation by the Allegations Sub-Committee.

4. Strategic Plan References

- 4.1 The arrangements underpin the Council's commitment to quality services and customer excellence.

5. Financial Considerations

5.1 No direct implications.

6. Equality, Diversity and Human Rights Implications

6.1 No direct implications.

7. Publicity Considerations

7. No direct implications.

8. Consultation Implications

8.1 No direct implications.

9. Community Safety Implications

9.1 No direct implications.

10. Health and Safety Implications

10.1 No direct implications.

11. Risk Management Implications

11.1 No direct implications



Standards Committee

Item
7

11 September 2009

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Standards Committee Work Programme 2008/09 and 2009/2010		
Wards affected	Not applicable		

**This report updates the Committee's work programme
for 2008/09 and 2009/10**

1. Decision(s) Required

- 1.1 To note completed work programme for 2008/09 and the updated work programme for 2009/2010.

2. Background

- 2.1 The Standards Committee's role has changed significantly since it was created in 2001. More responsibilities have been placed upon it by successive legislation recently culminating in the local assessment of complaints against members.
- 2.2 In order for the Committee to keep track of its responsibilities and to ensure that it reviews issues within its terms of reference a work programme for 2008/09 was approved by the Committee at its meeting on 22 May 2008.
- 2.3 The intention of the work programme is to chart progress in respect of each issue and the target date for each one to next come before the Committee. This has enabled the Committee to identify issues which it wishes to see addressed and give officers a clear indication of those issues.
- 2.4 The Committee is requested to note the completed work programme for 2008/09 and to consider the updated work programme for 2009/10. The Committee is also invited to include any other issues that it wishes to review that are within its terms of reference.

3. Strategic Plan References

- 3.1 The Council's ethical arrangements forms parts of the Council's commitment to customer excellence which underpins the Council's Strategic Plan vision.

4. Financial Considerations

- 5.1 No direct implications.

5. Equality, Diversity and Human Rights Implications

- 5.1 No direct implications .

6. Publicity Considerations

- 6.1 No direct implications .

7. Consultation Implications

7.1 No direct implications .

8. Community Safety Implications

8.1 No direct implications.

9. Health and Safety Implications

9.1 No direct implications.

10. Risk Management Implications

10.1 No direct implications .

STANDARDS COMMITTEE WORK PROGRAMME 2008/2009

SUBJECT	MEETING DATE	PROGRESS	ACHIEVED
Review of training for Members on the code of conduct / local assessment (a) Borough Councillors (b) Town and Parish Councillors	(a) 5 Dec 08 (b) 5 Dec08	Reported to Committee 5 Dec 08	(a) ✓ (b) ✓
Review of Local Assessment process	5 Dec 08	Reported to Committee 5 Dec 08	✓
Review publicity for Local Assessment process	5 Dec 08	Reported to Committee 5 Dec 08	✓
Review of Council's Whistleblowing Policy	6 Mar 09	Reported to Committee 6 Mar 09	✓
Consideration of the Local Government Ombudsman's Annual Letter	5 Dec 08	Reported to Committee 5 Dec 08	✓
Raising the profile of the Committee: (a) produce an annual report (b) increase presence on Council website	(a) 6 Mar 09 (b) 6 Mar 09	(a) and (b) Reported to Committee 6 Mar 09	(a) ✓ (b) ✓
Consideration of DCLG consultation paper on revised Code of Conduct	5 Dec 08	Reported to Committee 5 Dec 08 Response submitted	✓
Review of Local Code of Corporate Governance	6 Mar 09	Reported to Committee 6 Mar 09	✓

STANDARDS COMMITTEE WORK PROGRAMME 2009/2010

SUBJECT	MEETING DATE	PROGRESS	ACHIEVED
Review of training for Members on the code of conduct / local assessment (a) Borough Councillors (b) Town and Parish Councillors	(a) 11 Sep 09 (b) 11 Sep 09	On agenda for 11 Sept 09 meeting	
Review of Local Assessment process	27 Nov 09		
Review publicity for Local Assessment process	27 Nov 09		
Consideration of the Local Government Ombudsman's Annual Letter	27 Nov 09	On agenda for 11 Sept 09 meeting	
Raising the profile of the Committee: (a) produce an annual report (b) review presence on Council website	(a) 5 Mar 10 (b) 5 Mar10		
Review of Council's Ethical Framework	11 Sep 09	Consider at 27 Nov 09 meeting	
Review of Local Code of Corporate Governance	5 Mar 10		
Review of Guidance for Members on Gifts & Hospitality	29 May 09	Reported to 20 May 09 Committee	✓
Review of guidance for Members on Outside Bodies	29 May 09	Reported to 20 May 09 Committee	✓
Review of Anti-Fraud and Corruption Policy	11 Sep 09	Consider at 27 Nov 09 Meeting	
Recommendation of adoption on revised Code of Conduct		Await regulations	
Committee's role in appeals against designation of politically restricted posts		Await regulations	

Other matters may be included as and when the need arises.

Meeting Dates 2009/2010: 29 May 09, 11 Sep 09, 27 Nov 09, 05 Mar 10

