

**AUDIT COMMITTEE
21 APRIL 2021**

ETHICAL GOVERNANCE AND MEMBER STANDARDS – UPDATE REPORT

SUMMARY REPORT

Purpose of the Report

1. To update members on issues relevant to member standards and ethical governance.

Summary

2. The report gives members an update of information about issues relevant to member standards since matters were reported to the Committee in September 2020.
3. Also set out in the report are a number of datasets of ethical indicators to assist in monitoring the ethical health of the Council. By reviewing these indicators it is hoped to be able to identify any unusual or significant trends or changes in the volume of data recorded for the relevant period that might provide an alert to any deterioration in the ethical health of the authority.
4. Commentary is included for some data sets to give analysis and explanation for some of the more notable variations. There are no particular issues of concern that have been identified from reviewing the data.

Recommendation

5. Members are asked to note the information presented and to comment as appropriate.

Reason

6. By having information of this nature:
 - (a) Members will be assisted to perform their role.
 - (b) Members will be able to get a better picture of the ethical health of the authority.

**Paul Wildsmith
Managing Director**

Background Papers

None – save as mentioned in the text

Luke Swinhoe: Extension 5490

S17 Crime and Disorder	There are no specific issues which relate to crime and disorder.
Health and Well Being	There is no specific health and wellbeing impact.
Carbon Impact and Climate Change	There is no specific carbon impact.
Diversity	There is no specific diversity impact.
Wards Affected	All wards are affected equally.
Groups Affected	All groups are affected equally.
Budget and Policy Framework	This report does not affect the budget or policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	There is no specific relevance to the strategy beyond a reflection on the Council's ethical governance arrangements.
Efficiency	There is no specific efficiency impact.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Update on matters relevant to Ethical Governance and Member Standards

Local Government Association (LGA)

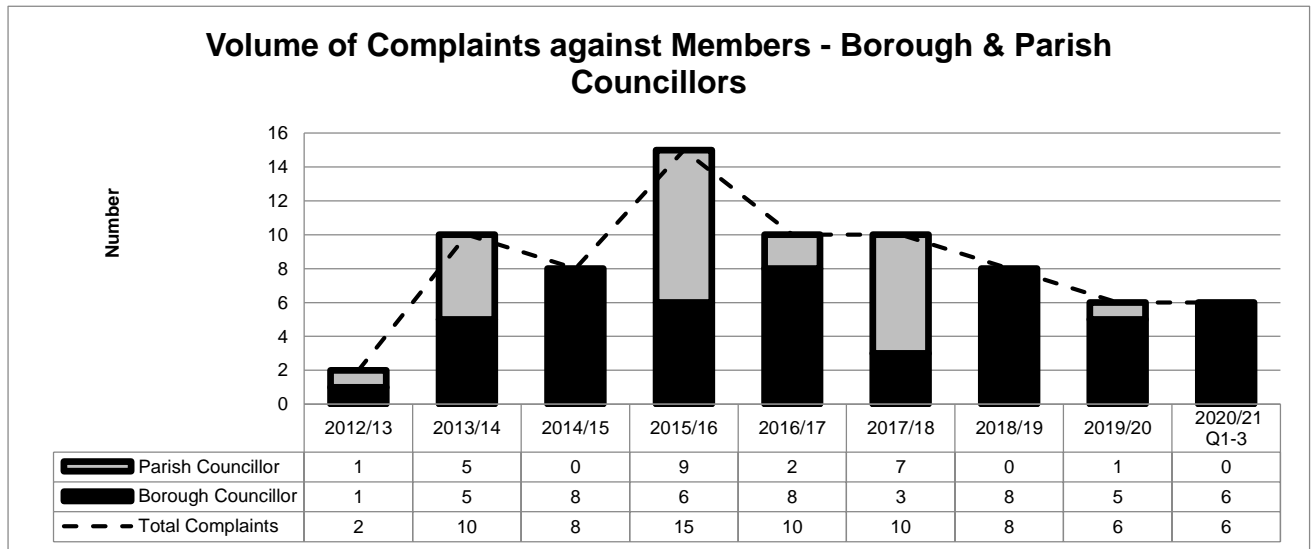
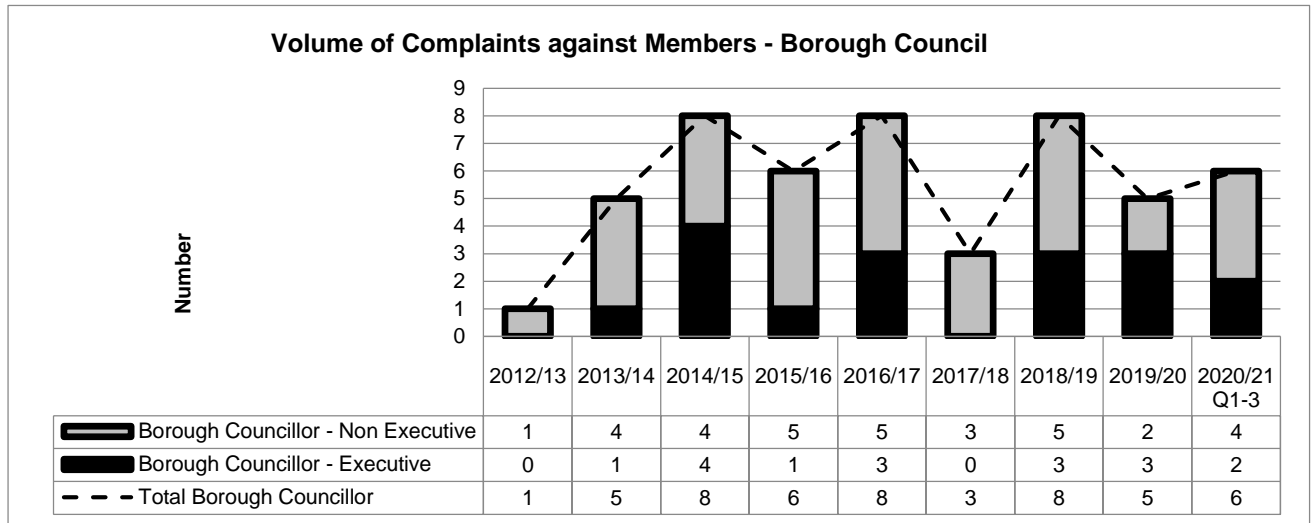
7. As advised previously the LGA has been reviewing the member code of conduct (as recommended by the Committee on Standards in Public Life's report into [Local Government Ethical Standards](#)).
8. The LGA completed this work last year and on the 23rd December 2020 the LGA issued its new Model Councillor Code of Conduct. <http://www.local.gov.uk/publications/local-government-association-model-councillor-code-conduct-2020>. The LGA states that the purpose of the code is to 'protect our democratic role, encourage good conduct and safeguard the public's trust in local government.'
9. The LGA propose to undertake an annual review of the model code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation.
10. Darlington Borough Council's current Code of Conduct for Members was based on a previous national model code and was subsequently revised to include changes introduced by the Localism Act 2011 with further minor periodic updating as required. It will certainly be worthwhile to consider the new LGA Code in detail and the merits of adopting it. There has not yet been an opportunity to begin considering the new model code in any great detail.
11. A detailed report will be brought back to this Committee after further review and consideration has been given the model code of conduct.

Ethical Indicators

12. Set out in **Appendix 1** are a range of data sets that it is hoped will assist in monitoring the ethical health of the Council. By reviewing the indicators, it will be possible to identify any unusual or significant changes in the volume of data recorded for the relevant period that might provide an alert to any deterioration in the ethical health of the authority.
13. Member's observations about this information are invited.

APPENDIX 1

Member Complaints



Comments

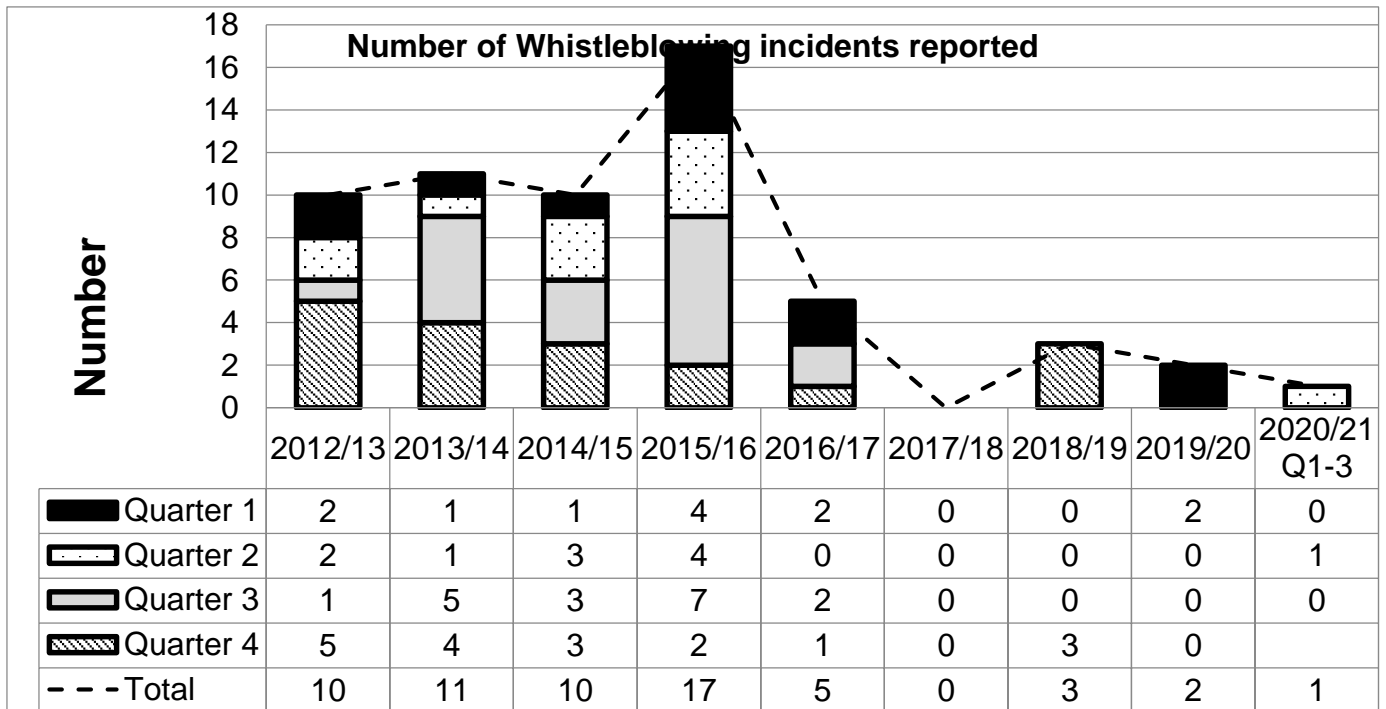
The average number of complaints per year from 2012/13 to 2020/21 is 8.33 per year.

Interpreting the information needs a degree of caution due to low volumes. It is also a factor that in some years spikes in complaints occur due to particular circumstances which account for the rise.

The increase in complaints received for 2015/16, related to one Parish Council alone which accounted for all of the 9 complaints attributed to Parish Councils. This has very significantly impacted on the total complaints received for 2015/16. The number of complaints from 2016/17 on has been more in line with the overall average.

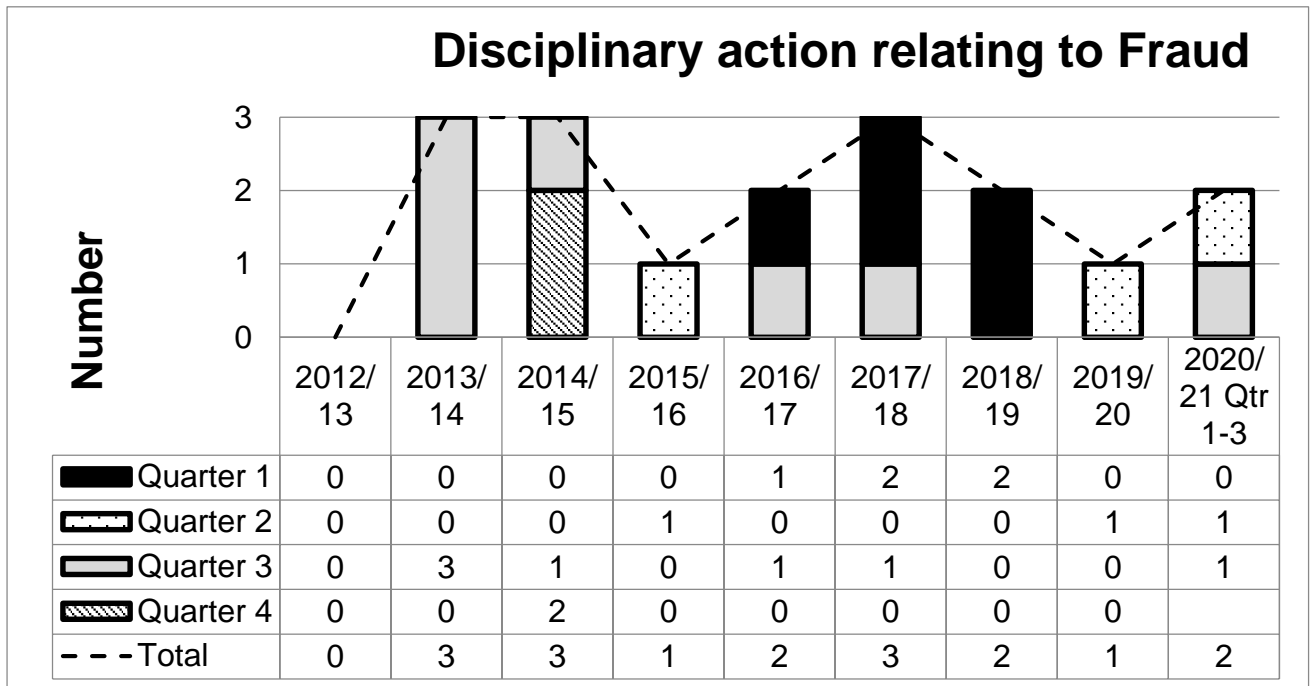
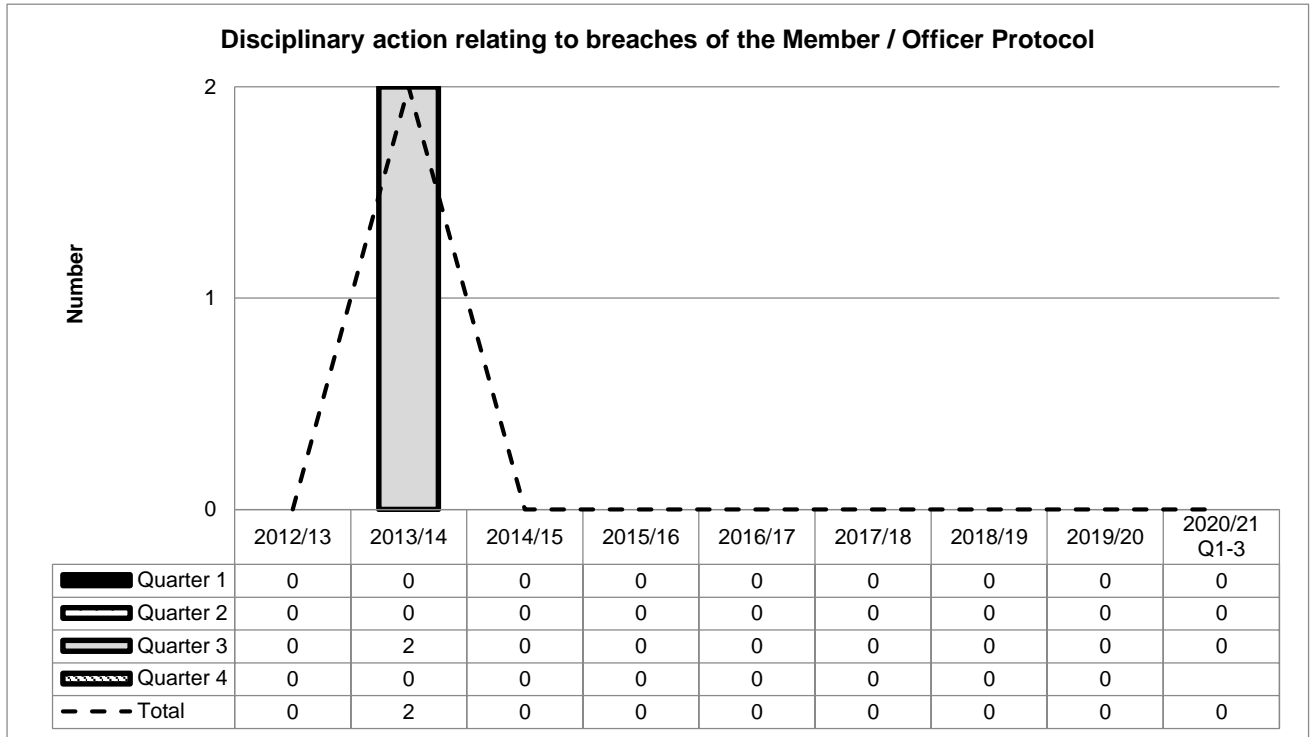
Over the period 2012/13 to 2020/21 there have been 25 complaints made in respect of Parish Councillors and for the same period 50 complaints relating to Borough Councillors. The fact that there are more complaints in respect of Borough Council members is perhaps unsurprising given the types of decisions they are involved in making and the more prominent role that they play compared to Parish Councillors.

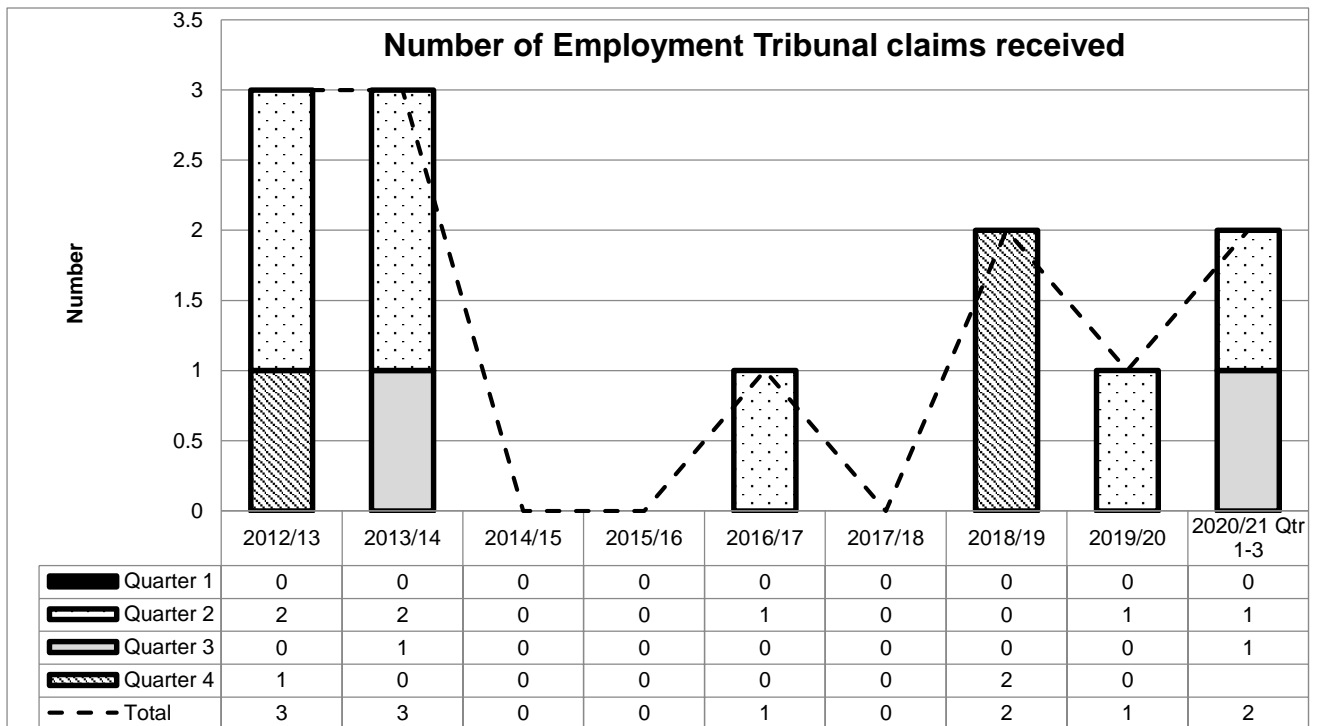
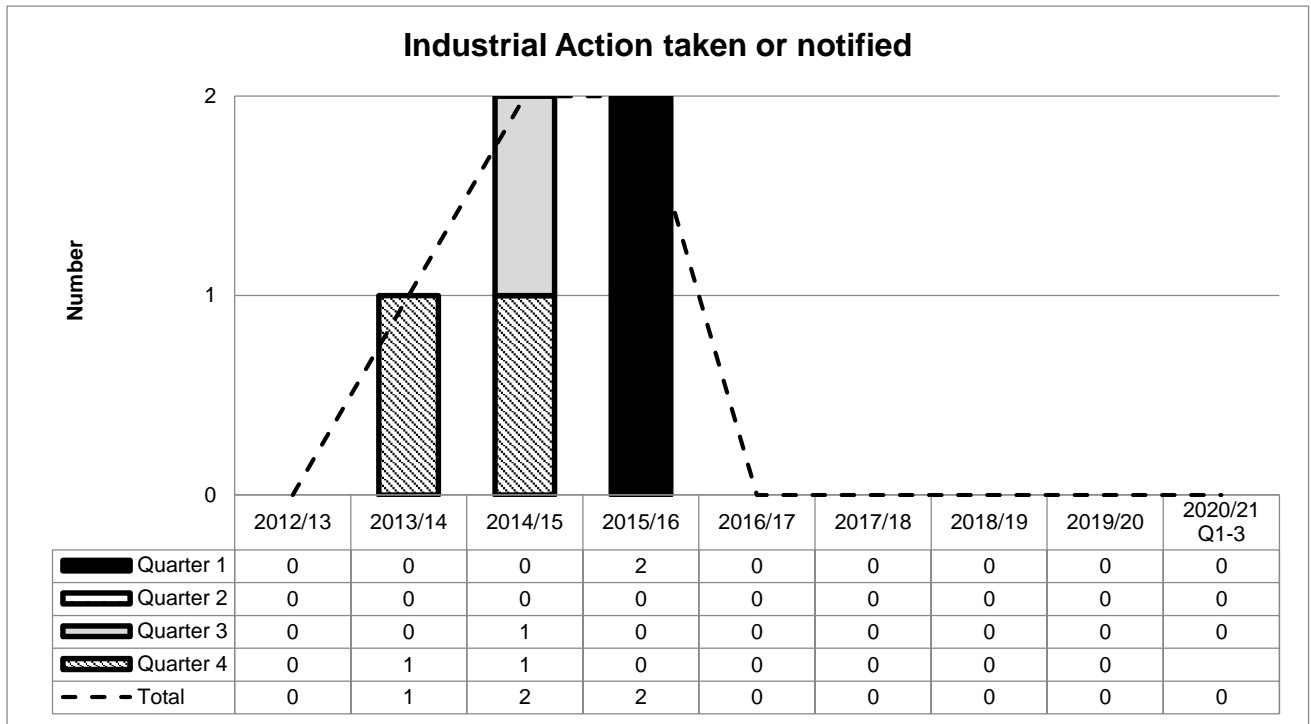
Whistleblowing

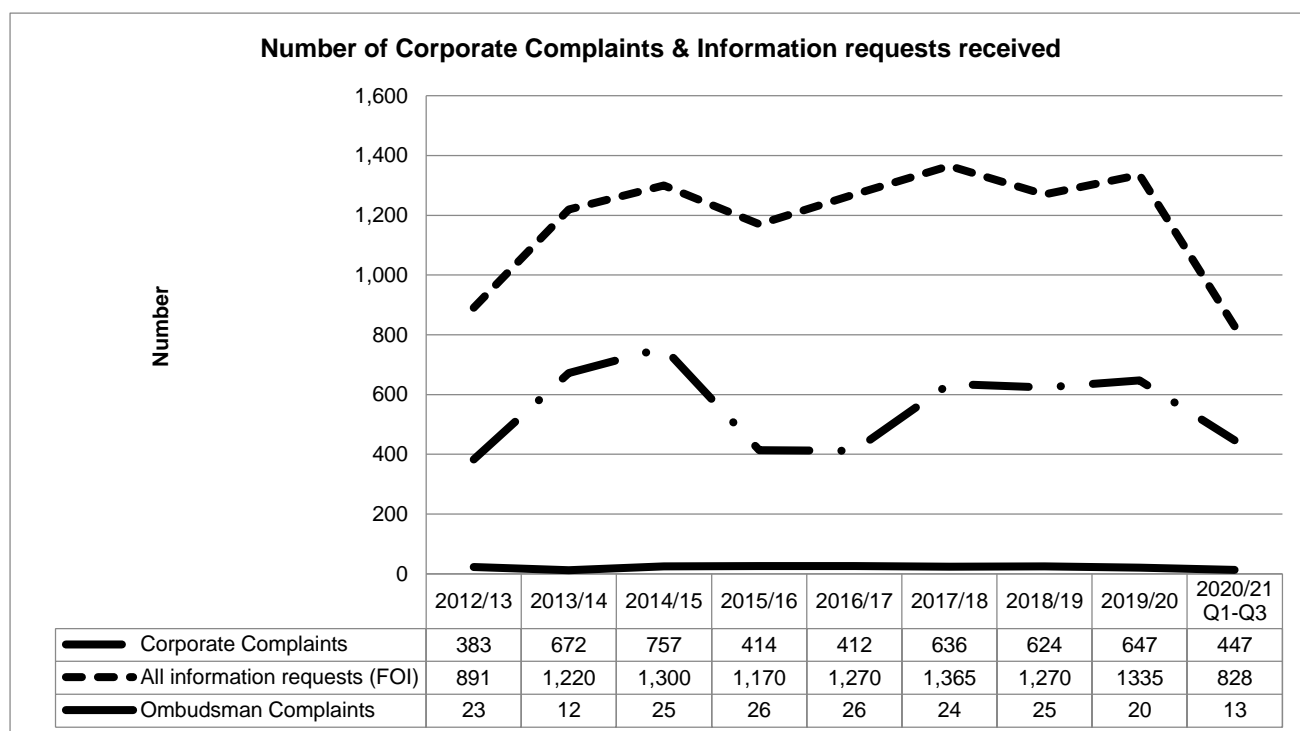


Comments

Publicity about the whistleblowing policy took place in the Autumn of 2018 and it has continued to be raised annually in newsletters to officers. Work has also undertaken to highlight the Council's Anti-Fraud and Corruption Strategy.







Comments

2016/17 – the number of Corporate Complaints and Ombudsman Complaints received was similar to the number received in 2015/16, while there was an increase of 100 information requests.

2017/18 – One of the major factors in the increase in corporate complaints was the introduction of the Council’s policy to no longer provide a recall service for missed refuse collections. There was also a significant increase in corporate complaints about Customer Services following a restructure, the most common theme was dissatisfaction with telephone waiting times. Additional staffing resource was brought in, as a response to the complaints about telephone waiting times.

2018/19 – The Council received 624 corporate complaints, a slight decrease from 636 the previous year. While there were increases in some areas, those which saw a decrease in complaints included Housing Benefit and Council Tax Support, Customer Services, Development Management and Parking Appeals.

2019/20 – The Council received 647 corporate complaints, an increase from 624 in 2018/19. The new Garden Waste service received 70 complaints while there were increases in a number of areas including, Refuse and recycling, ASB and Civic Enforcement Ops and Grounds Maintenance. Housing and Building Services saw a significant decrease in complaints while there were also decreases in other areas including Planning, Development Management and Environmental Health.

2020/21 - The Council received 366 corporate complaints between quarters 1 and 3, a decrease from 495 for the same period in 2019/20. The Council also saw a decrease in complaints across its other complaints procedures during this period. This coupled with the Local Government and Social Care Ombudsman’s decision to cease its investigations during the early stages of the pandemic have likely been a contributing factors in the continued decrease in the number of Ombudsman complaints received. While that is the

case the Council has only received one maladministration injustice decision in the year to date, compared to four during 2019/20. This can be attributed, in part, to the learning implemented from complaints.

