

**AUDIT COMMITTEE
26 APRIL 2023**

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 2022.
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.

**Luke Swinhoe
Assistant Director, Law and Governance
Monitoring officer**

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 direct health and wellbeing impact
Carbon Impact and Climate Change	There is no 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 an executive report
Urgent Decision	This is not an executive report
Council Plan	There is no specific relevance to the strategy beyond a reflection on the Council's ethical governance arrangements
Efficiency	There is no direct 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

Committee on Standards in Public Life

7. The CSPL advises the Prime Minister, national and local government about ethical standards in public life in England. It monitors, conducts broad inquiries and reports on issues relating to the standards of conduct of all public office holders.
8. In January 2023 the CSPL published a report entitled 'Leading in Practice'. Members will be aware that Leadership is one of the 7 Principles of Public life (also known as the Nolan Principles). The report examines the importance of leadership in shaping organisational culture and embedding high standards of conduct.
9. A copy of the report is available via the following link: [Leading in Practice – A review by the Committee on Standards in Public Life \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114422/Leading_in_Practice_-_A_review_by_the_Committee_on_Standards_in_Public_Life.pdf)

New Independent Persons

10. As referenced in the last report to the Audit Committee, following a recruitment process, Beverley Boal and Julie Mathieson were recommended by the Recruitment Panel for appointment to the role of Independent Person. The Panel's recommendations were approved at the Council meeting on 29 September 2022. After an induction, facilitated by the Monitoring Officer, both Independent Persons have successfully taken up their roles and given their views on complaints referred to them about the conduct of members.

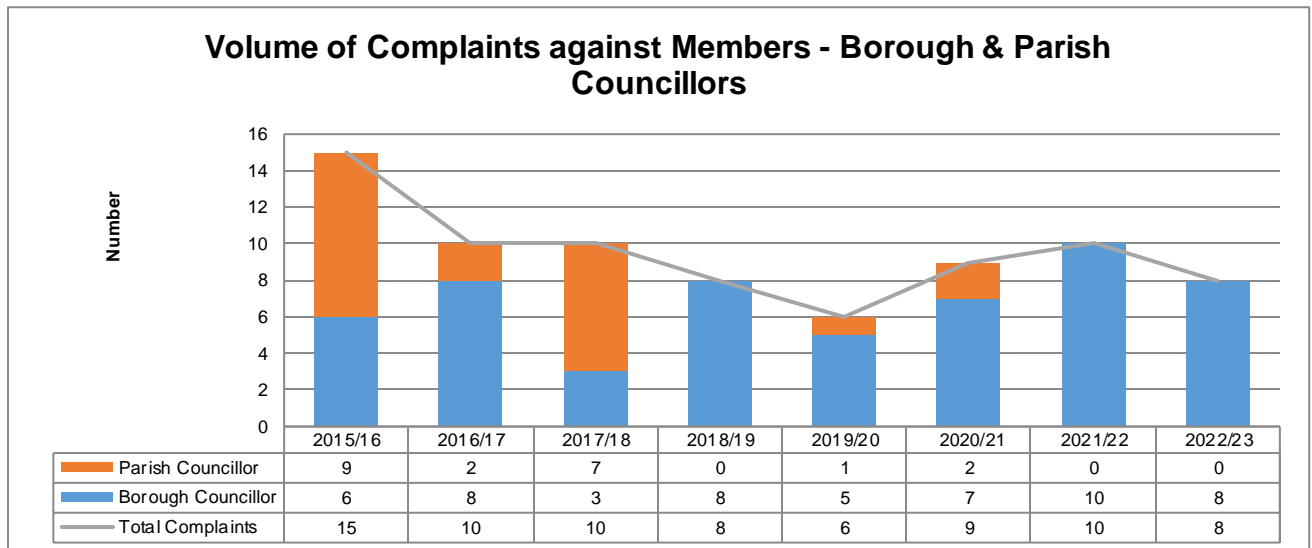
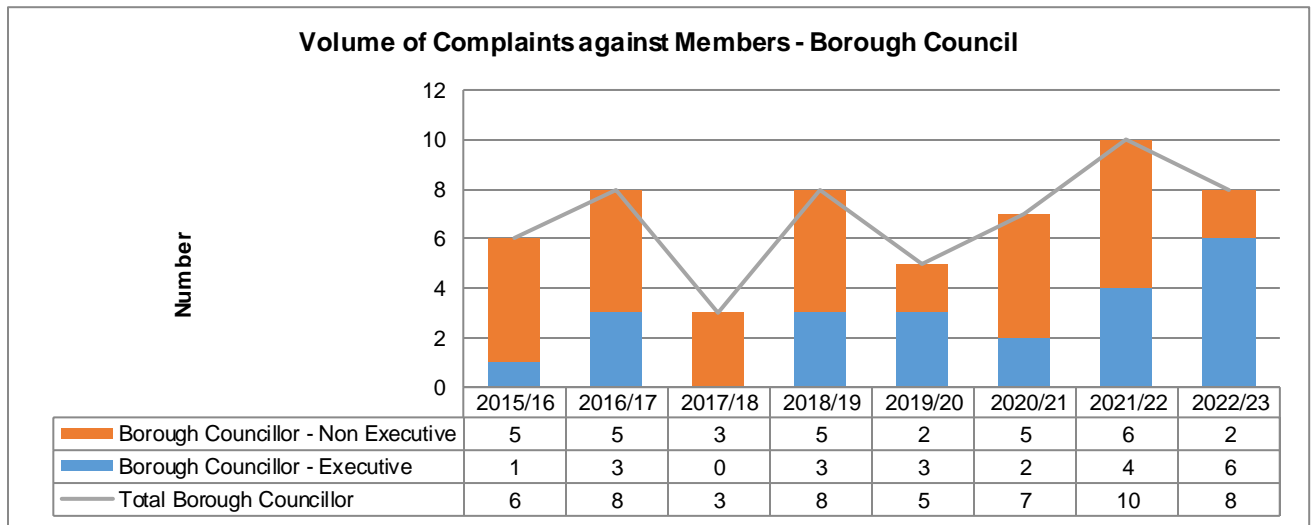
Post May elections - Members Induction and training

11. Local Government and Parish Council elections take place on 4 May 2023 which will result in a number of new councilors be taking up office for the first time. Briefings and training sessions have been arranged for both new and returning borough council members from May to September. Some events being in person and others hosted via TEAMS.
12. The topics covered include Members Corporate induction, Code of Conduct, Licensing, Planning, Council Decision making, Information Governance and GDPR, Scrutiny Committee, Safeguarding Children, Safeguarding Adults, Corporate Parenting, Prevent, Health and Safety, Climate Change, Economic Growth, Equality and Diversity, Comms and Social Media, Local Government Finance and Emergency Planning.
13. Separate sessions will be held on the Members Code of Conduct for Parish Council members.

Ethical Indicators

14. 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.
15. Member's observations about this information are invited.

Member Complaints

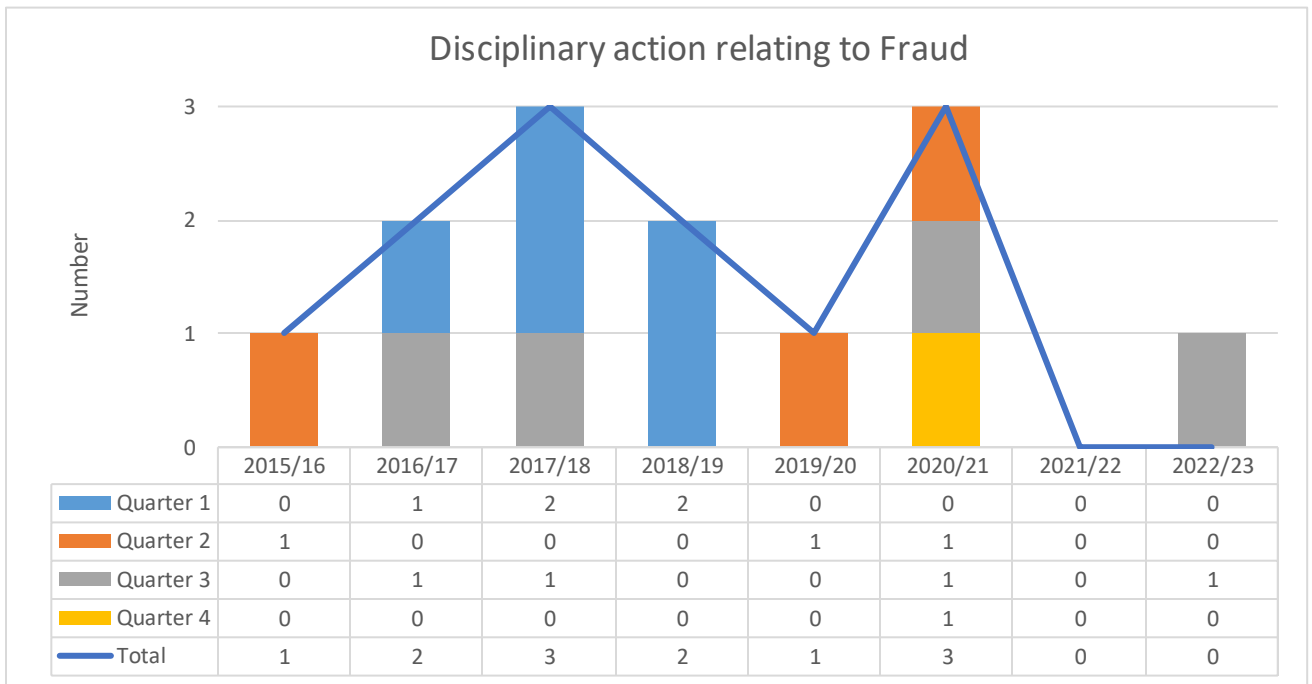
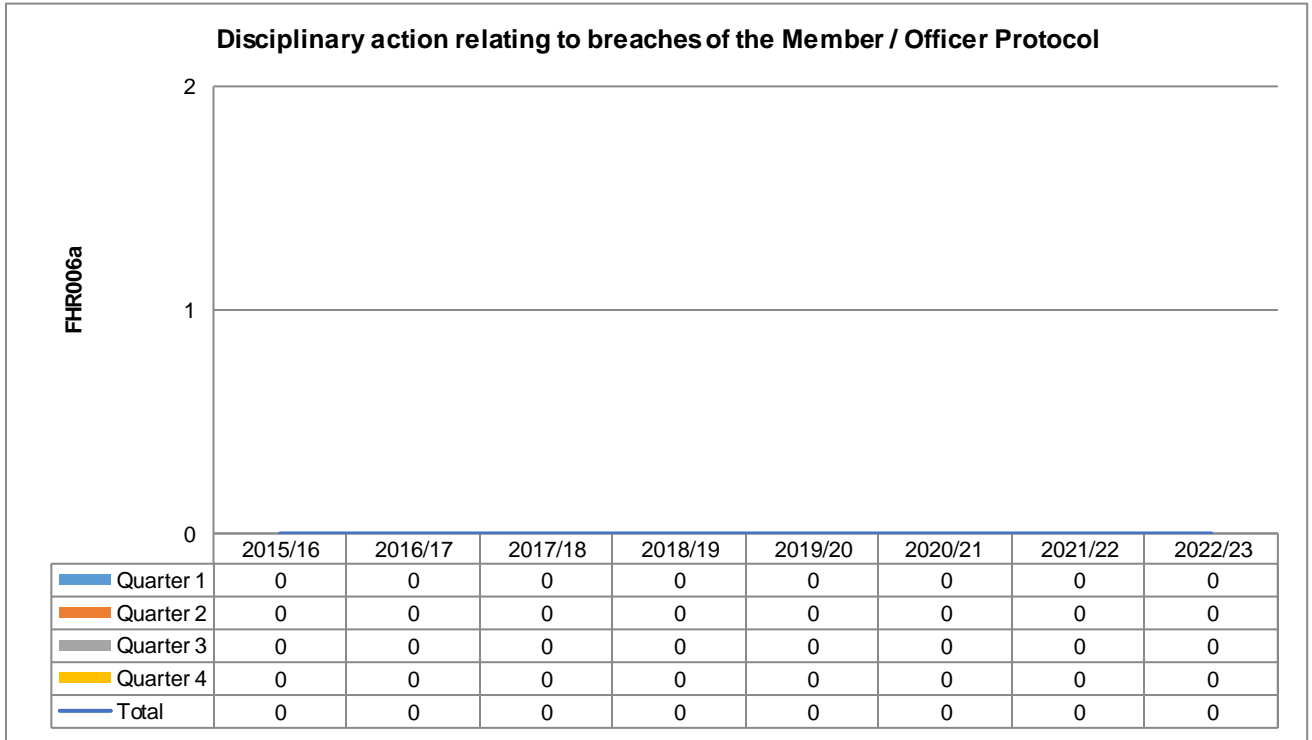


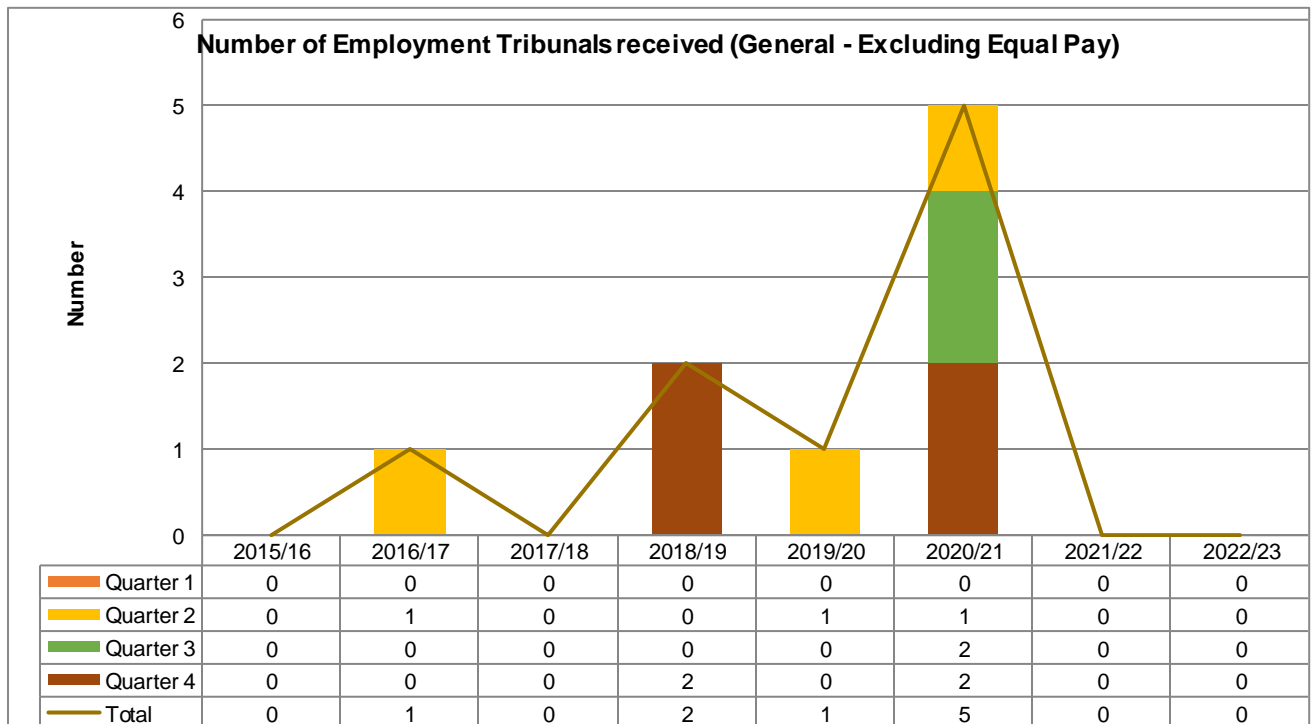
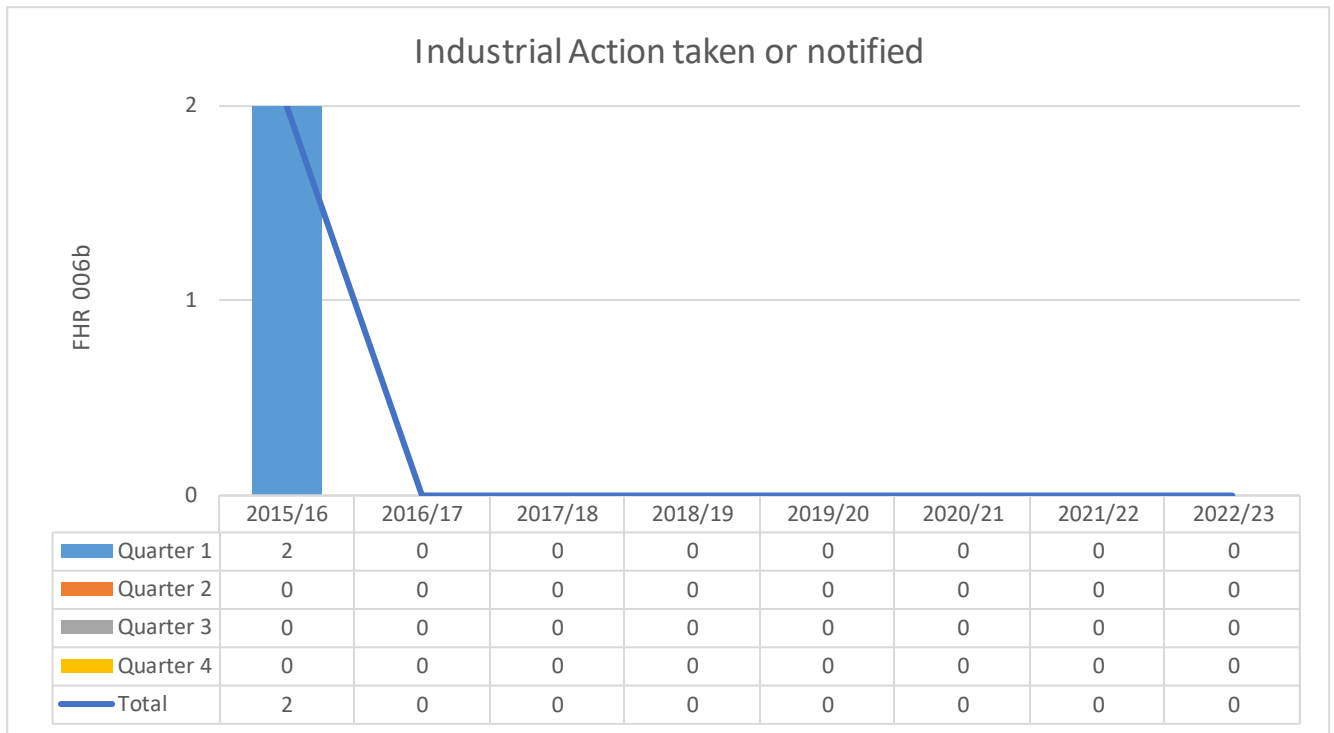
Comments

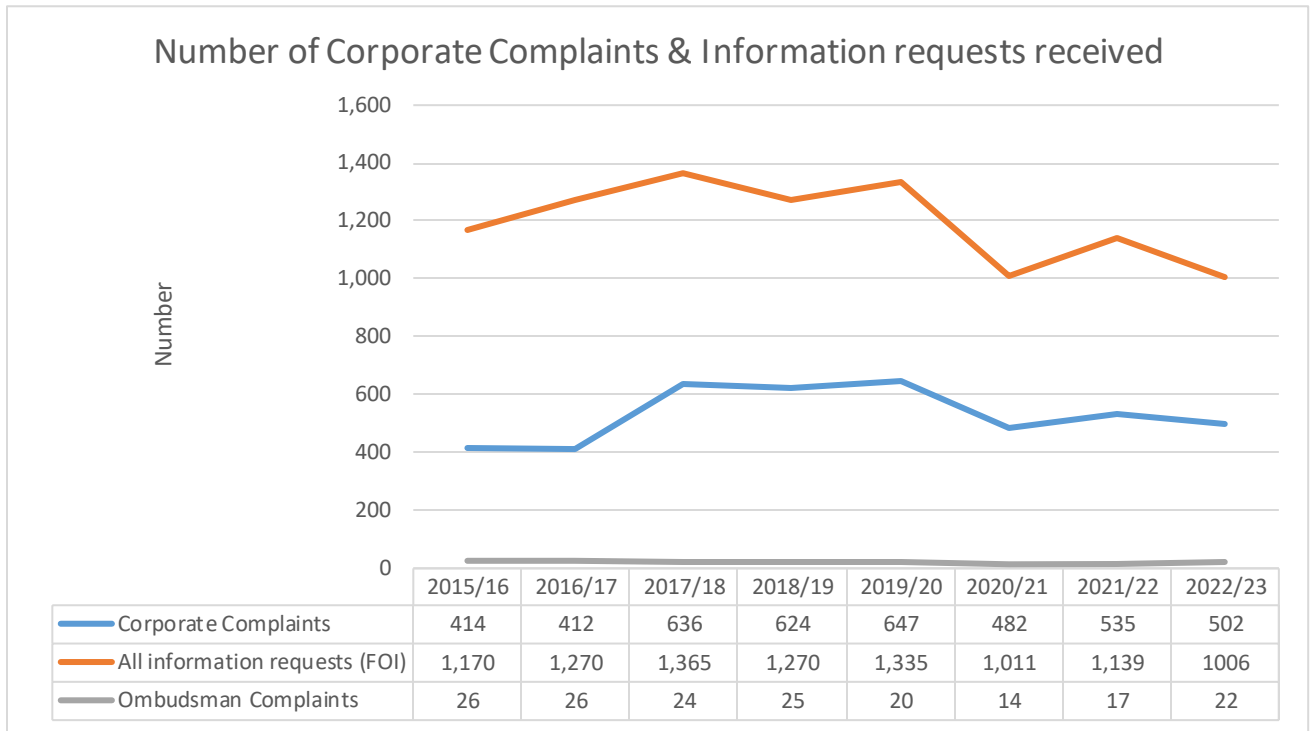
The average number of Member complaints per year from 2015/16 to 2022/23 was 9.5 per year.

Due to low volumes, interpreting the information needs a degree of caution. It is also the case that there can be spikes in complaints caused by particular concerns (for instance a number of complaints about a particular problem, or a complainant making the same complaint against a number of Members) which can disproportionately affect the overall total.

Over the period 2015/16 to 2022/23 there have been 21 complaints made in respect of Parish Councillors and for the same period 55 complaints relating to Borough Councillors. The fact that there are more complaints in respect of Borough Council members is perhaps unsurprising given the volume and nature of decisions they are involved in making and the more prominent role that they play compared to Parish Councillors.





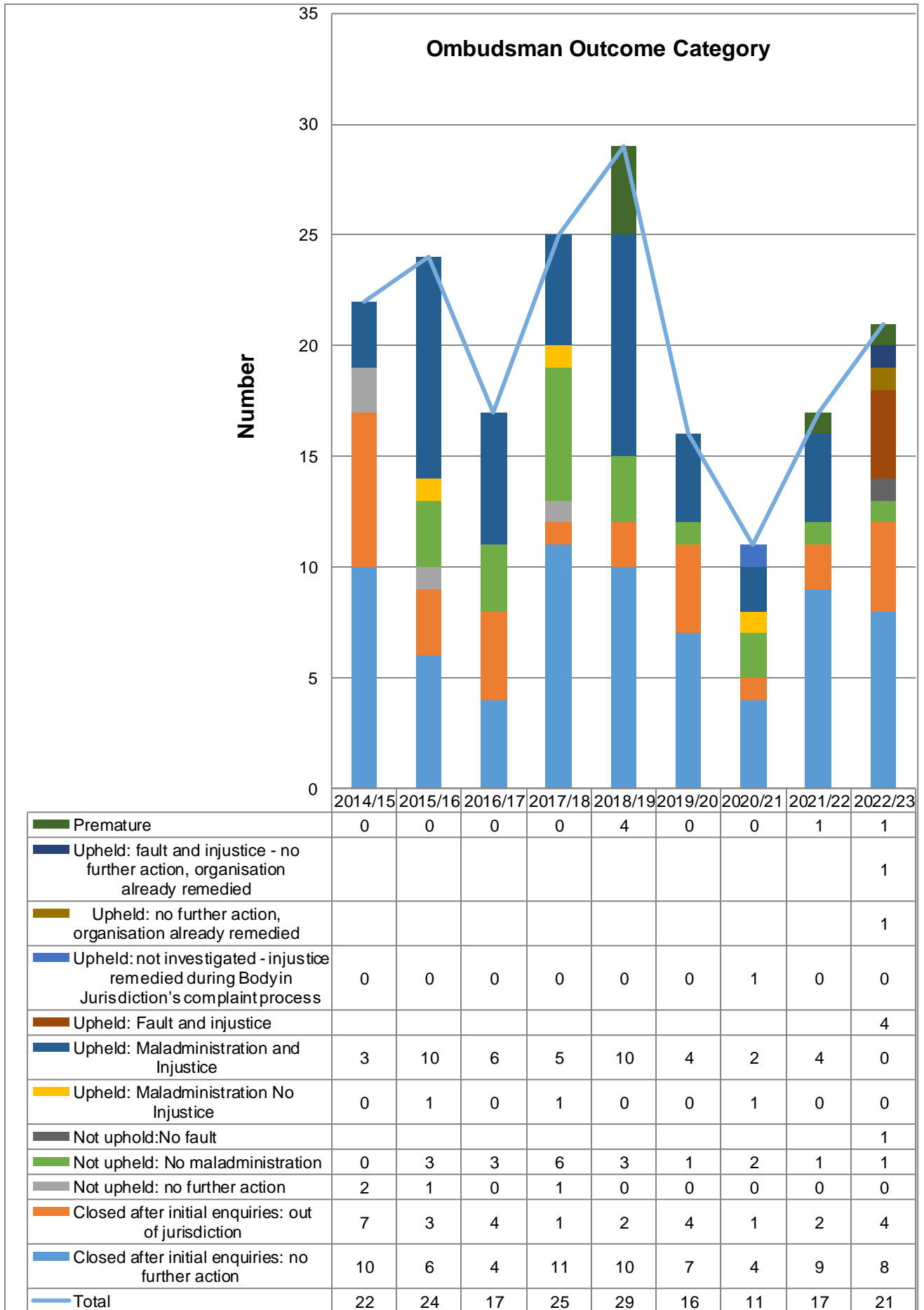


Comments

2020/21 - The Council received 482 corporate complaints, a decrease from 647 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 factor in the continued decrease in the number of Ombudsman complaints received.

2021/22 – The Council received 535 corporate complaints, an increase of 48 from the previous year. The Council also saw an increase in complaints across its other complaints procedures, following the reduction seen during the early stages of the pandemic.

2022/23 – The Council received 502 corporate complaints, a decrease from 535 in 2021/22.



* *The Local Government and Social Care Ombudsman (LGSCO) has recently updated the decision outcomes they use. As a result, it is not possible to make a direct comparison with previous years. However, the new decisions in bold/italics in the table below are broadly comparable to those previous decisions in italics above.*

	2021/22	2022/23
Closed after initial enquiries: no further action	9	8
Closed after initial enquiries: out of jurisdiction	1	4
Not upheld: no further action	0	0
<i>Not upheld: No maladministration</i>	<i>1</i>	<i>1</i>
<i>Not upheld: No fault</i>	<i>N/A</i>	<i>1</i>
<i>Upheld: Maladministration and Injustice</i>	<i>4</i>	<i>0</i>
<i>Upheld: Fault and Injustice</i>	<i>N/A</i>	<i>4</i>
Upheld: Maladministration No Injustice	0	0
Upheld: not investigated - injustice remedied during Body in Jurisdiction's complaint process	0	0
<i>Upheld: no further action, organisation already remedied</i>	<i>0</i>	<i>1</i>
<i>Upheld: fault and injustice – no further action, organisation already remedied</i>	<i>N/A</i>	<i>1</i>
Premature	1	1
Total	17	21