

**AUDIT COMMITTEE
8 APRIL 2024**

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 2023.
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

| | |
|--|---|
| 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

Sensitive Interests

7. The Localism Act makes provision ([Localism Act 2011 \(legislation.gov.uk\)](https://www.legislation.gov.uk) for a member to ask the Monitoring Officer to withhold details of a pecuniary interest, if disclosure could lead to the member or a connected person being subject to violence or intimidation. In such cases details are not included on the register of interests or require to be disclosed at a meeting, but the requirements about non-participation will still apply.
8. On the 18 March 2024, Mr Simon Hoare, the Local Government Minister wrote a letter to local authority Chief Executives encouraging monitoring officers to look sympathetically at accommodating requests for the withholding of home addresses the register of interests where there are legitimate concerns of violence or intimidation. Details have been circulated to all members of Council.
9. Reference to the letter: [Withholding details of councillors' sensitive interests and home addresses: letter to local authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/withholding-details-of-councillors-sensitive-interests-and-home-addresses)

Local Government Association

10. It may be appropriate to reference the LGA's work on civility in public life. A range of documentation has been produced by the LGA to support members to stay safe and to address harassment, abuse and intimidation. [Handling abuse and intimidation | Local Government Association](#)

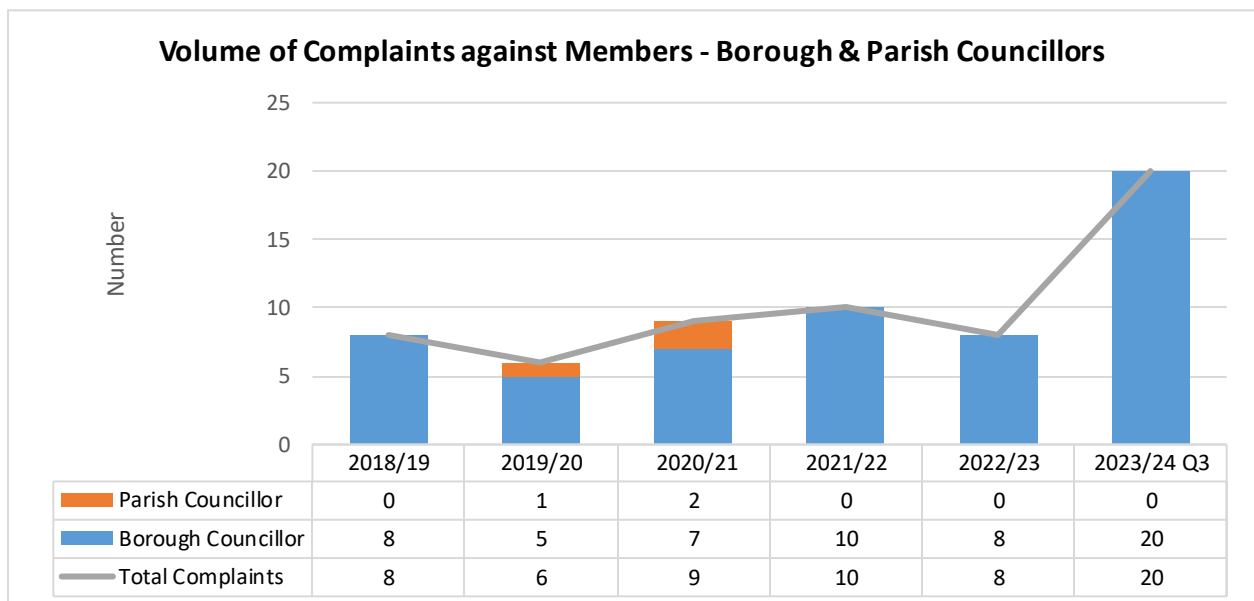
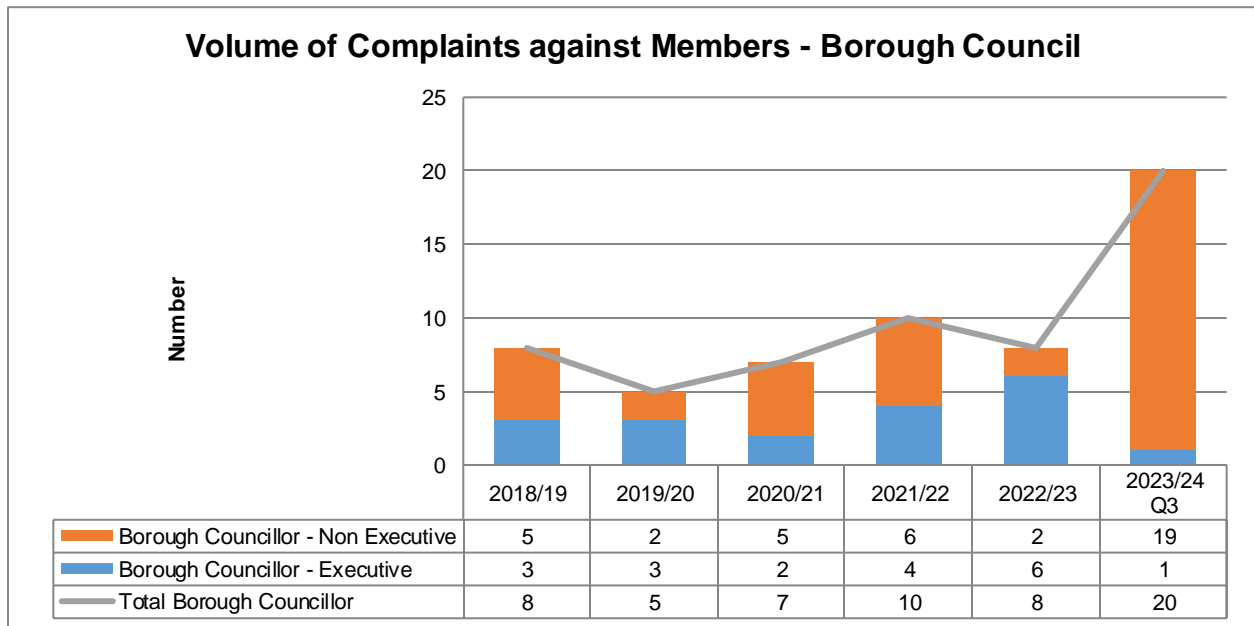
Committee on Standards in Public Life

11. The Committee on Standards in Public Life (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.
12. The work of the CSPL is reviewed to see if there is anything that could be of relevance to this committee. There is nothing specific about local government at this time, but Members may be interested to see the wider recent work of the CSPL – which can be viewed from the following link [Committee on Standards in Public Life - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Ethical Indicators

13. 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.
14. Member's observations about this information are invited.

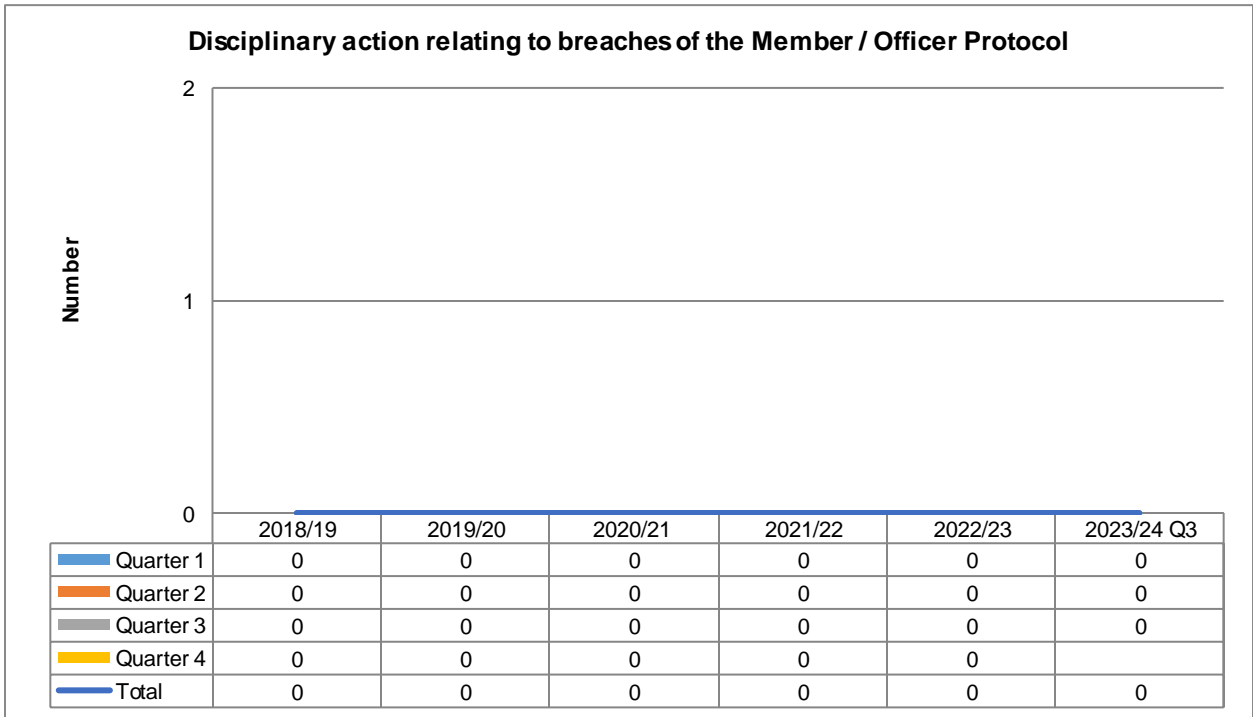
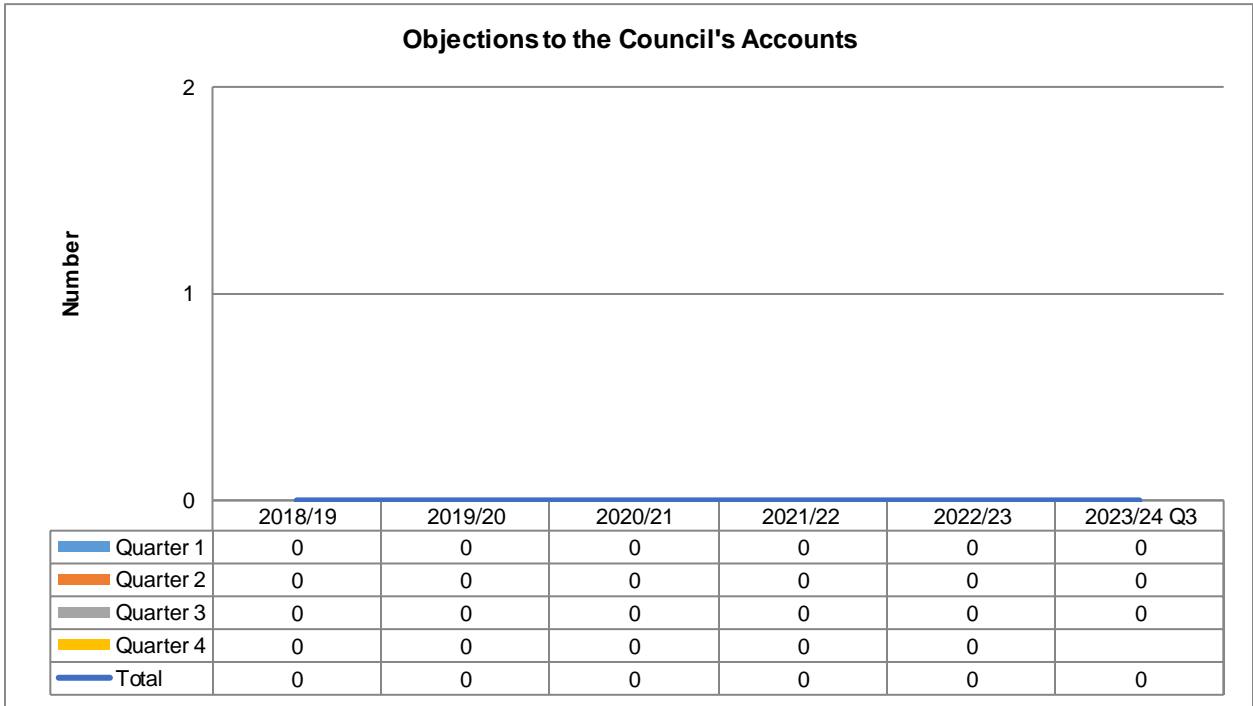
Member Complaints

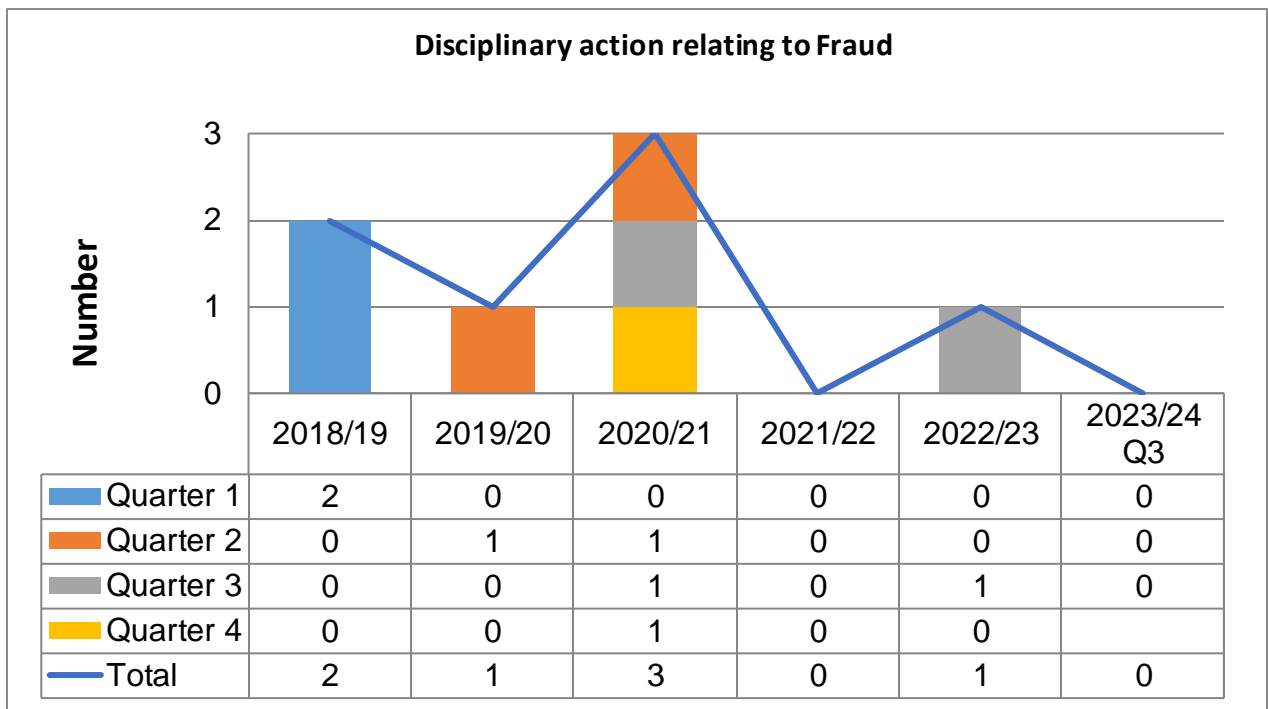
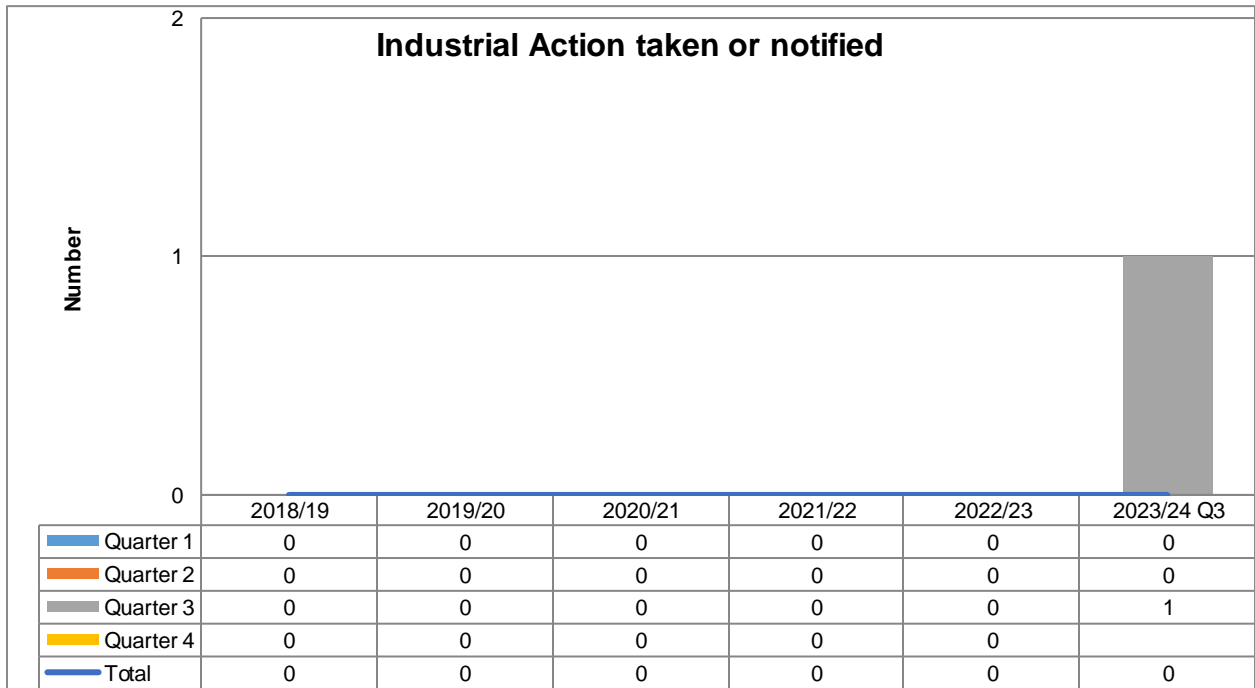


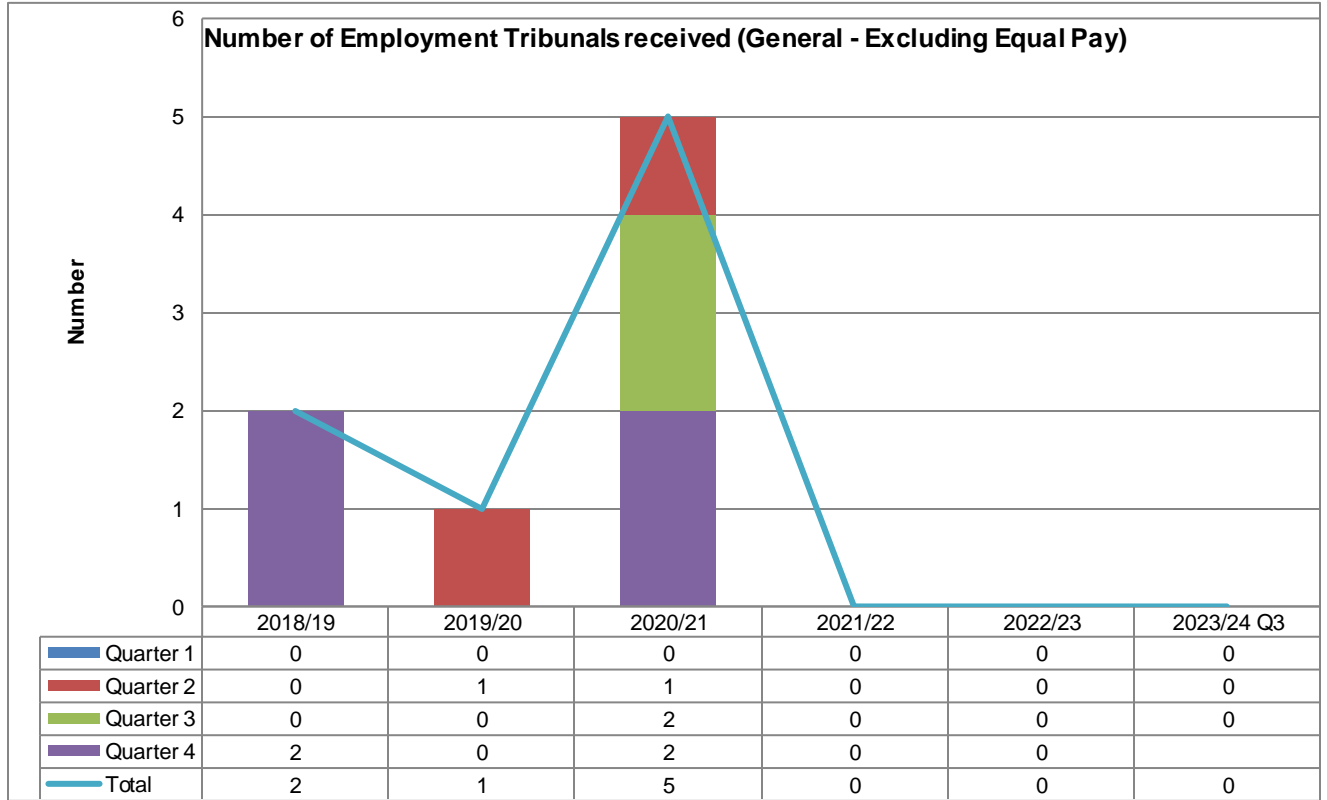
Comments

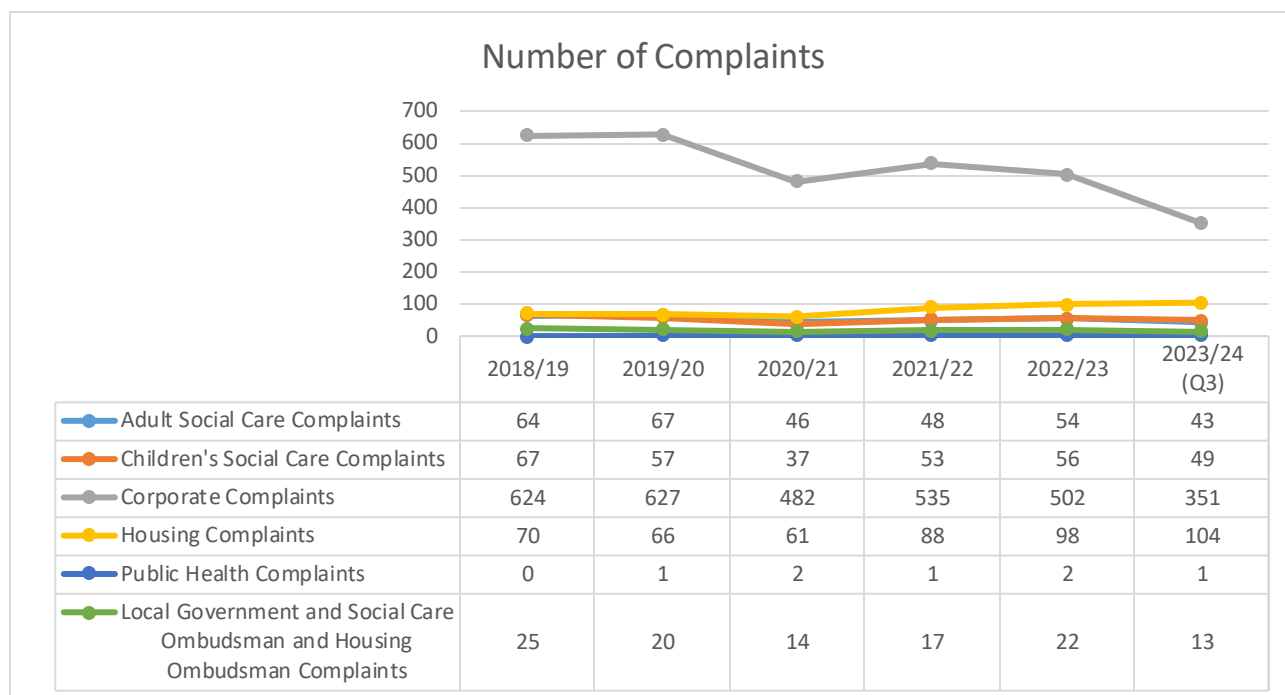
There has been a rise in the number of complaints (although the complaints made against executive/cabinet members has fallen) as seen in data for 2023/24 so far. The overall number of complaints is still low given numbers of members and the responsibilities they discharge. From considering the types of complaint and issues raised, it is difficult to give a definitive view for the increase. There can be spikes in complaints caused by a particular issue raised by a number of complainants or a complainant making the same complaint against a number of Members which can disproportionately affect the overall total.

Further training on the Code of Conduct is planned this year.









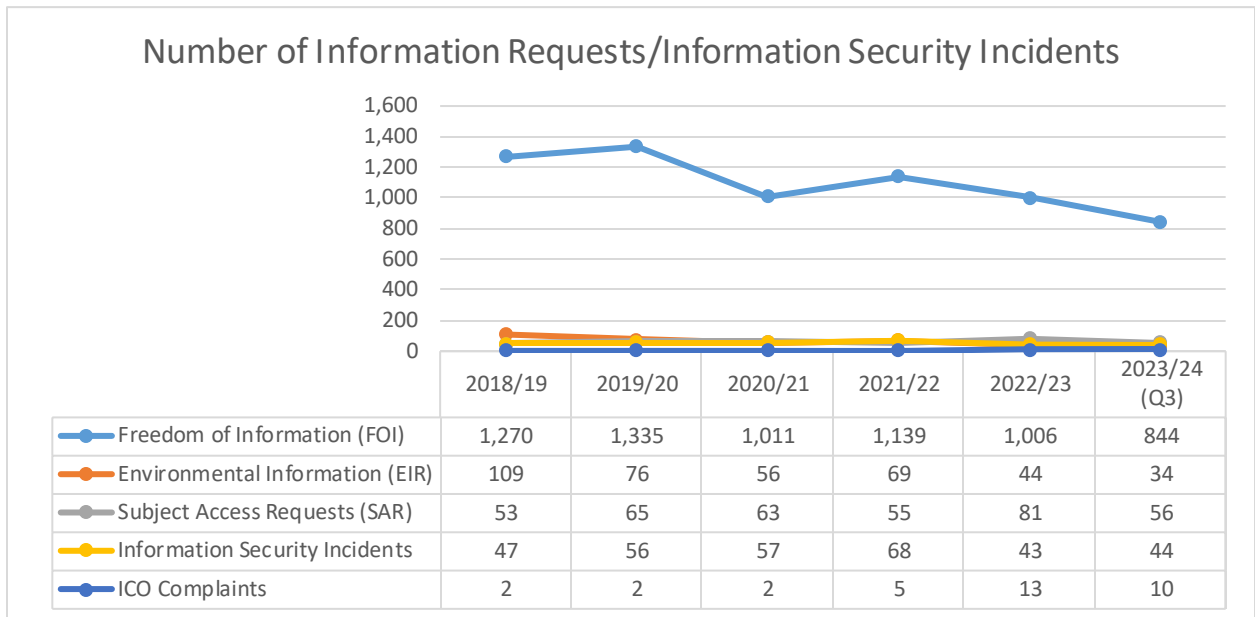
N.B. This graph has been updated in 2023/24. The 2022/23 comments have also been updated to give a better overall picture of the organisation's ethical health

Comments

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 - While there was an increase in the number of adult social care complaints received, numbers remained significantly lower than pre-pandemic levels. There was an increase in the number of children's social care Complaints, bringing them roughly in line with pre-pandemic levels. The Council received 502 corporate complaints, a decrease from 535 in 2021/22, meaning corporate complaint numbers remained significantly lower than pre-pandemic levels. There was an increase in housing complaints received, which remained significantly higher than pre-pandemic levels. There was a slight increase in the number of public health complaints received, with numbers remaining at a consistent level during and after the pandemic.

2023/24 – based on the figures at the end of quarter three, we are projecting a slight increase in the number of adult social care complaints received, approximately 57 compared to 54 in 2022/23. Children's social care complaints are also projecting an increase, approximately 65 compared to 56 in 2022/23. There could potentially be a further decrease in the number of corporate complaints received, a projected 478 compared to 502 in 2022/23. There will likely be a further increase in housing complaints, a projected 138 compared to 98 in 2022/23. Public health complaints remain low, with one being received by the end of quarter three, compared to a total of two for 2022/23.



N.B. This graph has been updated in 2023/24 to give a better overall picture of the organisations ethical health.

Comments

2023/24 – Should current trends continue, the Council will likely see an increase in the number of FOI requests received, from 1,006 in 2022/23 to a projected 1,125 in 2023/24. This will ensure an increased level of transparency and accountability. It is predicted the Council will receive a similar number of EIR requests, a projected 45 compared to 44 in 2022/23. Should the trend continue, the Council will see a reduction in SARs, with a projected 74 compared to 81 in 2022/23. At the present rate, the Council is predicted to see an increase in the number of information security incidents reported, a projected 59 compared to 43 in 2022/23. The Council will likely see a similar number of ICO complaints, a projected 13 the same number as in 2022/23.

* *The Local Government and Social Care Ombudsman (LGSCO) has updated the decision outcomes they use in 2022. 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 | 2023/24 (Q3) |
|---|-------------------|-----------------|-----------------|
| Closed after initial enquiries: no further action | 9 | 8 | 7 |
| Closed after initial enquiries: out of jurisdiction | 1 | 4 | 2 |
| Not upheld: no further action | 0 | 0 | 1 |
| <i>Not upheld: No maladministration</i> | <i>1</i> | <i>1</i> | <i>0</i> |
| <i>Not upheld: No fault</i> | <i>N/A</i> | <i>1</i> | <i>0</i> |
| <i>Upheld: Maladministration and Injustice</i> | <i>4</i> | <i>0</i> | <i>0</i> |
| <i>Upheld: Fault and Injustice</i> | <i>N/A</i> | <i>4</i> | <i>3</i> |
| Upheld: Maladministration No Injustice | 0 | 0 | 0 |
| Upheld: not investigated - injustice remedied during Body in Jurisdiction's complaint process | 0 | 0 | 0 |
| <i>Upheld: no further action, organisation already remedied</i> | <i>0</i> | <i>1</i> | <i>3</i> |
| <i>Upheld: fault and injustice – no further action, organisation already remedied</i> | <i>N/A</i> | <i>1</i> | <i>1</i> |
| Premature | 1 | 1 | 1 |
| Total | 17 | 21 | 18 |

