

**AUDIT COMMITTEE  
4 NOVEMBER 2024**

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**ETHICAL GOVERNANCE AND MEMBER STANDARDS – UPDATE REPORT**

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**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 April 2024.
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.

**Reasons**

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

Council Plan	Strong ethical governance arrangements and standards are important in the delivery of the Council Plan
Addressing inequalities	There is no direct impact
Tackling Climate Change	There is no direct impact
Efficient and effective use of resources	There is no direct impact
Health and Wellbeing	There is no direct health and wellbeing impact
S17 Crime and Disorder	There are no specific issues which relate to crime and disorder
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
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 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.
8. In March 2024 the CSPL announced that it will be carrying out a new review looking at accountability within public bodies and the importance of acting on early warning signs of failure or concern. The report is due in the spring of 2025. [Committee on Standards in Public Life launches new review on accountability within public bodies - GOV.UK](https://www.gov.uk/government/news/committee-on-standards-in-public-life-launches-new-review-on-accountability-within-public-bodies) ([www.gov.uk](https://www.gov.uk))
9. In July 2024, following the General election and mindful of the 335 completely new MP's, the CSPL published a reminder about the Nolan Principles (honesty, openness, objectivity, selflessness, integrity, accountability and leadership). [Setting the Standard – Committee on Standards in Public Life \(blog.gov.uk\)](https://www.blog.gov.uk/2024/07/setting-the-standard-committee-on-standards-in-public-life/)
10. For more general information about the CSPL and the wider recent work of the CSPL – this can be viewed from the following link [Committee on Standards in Public Life - GOV.UK](https://www.gov.uk/government/news/committee-on-standards-in-public-life) ([www.gov.uk](https://www.gov.uk))

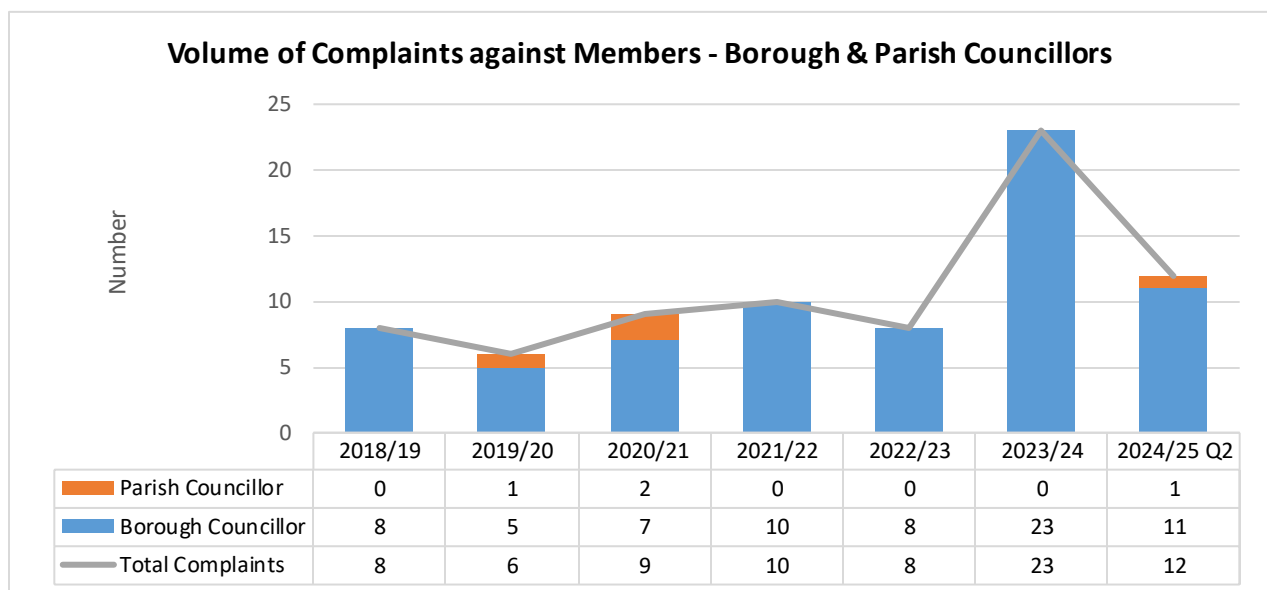
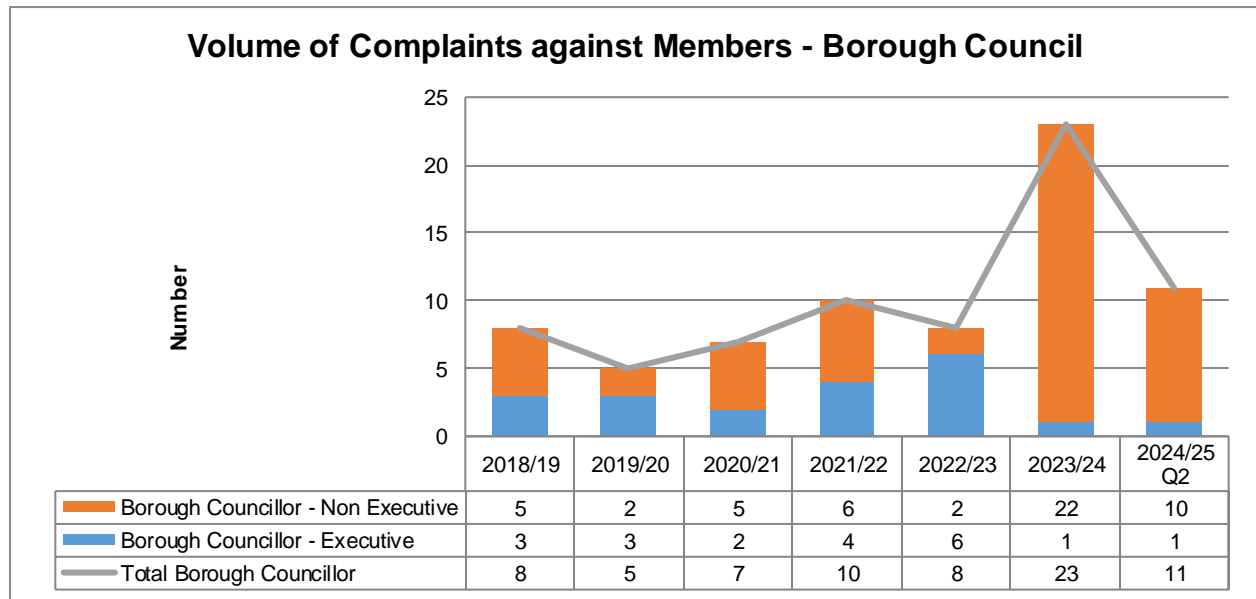
#### Code of Conduct

11. The Monitoring Officer provided refresher training on the Members Code of Conduct on 29 July and 3 September 2024.
12. Register of Interests reminders to members and website updating that may be required in consequence will be getting underway shortly.

#### 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. As requested at the last Audit Committee a more detailed breakdown of Member complaints received and outcomes can be found at **Appendix 2**.
15. Member's observations about this information are invited.

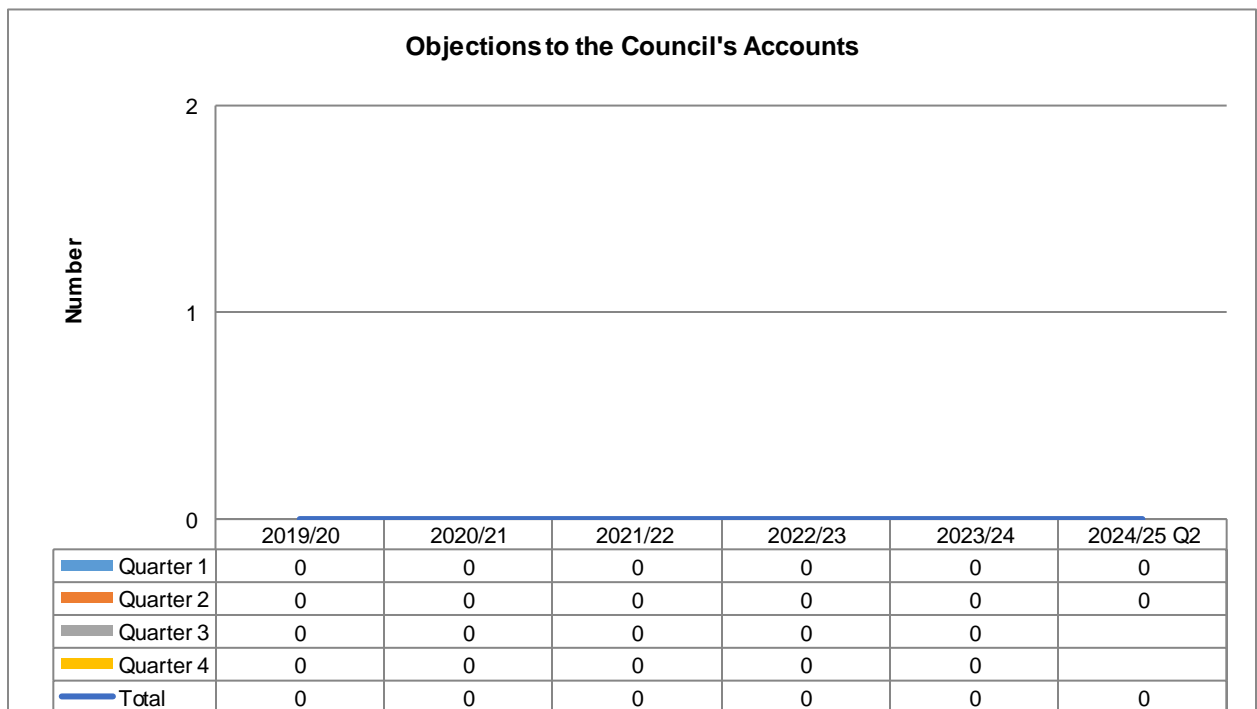
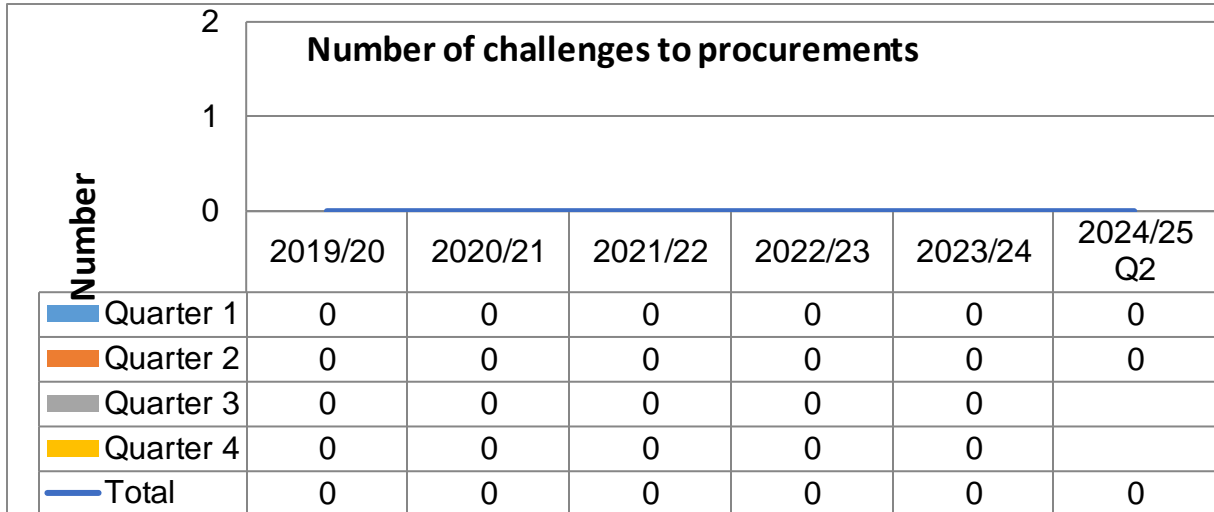
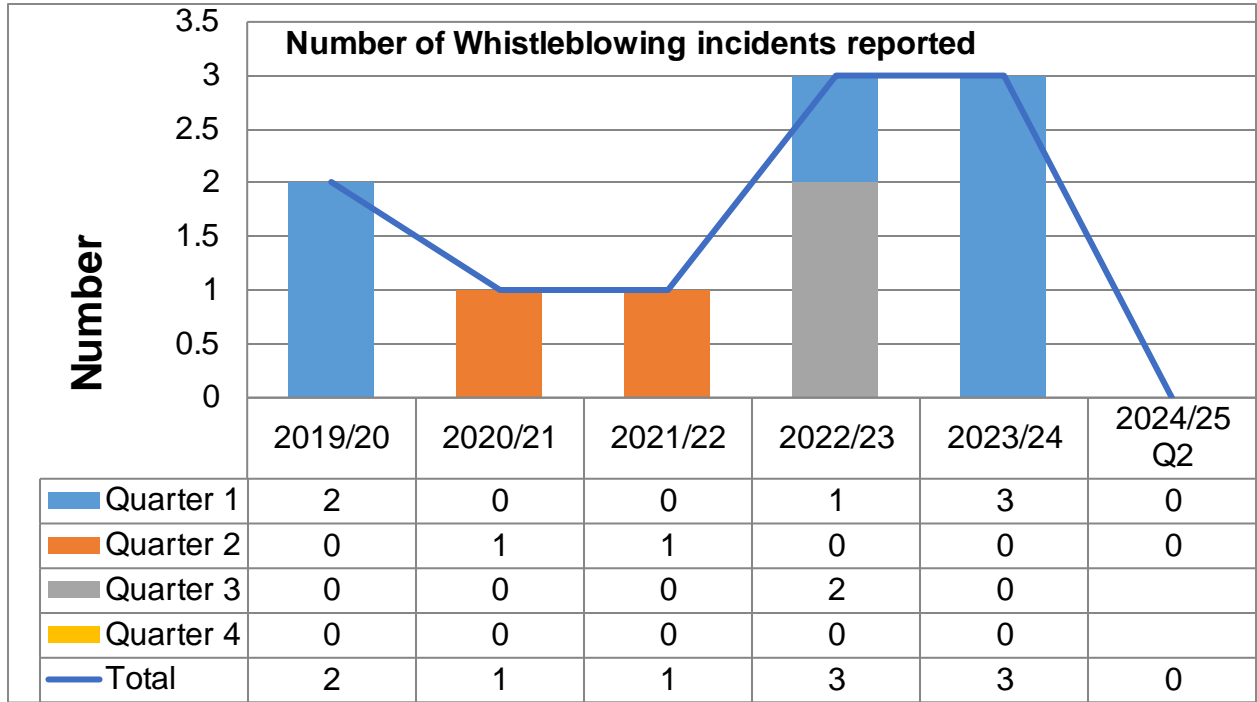
**Member Complaints**

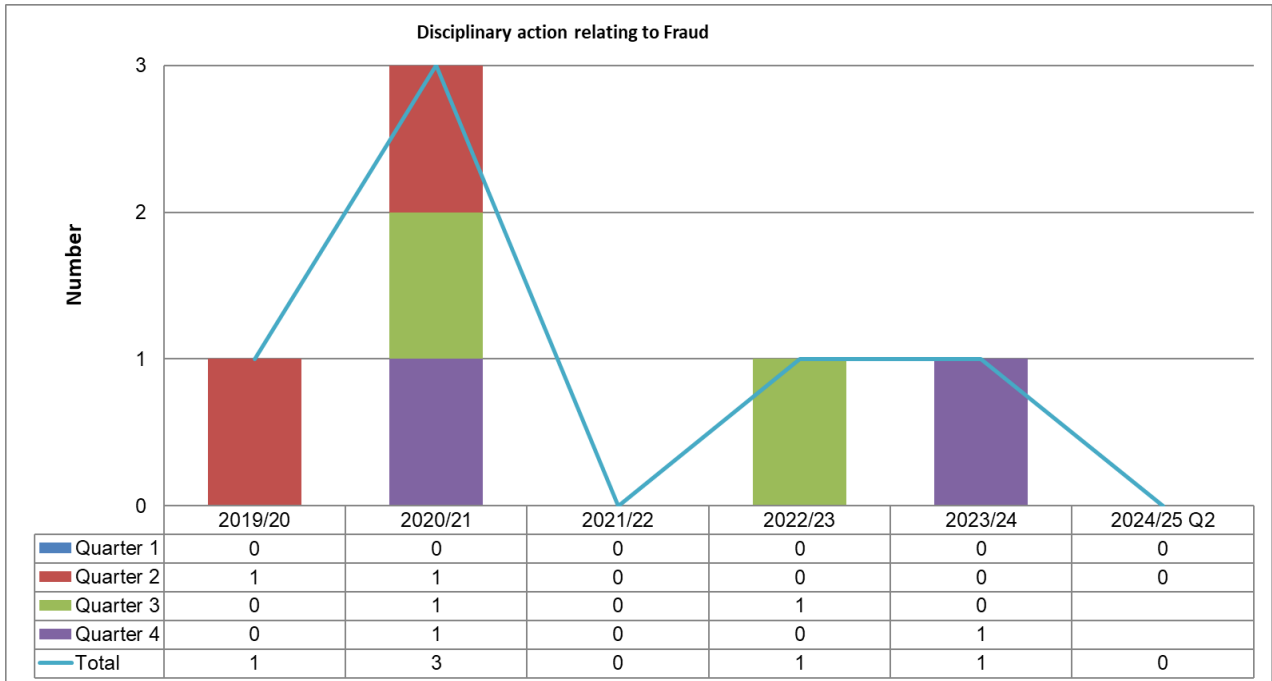
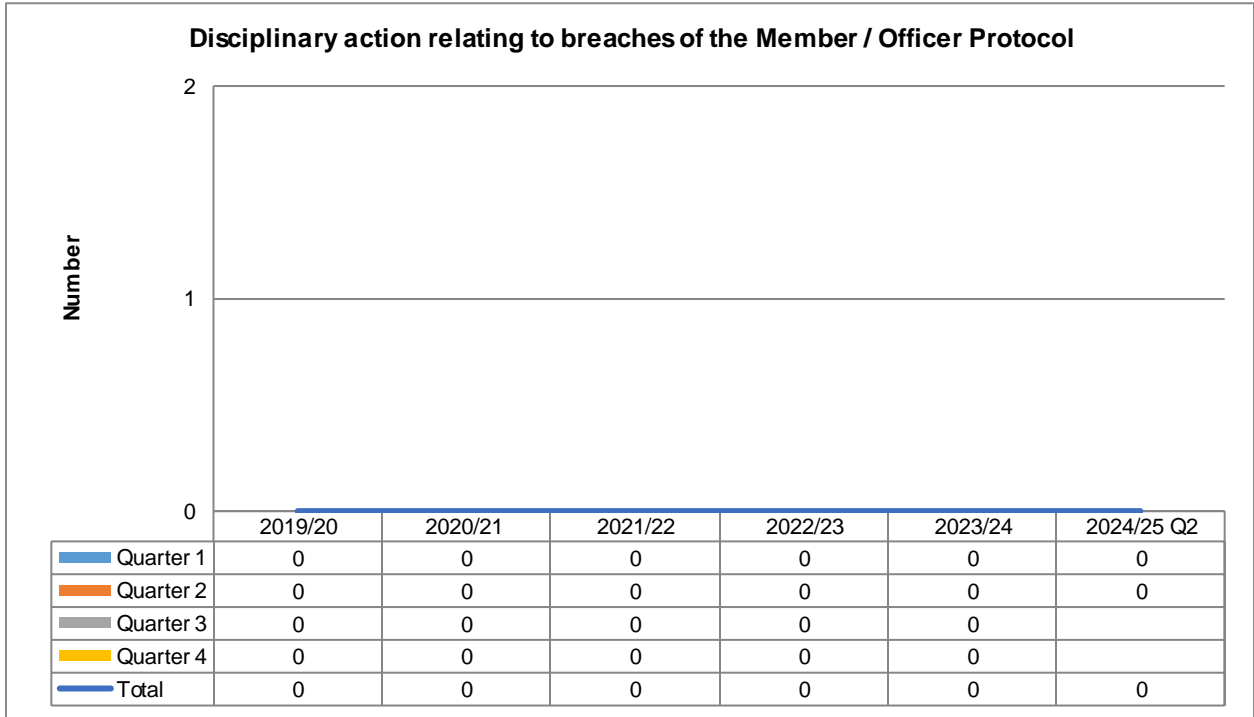


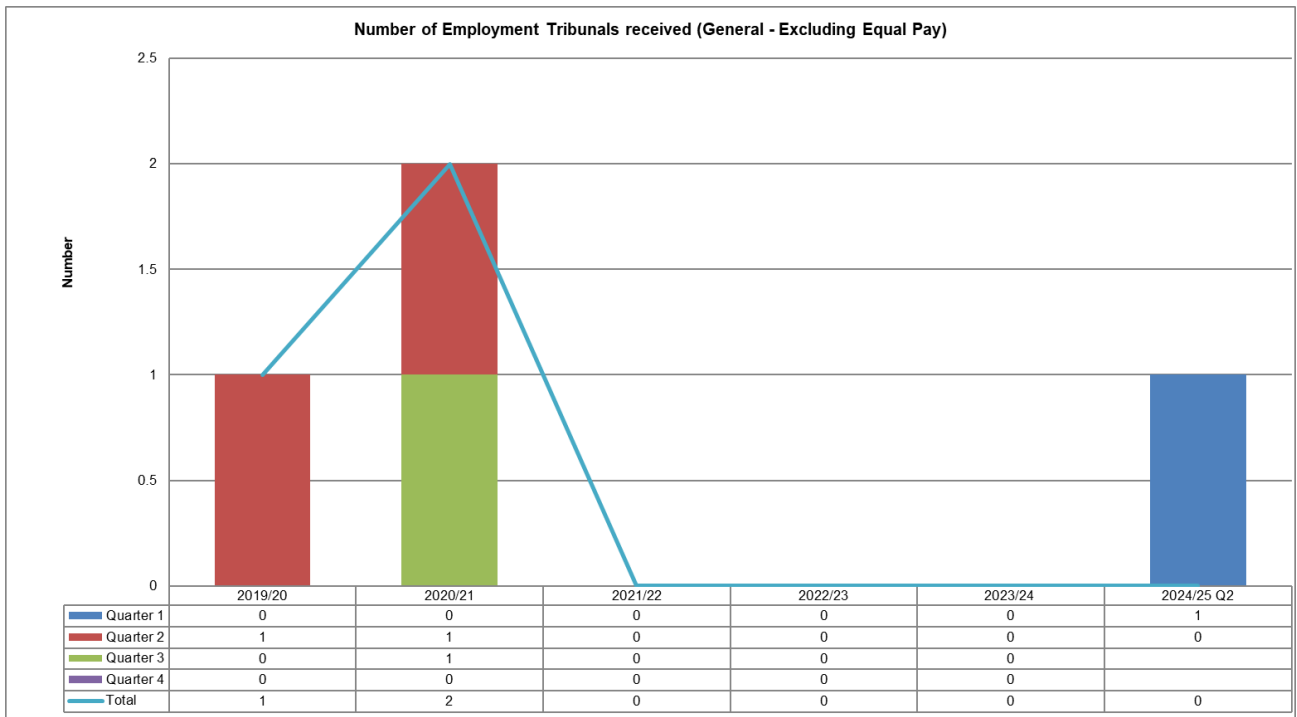
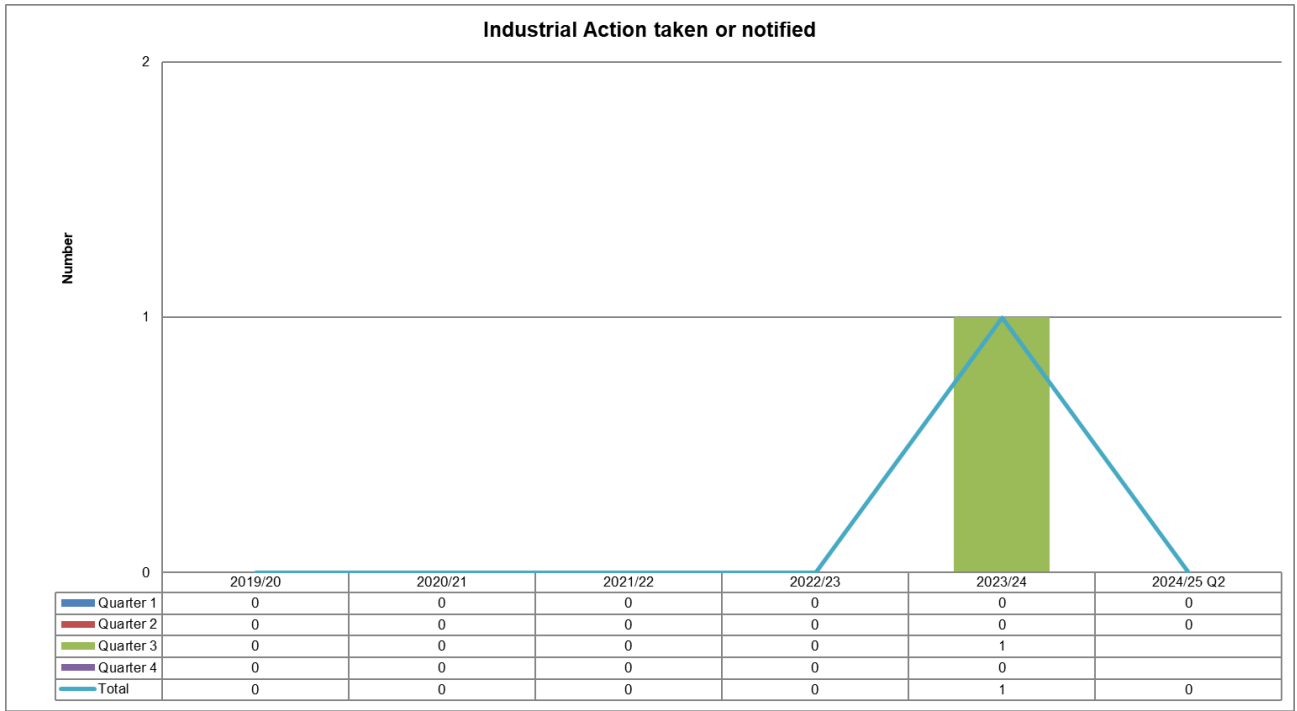
Comments

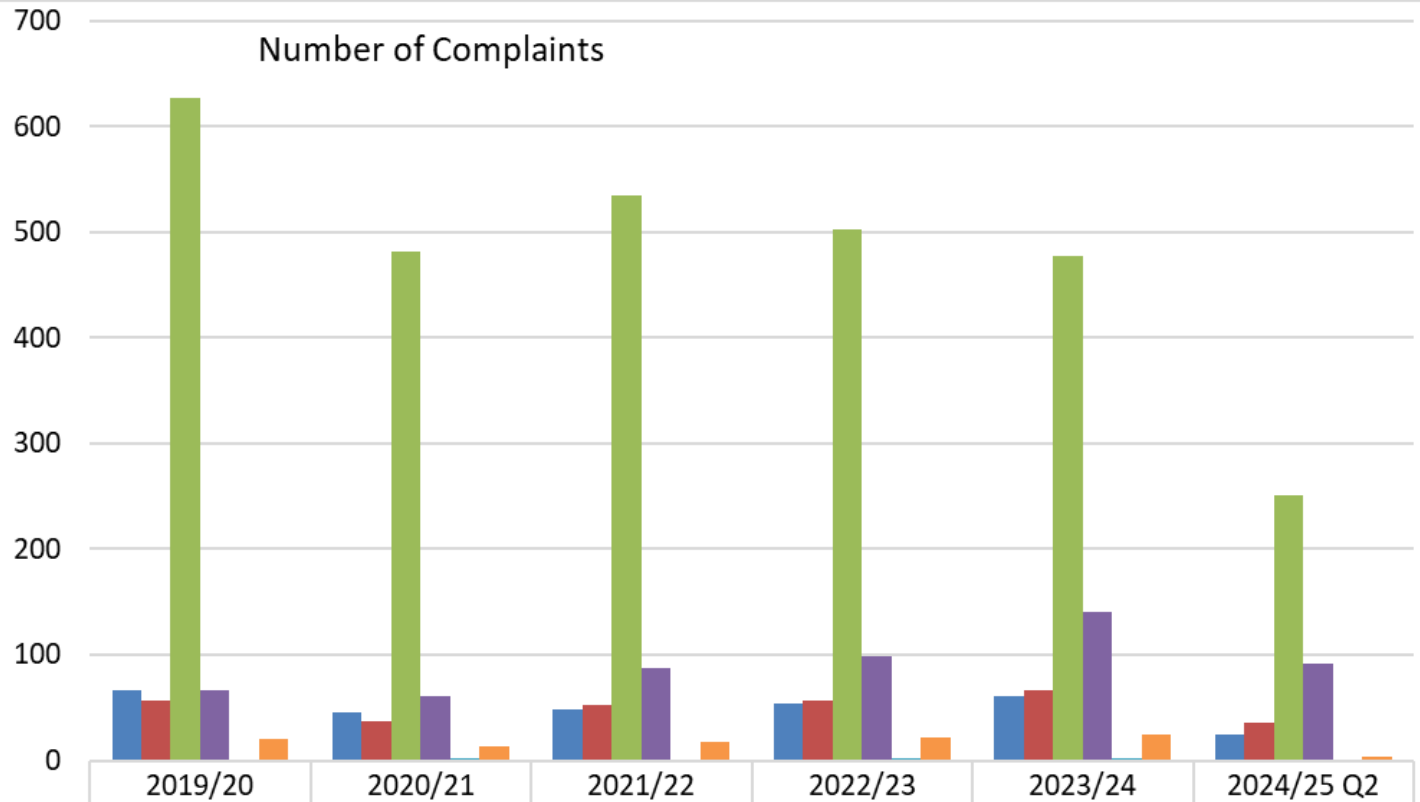
There has been a rise in the number of complaints received during 2023/24, and figures for the first half of 2024/25 show similar numbers being logged.

A more detailed breakdown of Member complaints received and outcomes can be found at Appendix 2.









■ Adult Social Care Complaints	67	46	48	54	61	25
■ Children's Social Care Complaints	57	37	53	56	66	35
■ Corporate Complaints	627	482	535	502	477	251
■ Housing Complaints	66	61	88	98	140	91
■ Public Health Complaints	1	2	1	2	2	1
■ Local Government and Social Care Ombudsman and Housing Ombudsman Complaints	20	14	17	22	24	4

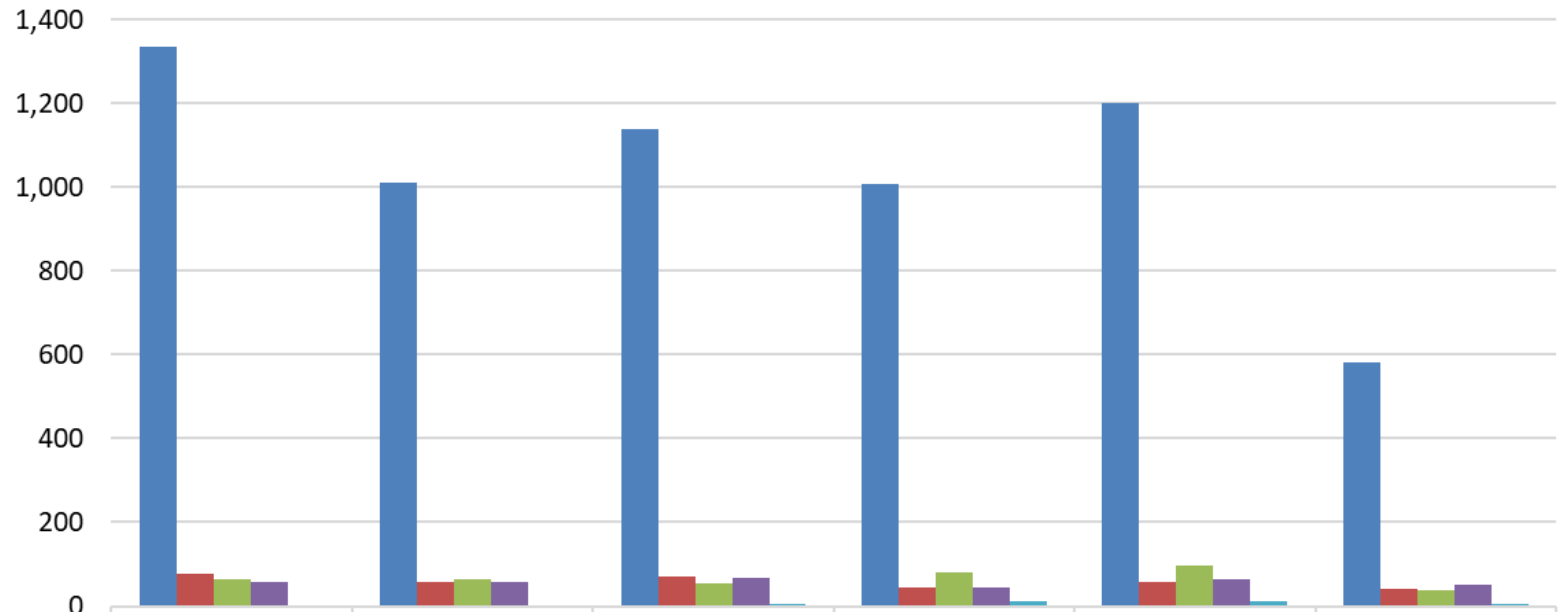


## Comments

2023/24 - while there was an increase in the number of adult social care complaints received, 61 compared to 54 in 2022/23, complaint numbers remained slightly lower than pre-pandemic levels. There was an increase in the number of stage 1 children's social care complaints received, 66 compared to 56 in 2022/23, meaning that for the first time Stage 1 complaints were higher than pre-pandemic levels. There was a decrease in the number of corporate complaints received, 477 compared to 502 in 2022/23, meaning complaint numbers remained significantly lower than pre-pandemic levels. While that was the case there was a significant increase in the number of corporate complaints received at Stage 2. There was an increase in the number of Stage 1 housing complaints received, 140 compared to 98 in 2022/23, which remained significantly higher than pre-pandemic levels, as well as an increase in the number of Stage 2 complaints received. Public health complaints remain low, a total of 2 complaints were received, the same number as in 2022/23.

2024/25 – based on the figures at the end of quarter two, we are projecting a decrease in the number of adult social care complaints received, approximately 50 compared to 61 in 2023/24. Children's social care complaints are projecting a slight increase, approximately 70 compared to 66 in 2023/24. We are projecting an increase in the number of corporate complaints received, approximately 502 compared to 477 in 2023/24. We are projecting a substantial increase in the number of housing complaints received, approximately 182 compared to 140 in 2023/24.

Number of Information Requests/Information Security Incidents



	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25 Q2
Freedom of Information (FOI)	1,335	1,011	1,139	1,006	1,199	583
Environmental Information (EIR)	76	56	69	44	57	41
Subject Access Requests (SAR)	65	63	55	81	98	37
Information Security Incidents	56	57	68	43	65	52
ICO Complaints	2	2	5	13	13	5

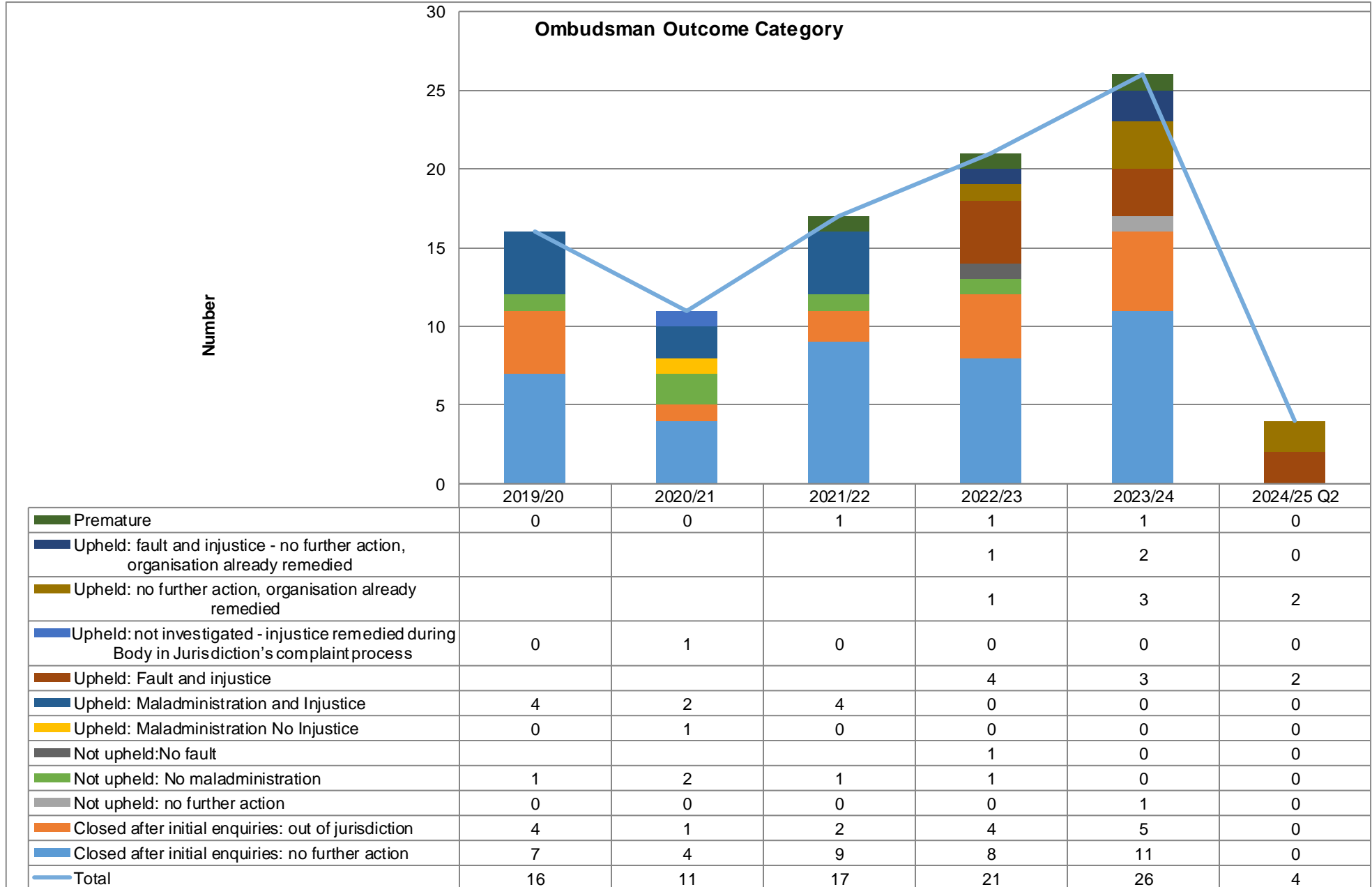
## **Comments**

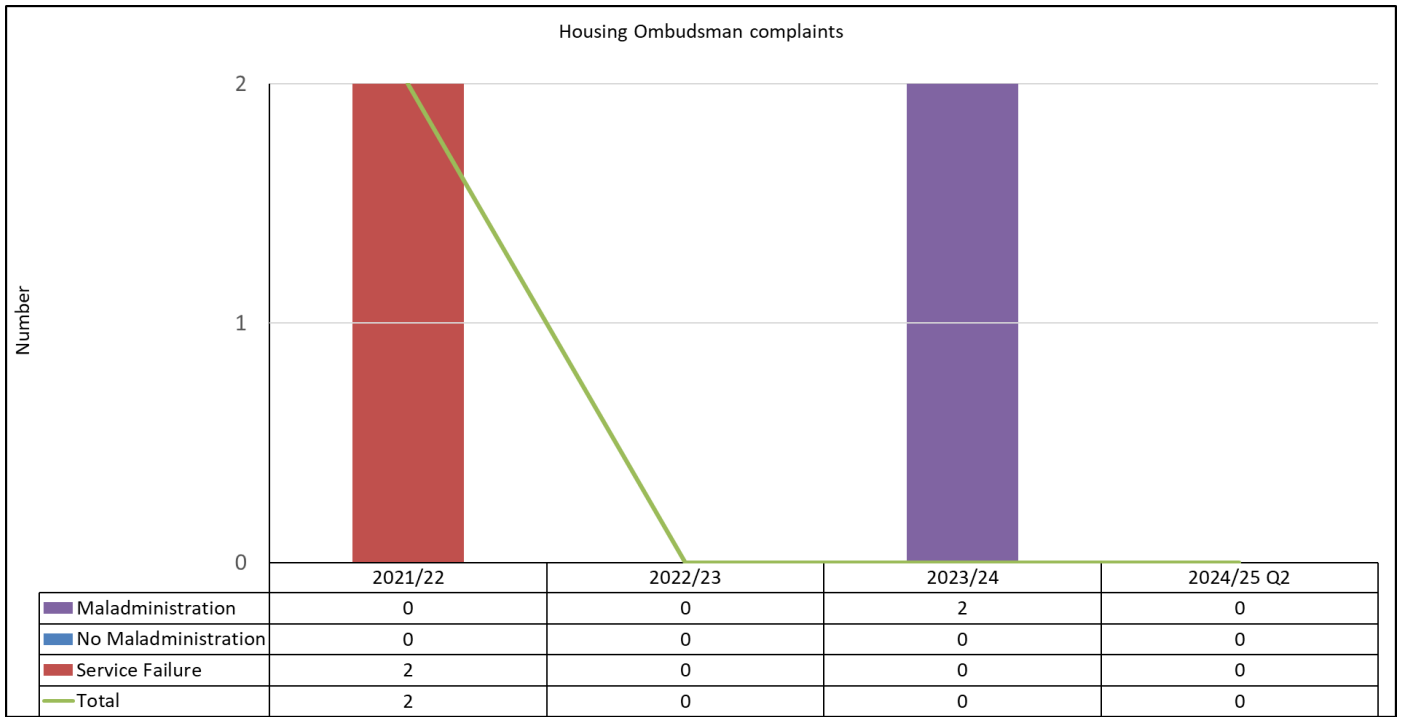
2023/24 – The Council saw an increase in the number of FOI requests received, 1,199 an increase from 1,006 in 2022/23. This will ensure an increased level of transparency and accountability. The Council also saw an increase in the number of EIR requests, 57 compared to 44 in 2022/23. The Council saw an increase in the number of SARs, 98 compared to 81 in 2022/23. The Council also saw an increase in the number of information security incidents reported, 65 compared to 43 in 2022/23. The Council received the same number of ICO complaints as in 2022/23.

2024/25 – based on the figures at the end of quarter two, we are projecting a decrease in the number of FOI requests, an estimated 1,166 from 1,199 in 2023/24. We are projecting an increase in the number of EIR requests, an estimated 82 from 57 in 2023/24. We are projecting a significant decrease in SARs, 74 compared to 98 in 2023/24. We are projecting an increase in the number of information security incidents reported, 104 compared to 65 in 2022/23. We are projecting a decrease in the number of ICO complaints received, 10 compared to 13 in 2023/24.

\* *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	2024-25 Q2
Closed after initial enquiries: no further action	9	8	11	0
Closed after initial enquiries: out of jurisdiction	1	4	5	0
Not upheld: no further action	0	0	1	0
<i>Not upheld: No maladministration</i>	<i>1</i>	<i>1</i>	<i>0</i>	<i>0</i>
<b><i>Not upheld: No fault</i></b>	<b><i>N/A</i></b>	<b><i>1</i></b>	<b><i>0</i></b>	<b><i>0</i></b>
<i>Upheld: Maladministration and Injustice</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>0</i>
<b><i>Upheld: Fault and Injustice</i></b>	<b><i>N/A</i></b>	<b><i>4</i></b>	<b><i>3</i></b>	<b><i>2</i></b>
Upheld: Maladministration, No Injustice	0	0	0	0
Upheld: not investigated - injustice remedied during Body in Jurisdiction's complaint process	0	0	0	0
<i>Upheld: no further action, organisation already remedied</i>	<i>0</i>	<i>1</i>	<i>3</i>	<i>2</i>
<b><i>Upheld: fault and injustice – no further action, organisation already remedied</i></b>	<b><i>N/A</i></b>	<b><i>1</i></b>	<b><i>2</i></b>	<b><i>0</i></b>
Premature	1	1	1	0
Total	17	21	26	4





## Appendix 2

Complainant	Complainee	Nature of complaint	Assessment	Investigation	Hearing
<b>2023 Quarter 1</b>					
Member of Public	Borough Councillor	Failure to treat with respect, discrimination	Potential breach of Code (respect only). Other action – meeting with Monitoring Officer	n/a	n/a
Member of Public	Borough Councillor	Appropriateness of involvement in planning decisions	No potential breach of Code of Conduct (no case to answer)	n/a	n/a
Member of Public	Borough Councillor	Bringing LA into disrepute	No potential breach of Code of Conduct (no case to answer)	n/a	n/a
<b>2023 Quarter 2</b>					
Member of Public	Borough Councillor	Failure to treat with respect	Potential breach of Code. Other action – meeting with Monitoring Officer	n/a	n/a
Member of Public	Borough Councillor	Disrepute, Failure to treat with respect, Confidentiality	Potential breach of Code of Conduct but low level/not merit investigation. No action	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect	Potential breach of Code of Conduct. Other action – meeting with Monitoring Officer	n/a	n/a
Member of Public	Borough Councillor	Disrepute, Use of LA resources	No potential breach of Code of Conduct (no case to answer)	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect, disrepute	No potential breach of Code of Conduct (no case to answer)	n/a	n/a
<b>2023 Quarter 3</b>					
Member of Public	Borough Councillor	Failure to treat with respect, disrepute	No potential breach of Code of Conduct (no case to answer)	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect, disrepute	Code of Conduct did not apply (no case to answer).	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect, disrepute	Code of Conduct did not apply (no case to answer).	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect, disrepute	Potential breach of Code of Conduct. Other action – meeting with Monitoring Officer. Consequential changes public Q's at Council meetings	n/a	n/a

<b>Complainant</b>	<b>Complaine</b>	<b>Nature of complaint</b>	<b>Assessment</b>	<b>Investigation</b>	<b>Hearing</b>
Member of Public	Borough Councillor	Failure to treat with respect, disrepute	No potential breach of Code of Conduct (no case to answer). Consequential changes public Q's at Council meetings	n/a	n/a
Borough Councillors	Borough Councillor	Failure to treat with respect; harassment and discrimination; disrepute	Code of Conduct did not apply (no case to answer).	n/a	n/a
Borough Councillors	Borough Councillor	Failure to treat with respect; harassment and discrimination; disrepute	Code of Conduct did not apply (no case to answer).	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect; disrepute	Other action – meeting with Monitoring Officer	n/a	n/a
Member of Public	Borough Councillor	Disrepute; Use of local authority resources	Potential technical breach of Code of Conduct/not merit investigation. No action. Consequential changes to Stronger Communities Fund administration	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect; disrepute	Potential breach of Code of Conduct. Other action – meeting with Monitoring Officer. Consequential changes public Q's at Council meetings	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect; disrepute	No potential breach of Code of Conduct (no case to answer)	n/a	n/a
Durham Constabulary	Borough Councillor	Failure to treat with respect; disrepute	Potential breach of Code of Conduct. Other action – meeting with Monitoring Officer	n/a	n/a
<b>2023 Quarter 4</b>					
Member of Public	Borough Councillor	Disrepute; Use of position; Use of local authority resources	Potential technical breach of Code of Conduct/not merit investigation. No action. Consequential changes to Stronger Communities Fund administration	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect; disrepute	Informally resolved via the provision of information		
Member of Public	Borough Councillor	Failure to treat with respect; Discrimination	Discrimination - no potential breach of Code of Conduct (no case to answer) Respect – possible marginal issue but not merit investigation	n/a	n/a



Complainant	Complaine	Nature of complaint	Assessment	Investigation	Hearing
<b>2024 Quarter 1</b>					
Member of Public	Borough Councillor	Failure to treat with respect;	Code of Conduct did not apply (no case to answer).	n/a	n/a
Member of Public	Borough Councillor	Discrimination	Apparent misunderstanding rather than discrimination. Investigation not warranted. Clarification given to councillor. Code of Conduct did not apply (no case to answer)	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect.	Code of Conduct did not apply (no case to answer).	n/a	n/a
Member of Public	Borough Councillor	Failure to treat with respect; disrepute	Code of Conduct investigation instigated	Yes	
Borough Councillor	Parish Councillor	Failure to treat with respect;	Code of Conduct investigation instigated	Yes	
Member of Public	Borough Councillor	Failure to treat with respect; disrepute; discrimination; misuse of position.	No potential breach of Code of Conduct (no case to answer)	n/a	n/a
<b>2024 Quarter 2</b>					
Member of Public	Borough Councillor	Failure to treat with respect; bullying harassment and discrimination; disrepute	Code of Conduct did not apply (no case to answer). Not acting in official capacity as Councillor	n/a	n/a
Unison	Borough Councillor	Failure to treat with respect; disrepute; discrimination	Currently being considered by the Independent Person	tbc	tbc
Unison	Borough Councillor	Failure to treat with respect; disrepute; discrimination	Currently being considered by the Independent Person	tbc	tbc
Borough Councillor	Borough Councillor	Failure to treat with respect; disrepute; discrimination	Currently being considered by the Independent Person	tbc	tbc
Borough Councillor	Borough Councillor	Failure to treat with respect; disrepute; discrimination	Currently being considered by the Independent Person	tbc	tbc
Member of Public	Borough Councillor	Failure to treat with respect; disrepute	Code of Conduct did not apply (no case to answer)	n/a	n/a