

# **NORTH LINCOLNSHIRE COUNCIL**

## **STANDARDS COMMITTEE**

### **ANNUAL REPORT**

**2014/15**

This report represents the third annual report of the Standards Committee under the Council's Standards regime following the Localism Act 2011 and covers the period 1 July 2014 to 30 June 2015.

#### **Membership**

The Council determined that a Committee comprising seven elected members and one non-voting co-opted member should be established to oversee its Standards arrangements. In addition, both Independent Persons would be invited to attend each Committee. Accordingly the following served on the Committee from 1 July 2014 to the end of the municipal year 2015.

Councillor Neil Poole (Conservative) (Chairman)  
Councillor John England (Conservative) (Vice – Chairman)  
Councillor Peter Clark (Conservative)\*  
Councillor David Wells (Conservative)  
Councillor Andrea Davison (Labour)  
Councillor Steve Swift (Labour)\*  
Councillor Christine O'Sullivan (Labour)  
Mr Wayne Harvie (non-voting co-opted Member)

Following the council's elections in May 2015 and the start of the 2015/16 municipal year, Councillor T Foster (Conservative) and Councillor Collinson (Labour) replaced the members marked with an asterisk above on the committee.

#### **Role of Committee**

The main role of the Standards Committee is to promote and maintain high standards of conduct, to set an example to other bodies it works with and to the community at large. The Standards Committee will promote, educate and support members in following the highest standards of conduct and ensuring that those standards are fully owned locally.

The role is not just about enforcing the Code it is also about relationships both internally between members and staff and externally with the public and other stakeholders.

Under the Council's Standards Arrangements, the committee convenes, as appropriate, sub committees in the form of Assessment Panels to consider complaints and Hearings Panels to determine complaints that have been investigated.

The Standards Arrangements also enable the Council to retain responsibility for receiving and determining complaints against Town and Parish Council members.

### **Terms of Reference**

- (a) Promoting and maintaining high standards of conduct by members and co-opted members as defined under section 27 of the Localism Act 2011 ('Act').
- (b) Assisting members and co-opted members to observe the Code of Conduct adopted by the Council pursuant to section 28 of the Act.
- (c) Advising the Council on the amendment or revision of the Code of Conduct and the appointment or removal of the Independent Person/s.
- (d) Monitoring the operation of the Code of Conduct and the 'Arrangements' and making appropriate revisions to the 'Arrangements' as considered necessary.
- (e) Advising, training or arranging to train members, co-opted members and Independent Person/s on matters relating to the Code of Conduct and the Arrangements.
- (f) Granting dispensations to members and co-opted members pursuant to the provisions of section 33 (b), (c) and (e) of the Act and on such other grounds as referred by the Monitoring Officer.
- (g) Dealing with any referrals as considered appropriate by the Monitoring Officer and to receive regular reports from the Monitoring Officer on the discharge of any delegations afforded to that position.
- (h) To consider any complaints relating to an alleged breach of the Code of Conduct in accordance with the 'Arrangements' and to convene, as appropriate, sub-committees ('Assessment Panels') to consider such matters.
- (i) To make determinations in respect of complaints that members and co-opted members of the Council and Parish and Town Councils in the area may have breached the Code of Conduct and to convene, as appropriate, sub-committees ('Hearings Panels') to consider such matters and to impose, or recommend the imposition of, the sanctions detailed in the 'Arrangements'.
- (j) To deal with the grant of exemptions from political restriction in respect of any post holder and give directions on any post to be included in the list of politically restricted posts maintained by the authority.

Additional to these core functions the Standards Committee receives the Annual Report of the Local Government Ombudsman and passes comment on revisions to the locally adopted Employees Code of Conduct/Code relating to the declaration of interests, hospitality and gifts and good practice rules for Planning and Licensing Committees.

### **Code of Conduct**

Under its Standards Arrangements the Council has developed and adopted its own locally based Code of Conduct which is compliant with the Nolan principles and has incorporated the statutory requirements concerning Disclosable Pecuniary Interests. Although free to adopt their own Codes of Conduct, all of the Town and Parish Councils in the area have elected to adopt the Council's Code of Conduct which is encouraging uniform and consistent application across the area.

### **Complaints**

During the period covered by this report seven new complaints were received involving members, compared to 23 received last year. \*(Please note that one complaint refers jointly to an elected member of North Lincolnshire Council and a Town Council, which distorts the statistics below by one).

4\* complaints relating to members of North Lincolnshire Council were considered by an Assessment Panel. One of these was referred for investigation, and is to date ongoing.

4\* complaints relating to members of Town and Parish Councils (two parish councillors and two town councillors). One complaint was resolved informally by the Monitoring Officer, and three were considered by an Assessment Panel. None of the three were referred for investigation. No complaints had been referred for external assessment.

The complaints related to a wide range of alleged breaches of the Code of Conduct including failure to treat with respect and courtesy; bullying or intimidation, disrepute, using their position as a member to improperly confer an advantage, compromising the impartiality of officers and failure to declare interests.

During the period ongoing investigations into three complaints involving a parish/town councillor which had been assessed and referred for investigation in 2013/14, had been completed and resolved informally in accordance with the council's Standards Arrangements.

## **Local Government Ombudsman summary report of statistics**

The Local Government Ombudsman (LGO) changed its business processes and reporting in 2014, and as such only provides limited information concerning the number of complaints made against local authorities.

To the year end 31 March 2015, 33 complaints were made against the Council (compared to 38 last year) which the LGO breaks down into the following service areas –

Adult Care	4
Benefits and Tax	4
Corporate and other services	5
Education and Children's services	3
Environmental services and public protection	1
Highways and Transport	5
Housing	2
Planning and Development	9

The LGO's investigations into these complaints resulted in no complaints being upheld, four not upheld with no further action, 11 being closed after initial enquiries, two being invalid, and the remainder being referred back for local resolution or advice given.

## **Other Issues**

Last year's annual report was provided to all Town and Parish Councils and was the subject of two training sessions provided by the Monitoring Officer for Town and Parish clerks in February 2014. In addition to providing analysis on the volume and nature of complaints received an update on standards developments was also given. Both sessions were well attended and similar associated training will be provided annually. These are scheduled for 26 and 29 June 2015 for clerks and newly elected/appointed members of town and parish councils following election in May 2015. Both sessions will once again be well attended.

The Monitoring Officer continues to meet on a quarterly basis with the Monitoring Officer of North East Lincolnshire Council, the East Riding and Northern Lincolnshire Local Council's Association (ERNLLCA) and Mr J Goolden (Independent person for both Councils) to review existing practice and keep abreast of developments in the ex-Humber sub region.

The Council is also a member of the Standards Exchange a specialist website set up by ex-Standards for England investigators as a platform to share good practice and keep updated on national standards related developments.

Will Bell  
Monitoring Officer  
June 2015

Local Government  
**OMBUDSMAN**

18 June 2015

*By email*

Mr Simon Driver  
Chief Executive  
North Lincolnshire Council

Dear Mr Driver

### **Annual Review Letter 2015**

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2015. This year's statistics can be found in the table attached.

The data we have provided shows the complaints and enquiries we have recorded, along with the decisions we have made. We know that these numbers will not necessarily match the complaints data that your authority holds. For example, our numbers include people who we signpost back to the council but who may never contact you. I hope that this information, set alongside the data sets you hold about local complaints, will help you to assess your authority's performance.

We recognise that the total number of complaints will not, by itself, give a clear picture of how well those complaints are being responded to. Over the coming year we will be gathering more comprehensive information about the way complaints are being remedied so that in the future our annual letter focuses less on the total numbers and more on the outcomes of those complaints.

### **Supporting local scrutiny**

One of the purposes of the annual letter to councils is to help ensure that learning from complaints informs scrutiny at the local level. Supporting local scrutiny is one of our key business plan objectives for this year and we will continue to work with elected members in all councils to help them understand how they can contribute to the complaints process.

We have recently worked in partnership with the Local Government Association to produce a workbook for councillors which explains how they can support local people with their complaints and identifies opportunities for using complaints data as part of their scrutiny tool kit. This can be found [here](#) and I would be grateful if you could encourage your elected members to make use of this helpful resource.

Last year we established a new Councillors Forum. This group, which meets three times a year, brings together councillors from across the political spectrum and from all types of local authorities. The aims of the Forum are to help us to better understand the needs of councillors when scrutinising local services and for members to act as champions for learning from complaints in their scrutiny roles. I value this direct engagement with elected members and believe it will further ensure LGO investigations have wider public value.

## Encouraging effective local complaints handling

In November 2014, in partnership with the Parliamentary and Health Service Ombudsman and Healthwatch England, we published '*My Expectations*' a service standards framework document describing what good outcomes for people look like if complaints are handled well. Following extensive research with users of services, front line complaints handlers and other stakeholders, we have been able to articulate more clearly what people need and want when they raise a complaint.

This framework has been adopted by the Care Quality Commission and will be used as part of their inspection regime for both health and social care. Whilst they were written with those two sectors in mind, the principles of '*My Expectations*' are of relevance to all aspects of local authority complaints. We have shared them with link officers at a series of seminars earlier this year and would encourage chief executives and councillors to review their authority's approach to complaints against this user-led vision. A copy of the report can be found [here](#).

## Future developments at LGO

My recent annual letters have highlighted the significant levels of change we have experienced at LGO over the last few years. Following the recent general election I expect further change.

Most significantly, the government published a review of public sector ombudsmen in March of this year. A copy of that report can be found [here](#). That review, along with a related consultation document, has proposed that a single ombudsman scheme should be created for all public services in England mirroring the position in the other nations of the United Kingdom. We are supportive of this proposal on the basis that it would provide the public with clearer routes to redress in an increasingly complex public service landscape. We will advise that such a scheme should recognise the unique roles and accountabilities of local authorities and should maintain the expertise and understanding of local government that exists at LGO. We will continue to work with government as they bring forward further proposals and would encourage local government to take a keen and active interest in this important area of reform in support of strong local accountability.

The Government has also recently consulted on a proposal to extend the jurisdiction of the LGO to some town and parish councils. We currently await the outcome of the consultation but we are pleased that the Government has recognised that there are some aspects of local service delivery that do not currently offer the public access to an independent ombudsman. We hope that these proposals will be the start of a wider debate about how we can all work together to ensure clear access to redress in an increasingly varied and complex system of local service delivery.

Yours sincerely



Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

## Local authority report – North Lincolnshire Council

For the period ending – 31/03/2015

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

### Complaints and enquiries received

Local Authority	Adult Care Services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection	Highways and transport	Housing	Planning and development	Total
North Lincolnshire C	4	4	5	3	1	5	2	9	33

### Decisions made

	Detailed investigations carried out									
Local Authority	Upheld	Not Upheld	Advice given	Closed after initial enquiries	Incomplete/invalid	Referred back for local resolution	Total			
North Lincolnshire C	0	4	1	11	2	13	31			