



STANDARDS COMMITTEE AGENDA

Date: Wednesday, 15 November 2023

Time: 6.30 pm

Venue: Virtual Meeting

You can view the agenda online by using a smart phone camera and scanning the code below:



7 November 2023

PART 1

1. Apologies for absence
2. To receive Disclosures of Interest on any matters before the Committee
3. To approve the minutes of the previous meeting (**Pages 3 - 4**)
4. Local Government Ombudsman Annual Letter (**Pages 5 - 14**)
5. Exclusion of the Press and Public

To resolve that the press and public be excluded from the meeting during consideration of the following items of business as there may be disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972

PART 2

6. Complaints - Standards Committee Monitoring Report (**Pages 15 - 18**)
*(Paragraph 1, 2 - Information relating to any individual.
Information which is likely to reveal the identity of an individual.)*

MARK TRILLO EXECUTIVE DIRECTOR AND MONITORING OFFICER

Membership of Standards Committee (HPBC)

Councillor R Quinn (Chair)

Councillor S Gardner

Councillor D Lomax

Councillor P Hacking (Vice-Chair)

Councillor N Gourlay

Councillor J Taylor

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STANDARDS COMMITTEE

Meeting: Wednesday, 5 July 2023 at 6.30 pm in Board Room, Pavilion Gardens, Buxton

Present: Councillor R Quinn (Chair)

Councillors P Hacking, D Lomax, K Sizeland and J Taylor

Apologies for absence were received from Councillors S Gardner and N Gourlay

Councillor A Barrow and Mr Philip Carnall were also in attendance.

24/1 TO RECEIVE DISCLOSURES OF INTEREST ON ANY MATTERS BEFORE THE COMMITTEE
(Agenda Item 2)

There were no declarations made.

24/2 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING
(Agenda Item 3)

RESOLVED:

That the minutes of the meeting held on 15 March 2023 be approved as a correct record.

24/3 STANDARDS COMMITTEE ANNUAL REPORT
(Agenda Item 4)

The Committee considered a report that reviewed the work of the Standards Committee during 2022/2023. It was reported that it had previously proved difficult to recruit parish representatives, although some borough councillors were also parish councillors. Parish representatives act in an advisory capacity and are not-voting attendees. Some parish councils do choose to adopt the Brough Council's Code of Conduct but are able to use an alternative provided this consistent with the seven principles of public life.

RESOLVED:

That the report be noted.

24/4 COUNCILLOR INDUCTION PROGRAMME
(Agenda Item 5)

The report provided an overview of the Councillor Induction Programme launched after the elections in May 2023. It was reported that consideration was being given to refurbishing equipment no longer used by councillors.

Members commented that it was good for training materials to be available after seminars should members not have been able to attend.

RESOLVED:

That the report be noted.

24/5 CODE OF CONDUCT - DISPENSATIONS

(Agenda Item 6)

The Committee considered the grant of dispensations to councillors in the circumstances described within the report for a four year period. These dispensations had previously been granted following the all-out elections. The report included an additional proposal for dispensations to be approved with regards to Council Tax premiums. Following careful consideration the Committee agreed not to grant this specific dispensation.

RESOLVED:

That general dispensations be granted to all councillors, under Section 33 (2) of the Localism Act 2011, in respect of the circumstances outlined in paragraphs 6.4, 6.7 and 6.8 of the report, for a period of four years, except for any decision relating to the setting of Council Tax Premiums.

24/6 EXCLUSION OF THE PRESS AND PUBLIC

(Agenda Item 7)

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following items of business as there may be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972.

24/7 EXEMPT MINUTES OF THE PREVIOUS MEETING

(Agenda Item 8)

RESOLVED:

That the exempt minutes of the meeting held on 15 March 2023 be approved as a correct record.

24/8 COMPLAINTS - STANDARDS COMMITTEE MONITORING REPORT

(Agenda Item 9)

It was reported that there had been no Standards complaints made since the last report.

The meeting concluded at 7.08pm

HIGH PEAK BOROUGH COUNCIL

Standards Committee

15 November 2023

TITLE:	Local Government Ombudsman's Annual Review Letter
EXECUTIVE COUNCILLOR:	Councillor Anthony McKeown - Council Leader HPBC
CONTACT OFFICER:	Karen Lomas – Head of Customer Services
WARDS INVOLVED:	None Specific

Appendix A Attached – Local Government Ombudsman Annual Review Letter

1. Reason for the Report

- 1.1 To advise the Committee of the content of the Ombudsman's Annual Letter for the period April 2022 – March 2023.

2. Recommendation

- 2.1 That the Committee notes the contents of the Ombudsman's Annual Letter at Appendix A.

3. Executive Summary

- 3.1 The Local Government Ombudsman's Annual Letter summarises complaints and enquiries received by it in relation to the Council. The Ombudsman's Letters are published on the Ombudsman's web site together with specimen data used to inform the Ombudsman's Annual Report.
- 3.2 In the past year the Ombudsman received **7** enquiries or complaints, of which **3** did not meet the LGO criteria for consideration. The Ombudsman made **4** decisions within this period . Details of the decisions made are listed with in the report.
- 3.3 A copy of the Ombudsman's letter is attached as an appendix to this report.

4. **How this report links to Corporate Priorities**

4.1 Complaints are important in assisting the Council to understand how well it performs in its ambition to be a customer first organisation.

5. **Alternative Options**

5.1 There are no options to consider.

Mark Trillo
Executive Director (Governance & Commissioning)

**Web Links and
Background Papers**

Details of complaints

Contact details

Karen Lomas
Head of Customer Services
Karen.lomas@highpeak.gov.uk

6. **Report Details**

6.1 Details of the decisions made by the Ombudsman are listed within the below table:

Service Area	Details of Complaint	Finding
Upheld 3		
Not upheld (1)		
Closed after initial enquiries (3)		
22 001 292 <u>Upheld</u> Environmental Health/Anti-Social behaviour	Mr X complains that the Council has failed to respond properly to his complaints about his neighbour, Mr N, over the last two years. Mr X says this has caused him distress and frustration. He wants the Council to take suitable action to get the matters resolved.	There was fault leading to injustice. If the Council agrees to my recommendations and subject to further comments by Mr X and the Council, I intend to complete my investigation. Action by Council - Letter sent to customer with apology for the time delay.

21004590/21018324 Joint decision from 21-22 and 22-23 Upheld Environmental Health/Anti-social behaviour	Ms B complains about how the Council handled her complaint about noise nuisance from a neighbouring pub.	There were some faults by the Council. To remedy the injustice caused by the faults identified, the Council has agreed to apologise in writing to Ms B and to pay her £400 to recognise the injustice caused to her from the faults found. The Council will complete the above actions within one month of the final decision.
21 012 150 Not Upheld Planning	Mrs X alleges that the Council failed to properly consider the impact of development that unacceptably overshadowed and blocked light to her home.	I completed my investigation finding no evidence of fault in how the Council decided the application.
22 008 864 Closed after Initial enquiries Council tax	We will not investigate this complaint about the Council recovering unpaid council tax from Miss X. There is insufficient evidence of fault to warrant an investigation.	There is insufficient evidence of fault to warrant an investigation.
22 003 484 Closed after initial enquiries Planning Applications	Mr X complains about the Council's handling of a planning application and its decision to allow development on greenfield land.	We will not investigate this complaint. This is because we are unlikely to find evidence of fault by the Council
22 004 091 Closed after initial enquiries Councillor Conduct and standards	We will not investigate this complaint about the Council's decision on a code of conduct complaint against town councillors. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. There is not enough evidence of fault by the Borough Council causing the complainant a significant personal injustice.	We will not investigate Ms X's complaint because there is not enough evidence that fault by the Borough Council has caused her a significant personal injustice.
Advice Given 3		
Referred back for local resolution 0		

6.2 The Council received **4** decisions from the Housing Ombudsman. No finding was made against the Council in any of the cases received by the Ombudsman. The Housing Ombudsman Service does not provide an annual letter.

6.3 Members may also wish to note that the small number of complaints reaching the Ombudsman is set against a background of **153** complaints received by the Council in the period in question, which helps to illustrate the strength of

the Council in ensuring complaints are dealt with promptly and appropriately.

6.4 Below is a table showing Local Government Ombudsman figures for 13 Local Authorities. The average for upheld complaints across the 13 authorities is **60%**

	Complaints and enquiries received 2022/23	Decisions made 2022/23	Figures for Upheld / Not upheld (detailed investigations carried out)			
			Upheld	Not upheld	Total	% Upheld
Cannock Chase	8	2	2	0	2	100%
Castle Point	1	0	0	0	0	0%
Chorley	5	0	1	0	1	100%
Fenland	7	3	0	3	3	0%
Forest of Dean	4	1	1	0	1	100%
High Peak Borough Council	7	4	3	1	4	75%
Hinckley & Bosworth	6	1	0	1	0	0%
Kettering	1	1	0	1	0	0%
Rugby	7	2	1	1	2	50%
Selby	5	0	0	0	0	0%
South Derbyshire	5	2	1	1	2	50%
Staffordshire Moorlands	2	1	0	1	0	0%
Wyre Forest	1	0	0	0	0	0%

6.5 All complaints submitted to the Ombudsman have been reviewed through the internal process to ensure any lessons from the complaints to prevent a recurrence have been learned and embedded within the relevant service.

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19 July 2023

By email

Mr Stokes
Chief Executive
High Peak Borough Council

Dear Mr Stokes

Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with that of similar organisations, rather than previous years, to better understand your organisation's performance.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Supporting complaint and service improvement

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

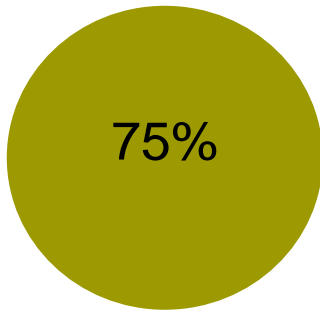
In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

Yours sincerely,



Paul Najsarek
Interim Local Government and Social Care Ombudsman
Interim Chair, Commission for Local Administration in England

Complaints upheld



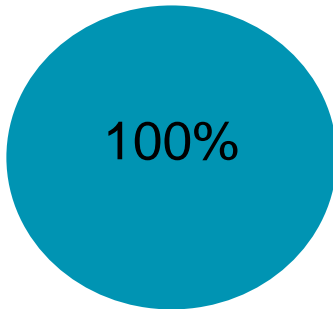
75% of complaints we investigated were upheld.

This compares to an average of **59%** in similar organisations.

3
upheld decisions

Statistics are based on a total of **4** investigations for the period between 1 April 2022 to 31 March 2023

Compliance with Ombudsman recommendations



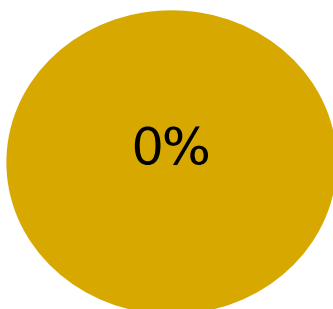
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **100%** in similar organisations.

Statistics are based on a total of **3** compliance outcomes for the period between 1 April 2022 to 31 March 2023

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedy provided by the organisation



In **0%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **15%** in similar organisations.

0
satisfactory remedy decisions

Statistics are based on a total of **3** upheld decisions for the period between 1 April 2022 to 31 March 2023

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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