

# Public Document Pack



## STANDARDS COMMITTEE AGENDA

**Date:** Friday, 17 November 2023

**Time:** 10.00 am

**Venue:** The Trent Room, Moorlands House, Stockwell Street, Leek

**9 November 2023**

### PART 1

1. Apologies for absence, if any.
2. Urgent items of business, if any (24 hours notice to be provided to the Chairman).
3. To approve as a correct record the minutes of the previous meeting. **(Pages 3 - 6)**
4. Declarations of interest, if any:
  - Disclosable Pecuniary Interest;
  - Other interests.
5. Local Government Ombudsman Annual Letter **(Pages 7 - 14)**
6. Exclusion of the Press and Public

#### **The Chair to move:-**

"That pursuant to Section 100A(2) and (4) of the Local Government Act, 1972, the public be excluded from the meeting in view of the nature of the business to be transacted or nature of the proceedings whereby it is likely that exempt information as defined in Section 100A (3) of the Act would be disclosed to the public in breach of the obligation of confidence or exempt information as defined in Section 100I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the paragraphs indicated."

7. To approve as a correct record the Exempt Minutes of the previous meeting. **(Pages 15 - 16)**
8. Standards Complaints Monitoring Report **(Pages 17 - 22)**

**MARK TRILLO**  
**EXECUTIVE DIRECTOR AND MONITORING OFFICER**

Membership of Standards Committee (SMDC)

Councillor A Church (Chair)

Councillor B Emery

Councillor C Jebb

Councillor G Taylor

Councillor C Wood

Councillor W Rogers

Councillor I Herdman (Vice-Chair)

Councillor E Fallows

Councillor M Spooner

Councillor P Wilkinson

Councillor L Jackson

## STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

### STANDARDS COMMITTEE MEETING

#### Minutes

**FRIDAY, 21 JULY 2023**

PRESENT: Councillor A Church (Chair)

Councillors E Fallows, I Herdman, C Jebb, W Rogers, M Spooner,  
G Taylor, P Wilkinson and C Wood

IN ATTENDANCE: Mr H Mawdsley

APOLOGIES: Councillor B Emery

1 **CLLR D FOWLER**

Councillors observed a minute's silence having been informed that Cllr David Fowler (parish representative) had recently passed away.

2 **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE PREVIOUS MEETING.**

RESOLVED:

That the minutes of the meeting held on 18 November 2022 be approved as a correct record and signed by the Chair.

3 **DECLARATIONS OF INTEREST, IF ANY:**

There were no declarations made.

4 **BITE SIZE BRIEFING**

Councillors received a presentation that provided an overview of the work of the Committee. This included the Council's decision making process, the Localism Act 2011, the composition/role of the Committee and the work programme. Members discussed the need for interests to be continually updated.

RESOLVED:

That the presentation be noted.

5 **STANDARDS COMMITTEE ANNUAL REPORT**

The Committee considered a report that reviewed the work of the Standards Committee during 2022/2023. This included the Government response to the Committee on Standards in Public Life Review of Local Government Ethical Standards, a review of the Code of Conduct, the Local Government Ombudsman Annual Letter, the Debate Not Hate Report and regular complaints monitoring reports.

RESOLVED:

That the report be noted.

**6 CODE OF CONDUCT - DISPENSATIONS**

The Committee considered the grant of dispensations to councillors in the circumstances described within the report for a four year period. Previously, under the old Code of Conduct, general exemptions were provided to all councillors with regard to prejudicial interests in any business of the authority where that business related to certain functions of the authority.

The arrangements introduced by the Localism Act 2011 did not reproduce these exemptions and as a result councillors could effectively breach the Code of Conduct should they take part in a meeting where any of these matters were being discussed and they have a disclosable pecuniary interest in the matter. The Standards Committee has therefore previously granted dispensations as detailed in paragraphs 6.4 and 6.7 of this report for a period of four years.

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 and 6.7 of the report, for a period of four years.

**7 COUNCILLOR INDUCTION PROGRAMME**

The report provided an overview of the Councillor Induction Programme launched after the elections in May 2023. The aim of the Induction Programme was to ensure that Councillors are supported to deliver the Council's statutory and corporate obligations, objectives and priorities and are provided with the tools and information required to fulfil their roles. It was reported that the next Code of Conduct seminar would be conducted online which would allow for a recording to be taken for councillors not able to attend.

RESOLVED:

That the report be noted.

**8 EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED:

That, pursuant to Section 100A(2) and (4) of the Local Government Act, 1972, the public be excluded from the meeting in view of the nature of the business to be transacted or the nature of the proceedings whereby it is likely that confidential information as defined in Section 100A (3) of the Act would be disclosed to the public in breach of the obligation of confidence or exempt information as defined in Section 100 I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the Paragraphs indicated

**Standards Committee (SMDC)- 21 July 2023**

9 **TO APPROVE AS A CORRECT RECORD THE EXEMPT MINUTES OF THE PREVIOUS MEETING.**

RESOLVED:

That the exempt minutes of the meeting held on 18 November 2022 be approved as a correct record and signed by the Chair.

10 **STANDARDS COMPLAINTS MONITORING REPORT**

Members were presented with information regarding complaints made under the Code of Conduct in the period since the committee previously met. This included complaints made against two district councillors and three parish councillors.

RESOLVED:

That the report be noted.

The meeting closed at 11.10 am

\_\_\_\_\_ Chairman \_\_\_\_\_ Date

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## STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

### Standards Committee

17 November 2023

<b>TITLE:</b>	<b>Local Government Ombudsman Annual Letter</b>
<b>PORTFOLIO HOLDER:</b>	<b>Councillor Charlotte Atkins – Portfolio Holder for Services</b>
<b>CONTACT OFFICER:</b>	<b>Karen Lomas - Head of Customer Services</b>
<b>WARDS INVOLVED:</b>	<b>All</b>

#### **Appendices Attached:**

**Appendix A - Local Government and Social Care Ombudsman Annual Review Letter**

#### **1. Reason for the Report**

- 1.1 To advise members 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 content of the Ombudsman's Annual Letter (included at Appendix A).

#### **3. Executive Summary**

- 3.1 The Local Government Ombudsman's Annual Review Letter summarises complaints and enquiries received by it in relation to the Council. The letters are published on the Ombudsman's website together with specimen data used to inform the Ombudsman's Annual Report.
- 3.2 In 2022/23 the Ombudsman received **2** new enquiries or complaints in relation to the Council, compared with **7** in the previous year. Detail of the decisions made and investigated complaints in 2022/23 are summarised as follows:

Service Area	Details of Complaint/Ombudsman's comments	Finding
<b>Upheld (0)</b>		
<b>Not upheld (1)</b>		
<b>Closed after initial enquiries (1)</b>		
<b>22 007 440</b> <u>Closed after initial enquiries</u> <b>Planning Applications</b>	We will not investigate this complaint about the Council granting planning permission for a new dwelling opposite the complainant's home. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. The complaint appears to be late, there is not enough evidence of fault causing significant injustice to the complainant, and we cannot achieve the outcome he is seeking.	We will not investigate Mr X's complaint because it appears to be late, there is not enough evidence of fault causing him a significant injustice, and we cannot achieve the outcome he is seeking.
<b>21 014 107</b> <u>Not Upheld</u> <b>Planning Applications</b>	Mrs X complains the Council failed to properly consider a planning application submitted by her neighbour. We found there was no fault by the Council.	There was no fault by the Council. I have now completed my investigation and closed my file.
<b>Referred back for local resolution (0)</b>		

3.3 A copy of the Ombudsman's letter is attached as Appendix A to this report.

3.4 Members may also wish to note that the small number of complaints reaching the Ombudsman is set against a background of **92** complaints received by the Council in the period in question, which helps to illustrate the strength of the Council's process in ensuring that complaints are dealt with promptly and appropriately.

3.5 Below is a table showing Local Government Ombudsman figures for 13 Local Authorities, similar in nature to the Council. The average for upheld complaints across the 13 Authorities is **60%**.

	Complaints and enquiries received 2022/23		Figures for Upheld / Not upheld (detailed investigations carried out)			
			Decisions made 2022/23	Upheld	Not upheld	Total
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%



	Complaints and enquiries received 2022/23		Figures for Upheld / Not upheld (detailed investigations carried out)			
			Decisions made 2022/23	Upheld	Not upheld	Total
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%
<b>Staffordshire Moorlands</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0%</b>
Wyre Forest	1	0	0	0	0	0%

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

- 4.1 Ensure our services are easily available to all our residents in the appropriate channels and provided 'right first time'.

#### 5. Alternative Options

- 5.1 There are none to consider

**Mark Trillo**

**Executive Director (Governance & Commissioning)**

**Web Links and  
Background Papers**

**Contact details**

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Head of Customer Services  
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uk

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19 July 2023

*By email*

Mr Stokes  
Chief Executive  
Staffordshire Moorlands District 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.

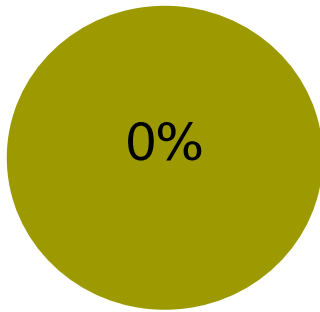
In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops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



**0%** of complaints we investigated were upheld.

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

**0**  
upheld decisions

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

### Compliance with Ombudsman recommendations

No recommendations were due for compliance in this period

### Satisfactory remedy provided by the organisation

The Ombudsman did not uphold any detailed investigations during this period

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of the Local Government Act 1972.

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