

AGENDA

Meeting: Standards Committee
Place: Salisbury Room - County Hall, Trowbridge
Date: Wednesday 21 January 2015
Time: 2.00 pm
Chairman's Briefing 1.00pm

Please direct any enquiries on this Agenda to Kieran Elliott of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Julian Johnson (Chairman)	Cllr Sheila Parker
Cllr John Noeken (Vice Chairman)	Cllr Paul Oatway QPM
Cllr Trevor Carbin	Cllr Horace Prickett
Cllr Rosemary Brown	Cllr Desna Allen
Cllr Howard Greenman	Cllr Terry Chivers
Cllr Allison Bucknell	

Substitutes:

Cllr George Jeans	Cllr John Smale
Cllr Mary Douglas	Cllr Jerry Wickham
Cllr Dennis Drewett	Cllr Magnus Macdonald
Cllr Ernie Clark	Cllr Bob Jones MBE
Cllr Pip Ridout	Cllr Ian Thorn
Cllr Glenis Ansell	

Non-Elected Non-Voting Members:

Mr Philip Gill MBE JP
Mr Paul Neale
Mr John Scragg
Miss Pam Turner

Part 1

Items to be considered when the meeting is open to the public

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes** (*Pages 1 - 6*)

To confirm the minutes of the meeting held on 8 October 2014.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chairman.

5 **Public Participation and Questions**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of the agenda no later than 5pm on *Wednesday 14 January 2015*. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Review of the Effectiveness of the Code of Conduct for Members Update**
(Pages 7 - 62)

To receive an update from the Monitoring Officer.

7 **Complaints under the Council's Complaints Procedures and the Local Government Ombudsman's Annual Review Letter 2014** (Pages 63 - 142)

To receive an overview of the Council's complaints service and comments on the annual reports provided by the Council's Customer Complaints Manager and the Local Government Ombudsman's (LGO) Annual Review Letter 2014.

8 **Recommendations from the Constitution Focus Group** (Pages 143 - 148)

To consider proposed recommendations from the Constitution Focus Group.

9 **Forward Plan** (Pages 149 - 150)

To consider the proposed Forward Work Programme and confirm the date of the next meeting as 21 April 2015.

10 **Urgent Items**

Any other items of business which the Chairman agrees to consider as a matter of urgency.

11 **Exclusion of Public**

To consider passing the following resolution:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 10 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Paragraph 1 - information relating to an individual

Part II

Item(s) during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

12 **Standards Review Sub-Committee Minutes** (Pages 151 - 154)

To receive the minutes of the Standards Review Sub-Committee meeting held on 17 December 2014.

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STANDARDS COMMITTEE

DRAFT MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 8 OCTOBER 2014 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Rosemary Brown, Cllr Trevor Carbin, Cllr Ernie Clark (Present as Substitute), Mr Philip Gill, Cllr Julian Johnson (Chairman), Cllr Paul Oatway, Cllr Horace Prickett and Cllr Jerry Wickham (Present as Substitute)

Also Present:

Cllr Alan Hill

33 Apologies for Absence

Apologies were received from Councillors Desna Allen, Allison Bucknell, Howard Greenman, Sheila Parker, John Noeken, Terry Chivers, Miss Pam Turner and Mr Paul Neale.

Councillor Noeken was substituted by Councillor Jerry Wickham.

Councillor Chivers was substituted by Councillor Ernie Clark.

34 Minutes

The minutes of the meeting held on 9 July 2014 were presented for consideration and it was,

Resolved:

To APPROVE as a true and correct record for the Chairman to sign.

35 Declarations of Interest

There were no declarations.

36 Chairman's Announcements

There were no announcements.

37 Public Participation and Questions

No questions or statements were received for the meeting.

38 Update from the Code of Conduct Seminar

At its meeting held on 9 July 2014 the Committee requested a formal update following the Code of Conduct Seminar open to all Members held on 23 July 2014 led by Hoey Ainscough Associates Ltd., which the Committee had instructed be arranged at its 25 April 2014 meeting to consider the effectiveness of the current Standards regime.

The Chairman introduced the item, noting some of the concerns which had led to the Committee requesting the Seminar, such as the lack of engagement with the complaints process by members, and whether the current Code of Conduct and its attending complaints procedure were robust enough for its purpose.

The Monitoring Officer then presented a report on the outcomes from the Seminar on 23 July, and the Committee considered the issues that arose.

It had been noted that in some authorities the Standards Committee itself, not only its Sub-Committees, was not subject to rules on political proportionality. The Committee considered that with Sub-Committees determining any complaints brought to Review or full Hearings, there was no additional benefit gained from altering the makeup of the Committee itself when the Sub-Committees were not subject to political proportionality rules.

There was discussion around the lack of specificity in the current Code, and whether this led to difficulties for members of the public in identifying which part of the Code was relevant to the specific circumstances and behaviour they wished to complain against, and whether this could have a reputational effect on Wiltshire Council and other councils which utilized the same Code. Members noted the risk of a highly detailed code giving rise to vexatious and trivial complaints, and whether the current procedure was robust enough to filter out such complaints, and so whether the balance between focusing on the serious complaints through the broadness of the Code versus the difficulties in categorizing some councillor actions perhaps felt to be deserving of action under a specific section of the current Code, was appropriate or if further work on the Code was necessary.

Members were in agreement that under the current regime the lack of firm sanctions other than recommending a member be publicly censured had created problems for the perception of councils' effectiveness, particularly where a subject member chose not to engage with the process. It was also noted that a recommendation from a Wiltshire Council Standards Sub-Committee as the leading authority for a town or parish council to censure a member, could in any case be ignored by that council. Some members had

concerns that the lack of sanctions prevented councillors from properly fulfilling their duties to their council employees. It was stated, however, that the government would have to alter existing rules to permit additional sanctions such as reintroducing the power to suspend members, if this was deemed appropriate.

The procedure for dealing with Code of Conduct complaints was assessed, and seeking an initial response from subject members to a complaint and permitting complainants and subject members the right to review an initial assessment decision or investigation assessment, was felt to be appropriate and working satisfactorily.

Other issues raised by the Seminar included the increasing importance of social media for councillors, and whether the council's current media protocol, which was under review, or the Code itself requirement further consideration, amendment or advice in that area. Members also discussed whether the decisions of Sub-Committees should be made publicly available once all matters under consideration had concluded, in the interests of transparency.

In light of many of the concerns raised at the Seminar and at the Committee, it was considered the best approach was to if alterations to the Code of Conduct might be appropriate. It was agreed evidence and analysis would need to be collected on the effectiveness of the current code, along with investigation of the codes and procedures of other authorities to determine if these were more suitable and effective. It was also noted that as many towns and parishes in Wiltshire utilized the Wiltshire Council Code of Conduct wholly or in part for their own codes, they would need to be consulted once the Committee had arrived at its own conclusions, should alterations or additions be recommended.

Resolved:

- 1) To task the Monitoring Officer with investigating the effectiveness of the Code of Conduct Complaints Procedure by collecting and analysing evidence on complaints received by Wiltshire Council, and to examine the Codes and procedures at other local authorities, and to bring a set of recommendations on any proposed changes to the Committee at its meeting on 21 January 2015.**
- 2) To ask the Monitoring Officer to liaise with colleagues in other Local Authorities to lobby the Secretary of State for Communities and Local Government for a change in the legislation to permit further sanctions, as agreed by a council's Standards Committee, to be imposed in the event of a breach of a Code if deemed appropriate.**
- 3) To recommend that the decisions of Review and Hearing Sub-Committees be made publicly available, except where relevant**

matters remained ongoing and subject to confidentiality, but to leave the final decision to each Sub-Committee.

39 Status Report on Complaints

The Monitoring Officer presented an update on the status of complaints received under the Code of Conduct complaints procedure. It was noted that investigations relating to two complaints remained ongoing.

It was further stated that following comments and consideration at the Code of Conduct Seminar held on 23 July 2014, future reports would provide more detailed information on the complaints that had been received and action taken, to enable the Committee to have a fuller view of the processes and outcomes regarding complaints received under the Code of Conduct.

Resolved:

To note the update and the intention for more detailed reports to be received at future meetings.

40 Date of the Next Meeting and Forward Work Programme

The date of the next meeting was confirmed as 21 January 2015.

An annual Forward Plan would be presented to the next meeting.

41 Urgent Items

There were no urgent items.

42 Exclusion of the Public

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute Number 43 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

43 **Minutes of the Standards Review Sub-Committees**

The Committee received the minutes of the Standards Review Sub-Committee meetings held on 5 June 2014, 10 July 2014 and 11 September 2014.

Resolved:

To note the minutes of the Review Sub-Committees and reiterate recommendation three of Minute 38.

(Duration of meeting: 2.00 - 3.00 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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Wiltshire Council

Standards Committee

21 January 2015

Review of the Effectiveness of the Council's Code of Conduct for Members

Purpose of Report

1. To ask the Standards Committee to consider whether any changes need to be made to the Council's Code of Conduct for Members in the light of the matters covered in this report.

Background

2. At its meeting on 8 October 2014 the Committee received a report reviewing the Council's arrangements for discharging its duty under section 27 Localism Act 2011 to promote and maintain high standards of conduct by Councillors. The Committee agreed:
 - 1) *To task the Monitoring Officer with investigating the effectiveness of the Code of Conduct Complaints Procedure by collecting and analysing evidence on complaints received by Wiltshire Council, and to examine the Codes and procedures at other local authorities, and to bring a set of recommendations on any proposed changes to the Committee at its meeting on 21 January 2015.*
 - 2) *To ask the Monitoring Officer to liaise with colleagues in other Local Authorities to lobby the Secretary of State for Communities and Local Government for a change in the legislation to permit further sanctions, as agreed by a council's Standards Committee, to be imposed in the event of a breach of a Code if deemed appropriate.*
3. Under the Localism Act 2011 councils were required to adopt a new code of conduct with effect from 1 July 2012. The new code has to broadly reflect 7 principles of conduct in public life, which are set out in the Act: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The council adopted a model code of conduct issued by the Department for Local Government and Communities (DCLG) with some variations. A copy of the current Code of Conduct is attached at Appendix 1.
4. A summary of the position on codes of conduct in other authorities, provided by Hoey Ainscough Associates Limited is included at Appendix 2.
5. A large proportion of Wiltshire's parish, town and city councils have adopted the same Code of Conduct as Wiltshire Council.
6. As principal authority Wiltshire Council deals with all complaints made under the code of conduct for unitary, parish, town and city councillors in accordance with its agreed complaints procedure.
7. A summary of the complaints received since the introduction of the new standards regime is attached at Appendix 3.

Main Considerations for the Committee

8. The purpose of the Code of Conduct is to promote accountability, transparency and public confidence in local government. The Code of Conduct should be framed in a way that supports these objectives.
9. The Monitoring Officer, complainants and the Independent Persons report that they have found it difficult to link complaints to specific paragraphs of the Code. This issue was highlighted during the case study discussions at the seminar on standards on 23 July 2014, led by Hoey Ainscough Associates. It has resulted in a significant reduction in the number of complaints that have been referred for investigation – only 3 since the new Code came into operation in July 2012.
10. Appendix 3 provides a brief summary of every complaint assessed since July 2012. The right hand column states whether the complaint would have been referred for investigation under the old statutory code of conduct. This is not an indication that the complaint would have been upheld – a judgement of that nature cannot be made without the evidence having been tested by means of investigation and hearing. However, it is of concern that so few complaints can be linked to the current provisions of the Code in a way that enables referral for investigation.
11. From Appendix 3 it is evident that of the 122 complaints assessed since July 2012, 61 would probably have been investigated under the provisions of the old Code of Conduct. However, many of these relate to the declaration of interests. The statutory provisions regarding members' interests have been fundamentally reformed and a comparison of complaints regarding interests is therefore not relevant. However, 39 complaints would probably have been investigated under the following provisions of the old Code of Conduct, which required that when acting in their official capacity, members were required to:
 - treat others with respect;
 - not to bully others;
 - not to act in a way that would bring their office or authority into disrepute;
 - not to act in a manner that would cause their authority to be in breach of any relevant equalities duties.
12. Whilst not all of these 39 complaints would have warranted an investigation, and the new assessment procedures would assist in sifting out the less serious complaints, the fact that only 3 complaints were put forward for investigation is a cause for concern.
13. This is a particular concern where complainants allege bullying or serious disrespect by a councillor. Since the Code, as it is currently framed, does not specifically provide for bullying or disrespect to be a breach of the Code, these complaints have generally not been referred for investigation. If a member could be proven to have bullied others or treated them disrespectfully it is difficult to establish that this behaviour fails to meet an (undefined) standard of selflessness, integrity, objectivity, accountability, openness, honesty or leadership.

14. This means that complainants who have brought complaints that could reasonably be regarded as serious may be left without redress. It also means that if a councillor is alleged to have bullied an employee, the Council may be unable to demonstrate that it has met its duty of care towards its employees, in that there is no other statutory avenue through which an allegation of bullying by a councillor can be investigated and addressed.
15. The Council has a duty to comply with the provisions of the Equality Act 2010. Section 149 (1) of the Equality Act 2010 provides: -

(1) A public authority must, in the exercise of its functions, have due regard to the need to -

 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
16. As the Code stands there may be difficulties in dealing with an allegation that a councillor has not complied with their obligations under the Equalities Act as there is no specific provision in the Code for such an allegation to be investigated, nor for any breach in the equalities duties to be addressed.
17. Similar considerations apply to the duty of confidentiality owed by councillors in respect of confidential information.
18. When a complaint is made, whether or not it is well founded, it is likely to cause the subject member significant stress. The broad nature of the Code, as currently drafted, makes it difficult for the Monitoring Officer to provide subject members with the protection of a clear and robust rejection of complaints relating to behaviour that is not capable of breaching the Code. Its lack of clarity may also result in complainants bringing complaints that they might not, with a clearer and more specific Code, decide to pursue.
19. The lack of clarity and specificity in the wording of the Code means that it is highly subjective, and while parties may hold equally strong but conflicting views on whether alleged behaviour is capable of breaching, for example, the general principle of "integrity" it is difficult to draft a clearly reasoned and understandable decision notice that explains precisely why a complaint will not be taken further. Clarification of the Code, particularly where it relates to personal conduct, may strengthen it and protect members against complaints being brought where they would clearly not be capable of breaching any of the provisions of the Code.

Gifts and Hospitality

20. At its meeting on 21 October 2014 Council referred the following motion to the Standards Committee to consider and report back to full council:

Further to this Council adopting its Code of Conduct at Full Council in

February, this Council considers amending the Code of Conduct to include a register of gifts and hospitality.

The existing Code states, at paragraph 2, 'you must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.'

To protect members and to ensure full; transparency, for Wiltshire Council, and its members this Council adopts a register of interests for all gifts and hospitably over £25.00.

21. The requirement for members to register gifts and hospitality exceeding £ 25 in value that had existed under the former statutory code of conduct was repealed by the Localism Act 2011. The new code adopted by the council provides at paragraph 2 of the code:

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

22. At its meeting on 4 February 2014 the council decided not to make any changes to the code of conduct on gifts and hospitality on the basis that the existing provision at paragraph 2 of the code was adequate. However, some members have expressed the view that they would find it helpful for Wiltshire Council to require gifts and hospitality over, say £25, in value to be declared on the register of interests currently maintained by the Monitoring Officer in order to provide greater transparency and protection to members.

Environmental Considerations

23. None.

Financial Considerations

24. None arising directly from this report.

Legal Implications

25. As outlined in the report. The council is obliged to meet its statutory requirements regarding the promotion and maintenance of high standards of conduct under the Localism Act 2011.

Recommendations

26. Members are asked to consider whether the code of conduct should be amended to include more specific provision on the standards of conduct expected of members and on the registration of gifts and hospitality in order to provide greater clarity and

enforceability.

27. If members are minded to make changes to the Code officers will draft the necessary provisions in accordance with the Committee's wishes and bring these back to the Committee for final review before the Committee makes its recommendations to full Council.

Ian Gibbons

Associate Director Legal and Governance and Monitoring Officer

Author: Ian Gibbons and Nina Wilton, Head of Governance and Deputy Monitoring Officer

Background Papers

Unpublished reports relied upon in the preparation of this report: None.

Appendices:

Appendix 1 - Code of Conduct

Appendix 2 – Hoey Ainscough Associates Ltd – Code of Conduct Discussion Paper

Appendix 3 - Summary of complaints received since 1 July 2012

Part 13

Wiltshire Council Code of Conduct

You are a member or co-opted member of Wiltshire Council and hence you shall have regard to the following principles - **selflessness, integrity, objectivity, accountability, openness, honesty and leadership.**

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements, by leadership and example.

Accordingly, when acting in your capacity as a member or co-opted member:

1. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
2. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
3. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
4. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
5. You must be as open as possible about your decisions and actions and the decisions and actions of your authority, and should be prepared to give reasons for those decisions and actions.
6. You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties, and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.
7. You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

Members of Wiltshire Council will have regard to the Roles and Responsibilities of Wiltshire Councillors according to Appendix 1 and Wiltshire Council Behaviours Framework at Appendix 2.

Registering and declaring pecuniary and non-pecuniary interests

8. You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband of wife, or as if you were civil partners.
9. In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interests which your authority has decided should be included in the register.
10. If an interest has not been entered onto the authority's register you must disclose the interest to any meeting of authority at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.
11. Following any disclosure of an interest which is not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
12. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

Role and responsibilities of Councillors

Purpose and background

This is a description of the role that all councillors will be expected to perform.

Councillors may have additional regulatory, licensing or scrutiny responsibilities or be a member of the Cabinet – there will be specific role descriptions drawn up for them, and each of these responsibilities is likely to attract additional time commitments.

1. Size of the role

1.1 The number of voters in each division will be in the order of 3,700; you will be accountable to them for any issue relating to the council's activities and, through the area boards, for the much broader concerns of the community.

2. Breadth of the role

2.1 In your division you will be responsible for resolving problems associated with, amongst other things:

Planning	Housing
Licensing	Environmental health
Car parking and enforcement	Protecting the environment
Leisure	Refuse collection and recycling
Community planning	Council tax collection
Housing benefit	Education
Social services	Libraries
Roads	Consumer protection
Children's services	Health scrutiny
Transport	Economic development

3. Allowances

3.1 Allowances to Councillors are as set out in Part 14 – Members' Allowances Scheme.

4. Anticipated hours required to perform the role

4.1 The time unitary councillors will need to carry out the role will depend on many things:

- If you have a rural division, you will spend more time travelling
- If you are a new councillor you will have to spend a lot of time being trained to enable you to carry out the role
- If you have a particular interest you may choose to become more involved in committees associated with these matters
- If there are important or controversial issues in your division they may occupy a lot of your time.

4.2 National figures show that unitary councillors spend on average 27 hours a week on the role. There are formal meetings you will be expected to attend, but much of the work will be in your division when constituents contact you with a problem. The work includes:

- Resolving problems raised by your constituents
- Attending council and policy making meetings
- Being a member of an area board
- Attending Town and Parish council meetings in your division
- Representing the council on outside bodies

Councillors who have additional regulatory, licensing or scrutiny responsibilities or who are on the Cabinet will be expected to work additional hours.

5. Timing of meetings

5.1 Day time meetings at Trowbridge:

- Attendance at council meetings eight times a year
- Attendance at Cabinet, quasi judicial and regulatory meetings when items of interest to the division are under discussion
- Approximately two meetings a month.

5.2 Evening meetings within an area or on a district basis;

- Attendance at monthly area boards
- Attendance at planning committees and other regulatory committees when items of interest to your division are under discussion
- Attendance at town and/or parish meetings
- Attendance at meetings of outside bodies, some of these might be in the day
- Approximately four meetings a month.

6. Principal roles

6.1 To champion your division

- To represent your constituents and to act as the link between them and the council
- To keep up-to-date with local concerns, including those of hard to reach groups
- To identify and help to resolve local concerns

6.2 To be a community leader

- To mediate fairly and constructively between people and groups with conflicting needs
- To create effective partnerships with all sections of the community
- To work with partners to build strong and cohesive communities with a long term vision and direction
- Act as the focus for consultation and discussion of local issues.

6.3 To keep in touch with constituents

- To communicate regularly with the community using newsletters, emails, phone, or local media and through local surgeries and meetings
- To create opportunities to communicate, including hard-to-reach groups
- To provide regular feedback

6.4 To contribute to decision making

- by contributing to and informing debate at council meetings
- through membership of a community area board by:
- influencing and shaping services
- monitoring performance of local services to ensure that they are held to account
- providing for more effective working between the council and partners.

6.5 To fulfil your responsibilities as a “corporate parent” for children and young people in the care of the local authority

- by having an understanding of the profile and needs of the children in the care of the local authority
- by being aware of the impact on looked-after children of all council decisions
- by considering whether this would be good enough for your own child
- by ensuring that action is taken to address shortcomings in the service and to improve outcomes for looked-after children.
- by being aware of the work and aims of the corporate parenting panel and, if nominated by your group leader, attend meetings of the corporate parenting panel as a committee member

6.6 The council has established a Corporate Parenting Panel, whose role is to secure councillor involvement and commitment throughout the council to deliver better outcomes for children and young people who are looked after. The terms of reference are available as an appendix to this section - Part 12.1 – Role and Function of the Corporate Parenting Panel. Please contact 01225 718024 to request this.

6.7 To represent the council externally

- By sitting on outside bodies and attending seminars on behalf of the council.

6.8 Unitary councillors will be expected to

- Commit to a programme of continuing learning and development provided by the council
- Comply with the council’s code of conduct and other protocols set out within the Constitution and to maintain the highest standards of conduct and ethics in the performance of your duties
- To acknowledge any enquiries normally within four working days of receipt, and provide a substantive response, where required, within ten working days, if possible.

7. Personal Skills

7.1 To fulfil the role of an effective unitary councillor, candidates should have:

- knowledge of current issues for constituents
- good advocacy and listening skills
- good communication, presentation skills, mediation and conflict resolution skills
- integrity and the ability to set aside own views and act impartially
- good awareness of equality and diversity issues
- an understanding of the roles of officers and councillors
- knowledge of meetings rules and conventions
- the ability to challenge ideas and contribute positively to policy
- a desire to learn.

Wiltshire Council's Behaviours framework

It's about **how** we work



Why do we need a behaviours framework?

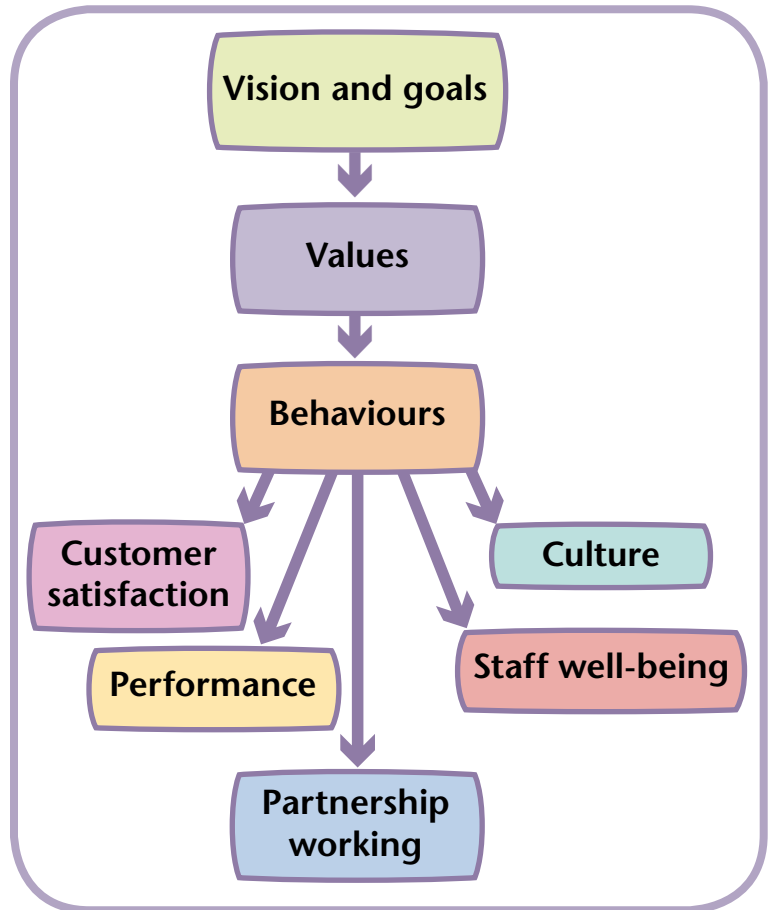
Wiltshire Council should be a fulfilling and enjoyable place to work; we know this enthusiasm rubs off on our residents and customers, and we also recognise the crucial role each and every one of us plays in helping to achieve our goals.

By demonstrating the attitudes and behaviours, Wiltshire Council will be an effective, positive and collaborative place to work.

What is the behaviours framework?

The behaviours framework is a set of core behaviours which define 'how' we are expected to approach our work and sits alongside 'what' we do, as outlined in each of our job descriptions.

The framework details the behaviours and attitudes required by all employees and it supports the delivery of our business plan, values and culture.



Central to this framework is our corporate vision and values...

Our vision inspires us to turn-on and not just turn-up

Our vision is to create stronger and more resilient communities

Our values make us unique

We embrace change, treat everyone fairly, value diversity and we:

- **place our customers first**
- **want to strengthen our communities**
- **adopt a 'can-do' approach in everything we do**
- **value our colleagues.**

What do we mean by behaviour?

Behaviours demonstrate the attitudes and approach we take to work; they are:

- how we do things
- how we treat others
- what we say and how we say it
- how we expect to be treated.

The behaviours framework will help us to celebrate achievements, talk about our aspirations and express how we would like to develop.

What are the behaviours and how do they work?

There are six sets of behaviours for every member of staff, regardless of their role and grade in the organisation. All six behaviours are divided into three categories with individual descriptions which clarify how they relate to the way we work.

The three categories are:

- **Expected** – Our required behaviours for all members of staff
- **Desirable** – Staff should seek to demonstrate these behaviours
- **Aspirational** – These behaviours are required by employees looking to develop and those in senior or managerial positions

Every member of staff will be provided with clarity on their behavioural expectations in a discussion with their line manager.

These behavioural requirements are taken seriously; compliance with these guidelines will form part of regular discussions with your line manager and continued disregard of behavioural requirements will be resolved quickly and efficiently.



- The name and overview of the behaviour
- The three categories of behaviour
- Descriptions of the behaviours expected for each category – these should be used as points for discussion with your manager
- Information on how these behaviours help to create stronger and more resilient communities
- A light-hearted cartoon to demonstrate the behaviour visually
- Examples of behaviours which do not support the delivery of the framework

Excellence

With enthusiasm, you work to deliver a high quality service to meet personal, organisational and customer expectations. You pursue a 'can-do' attitude in all of the work you deliver, ensuring it meets the needs of all current and potential customers.

Expected Our required behaviours	Desirable Staff should seek to demonstrate these behaviours	Aspirational These behaviours are required by employees looking to develop and those in senior or managerial positions
<ul style="list-style-type: none"> ✓ You are punctual and friendly, and demonstrate a positive professional attitude. ✓ You take pride in your own work and that of your team members. ✓ You understand who your customers are and why they matter. ✓ You are willing to go the extra mile for customers and act upon their feedback. 	<ul style="list-style-type: none"> ✓ You promote and drive continuous improvement by asking 'How could we do this better?'. ✓ You work with customers in tailoring services to meet their expectations. 	<ul style="list-style-type: none"> ✓ You plan and anticipate changes in working practice and effectively manage the transition to introduce these new ways of working. ✓ You logically identify trends and implement the best approach, outlining clear objectives. ✓ You focus on longer-term outcomes rather than short-sighted initiatives. ✓ You understand how your team learn and develop and use this knowledge to lead performance improvements. ✓ You lead by example; influencing and inspiring confidence in others. ✓ You work to achieve a set vision of customer focus, improvement and excellence within the council, as well as with partners and other external stakeholders.

How these behaviours create stronger more resilient communities

High quality services, designed around the end customer, will develop the reputation and credibility of Wiltshire Council.

Engaging and involving Wiltshire's communities will help inform and strengthen their local decision making. By encouraging the community to participate in the decisions they receive, we will make best use of the available knowledge, improve the quality of services for customers and make Wiltshire a positive and empowering place to work.

When 'Excellence' is not demonstrated

Examples of behaviours that fail to demonstrate 'Excellence' are outlined below:

- X You stick to outdated methods that have become ineffective.
- X You are unwilling to be exposed to change or uncertainty.
- X You do not deliver what is expected of you.
- X You show a lack of concern in the quality of your work.
- X You are actively hampering the improvement and delivery of excellence.
- X You display a negative attitude towards colleagues and customers.
- X You concentrate on narrow operational objectives and not the bigger picture.
- X You focus on the problems and not the solutions.

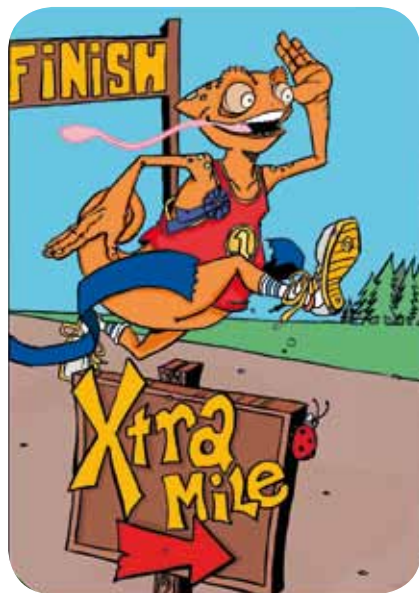
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- ✗ You concentrate on narrow operational objectives and not the bigger picture.
- ✗ You focus on the problems and not the solutions.

Responsibility

You take ownership of your work and use your initiative to deliver. You are accountable for your own performance and development, and you take responsibility for your actions and decisions.

Expected Our required behaviours	Desirable Staff should seek to demonstrate these behaviours	Aspirational These behaviours are required by employees looking to develop and those in senior or managerial positions
<ul style="list-style-type: none"> ✓ You are trustworthy and reliable. ✓ You seek to learn from your colleagues. ✓ You review your own performance and ask for feedback to learn and improve. ✓ You work safely to maintain the health of both yourself and others. ✓ You use your initiative to solve problems and inform others when you are aware of potential issues. ✓ You acknowledge when you make mistakes and take responsibility for addressing and correcting them. ✓ You appropriately challenge assumptions and unhelpful behaviour. 	<ul style="list-style-type: none"> ✓ You take personal responsibility for delivering services. ✓ You are flexible in providing solutions to deliver improvements and resolve issues. ✓ You take accountability for your development needs. ✓ You plan your own time and workload to meet your objectives. ✓ You make sure there is a mutual understanding of task responsibility. ✓ You balance competing priorities to meet standards and expectations. 	<ul style="list-style-type: none"> ✓ You make informed decisions and take accountability for their impact. ✓ You challenge and confront poor performance. ✓ You enable a blameless culture; empowering and supporting your team to initiate improvements to services without fear of reprisal. ✓ You plan for the impact of variability to work; ensuring the appropriate level of system flexibility is available. ✓ You provide your teams with defined structures and clear direction to enable individuals to have a strong sense of ownership and personal responsibility for the delivery of objectives and outcomes. ✓ You publically role model the expected behaviours. ✓ You stand-by difficult decisions and openly acknowledge errors.

How these behaviours create stronger more resilient communities

Taking responsibility and being preventative avoids the 'blame game' and allows for good service provision from the customer perspective.



With responsibility comes confidence, this provides customers with service reassurance and reduces doubt and challenge. When this is applied to partnership working, the confidence and direction is passed onto communities, building community confidence and a shared sense of ownership.

When 'Responsibility' is not demonstrated

Examples of behaviours that fail to demonstrate 'Responsibility' are outlined below:

- ✗ Blames the system or others; demonstrating an unwillingness to take reasonable risks to do things differently.
- ✗ You do not take responsibility for your actions, admit you are wrong or recognise how our actions affect others.
- ✗ You ignore problems, don't use your initiative and hide behind your job description.
- ✗ You dismiss alternative ideas and discourage colleagues from suggesting new ways of doing things.
- ✗ You manage your time poorly and do not deliver what is expected of you.
- ✗ You behave in a way that might put others at risk.

Working together

You work with others to reach a common goal; sharing information, supporting colleagues and searching out expertise and solutions from relevant partners and/or the communities we serve.

Expected Our required behaviours	Desirable Staff should seek to demonstrate these behaviours	Aspirational These behaviours are required by employees looking to develop and those in senior or managerial positions
<ul style="list-style-type: none"> ✓ You work together with colleagues and customers, and take the time to build effective and rational working relationships. ✓ You celebrate team successes and create a positive team spirit. ✓ You work well with people who have different ideas, perspectives and backgrounds. ✓ You share skills and knowledge, and encourage and support others in applying their ideas to work – helping others to help themselves. ✓ You encourage working together for the benefit of customers. 	<ul style="list-style-type: none"> ✓ You look to work together, across and outside typical groups; initiating joint approaches to delivering services. ✓ You look for ways to maximise the value of working together by building support, providing focus and giving direction to deliver joint outcomes. ✓ You listen to and involve colleagues and external customers and respond positively to suggestions before making decisions. 	<ul style="list-style-type: none"> ✓ You spend time building relationships with partners. ✓ You support others in working together; helping them to develop common focus. ✓ You are happy to give up control, power or resource to benefit customers. ✓ You facilitate member involvement and consult with representative groups when formulating strategies. ✓ You inspire a 'one-team' culture. ✓ You build networks, locally, regionally and nationally to help provide support and expertise by shaping and driving forward agendas and addressing concerns.

How these behaviours create stronger more resilient communities

Tasks and issues rarely fit neatly into one service area. Working together with our partners, customers and communities will allow solutions to be tailored and resources aligned more effectively.



Solutions that work best are often those designed around the needs of those affected. This means we need to actively engage and involve people in developing the solutions in the first place. Staff need to be willing to embrace this partnership and inclusive approach to deliver efficient and effective services in the future.

When 'Working together' is not demonstrated

Examples of behaviours that fail to demonstrate 'Working together' are outlined below:

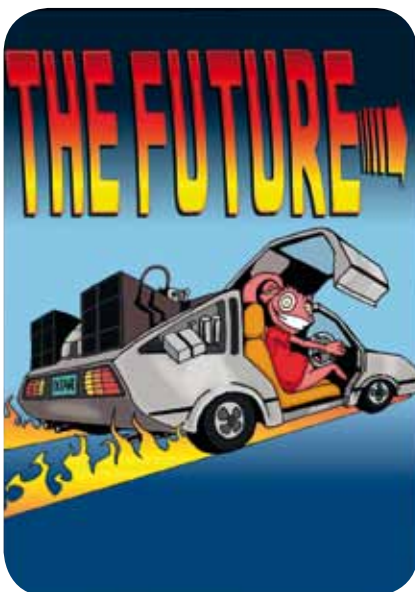
- ✗ You do not accept colleagues as internal customers.
- ✗ You play power games and use your status to disrupt collaborative working.
- ✗ You show little sign of co-operating within your team or working in partnership.
- ✗ You close down others by being judgemental, interrupting or talking-over them.
- ✗ You have a tick box approach to engagement and do not value the views received.
- ✗ You don't ask others for opinions or ideas.
- ✗ You choose not to work as a team by pursuing your own agenda.

Leadership

You lead by example through your behaviours and professional approach to work; inspiring your colleagues and driving for results.

Expected Our required behaviours	Desirable Staff should seek to demonstrate these behaviours	Aspirational These behaviours are required by employees looking to develop and those in senior or managerial positions
<ul style="list-style-type: none"> ✓ You live the council's values and lead by example in demonstrating the corporate behaviours; inspiring colleagues to follow your example. ✓ You are driven to achieve results and you show courage when things don't go to plan. ✓ You are compassionate, caring and empathetic to both colleagues and customers. ✓ You enable leadership by engaging and seeking guidance from others on personal, team, organisational and community activities. 	<ul style="list-style-type: none"> ✓ You recognise good performance and take the time to thank and praise others. ✓ You are motivational and drive positivity; taking an optimistic approach and engaging others. ✓ You resolve conflicts and disagreements quickly and professionally. ✓ You see failure and problems as an opportunity to learn and develop. 	<ul style="list-style-type: none"> ✓ You work to build commitment and engagement and improve your team's behaviour. ✓ You are visible and accessible to all your team/service members. ✓ You act as a role model for inspirational leadership. ✓ You evaluate resources, options and consequences in your decision making. ✓ You articulate vision, meaning and direction to focus service delivery; translating clear objectives for your team. ✓ You provide feedback on your teams performance during regular one-to-one and team meetings. ✓ You regularly monitor your teams health, safety and wellbeing and address concerns. ✓ You recognise talent within your team and develop potential through training, mentoring and coaching. ✓ You manage the flow of work by leading systems from beginning to end; rather than focusing on specific functions or services. ✓ You build a shared sense of purpose across your service areas. ✓ You develop a culture that delivers the best results for Wiltshire's communities. ✓ You appropriately deploy the skills and behaviours of your team, independently and interactively, in order to best compliment the system and its variability.

How these behaviours create stronger more resilient communities



Community leadership is at the heart of the council's approach. By demonstrating effective leadership qualities, we will shape and direct team motivation and achievement.

Leading by example will inspire customers and partners to adopt these behaviours and empower their communities for confident and direct local decision making.

When 'Leadership' is not demonstrated

Examples of behaviours that fail to demonstrate 'Leadership' are outlined below:

- ✗ You don't listen to, research or question information for a better understanding.
- ✗ You choose to ignore adverse criticism, seeing it as a personal attack rather than a way to develop yourself or your performance.
- ✗ You are self-interested and fail to acknowledge colleague and customer perspectives.
- ✗ You use emotional instability as a management tool.
- ✗ You adopt a command-and-control approach.
- ✗ You refuse to share information to maintain an advantage over others.
- ✗ You fail to promote positive health and safety practices.

Simplicity

You communicate clearly and concisely, ensuring that the message is understood by all. You actively seek methods to prevent over-complication or confusion, by a simple non-bureaucratic approach to work.

Expected Our required behaviours	Desirable Staff should seek to demonstrate these behaviours	Aspirational These behaviours are required by employees looking to develop and those in senior or managerial positions
<ul style="list-style-type: none"> ✓ You use, to full advantage, the available information systems and procedures when working to achieve outcomes. ✓ You are open to new ideas and suggestions and speak up when you see a better way. ✓ You communicate relevant information regularly and effectively. ✓ You change your communication style to best meet the needs of the audience and regularly check that there is a mutual understanding 	<ul style="list-style-type: none"> ✓ You look to streamline and interlink processes for a simple approach. ✓ You summarise complex information to make it understandable. ✓ You seek others opinions and are open and honest. ✓ You are an advocate for 'systems thinking'; reviewing and suggesting ways to reduce wasteful steps 	<ul style="list-style-type: none"> ✓ You make sure your team are regularly updated with corporate, service and community information. ✓ You design, innovate and influence solutions to address inefficiencies. ✓ You listen to the views of your team; checking that approaches are united and encouraging them to challenge and provide feedback. ✓ You evaluate the effectiveness of communication and take steps to improve; leading and encouraging open communication at all levels across the organisation. ✓ You keep focused on the bigger picture; creating clear strategic direction.

How these behaviours create stronger more resilient communities



Taking a simple approach to service delivery and communication, improves access and removes barriers. This develops the quality of services and can save money by reducing wasteful steps. Being inclusive and designing processes around the customer experience will focus services on the things that make a difference; creating more value for local communities.

When 'Simplicity' is not demonstrated

Examples of behaviours that fail to demonstrate 'Simplicity' are outlined below:

- ✗ You over-complicate your approach to work; create bureaucracy and cause frustration to colleagues and customers.
- ✗ You purposely put-up barriers to stop working differently; discourage change from happening
- ✗ You choose ways of communicating that confuse the message or are not appropriate for the audience.
- ✗ You approach tasks in a disorganised manner.
- ✗ You fail to keep customers and colleagues informed.
- ✗ You overload others with only written communication.

Trust and respect

You are aware of your impact on others and your use of resources. You value openness and listen carefully to understand the views of others. You promote the values of diversity and actively work to minimise any harm caused to our climate and surroundings.

Expected Our required behaviours	Desirable Staff should seek to demonstrate these behaviours	Aspirational These behaviours are required by employees looking to develop and those in senior or managerial positions
<ul style="list-style-type: none"> ✓ You take the time to build effective relationships with customers, stakeholders, colleagues and partners. ✓ You are respectful and considerate. ✓ You understand how your behaviours can be interpreted and consider the impact you have on others. 	<ul style="list-style-type: none"> ✓ You continue to give time to colleagues who need help, even when the pressure is on. ✓ You trust colleagues to fulfil their responsibilities. ✓ You listen carefully to others – showing that you respect and value their input. ✓ You manage your reactions to situations professionally and calmly. 	<ul style="list-style-type: none"> ✓ You display a clear appreciation of your teams efforts and support them when there are difficulties. ✓ You encourage team members to recognise and value individual contributions. ✓ You support the diversity of teams and working groups. ✓ You involve and gain consensus from those affected by decisions and actions. ✓ You look to understand other people and their behaviours, and use this knowledge to adapt your approach for effective working relationships. ✓ You are a role model for an inclusive leadership style; respecting colleagues, partners and customers and treating people according to their needs. ✓ You instigate changes in behaviour to improve the use of resources. ✓ You engage with communities, making sure a full range of views are taken into account.

How these behaviours create stronger more resilient communities



Respecting the diversity and perspectives of Wiltshire's communities is key to ensuring fairness and equality of access.

It improves customer relationships, creates mutual trust and removes barriers; helping us to develop a better understanding of community needs and tailor services effectively.

When 'Trust and respect' is not demonstrated

Examples of behaviours that fail to demonstrate 'Trust and respect' are outlined below:

- ✗ You are disrespectful, insensitive or unhelpful to customers and your manner causes upset to others.
- ✗ You don't say 'thank you'.
- ✗ You deliberately exclude others from activities when you know they could benefit from being involved.
- ✗ You make little or no effort to understand things from your customer's point of view.
- ✗ You allow disrespectful or discriminatory behaviour to take place.
- ✗ You treat property in a way that is likely to cause damage or allow others to do so.
- ✗ You knowingly use the council's resources for personal gain.

Where and how are the behaviours supported?

The behaviours are supported by the following processes and initiatives:

Recruitment

Applicants are interviewed and selected following behavioural based interviewing for cultural-fit as well as job-fit.

Corporate awards

Staff demonstrating outstanding behaviour and being an advocate for the values and culture of the council are recognised and awarded through our monthly and annual corporate awards scheme.

Performance management

Staff are managed, supervised and appraised for their work performance (in terms of task delivery) and behaviours (for reviewing the approach taken to work).

Learning and development

Personal development planning takes place as part of the performance management processes and corporate learning materials and training is available to support staff to deliver the required behaviours.

Partnership working and transformation

The way in which we work with our partners is key to delivering the business plan and our transformation programme; the behaviours framework is central to the success of this and to the development of relationships and information sharing with our partners.

Policy

The behaviours are fully supported by the policies, processes and guidance designed to support the workforce and our managers.

Well-being initiatives

We recognise that an individual's well-being can be affected by negative behaviour and we will ensure support is available and easy to access.

Where can I find further information?

Information on the behaviours framework can be found on HR Direct:

<http://hrdirect.wiltshire.council/hrdirect/hrhome.htm>

For queries or advice on using the behaviours framework please discuss with your manager.

Information about Wiltshire Council services can be made available on request in other languages including BSL and formats such as large print and audio. Please contact the council by telephone 0300 456 0100, by textphone 01225 712500, or email customerservices@wiltshire.gov.uk



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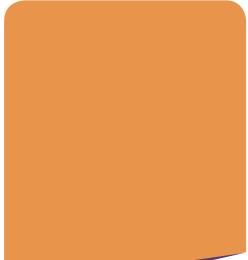
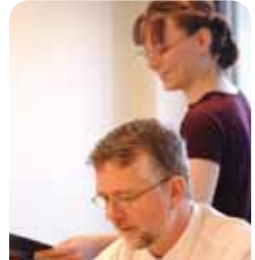
communities



can-do



colleagues



STANDARDS: ONE YEAR ON

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CODES OF CONDUCT DISCUSSION PAPER

Background

This paper sets out our conclusions on the way local codes have been implemented based on the work we have done with a wide range of authorities and then raises some issues for discussion about the way local codes are working.

Types of Code

- Three model codes were produced by national bodies last year - a DCLG codes; an LGA code and a NALC code.
- The NALC code is a simplified variant of the old code and is largely 'rules-based'
- The DCLG and LGA codes move away from this approach and are more 'principles-based'.
- All of the codes we have seen locally have either been the DCLG/LGA code or a variant of the old code/NALC code
- Some codes have sought to combine both the old code and the DCLG/LGA code into a longer code
- Some counties/areas have adopted what they call a local code, the x shire code, but these vary very little from one of the models
- There tends to have been a uniform approach agreed across an area, either for all authorities within a county (including districts and parishes) to adopt the same code, or else for the district and its parishes to adopt one code, with the County adopting another

Provisions within the code

- Where councils have adopted a code based on the old code, they have generally kept it 'as is' but with the addition of statutory provisions relating to DPIs
- Where councils have trimmed down the old code, typically they have removed provisions relating to disrepute and disrespect as these were seen as the cause of trivial or vexatious complaints
- Where councils have adopted the DCLG/LGA code 'disrespectful/bullying' behaviour and provisions relating to confidential information seem to be the areas where gaps are most clearly felt

- Where there are gaps in codes the Nolan Principles are being used instead when assessing whether there has been a breach of the code

Interests provisions

- Most councils have gone beyond the statutory minimum provisions of the DPIs and included a section on 'other interests' in their code
- These tend to reflect the old 'prejudicial interest' tests as to whether you have an interest but there is no standard practice as to what they are called, and sometimes inconsistency can even occur within the same code
- For these 'other interests' there is no consistency across authorities as to whether you merely declare them; declare, speak and withdraw; or declare and withdraw without speaking
- Where councils have not included 'other interests' but have simply adopted the minimal DPI requirements, this is always where the DCLG or LGA code has been adopted
- In these cases, members do not understand the consequences and are surprised that they no longer have to declare interests relating to other family members or friends, but say that they would do so anyway regardless of whether the code requires it
- Provisions on DPIs are interpreted differently from authority to authority
- Members tend still to talk in terms of personal and prejudicial interests regardless of what their code calls them although they are also familiar with the term DPIs
- Many councils have included additional registration requirements beyond DPIs to include membership of outside organisations

Issues for discussion

- Do you recognise this picture?
- Do you think your new code is better/worse/about the same as the old code and why?
- Have you encountered any gaps when it comes to trying to deal with behaviour?
- How aware of the changes are your members? Do they think it better/worse/about the same?
- How is the new code working with regard to parish behaviour?
- Are your interests provisions effective and understood by members?
- Do you expect to revise your code soon?
- If so, do you expect this to be done across your county or do you expect to see greater divergence across the area as people identify different requirements?

Appendix 3 – Summary of Complaints Received since July 2012

Reference	Brief description	Decision	Reasons for outcome	Investigation required under old Code of Conduct
16/12	A Councillor at a meeting of the council acted in an aggressive and bullying manner when introducing a non agenda item; the councillor spoke indiscreetly on council matters and staff in a public place; the councillor has a criminal record	No further action	The complainant did not show the councillor's actions in relation to the first two allegations were capable of breaking the Code of Conduct. Further to this, the councillor had apologised for his behaviour at the meeting. In relation to the third allegation – spent convictions do not stop someone becoming a councillor.	Yes (bullying) Yes (disrepute) No (criminal record)
17/12	A Councillor failed to act in the public interest, and improperly conferred an advantage on a friend or close associate, by refusing to condemn abusive language allegedly directed at another member of the council and members of the public.	No further action	The complaint did not meet the initial tests as the councillor had resigned and was no longer a member of the council.	Yes
18/12	The complainant has alleged that a councillor, in e-mail correspondence with the complainant, breached the principles of selflessness and leadership required by the Code of Conduct on the grounds the tone of e-mails were dismissive and condescending.	No further action	The Councillor offered a reasonable explanation of the issues raised in the complaint, and no further action should be taken.	No
19/12	A Councillor failed to investigate a complaint made against another councillor and failed to ensure another complaint related to setting speed limits was investigated	No further action	One councillor is not responsible for the actions of another councillor; the setting of a speed limit is an operational matter, not a Code of Conduct matter, and a complaint should be made through the corporate	No

Appendix 3 – Summary of Complaints Received since July 2012

			complaints process.	
20/12	That at a meeting of the Council, a Councillor failed to declare an interest in a pressure group and participated in the meeting.	No further action	Membership of the pressure group was not an interest that had to be declared under the Code of Conduct introduced on the 1st July 2012.	Yes (under old interests requirements)
21/12	A Councillor failed to declare an interest in meetings which took place between March 2010 and February 2011, and failed to declare a trusteeship in the register of interests.	No further action	The meetings took place over 18 months prior to the complaint being made; the complaints procedure sets a time limit of 20 days in which to make a complaint; it was considered the complaint was politically motivated; a trusteeship does not have to be declared in the register of interest.	Yes (under old interests requirements)
22/12	A Councillor promoted development proposals outside the proper processes of the council, circumvented proper processes and allowed her personal animosity towards the complainant to compromise the Council's duties towards the community.	No further action	The complaint, if proven, would be capable of breaching the parish council's code of conduct. However, the Councillor has offered a reasonable explanation of the issues raised in the complaint, and that it would not therefore represent an effective use of public resources to put this matter forward for investigation.	Yes
23/12	A Councillor promoted development proposals outside the proper processes of the council, circumvented proper processes and allowed his personal animosity towards the complainant to compromise the Council's duties towards the community.	No further action	The complaint, if proven, would be capable of breaching the parish council's code of conduct. However, the Councillor has offered a reasonable explanation of the issues raised in the complaint, and that it would not therefore represent an effective use of public resources to put this matter forward for investigation.	Yes – interests Yes - disrepute

Appendix 3 – Summary of Complaints Received since July 2012

24/12	A Councillor failed to take into account the views of parishioners, called sub-committee meetings of the Council without notifying all the members, failed to follow Council standing orders in dealing with complaints and failed to chair a meeting correctly.	No further action	Alleged failure to follow proper meeting protocols is a procedural matter. Failure to take the views of parishioners into account is a matter for the proper democratic processes. The complaint as presented does not meet the initial tests.	No
25/12	A Councillor failed to take into account the views of parishioners, called sub-committee meetings of the Council without notifying all the members and failed to follow Council standing orders in dealing with complaints.	No further action	The subject member had resigned at the time of the complaint. An alleged failure to follow proper procedural requirements is a procedural matter which falls outside the Code.	No
26/12	At a Council meeting a Councillor made comments which cast doubt on the professional integrity of a witness and conferred a disadvantage on the complainant.	No further action	The complaint, if proven, would be capable of breaching the Council's code of conduct. However, there is no evidence that the Councillor improperly conferred a disadvantage on the complainant, nor is there any evidence that he made his decision on grounds other than the merits of the information that was before the Committee. Further, the Councillor has provided an unreserved apology.	Yes (disrespect).
27/12	At a Council meeting a Councillor unfairly influenced other committee members and demonstrated bias.	No further action	Members must not approach a decision with a closed mind such that they have predetermined that decision. No evidence of predetermination was provided.	No

Appendix 3 – Summary of Complaints Received since July 2012

28/12	At a Council meeting a Councillor unfairly influenced other committee members and demonstrated bias (a different Councillor to that in 27/12).	No further action	Members must not approach a decision with a closed mind such that they have predetermined that decision. No evidence of predetermination was provided	No
29/12	At a Council meeting a Councillor interrupted a member of the public who was speaking and did not allow her the allotted time to speak. That the Councillor bullied and intimidated the complainant when he was speaking and interrupted a third member of the public when he was speaking.	No further action	None of the matters set out in the complaint would be capable, if proven, of breaching the Code of Conduct.	Yes– disrespect, bullying, disrepute
30/12	Concerns about how a planning decision was reached.	Not applicable	The meeting about which the allegations refer did not take place.	No
31/12	A Councillor did not contact the complainants about concerns relating to a club, of which the complainants are members, prior to the matter being discussed at a meeting of the parish council.	No further action	The Councillor is not a member of the parish council, and he was not formally representing the Council at the meeting.	No
32/12	A councillor acted in a disrespectful and discriminatory manner.	No further action	The complainants did not provide a copy of the relevant Code of Conduct nor identify which paragraphs they considered to have been breached. The complaint was assessed against the general principles of conduct for councillors established in the Localism Act 2011 and found to be not capable of	Yes Disrespect and failure to statutory requirements of Equalities Act

Appendix 3 – Summary of Complaints Received since July 2012

			breaching the general principles.	
33/12	A Councillor failed to answer questions regarding a complaint about operational issues in beach of paragraphs 4 and 5 of the Code of Conduct.	No further action	Operational matters are the responsibility of officers and it is not appropriate to use the Code of Conduct to pursue a complaint about operational decisions.	No
34/12	A Councillor failed to answer questions regarding a complaint about operational issues in beach of paragraphs 4 and 5 of the attached Code of Conduct (a different Councillor to that in 33/12).	No further action	Operational matters are the responsibility of officers and it is not appropriate to use the Code of Conduct to pursue a complaint about operational decisions.	No
Page 37 01/13	Allegations a councillor was abusive during an exchange in the street and leaked confidential information in the exchange	No further action	The councillor was neither on council business nor acting in their role of councillor at the time. Also, the councillor did not have access to the information allegedly leaked.	Yes - confidentiality
02/13	Allegations a councillor was abusive during an exchange in the street and leaked confidential information in the exchange (same councillor as above but different complainant)	Not applicable	The complainant failed to respond to letters and request for information	Yes - confidentiality
03/13	A councillor breached paragraphs – 1, 2, 5 and 6 of the Code of Conduct.	No further action	The councillor did not have a disclosable pecuniary interest; did not have a personal interest that needed to be declared; the councillors actions did not improperly confer advantage or disadvantage	No

Appendix 3 – Summary of Complaints Received since July 2012

04/13	A councillor (same council as above, but second councillor) breached paragraphs – 1, 2, 5 and 6 of the Code of Conduct	No further action	The councillor did not have a disclosable pecuniary interest; did not have a personal interest that needed to be declared; the councillor's actions did not improperly confer advantage or disadvantage	No
05/13	A councillor (same council as above, but third councillor) breached paragraphs – 1, 2, 5 and 6 of the Code of Conduct.	No further action	The councillor did not have a disclosable pecuniary interest; did not have a personal interest that needed to be declared; the councillor's actions did not improperly confer advantage or disadvantage	No
06/13	Failure to treat with respect; bullying (as specifies in the previous, model code of conduct)	No further action	Against the relatively limited criteria set out in the Code of Conduct the Monitoring Officer was unable to conclude that if proven, the Councillor's behaviour was capable of breaching the Code of Conduct.	Yes -Disrespect, bullying
07/13	Paragraphs 1, 5 and 6 of the code (see attached) and acted in an intimidating way	No further action	The councillor was neither on council business nor acting in their role of councillor at the time. No personal interest was established.	No
08/13	The councillor demonstrated bias, intimidation, an inaccurate interpretation of the law, and that he falsely represented facts and failed to stop and have withdrawn, offensive comments	No further action	The actions did not breach the current code of conduct. The councillor in question had not stood for re-election and was no longer a member	Yes - Disrespect and disrepute
09/13	Planning irregularities, including favouring applications made by relatives and	Not applicable	Complainant failed to provide relevant Code of Conduct and confirmation of the	Yes under old interests

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	discussing applications outside formal meetings		alleged breach	requirements
10/13	Representing a personal view as the view of the council and making abusive comments during a phone call	No further action	The complaint was withdrawn following informal resolution between the parties	Yes. Disrespect.
11/13	Using their position as a councillor to promote and advantage their own view	No further action	The councillor was neither on council business nor acting in their role of councillor at the time.	No
12/13	Not declaring a personal interest and making biased and incorrect statements to give an advantage	No further action	Complaint withdrawn	Yes – interests
13/13	Sending email which were vindictive, offensive, defamatory and caused harassment	N/A	Further information requested but not received	Yes. Disrespect, bullying
14/13	Paragraphs 1 and 5 of the code and failure to declare a disclosable pecuniary interest	No further action	The Councillor provided a reasonable explanation of the issues raised by the complaint and the complaint did not meet the threshold for investigation. The Councillor had adequately completed his register of interests.	No.
15/13	Bullied via comments on a social media site	No further action	The complainant refers to bullying but the relevant Code is silent on bullying and it was not considered that the extracts provided by the complainant did evidence any harassment or bullying.	Yes. Disrespect and disrepute

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16/13	Councillor made inaccurate/misleading comments in a public forum in order to promote his own campaign against a planning application.	N/A	Not Code of Conduct, not taken forward	No
17/13	Councillor did not act with openness, honesty, integrity and objectivity during a council meeting – breach of paragraphs 4 and 5 of the Code. Furthermore, when the complainant questioned the minutes as not reflecting his perception of the previous meeting he was told that the council can put anything in the minutes.	No further action	The chair has control over a meeting and its procedures and therefore the chair's decision to disallow the questioning of members' individual use of a business was not considered in any way a breach of either paragraph 4 or 5. In respect of the minutes of a Council meeting, the minutes are draft until such time as they are considered by the Council. They are also always never a verbatim record of the discussion. However, it is the members who confirm the minutes as an accurate summary of what transpired at the previous meeting.	No
18/13	Failure to submit details of certain of their personal interests in the Register.	N/A	Councillor completed their Register following notification of complaint. No further action taken.	Yes - interests
19/13	Various procedural issues relating to councillor's chairmanship at a council meeting. Participation in debates relating to an issue in which the complainant considers the councillor has an interest and failure to disclose a relevant interest in the matter.	No further action	Not capable of breaching the Code of Conduct, in that this relates to the conduct of council meetings or the way in which the parish council discharges its functions. Councillor's interest is not a pecuniary interest as defined by the legislation, and is not therefore an interest that has to be	Yes – interests

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	<p>Councillor verbally abused the complainant during an incident outside a local school.</p> <p>Assessed in conjunction with WC 03/14</p>		<p>declared or registered.</p> <p>There is no evidence that at the time of the incident the councillor was either acting in his capacity as a member of the parish council, or that he gave the impression that he was doing so.</p>	
20/13	<p>Councillor failed to ensure that all the relevant facts were before the Committee during the debate on an agenda item, and that he told a member of the public to be quiet in an arrogant and boorish manner.</p>	No further action	<p>Councillor provided a reasonable explanation of the issues raised by the complaint and the complaint does not meet the threshold for investigation.</p>	Yes - disrespect
21/13	<p>Repeated failure to declare a pecuniary interest and therefore a criminal offence.</p>	No further action	<p>No disclosable pecuniary interest arises under the statutory rules in these circumstances and, therefore, no question, of any potential criminal liability under those provisions.</p>	Yes – under old interests requirements
22/13	<p>The complainant alleges that the councillor has failed to act on allegations of malpractice by officers of the council.</p>	No further action	<p>On the basis of the information provided the complaint made was a general allegation that the Councillor had failed to act on some unspecified information in some unspecified way on dates that had not been made available. It was therefore concluded that there was insufficient information provided to sustain the complaint as presented, and that there should be no further action taken.</p>	No
23/13	<p>Councillor has dishonestly accused the complainant, by email and on a website, of lying to the council of which they are both members.</p>	Not assessed	<p>Complaint could not be assessed because the council of which the member was a councillor had failed to adopt a Code of Conduct</p>	Yes - disrepute

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24/13	Councillor breached paragraph 1 of the Code - you must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.	No further action	The decision taken by the Council followed a lawful process and therefore there could be no improper conferring of a benefit.	No
01/14	Abusive, intimidating & bullying behaviour towards complainant's builder and unauthorised trespass.	N/A	Further information requested but not received. However, from available information, councillor was not acting in official capacity.	No
22/14	Failure to register and declare his (and his spouse's) pecuniary and non-pecuniary interests and inhibiting debate during a meeting.	Refer to Police for consideration	To refer the complaint to the police pursuant to s34 (5) of the Localism Act 2012. It will be for the police to determine whether it is considered to be in the public interest to pursue a prosecution. No action taken by Police as not in the public interest to pursue.	Yes - interests
03/14	Various procedural issues relating to councillor's chairmanship at a council meeting. Participation in debates relating to an issue in which the complainant considers the councillor has an interest and failure to disclose a relevant interest in the matter. Councillor verbally abused the complainant during an incident outside a local school. Assessed in conjunction with WC 19/13	No further action	Not capable of breaching the Code of Conduct, in that this relates to the conduct of council meetings or the way in which the parish council discharges its functions. Councillor's interest is not a pecuniary interest as defined by the legislation, and is not therefore an interest that has to be declared or registered. There is no evidence that at the time of the incident the councillor was either acting in his capacity as a member of the parish council,	Yes - interests

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			or that he gave the impression that he was doing so.	
04/14	Councillor accused members of the public who were opposed to a planning application that was before the Committee of intimidating the applicant's employees, vandalising the applicant's car, and producing a defamatory leaflet about the planning application. Councillor also accused local residents of harassing the applicant.	No further action	Councillor offered a reasonable explanation of the issues raised in this complaint.	Yes – disrespect, disrepute
05/14	Councillor told those present at a meeting that the complainant had “manipulated officers” with regard to a planning application. The complainant alleged that the councillor has not complied with the Behaviours Framework.	No further action	Although the Code states that councillors should have regard to the Behaviours Framework, any failure to do so (if proven) would not result in a breach of the Code of Conduct and cannot, therefore, form the basis of an investigation.	Yes - disrespect
06/14	Councillor's behaviour towards the Clerk of Council has breached the council's Dignity at Work (Bullying and Harassment) Policy.	No further action	None of the provisions of the Council's Code of Conduct relate to bullying and so allegations of bullying are not, if proven, capable of breaching the council's Code of Conduct.	Yes – bullying, disrespect
07/14	That the councillor behaved in a rude, derogatory, impatient, defensive and aggressive manner during a council meeting.	N/A	Complainant withdrew complaint	Yes – disrespect, disrepute
08/14	Councillor breached Code in failing to follow the council's procedures for considering complaints brought under the	No further action	A number of complaints either from or about this councillor and other members of the Council have been received. This complaint,	No

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	council's complaints procedure.		the subject member's response, and the other complaints show that there are interpersonal issues within the council which members appear to be seeking to address by means of complaints brought under the Code of Conduct for members. These complaints could reasonably be viewed as being 'tit for tat' complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'".	
09/14 Page 44	Councillor referred to complainant as a troublemaker in the course of an investigation she was conducting. Complainant considers that this demonstrates that she was biased in relation to the investigation.	No further action	It is not considered that referring to the complainant as "a trouble maker" would, if proven, be capable of breaching the Council's Code of Conduct.	No
10/14	Councillor refused to act on a formal complaint that complainant submitted about the Council.	No further action Assessment decision overturned on appeal - referred for investigation	The allegation that a councillor refused to act on the complainant's complaint is not, if proven, capable of breaching the Council's Code of Conduct. Further, the subject member's response shows that the council did respond to the complainant's complaint, although the council did not uphold the complaint. It is considered that the councillor's response offers a reasonable explanation. Outcome of investigation = no breach	No
11/14	Councillor breached the Code of Conduct in that she did not demonstrate adequate	No further action	All the points raised by the complainant, whilst directed towards the subject member	No

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	standards of honesty, integrity and objectivity and/or leadership whilst the complainant was trying to present a motion to amend the draft minutes of a previous meeting of the Council.		as chair, are in fact issues of procedure of the Council's meeting and as such are not suitable for determination as a breach of the Code against an individual member.	
12/14	Councillor's behaviour and actions did not promote or support high standards of conduct as required by the Code of conduct.	No further action	The subject member's response included an acknowledgement that what he said was <i>"entirely inappropriate and in my view was indeed a breach of our member's Code of Conduct and I have apologized unreservedly to the complainant"</i> .	Yes – disrepute, disrespect
13/14 Page 45	Councillor failed to comply with the Council's Social Media Etiquette Guidelines in an exchange of views on a social media site.	No further action Assessment decision overturned on appeal – referred for investigation	The relevant Code does not provide that any alleged failure to comply with the Council's Social Media Etiquette guidelines would, if proven, breach the Code.	No
14/14	Councillor and three other members of the council breached the code of conduct in dealing with a complaint that the complainant had bullied the clerk.	No further action	It is evident from the complaints that there are interpersonal issues between council members, and that these have given rise to the complaints. Members of the council appear to be seeking to address these interpersonal differences by means of complaints brought under the Code of Conduct for members. The complaints could reasonably be viewed as being 'tit for tat'	Yes – bullying, disrespect

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			complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'.	
15/14	Councillor and three other members of the council (same council as above) breached the code of conduct in dealing with a complaint that the complainant had bullied the clerk.	No further action	It is evident from the complaints that there are interpersonal issues between council members, and that these have given rise to the complaints. Members of the council appear to be seeking to address these interpersonal differences by means of complaints brought under the Code of Conduct for members. The complaints could reasonably be viewed as being 'tit for tat' complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'.	Yes - bullying, disrespect
16/14	Councillor and three other members of the council (same council as above) breached the code of conduct in dealing with a complaint that the complainant had bullied the clerk.	No further action	It is evident from the complaints that there are interpersonal issues between council members, and that these have given rise to the complaints. Members of the council appear to be seeking to address these interpersonal differences by means of complaints brought under the Code of Conduct for members. The complaints could reasonably be viewed as being 'tit for tat' complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'.	Yes – bullying, disrespect

Appendix 3 – Summary of Complaints Received since July 2012

17/14	Councillor and three other members of the council (same council as above) breached the code of conduct in dealing with a complaint that the complainant had bullied the clerk.	No further action	It is evident from the complaints that there are interpersonal issues between council members, and that these have given rise to the complaints. Members of the council appear to be seeking to address these interpersonal differences by means of complaints brought under the Code of Conduct for members. The complaints could reasonably be viewed as being 'tit for tat' complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'.	Yes – bullying, disrespect
18/14	Failure to complete the Register of Interests and failure to disclose a prejudicial interest at a meeting.	N/A	Unable to assess as new Code not adopted by parish council in July 2012. Interest in question not a statutory interest so no Part 2 engagement	Yes - interests
19/14	Councillor was terse and aggressive in her manner at a council meeting and was totally unfamiliar with the role and responsibilities of her position as chairman.	No further action	The complaint did not meet the initial tests as the councillor had resigned and was therefore no longer a member of the council.	No
20/14	Councillor made a comment in a council meeting which breached paragraph 1 of the Code - "You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate."	No further action	In the light of the context to the subject member's remark which was provided in his response, it was considered that he offered a reasonable explanation of the remark.	Yes - interests

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21/14	Councillor, in an e-mail sent to members of the Council, wrote a comment which the complainant considers to be inflammatory, derogatory and inappropriate.	No further action	It is considered that the subject member has offered a reasonable explanation for his comment and the context in which it was made.	Yes - disrespect
22/14	Councillor behaved in an unprofessional and disrespectful manner towards complainant in a public meeting.	N/A	Complaint withdrawn following an apology to the complainant from the subject member.	Yes - disrespect
23/14	Councillor failed to promote and support high standards of conduct when serving in a public office by putting various comments on a social media site.	No further action	The complainant has alleged the words were contained within a Facebook page and despite indicating he was trying to obtain a copy has not provided the same. The subject member refutes breaching the code and has identified that no evidence has been supplied in support of the allegations. Even if there was evidence provided that the words complained of were printed on Facebook it was concluded that, whilst unwise, they would not breach the Code of Conduct.	No
24/14	Councillor breached the Code of Conduct in that he has not followed the requirements contained within the roles and Responsibilities of Councillors and the Behaviours framework.	Refer for investigation	Referred for investigation	Yes – disrespect
25/14	Threatening and bullying behaviour towards the complainant in a meeting and on the telephone.	N/A	Complainant failed to respond to requests for further information.	Yes – disrespect, bullying
26/14	Councillor made arrogant comments on a social media site, showed a lack of respect	N/A	Complainant failed to respond to requests for further information.	No – not acting in official capacity

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	and courtesy and brought the council into disrepute.			
27/14	Wrongful use and wrongful holding of public monies and mismanagement of public monies. Failure in duty of care and failure to disclose an interest.	No further action	With the exception of a failure to declare an interest all these complaints relate to the services provided by the Council and are therefore without the jurisdiction of the Standards regime. The subject member has confirmed that she has declared her interest on the register; furthermore the circumstances are background enquiries whereby the subject member or her family would have been communicating as the occupant of the land and not as a council member.	No
28/14	Councillor has blocked complainant's access to his Facebook page, thereby reducing the complainant's ability to engage in local dialogue, keep up to date with information, and constructively challenge on issues.	No further action	Local councils do provide a number of official channels for the provision of information about local issues, including their websites. They also provide opportunities for residents to engage and provide their views on local issues at council meetings. The subject member's Facebook page is a personal page and not an official means of communication between the council and local residents. When posting on Facebook and engaging in dialogue through this medium, the subject member is not representing his council.	No
29/14	Councillor deleted complainant's posts from a social media site, removed him from	N/A	Not Code of Conduct, not taken forward	No

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	a group and blocked him so that his ability to engage democratically via the facility on offer was removed.			
30/14	Councillor approached complainant in the street when she was fund-raising for a charity and conducted himself in an angry and aggressive manner.	No further action	Councillor was not acting in his official capacity at the time that the alleged incident took place. For this reason the Code of Conduct was not engaged. This complaint does not, therefore, meet the threshold for investigation and no further action will be taken.	No
31/14	Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded.	No further action	It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four other councillors. No decisions on behalf of the electorate were made at the meeting.	No
32/14	Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded.	No further action	It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four other councillors. No decisions on behalf of	No

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			the electorate were made at the meeting.	
33/14	Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded.	No further action	It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four other councillors. No decisions on behalf of the electorate were made at the meeting.	No
34/14	Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded.	No further action	It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four other councillors. No decisions on behalf of the electorate were made at the meeting.	No
35/14	Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded.	No further action	It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four	No

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			other councillors. No decisions on behalf of the electorate were made at the meeting.	
36/14	Councillor showed clear self-interest in a planning application by failing to register an interest, failing to disclose an interest at a council meeting and then participating in the debate and voting at that meeting.	No further action	Councillor did not have a statutory interest in the planning application, and was not therefore required to register or declare an interest, and was not prohibited from participating in debate or voting.	No
37/14	Councillor participated in actively supporting a planning proposal in which he should have declared an interest and then voted for the approval of said proposal. Councillor has breached paragraphs 1, 3, 5 and 12 of the relevant Code.	No further action	No evidence of predetermination. Member's actions not capable of breaching Code.	No
38/14	Councillor voted on a planning application when as a director of an interested party he should not have done.	No further action	Evidence provided that member did not have a statutory interest, so not capable of breach.	Yes - interests
39/14	Councillor had clear pecuniary interest which he did not declare at a meeting. He should not have taken part in the debate or voting.	No further action	No statutory interest, so not capable of breach.	Yes - interests
40/14	Bullying behaviour towards council officer via email	No further action	Whilst the email may be considered impolite it was not considered that the contents of the email cross the threshold required to amount to a breach of the Code of Conduct.	Yes - disrespect
41/14	Failure to declare an interest at a council meeting, participating in the debate and voting at that meeting.	No further action	No statutory interest existed, so no breach.	Yes - interests

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42/14	Member has an interest in a planning application and did not abstain from voting on said application.	No further action	No statutory interest existed, so no breach	Yes, interests
43/14	Threatening behaviour by councillor	N/A	Complainant failed to respond to requests for further information.	Yes - disrespect
44/14	Complainant alleges subject member has breached paragraphs 3, 4 and 5 of the Code by not being aware of committee reports available in relation to an agenda item and therefore not considering all the relevant facts before voting on said item.	No further action	The committee report and conditions fully covered this item. It was this information that the subject member as a member of the committee needed to consider together with any submissions/evidence presented on the day. The evidence is that this is what the subject member did. The reasons for the decision are recorded in the minutes.	No
45/14	Councillor promised to represent the concerns of local residents at council meetings and keep them updated in respect of planning proposals. She has failed to do this and has now stopped responding to messages left by residents.	N/A	Complainant failed to respond to requests for further information.	No
46/14	Councillor has not responded to the complainant's letters regarding an operational matter. The complainant considers this behaviour to be arrogant.	No further action	Councillors are responsible for setting the strategic direction of the authority, but the conduct of staff/ complaints about operational matters fall to the line management of the staff involved. Wiltshire Council's Code of Conduct for members does not require them to investigate complaints about operational	No

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			matters, so the matter giving rise to this complaint would not, if proven, be capable of breaching the Code of Conduct.	
47/14	At a parish council meeting Councillor “lectured” the complainant and his tone of voice was “disrespectful”.	N/A	Not pursued by complainant	Yes - disrespect
48/14	Councillor used his councillor status to interfere in matters that were nothing to do with parish council business.	N/A	Complainant failed to respond to request for further information.	Not possible to determine
49/14 Page 54	A councillor’s intervention in a planning application led to the application being approved.	No further action	The complaint is out of time, in that it relates to conduct that is alleged to have taken place more than 20 days before the complaint was made; and allegations of bias/predetermination are not matters properly to be determined by way of a complaint brought under the Code of Conduct for members; in any event, there is no evidence that the allegation, if proven, represents predetermination.	No
50/14	Councillor was dismissive, hostile, domineering, “ranted and raved” and showed a lack of respect for others at a number of parish council meetings. He also showed predetermination in respect of a planning application.	No further action	Two of the alleged incidents were “out of time” and the councillor offered to apologise to the complainant and parishioners if they considered that he had “ranted and raved” . Allegations of bias/predetermination are not matters to be considered under the Code of Conduct but are a matter of common law. However, from the information available to there was no evidence that the councillor	Yes, disrespect

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			predetermined his decision.	
51/14	Councillor behaved in an intimidating manner regarding the handing over of monies in respect of a Club of which the complainant is a trustee.	No further action	Councillor was not acting in his official capacity as a councillor on the occasion on which the matters giving rise to this allegation took place, therefore the Code of Conduct did not apply.	No
52/14	Councillor behaved in an intimidating manner regarding the handing over of monies in respect of a Club of which the complainant is a trustee.	No further action	Councillor was not acting in his official capacity as a councillor on the occasion on which the matters giving rise to this allegation took place, therefore the Code of Conduct did not apply.	No
53/14	At a meeting of the parish council, Councillor refused to acknowledge the lodging of a complaint against another member of the parish council.	N/A	Complaint withdrawn 07/11/2014	No
54/14	Councillor failed to consult members of the public in relation to a work carried out within the parish. Complainant considers that the lack of consultation amounts to a breach of the Code.	No further action	No duty to consult – not capable of breaching Code.	No
55/14	Councillor fettered his discretion and demonstrated bias/predetermination in his consideration of a planning application.	No further action	No evidence of predetermination. Not capable of breaching Code.	No
56/14	Councillor influenced a committee's decision in respect of a planning	No further action	No evidence of predetermination. Not capable of breaching Code.	No

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	application			
57/14	Councillor influenced a committee's decision in respect of a planning application	No further action	No evidence of predetermination. Not capable of breaching Code.	No
58/14	Complainant alleges that councillor's behaviour towards her while she was an employee of the parish council breached the Code in relation to honesty, integrity, accountability, openness and respect for others.	No further action	A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members. New code contains no potential breach for bullying or disrespect.	Yes - bullying
59/14	Complainant alleges that councillor's behaviour towards her while she was an employee of the parish council breached the Code in relation to honesty, integrity, accountability, openness and respect for others.	No further action	A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members. New code contains no potential breach for bullying or disrespect.	Yes - bullying
60/14	Councillor has bullied the complainant, treated her with a lack of respect and brought his office/authority into disrepute.	No further action	A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of	Yes, bullying

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			<p>Conduct for members.</p> <p>On available information, complaints appear to be “tit for tat” – for that reason, no further action.</p>	
61/14	<p>Councillor has behaved in a bullying and intimidating manner towards a now resigned employee of the parish council and has provided untruths to the parish council and parishioners.</p>	No further action	<p>A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members.</p> <p>On available information, complaints appear to be “tit for tat” – for that reason, no further action.</p>	Yes, bullying
62/14	<p>Councillor has behaved in a bullying and intimidating manner towards a now resigned employee of the parish council and has provided untruths to the parish council and parishioners.</p>	No further action	<p>A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members.</p> <p>On available information, complaints appear to be “tit for tat” – for that reason, no further action.</p>	Yes, bullying
63/14	<p>Councillor did not act in an open and transparent manner and breached paragraphs 2, 4 & 5 of the Code in relation to a public meeting of the parish council.</p>	No further action	<p>A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members.</p>	No

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			On available information, complaints appear to be “tit for tat” – for that reason, no further action	
64/14	Councillor did not act in an open and transparent manner and breached paragraphs 2, 4 & 5 of the Code in relation to a public meeting of the parish council.	No further action	A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members. On available information, complaints appear to be “tit for tat” – for that reason, no further action	No
65/14	Councillor permitted an incorrect version of the minutes of a committee meeting to be signed at the next meeting.	No further action	Operational matter relating to the conduct of meetings as a whole. Not capable of breaching Code.	No
66/14	Complainant alleges that councillor allowed parish councillors to be disrespectful to him in public meetings thereby breaching paragraphs 4 & 5 of the Code.	No further action	A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members. On available information, complaints appear to be “tit for tat” – for that reason, no further action	No
67/14	At a council meeting, Councillor had a reactive, angry, bullying approach with no openness displayed to any view other than his own.	No further action	The matters described in the complaint did not meet the threshold to demonstrate that if proven, the behaviour would be capable of breaching the Code	Yes – bullying, disrepute
68/14	Councillor, who was in the Chair at a council meeting, failed to follow proper	No further action	Behaviour complained of related to the procedural conduct of a meeting and was not,	No

Appendix 3 – Summary of Complaints Received since July 2012

	procedures in relation to voting by members, and relation to the general conduct of the meeting.		therefore, a Code of Conduct issue.	
69/14	Councillor's behaviour at a parish council meeting together with her bullying tactics towards a former employee of the parish council has brought the council into disrepute.	pending		Yes – bullying, disrepute
70/14	Reference not used.	N/A	N/A	N/A
71/14	Councillor has failed to secure adequate provision for the complainant's son's educational needs.	No further action	This complaint is about an alleged operational failure, not the personal conduct of a member. If proven, not capable of breaching Code.	No
72/14	Councillor made a statement in a local newspaper that implies he does not support local businesses and shows favouritism to the current supplier of a service.	No further action	Councillor expressed an opinion, which is permissible. Not capable of breaching Code.	No
73/14	Councillor has not apologised for incorrect factual information contained in two letters given to the complainant.	No further action	Letters complained of relate to an operational complaint. Not related to the personal conduct of a member, so not capable of breaching the Code.	No
74/14	Councillor is obnoxious and rude at council meetings. He mainly abstains on decisions which the council cannot then move forward.	pending		Yes- disrespect, disrepute

Appendix 3 – Summary of Complaints Received since July 2012

75/14	Councillor continually interrupted a parish council meeting and argued with the acting chairman. Complainant considers that the parish council cannot move forward with this councillor being a member of the council.	pending		
76/14	Councillor has not made a full and open declaration of his interests in the online register and has not declared relevant interests at parish council meetings.	pending		
77/14	Councillor has not made a full and open declaration of his interests in the online register and has not declared relevant interests at parish council meetings.	pending		
78/14	Councillor has not acted respectfully and has been bullying and intimidatory in respect of her dealings with the complainant.	pending		
79/14	Councillor has not acted respectfully and has been bullying and intimidatory in respect of her dealings with the complainant.	pending		
80/14	Councillor has attempted to disrupt the past four full monthly parish council meetings and has therefore not shown respect to other councillors and members of the public. Neither has he displayed selflessness, integrity, objectivity,	pending		

Appendix 3 – Summary of Complaints Received since July 2012

	accountability, openness, honesty and leadership and has not acted in the public interest.			
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Wiltshire Council

Standards Committee

21 January 2015

Complaints under the Council's Complaints Procedures and the Local Government Ombudsman's Annual Review Letter 2014

Purpose of the Report

1. This report provides an overview of the Council's complaints service and comments on the annual reports provided by the Council's Customer Complaints Manager and the Local Government Ombudsman's (LGO) Annual Review Letter 2014.

Background

2. The Standards Committee is responsible for oversight of corporate complaints handling and Ombudsman investigations.
3. Both the Council and the LGO are required to provide an annual report on complaints received during the year.
4. The LGO issues a general annual report on complaints in local government and a specific report for each authority in the form of an annual letter, providing a breakdown of the number of complaints received against the authority.
5. The Customer Complaints Manager also provides an annual report on complaints in accordance with the statutory requirement set down within The Children Act 1989 Representations Procedure (England) Regulations 2006 and the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
6. The last reporting year 2013/2014 has seen a new annual report from the Customer Complaints Manager which considers the complaints function as a whole rather than one specific service. This ensures consistency across the council and provides an overview of how stakeholders access and engage with the complaints service.
7. Since August 2014 the council's complaints team has sat within the legal team reporting directly to Frank Cain, Head of Legal and Deputy Monitoring Officer.

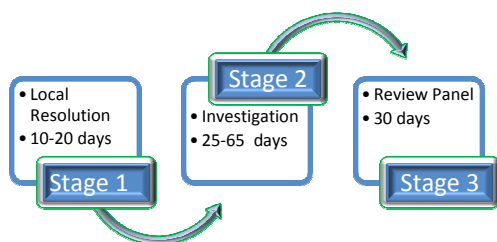
Main Considerations

Complaint Manager's Annual Report

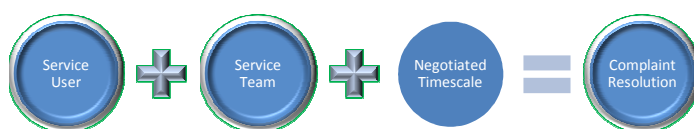
8. A copy of the Complaint Manager's annual report is attached at Appendix 1.
9. The report focuses on the 5 services which have received the most complaints. It should be noted that this is not a reflection on the service's

ability to deal with complaints but on the contentious and often emotional nature of the complaints received within these functions.

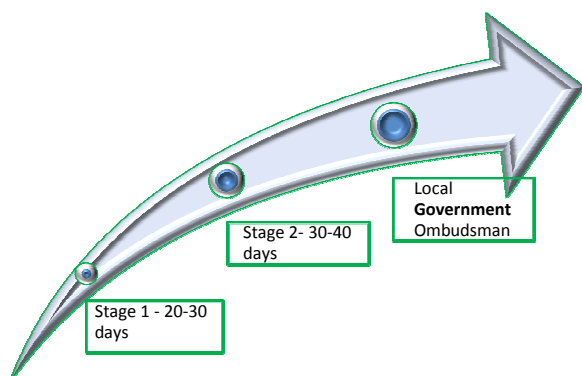
10. There are 3 complaints procedures currently used:



The children’s social care statutory procedure. Aimed at dealing with complaints where the subject concerns the service provided to a child or young person.



The adult’s social care statutory procedure. Aimed at dealing with complaints where the subject concerns the service provided to an individual and/or their family regarding their personal care.

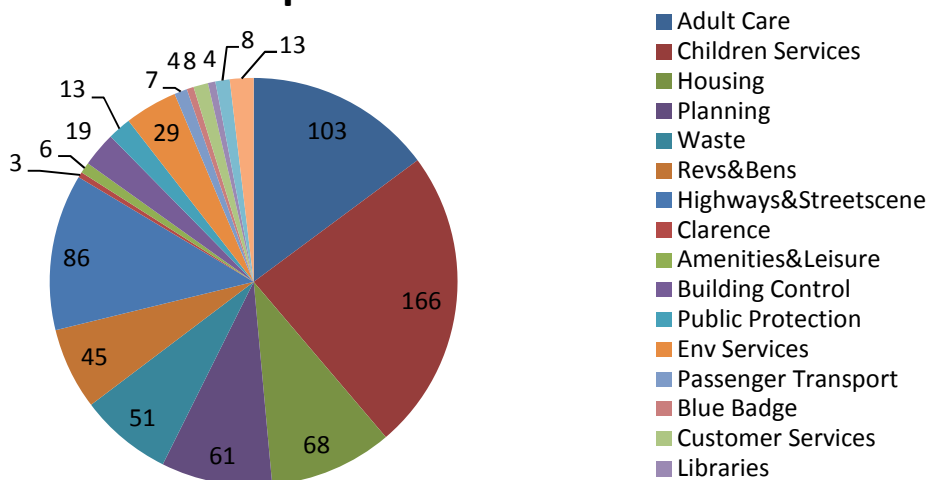


The Council’s corporate procedure aimed at dealing with general service complaints including, lack of communications, delay in service and how a decision was reached.

11. Between 1 April 2013 and 31 March 2014 the Council received a total of 694 complaints.

475 complaints dealt with at Stage 1 of the corporate procedure	93 complaints dealt with at Stage 2 of the corporate procedure
14 complaints dealt with Stage 1 of Children Services statutory procedure	4 complaints dealt with at Stage 2 of the Children Services statutory procedure
20 complaints at the single stage Adult Care statutory procedure	Rest of the numbers are made up of Ombudsman queries and ad-hoc enquiries

Total Number of Complaints received by Customer Complaints Team



12. These figures reflect the scope of the services provided within those functions. Children and adult care by their very nature receive more complaints because there is a direct impact on people's lives and more emotion involved. A further breakdown can be found in the Annual Report attached.

How do we link into the Council's vision

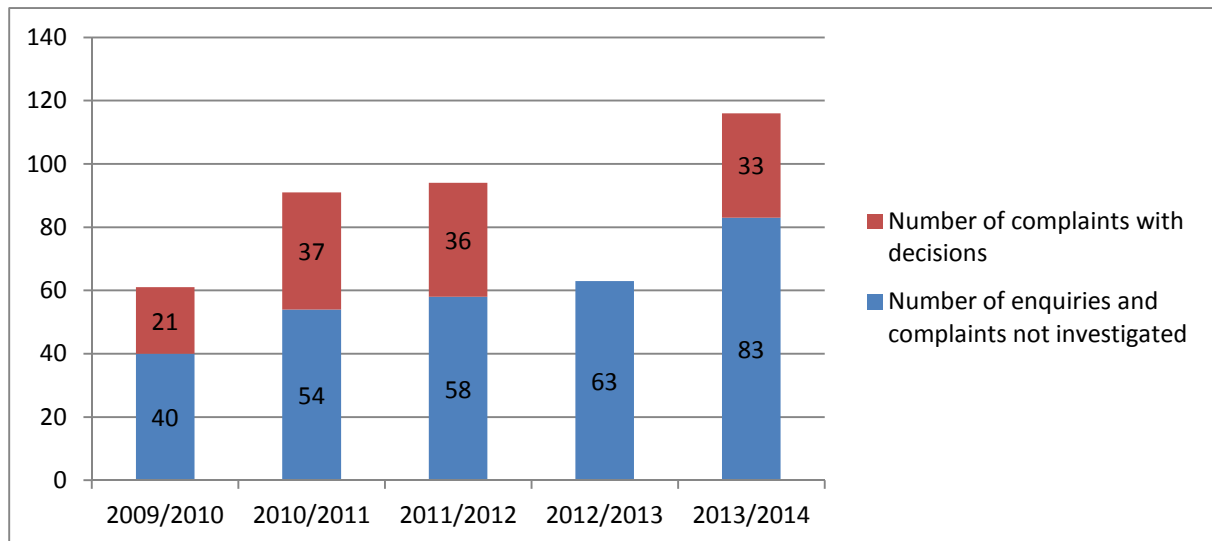
Having a consistent and transparent approach to complaints management contributes to improving the delivery of services across the organization. In its Business Plan, Wiltshire Council sets out a number of priorities and aims of which the complaints service can directly affect. Two of those significantly stand out:-

- We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach
- Our services work well, are joined up and easy to access

13. It is important to ensure that the complaints service links into the council's vision and priorities. Customer focus and working across the council's services are particularly relevant. The complaints team aims to adopt a mediative rather than adversarial approach to complaints. The team recognises the importance of supporting services across the council in dealing with complaints and encouraging staff and managers to engage with the process at an early stage. This is key to successful complaints resolution.

Local Government Ombudsman Annual Letter

14. Each year the LGO produces an annual review letter which provides a summary of the number of complaints received against the council. In previous years much more detail was provided, including comparative response times to complaints, but since 2012/2013, the annual letters now only provide a basic level of information.
15. A copy of the Annual Review Letter 2014 for this council is attached at Appendix 2.
16. A copy of the LGO's Annual Report on Complaints in Local Government 2014 is also attached (Appendix 3) to provide the national picture on complaints in local government.
17. To provide a more useful understanding of the council's performance the graph below compares complaints received from the LGO over the last 5 years. Each year the LGO records all complaints, enquiries and advice given in relation to each authority. Over time the way they have logged complaints, how they make decisions and their own business structure has changed so it is difficult to provide a true reflection of the council's performance. However, you will see that this year the actual number of investigations with decisions has fallen.

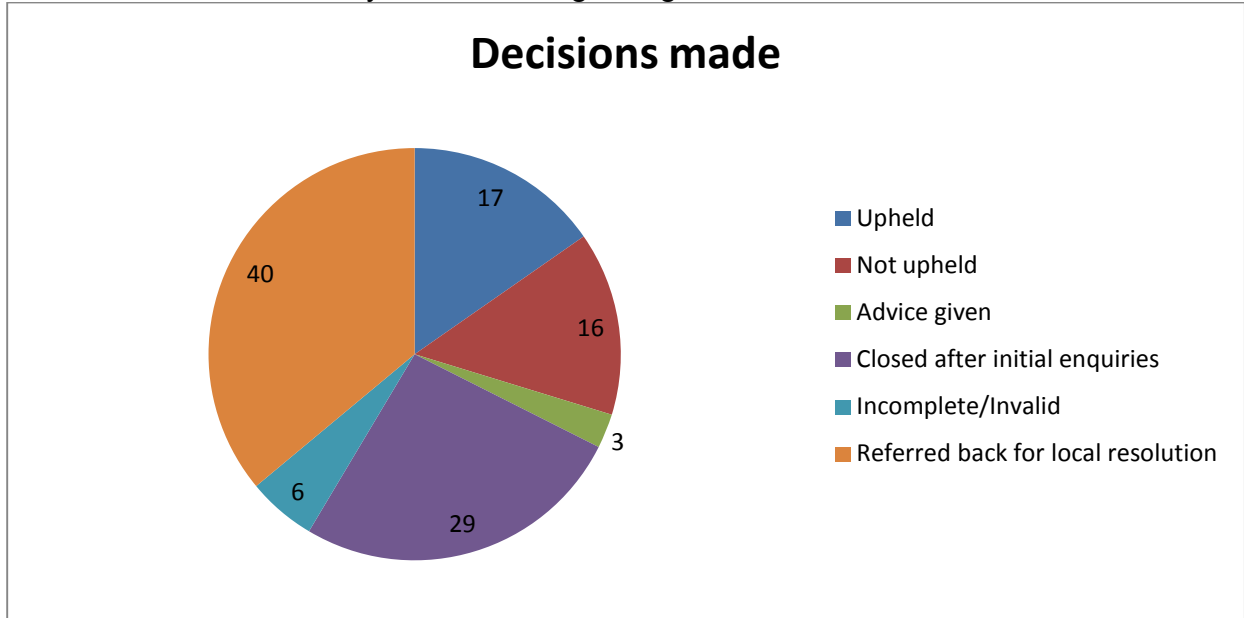


*2012/2013 – No breakdown was provided this year due to the LGO reorganising their business structure.

18. There is no particular trend or reason for this which the Complaints Manager can identify. Working together across the service teams by providing support and advice so they can resolve the issue early has certainly brought benefits. Teams have responded positively to being supported through the process whilst still taking responsibility for resolving their complaints.

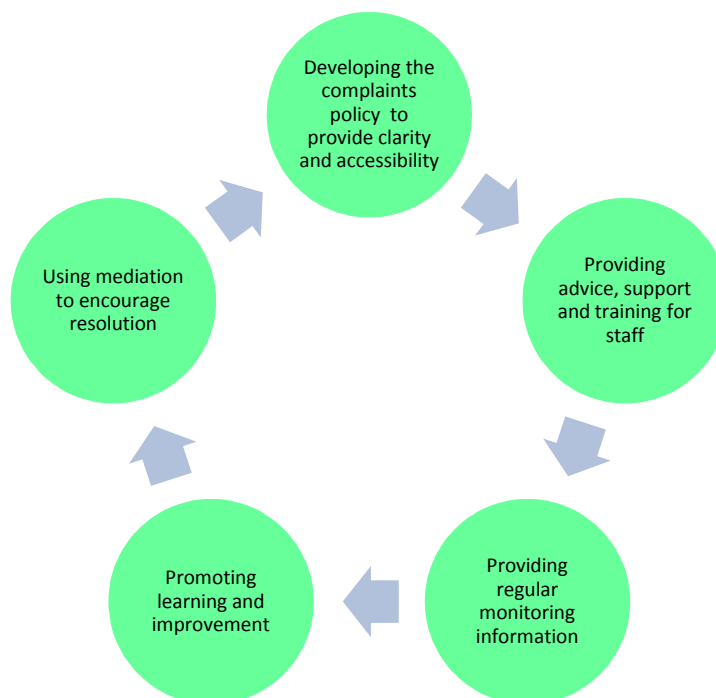
2013/2014 LGO Decisions

19. You will see from the chart below that the LGO only took 33 investigations forward 17 of which were upheld and 16 were not upheld. Of those investigations that were upheld there was one public report (see below) and all were resolved by the council agreeing to take further action.



Looking ahead

20. The complaints team is keen to develop a positive approach to the resolution of complaints, including where appropriate the use of mediation, and to provide regular monitoring information to drive learning and improvement in the council's services.



Recommendations

21. The Committee is asked to note the report.

Ian Gibbons

Associate Director, Legal and Governance and Monitoring Officer

Report Author: Sarah Butler, Complaints Manager

Appendices:

1. Annual Report on Complaints – Complaints Manager
2. LGO's Annual Review Letter 2014
3. LGO's Annual Report on Complaints in Local Government

Background Papers: None

Wiltshire Council
Annual Complaints Report
2013/2014

Sarah Butler
Customer Complaints Manager

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Overview

This is the first annual report where all three complaint procedures currently used in Wiltshire Council are explained and complaints management across the organisation is examined. This report provides information about complaints made during the twelve months between 1 April 2013 and 31 March 2014.

The current complaints procedures being used are the Children Services statutory complaints procedure, the Adult Care statutory procedure and the Council's own Corporate Complaints Procedure.

How it is decided which complaint procedure to use is largely dependent on the nature of the complaint. As a general rule, complaints specifically regarding child and adult social care issues will be referred to the statutory procedure whereas more generic service issues, process/procedural issues and decision making issues will be more appropriate for the corporate procedure. The complaints team decide and advise on which one is applicable.

Wiltshire has a statutory duty to investigate complaints under

- Children Act 1989
- The Children Act 1989 Representations Procedure (England) Regulations 2006,
- Children (Leaving Care) Act 2000
- Adoption and Children Act 2002
- Health and Social Care Acts 2003.
- Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

The purpose of any complaints procedure whether it is statutory in nature or not is to ensure that:

- The views and experiences of people who use services are heard to ensure the organisation remains focused on the customer.
- The organisation learns from complaints and seeks improvements to service provision and working practices
- It is a simple and effective way of raising a complaint.
- The complaint is dealt with fairly and consistently.
- It encourages an open and transparent environment that people trust and engage with
- The complainant receives a comprehensive response within the timescales stated

Complaints Data and Deltascheme

Historically formal complaints have been logged on Excel spreadsheets which performed a purpose as far as tracking complaints were concerned. But Excel is ineffective when trying to extract information for reporting and monitoring.

Deltascheme is the new complaints management tool, which has been in operation within the complaints team since October 2013. It has had some teething problems so in considering the complaint numbers and other data provided, attention should be paid to this.

Attention should also be given to the fact that one person can go through all stages of a complaint procedure and it is those individual stages that are recorded not the individual complainant. One person could therefore have several stages of a complaint against them. So consideration should also be given to that when reviewing the numbers.

It should also be noted that the numbers referred to in this report are complaints directly received and logged by the central customer complaints team. It is extremely likely that the truer picture of complaints received within Wiltshire Council is significantly higher. One of the aims of the complaints team will be to encourage teams to use the central team and signpost complainants and staff to the formal complaints procedure. The intention is to encourage an effective way of managing complaints with one point of contact for both complainants and staff.

Structure of the Complaints Procedures

The diagrams below demonstrate the different stages involved in each of the complaints procedures currently used within the Council.

Children Service Statutory Procedure

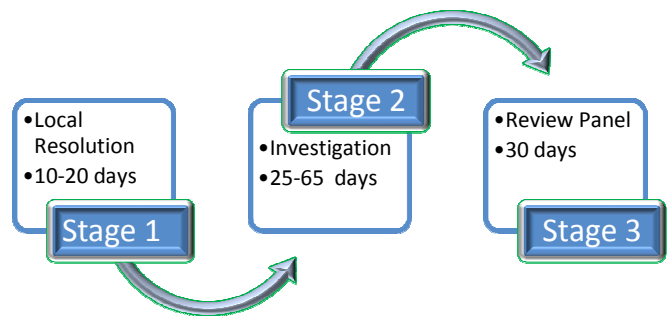
Social Care complaints received from or concerning children and young people is managed through the statutory three stage complaints procedure.

The statutory complaints procedure follows a 3 stage process. Where possible, the aim should be to resolve complaints satisfactorily at Stage 1. The complaints team has been working closely in the last year with service teams and managers to ensure wherever possible this is achieved. If this is not possible the complainant can request a Stage 2 investigation which is where an investigator and independent person are appointed.

The statutory procedure has a final stage which is an independent Review Panel consisting of externally appointed members. They will consider any outstanding issues that the complainant considers have not been addressed in the Stage 2 investigation. Panel members are individuals who are also Investigators (IO) and Independent Officers (IP) but who have not been used for the investigation. The complainant and department are given the opportunity to put forward their case and both the IO and IP

attend to answer any outstanding questions. The findings are then produced by the panel and the Service Director must write out to the complainant with their comments and any action that is taken as a result within 15 working days.

The Local Government Ombudsman is the final route of redress for the complainant.

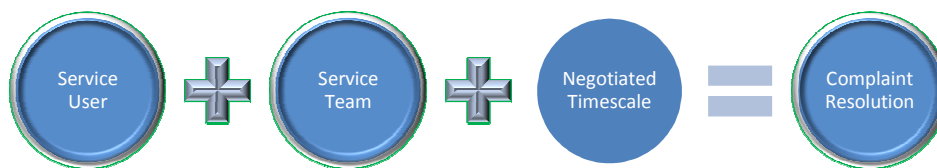


Process for Statutory Procedure

Adult Care Statutory Procedure

The statutory procedure when dealing with complaints concerning Adult social care issues is different from that of Children Services. This concentrates on working with the individual to understand that nature of their complaint and then agreeing a mutually workable timescale by which to provide a response. Wherever possible it should be undertaken within a reasonable time period and no longer than 65 working days.

The Local Government Ombudsman is the final route of redress for the complainant.



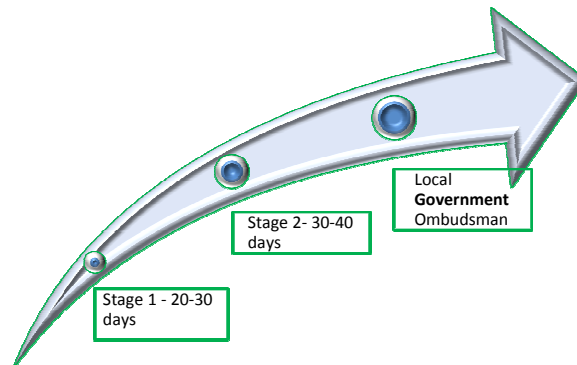
Process for Statutory Procedure

Corporate Complaint Procedure

The corporate complaint procedure is a 2 stage procedure and follows the same process in terms of progression that the statutory ones do. Stage 1 will be dealt with by the service team involved with the complaint. This gives staff the opportunity to respond

to and address any misunderstandings or breakdown in communications that may have occurred. It is encouraged wherever possible that teams spend time on their response as it can bring an end to a complaint which saves time and effort on both sides.

However should the complainant wish to pursue this, then the stage 2 comes to the complaints team for investigation. Again the Local Government Ombudsman remains the final course of redress if the complainant wishes to pursue their complaint.



Process for Corporate Procedure

Accessing the Complaints Procedures

Complaints can be made in a number of ways. The Council's website has current and up to date information on how to make a complaint. Explanation is given on the different complaints procedures.

There are a number of methods by which an individual can make a complaint. This can be via a telephone call, an e-mail, by letter or by completing an online form which directly feeds into the complaints generic e-mail inbox. The complaints team monitors this on a daily basis.

The team also has a dedicated number which customers can ring and speak to a member of the team.

If any of these methods prove difficult to the individual, members of the complaints team are happy to meet with individuals at their nearest available Council offices. Consideration will also be given to home visits but the health and safety of complaints staff is the priority in these circumstances and this would only be offered in exceptional circumstances.

Advocacy Services

Advocacy Services for Children and Young People is currently delivered externally by the National Youth Advocacy Service (NYAS). The service covers advocacy for looked after children and care leavers, children and young people wishing to make a complaint

and children and young people (aged 5+) who are subject to Child Protection proceedings.

These services can be accessed in a number of ways. The young person/parent or carer can refer themselves directly to the service, a social worker can make the request directly or the complaint department can make the referral on behalf of the Child or Young Person. Contact details are available on the complaints leaflet issued by the Council and also via the Council's website. A supply of the Council's leaflets has also been made available to NYAS.

For adults seeking independent support and guidance on making a complaint in any of the Council's other service areas, they will usually be referred to Swan Advocacy who have offices across the county as well as website, e-mail address and telephone number details.

The complaints team has made direct contact with both organisations and met in person, to ensure both sides can promote the other in terms of ensuring the individuals know where and how to raise their complaint

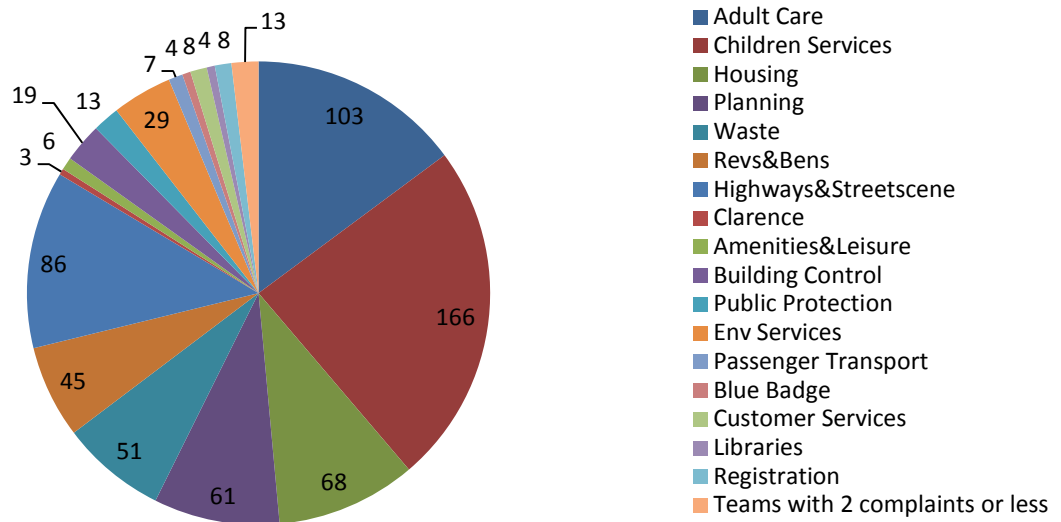
Complaints Analysis

Between 1 April 2013 and 31 March 2014 the Council received a total of 696 complaints.

475 complaints were dealt with at Stage 1 of the corporate procedure with 93 of those progressing to Stage 2 of that procedure. Within the statutory Children Services procedure there were 14 dealt with at Stage 1 complaints with 4 being escalated to Stage 2. It should be noted that of those 4, 3 were concerned with the same complaint. Of the one that was left, this was eventually withdrawn by the complainant. The remaining number was concerned with Local Government Ombudsman investigations, decisions and enquiries. The Council and Ombudsman's office record stats in a different way so attention should be given to this when reviewing these figures against the Annual Letter produced by the Ombudsman's office each year.

As this is the first report using a new database and considering all three complaint procedures, comparisons will not be generally provided on this occasion. The key is to look ahead and encourage a positive outlook for the organisation and a positive experience for the customer.

Total Number of Complaints received by Customer Complaints Team



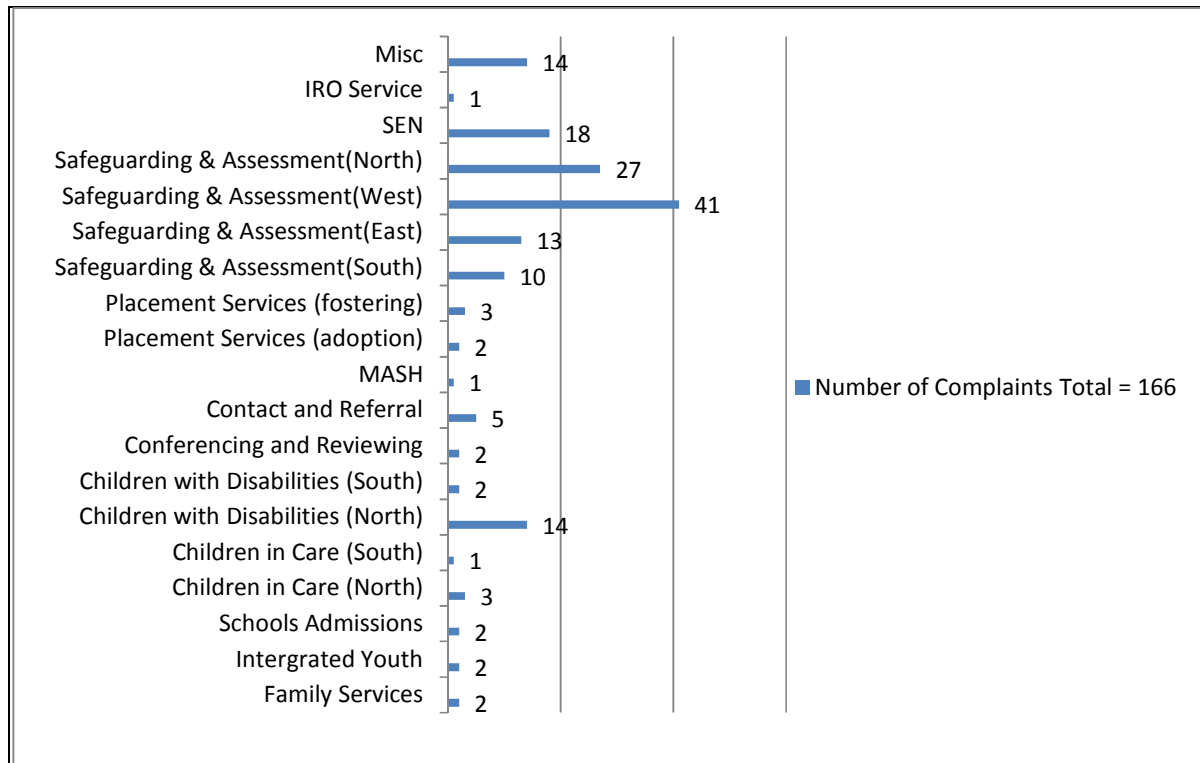
The chart above reflects a generally accepted split of complaints across the organisation. It comes as no surprise that the areas generating the most complaints concern social care in some way. Whilst there is a slight difference between Adult Care and Children Services, the difference is not so great as to warrant a particular concern in the way the service areas are dealing with complaints. They are both dealing with individuals who are distressed, angry and vulnerable and want to challenge the decision the Council makes about their lives. It is therefore not unreasonable to expect a comparably larger number of complaints against other services.

The next three significant service areas of Highways, Housing and Planning are also unsurprising in terms of complaints being raised. Service areas where people and/or contentious decisions are taken are going to be challenged by the people affected by those decisions.

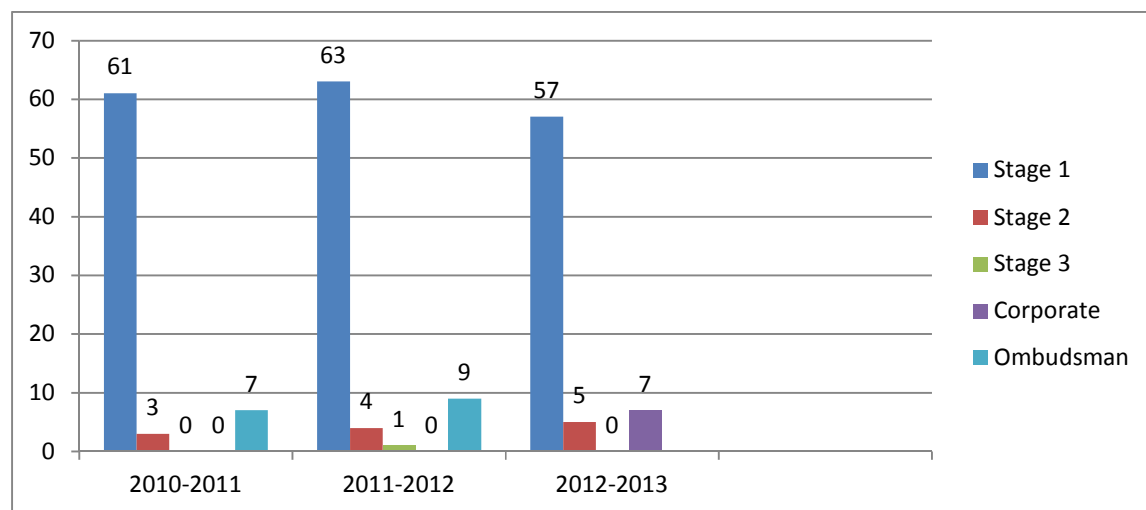
To look at each service area would make this a lengthy document. So I considered the top 5 service areas in terms of complaints received for the purposes of this report.

Children Services

Complaints by Service Team Area



In the reporting year 2012/2013 there were 7 complaints under the corporate procedure and 57 under the statutory procedure at Stage 1. Of those, 5 went to Stage 2 of the statutory procedure. Whilst the level of complaints has increased within Children Services for this reporting year, there are key points to acknowledge.



Whilst the numbers have risen from the previous year, only a small percentage has progressed to the later stages. Complaints in this service area are always going to be consistent regardless of whether the complaints procedure is robust or not.

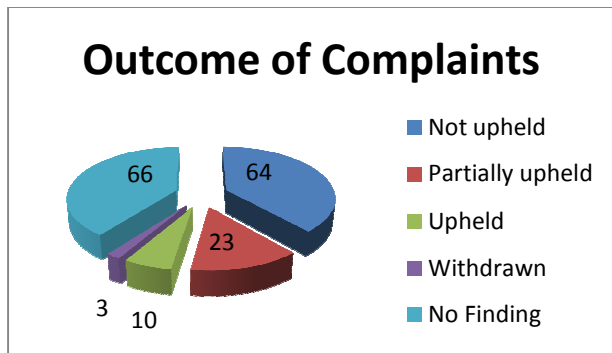
There are peaks in the Safeguarding teams but this pattern is expected given they are the access points for families in potentially vulnerable, distressing and dangerous situations. Emotions run high and people want answers to questions they ask about the decisions made about them.

Nature of concern

Corporate Stage 1 - Nature of Concern	
Delay in service	9
Decision making process to deliver service	10
Breach of confidentiality	12
Inappropriate action	21
Conduct of staff	16
Failure to provide service	14
Poor/lack of communication	12
Discriminatory behaviour	2
Incorrect advice	3
Refusal to take action/deliver service	1
	Total 100
Corporate Stage 2 – Nature of Concern	
Conduct of staff	2
Failure to provide service	8
Poor/Lack of communication	1
Decision making process	6
Delay in service provision	2
Inappropriate action	1
Breach in confidentiality	2
	Total 22
Statutory Stage 1 – Nature of Concern	
Delay in Service	3
Decision making process to deliver services	1
Breach of confidentiality	1
Inappropriate action	2
Conduct of Staff	2
Failure to provide service	1
	Total 10
Statutory Stage 2 – Nature of Concern	
Conduct of staff	3
	Total 135
Outstanding 31 complaints will be withdrawn, not pursued or Ombudsman investigations	

The key point to raise here is that the corporate procedure has been used more significantly than it has been in recent years. One reason for this is the consideration of the complaint and who is making it. The statutory process is aimed at and for children and young people to raise complaints about the service provided to them. They are entitled to a representative, quite often their parent, who will make the complaint for them. But complaints raised under this heading of children are more often than not about the adult involved and does not focus on the child at all or the service they have received. This can be addressed as a service issue through the corporate procedure.

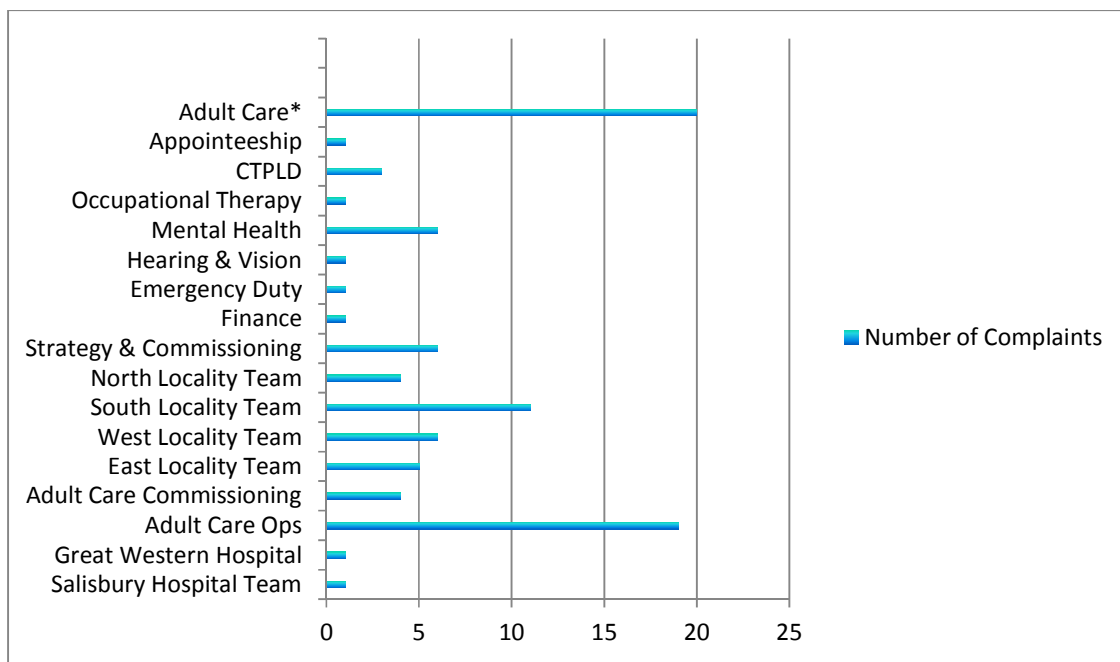
Outcome of Children Service Complaints



There is no significant trend to identify here. It should be noted that the 'No Finding' category can refer to a variety of reasons from the complaint decision not being made in this reporting year to the individual not pursuing the complaint but not officially advising that it has been withdrawn. Lack of communication from the complainant is the most likely reason

Adult Care

Complaints by Service Area



The top category of Adult Care encompasses complaints which either were not apparent at first which team was responsible or where this crossed several service areas but the crux was adult care. The method of recording does not allow several service teams to be recorded, so there is an option of choosing a generic service area. As the complaints team get used to the new database and understand the way of recording and extracting information, it is hoped there is will be a better way of reflecting this.

Nature of complaint

Corporate Stage 1 - Nature of Concern	
Delay in service provision	3
Delay in making a decision	3
Decision making process to deliver service	4
Breach of confidentiality	1
Inappropriate action	5
Conduct of staff	5
Failure to provide service	12
Poor/lack of communication	1
Discriminatory behaviour	1
Incorrect advice	1
Not complying with customer wishes	1
	Total 37
Corporate Stage 2 – Nature of Concern	
Failure to provide service	1
Poor/Lack of communication	1
Decision making process	4
Delay in service provision	1
Inappropriate action	4
Breach in confidentiality	1
	Total 12
Statutory Stage 1 – Nature of Concern	
Delay in service provision	5
Decision making process to deliver services	7
Refusal to deliver a service	1
Lack of communication	1
Inappropriate action	2
Conduct of Staff	1
Failure to provide service	2
Inaccurate assessment	1
	Total 20
	Total 69
Outstanding 34 complaints will be withdrawn, not pursued or Ombudsman investigations	

Like the trend in Children Services, the corporate procedure has been used more. Again the reason for this is that a significant number of complaints raised here about decisions being taken and generic service issues. When they are about the social care package of the individual, then the statutory process is invoked.

Outcome of Complaints

Not upheld – 46

Partially upheld – 18

Upheld – 4

No Finding - 14

Total = 69

Housing

Dealing with housing complaints is a complicated process because it very much depends on the nature of the complaint as to which organisation deals with it and where that is then escalated to if the complainant wishes to pursue their complaint independently.

Regardless of whether it has been an issue dealt with by the Council or one that a housing association has addressed, the escalation of housing complaints has historically been dealt with by the Local Government Ombudsman.

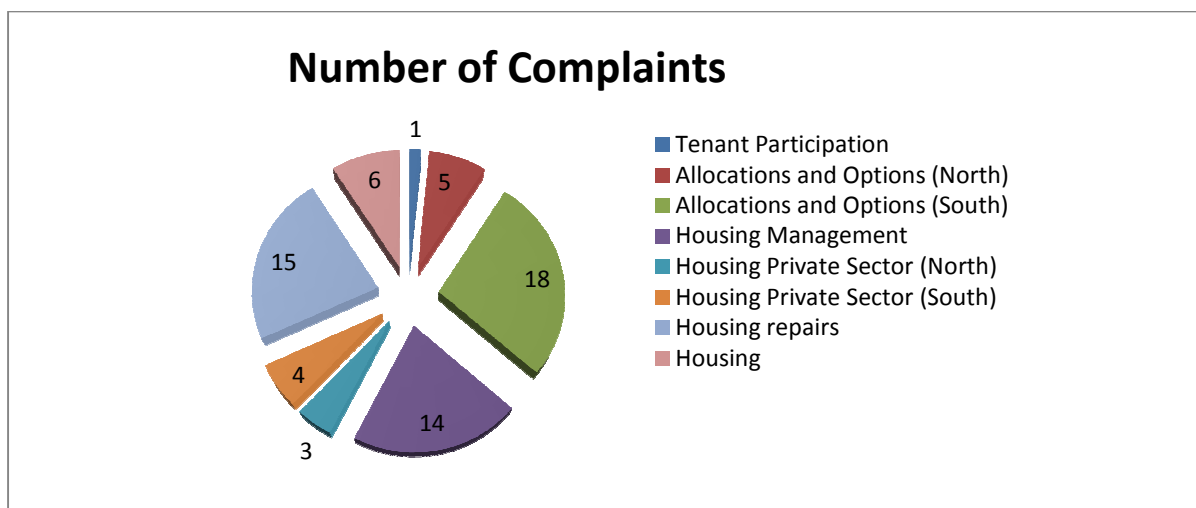
Since April 2013, the way some housing complaints are dealt with once they have gone through the appropriate organisation's complaint procedure, has changed.

The Housing Ombudsman will now deal with all complaints about social housing. The Local Government Ombudsman's website states;

The Housing Ombudsman will continue to investigate complaints against housing associations and in addition, will investigate complaints about a local authority's landlord function. This means that complaints about a local authority's relationship as landlord to its tenants or leaseholders will be considered by the Housing Ombudsman rather than the Local Government Ombudsman.

The Local Government Ombudsman will continue to consider complaints about local authorities' wider activities, for example in discharging their statutory duties in homelessness. There are areas where there may appear to be some over-lap between the jurisdiction of the two Ombudsmen...Both Ombudsmen are able to conduct joint investigations and are putting in hand liaison arrangements to ensure that there is early discussion of cases which engage both jurisdictions.

As far as the complaints received by the Complaints Team are concerned, there is not a specific service area that spikes significantly in terms of issues being raised. The largest number of complaint sit within an Allocation and Options team, which, given the subject area is not unsurprising.



Nature of complaint

Corporate Stage 1 - Nature of Concern	
Delay in service provision	14
Decision making process to deliver service	8
Inappropriate action	5
Conduct of staff	1
Failure to provide service	11
Poor/lack of communication	6
Discriminatory behaviour	2
	Total 47
Corporate Stage 2 – Nature of Concern	
Failure to provide service	3
Refusal to deliver a service	1
Decision making process	3
Delay in service provision	1
Overcharging	1
Discriminatory behaviour	2
	Total 11
	Total 58
Outstanding 10 complaints will be withdrawn, not pursued or Ombudsman investigations	

Again based on the numbers received by the complaints team there is no significant trend identified here. The top category of a Delay in Service Provision is wide ranging and could be anything from repairs not being undertaken quickly enough to an issue with the housing allocation process.

Outcome of Complaints

Not upheld – 35

Partially upheld – 14

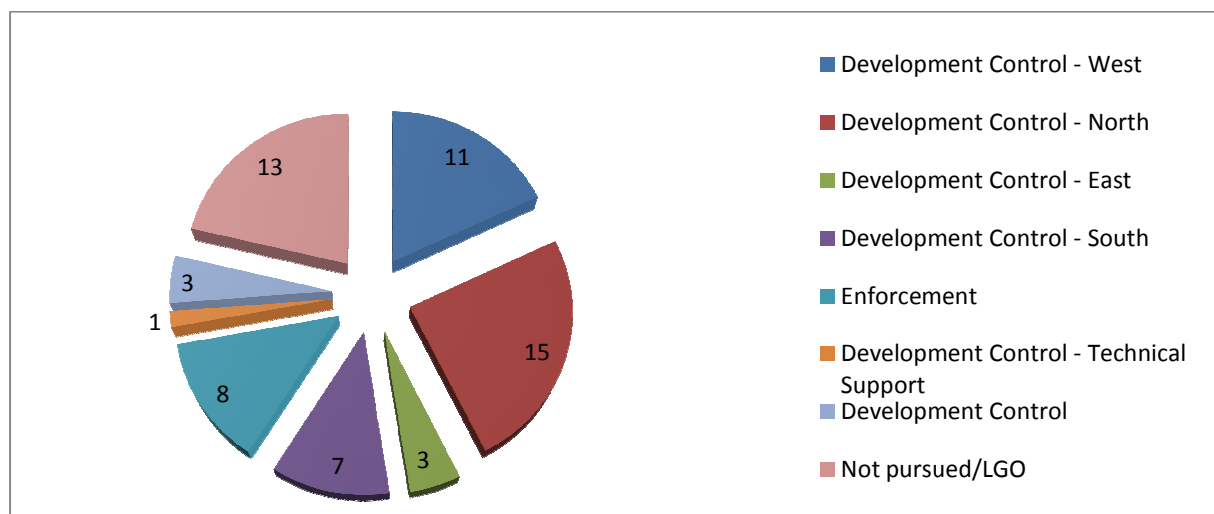
Upheld – 6

No finding – 3

Total = 58

Planning

The complaints procedure cannot change the decisions taken by the planning committee and this is one of the more common and difficult things to explain to a complainant when they come seeking a change to that decision. What the complaints process will do is review and consider the policy and procedures used, the service and communication provided to the individual and how challenges to the planning team.



Nature of complaint

Corporate Stage 1 - Nature of Concern	
Delay in service provision	1
Decision making process to deliver service	8
Inappropriate action	9
Conduct of staff	4
Failure to provide service	4
Poor/lack of communication	7
Incorrect advice	1
	Total 34
Corporate Stage 2 – Nature of Concern	
Failure to provide service	1
Inappropriate action	3
Decision making process	9
Delay in service provision	1
Incorrect advice	1
Discriminatory behaviour	1
	Total 16
	Total 50
Outstanding 11 complaints will be withdrawn, not pursued or Ombudsman investigations	

The majority of most planning complaints will be about the decision made about a particular application. Expectations of the individual in this area can sometimes be difficult to manage. Communication is one of the biggest sources of frustration and teams are always encouraged to engage at the early stages of a complaint.

Outcome of complaints

Not upheld – 40

Partially upheld – 3

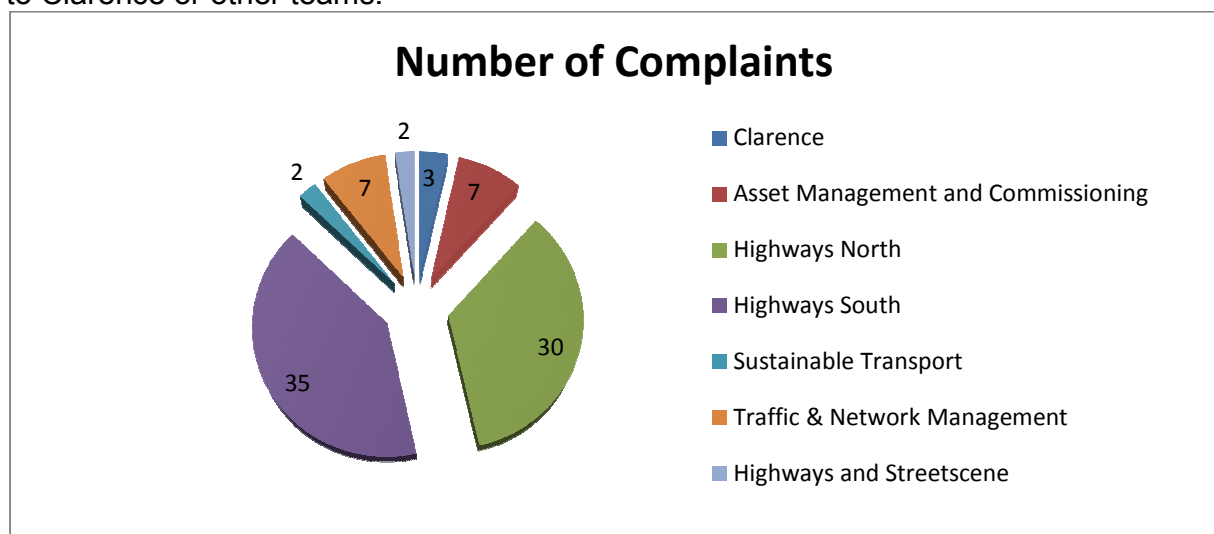
Upheld – 4

No finding – 3

Total = 50

Highways & Streetscene

Out of the 86 complaints received around this service area, the majority were dealt with at Stage 1 of the complaints procedure. Only six progressed to Stage 2. There was no one particular theme which was repeated. Most were around condition of the highway, broken lights and general service issues resulting from previous communication either to Clarence or other teams.



Nature of complaint

Corporate Stage 1 - Nature of Concern	
Delay in service provision	18
Decision making process to deliver service	5
Inappropriate action	1
Incorrect advice	1
Conduct of staff	2
Failure to provide service	32
Poor/lack of communication	12
Discriminatory behaviour	1
	Total 72
Corporate Stage 2 – Nature of Concern	
Decision making process	4
Delay in making a decision	2
	Total 6
	Total 78
Outstanding 8 complaints will be withdrawn, not pursued or Ombudsman investigations	

The single biggest reason for raising a complaint in this service area is around the failure to provide a service. This will usually be around why action has not been taken following a report to CLARENCE or something similar being highlighted to one of the service teams directly.

Outcome of complaints

Not upheld - 32

Partially upheld - 19

Upheld - 9

No Finding - 18

Total - 78

Local Government Ombudsman Investigations

At the time of this report being written the Local Government Ombudsman's office had not published its Annual Letter to Councils, which provide a breakdown of complaints and enquiries received by them. Councils and the Ombudsman's office have different ways of recording contacts and the start/end of a complaint investigation. So it is useful to compare these figures. Especially as this is the first year for collating Ombudsman figures on the new database.

Further explanation in the form of a brief report by the Complaints Manager concerning how Ombudsman investigations are received and dealt with by this Council will be provided alongside a copy of the Ombudsman's Annual Letter when it is received in July.

Customer Information

Unfortunately the database has not on this occasion provided substantial data to warrant any more than a mention in this annual report. Historically demographic data from people making complaints is difficult to gather. But we will be reviewing whether there is a way of gathering this information more effectively.

By far the most common method of making a complaint remains in the written format. Whether that is by e-mail, by letter or by completing the online form through the Council's own website. People want to be able to have a clear trail of communication.

Where individuals contact the complaints team by phone, a written record is made and sent to the individual for clarification. This helps the investigating officer keep on track and is useful to refer to should the individual dispute the original issues being raised.

We continue to work with the customer's preference in terms of making a complaint and contact with the team and ensure that the process is a quick and effective process for them.

Outcome and Learning from complaints

- Whilst teams have continued to struggle with the conflicting priorities placed upon them, it is encouraging that both Children Services and Adult Care in particular have engaged with and understood the benefits of working with the complaints team. As a result all staff have worked in a more cohesive way which has established good working relationships.
- The key to successful complaints management across the organization is to engage with staff and encourage early resolution. Service leads within the complaints team will continue to attend team meetings, keep lines of communication open with managers, sit with staff within their own environment to understand the pressure points and offer advice on responding to complaints.
- To encourage services to learn from complaints by feeding back to Team Managers, Heads of Service and Associate Directors through regular reporting.
- The Complaints team are members of the South West Regional Complaints Managers Group, which meets regularly to discuss best practice in complaints management and any learning points for particular cases that can be taken forward within individual's

Links to the Wiltshire Business Plan

Having a consistent and transparent approach to complaints management contributes to improving the delivery of services across the organization. In its Business Plan, Wiltshire Council sets out a number of priorities and aims of which the complaints service can directly affect. Two of those significantly stand out:-

- We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach
- Our services work well, are joined up and easy to access

By working across the organisation with staff, managers and councillors and encouraging a proactive approach to complaints management, it is hoped that staff will

engage in a positive way with the complaints process so that it runs as a thread through the customer focus approach the organisation wants to take, as set down in its Business Plan.

Looking ahead

Through the team service plan attached at Appendix 1, the Complaints Team will be focussing on:

- Ensure complaints profile is visible via the website and leaflets being available on main reception points
- Continuing to engage with staff across the service teams to encourage engagement with and adoption of the complaints procedures used by the Council
- Service leads within the Council continue to work directly with key areas to understand where the conflicting priorities are and where there is a need for training and support of staff
- Developing a complaints policy that includes for example; guidance on the different procedures, suggested remedies including compensation levels, what to do about vexatious and abusive behaviour.
- Work with Corporate Learning & Development to design specifically tailored packages that can be delivered to key services to help them develop a good understanding of complaints management

Conclusion

Dealing with complaints is the reality of working in the public sector. At a time when public funding is reduced, difficult decisions have to be taken and explanations have to be provided.

How we deal with providing those answers is the difference between a professional, transparent and realistic approach and one where all those concerned become embroiled in a timely, costly and negative process.

Wiltshire Council recognises the importance of having an effective and accessible complaints management system, to ensure that complaints and concerns are dealt with as quickly as possible. At a time when the pressure on services and staff is increasing, it is vital that all levels of the council from staff to councillors and Corporate Directors engage with and adopt a consistent approach to handling and resolving complaints.

The aim of the central complaints team is to make the process of raising a complaint and the action of investigating it, a positive one. That means that officers within the team have to engage with both the customer making the complaint and the staff who

are investigating and trying to resolve it. The key to successful complaints management is having an honest and open conversation with those concerned.

Acknowledging and accepting things go wrong is the first step to effectively dealing with a complaint. The current economic climate is unlikely to change any time soon and public authorities will need to accept that the decisions they make and how those decisions are arrived at, will come under considerable public scrutiny.

Having a transparent and robust approach to dealing with complaints can only contribute to the Council's focus on delivering more for less and keeping the individual at the centre of its priorities.

Customer Complaints Service Team 2014-2015

Overview of Service

The Customer Complaints Team plays a critical role in changing how the Council responds to and learns from complaints. We aim to provide support to both members of the public accessing the complaint procedures and to our colleagues when dealing with responses.

We aim to provide a positive experience to the customer and a learning opportunity for the Council.

We want the way Customer Complaints Team functions and operates to contribute towards the Council's requirement to achieve significant savings. This means that we are reviewing ways of working and seeking ways to deliver services to outside bodies to potentially generate an income stream.

Medium Term Aims

Success in the medium term will involve establishing strong and supportive relationships with our colleagues and other stakeholders to enable positive engagement which will encourage the robust use of complaints procedures within the council.

- **Partnerships**

The Customer Complaints team will be proactive and work with colleagues, customers, councillors and other stakeholders to promote and support the complaints procedures to ensure the Council meets its obligations within a statutory and legal framework and to encourage a positive response and find (when appropriate) alternative ways of redress.

- **People**

People who work within the Customer Complaints Team will feel valued and feel they belong to a team that has a clear direction. Team members will be encouraged to use their own skills, knowledge and experience within the team to contribute to building a supportive and cohesive team environment. They will know what the Service is trying to achieve and why, they'll know what they are personally contributing and the difference they make to the priorities and aims of Wiltshire Council.

What good looks like and the link with the Business Plan

The priorities listed indicate how the Customer Complaint Team will achieve these medium term aims. Each priority links to the Council's Business Plan.

Delivery Priorities for 2013-2017

	Priority	Business Plan Outcome(s) (O), Principles (P) or Key Action (KA)
1	Drive forward with the team's purpose to raise the profile of both the complaints and ethical governance services to ensure both staff and members of the public can access the service and procedures easily	Our services work well, are joined up and easy to access (P)
2	Produce policy to include corporate standards on complaints management for the Council including persistent complainants	We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach (KA)
3	Invest in team members within Customer Complaints and Governance to create a supportive and cohesive team whilst ensuring skills, knowledge and expertise is retained	Our staff are innovative and have a can-do approach (P)
4	Introduce a new IT system (Deltascheme) to record and track customer complaints, Code of Conduct and Police and Crime Commissioner complaints to provide regular reports which promote organisational learning and development opportunities	Our services work well, are joined up and easy to access (P)
5	Agree and implement communication strategy for complaints management and ethical governance to include a dedicate site on the Intranet.	Our staff are innovative and have a can-do approach (P)
6	Design and deliver training to town and parish councils using the Seven Principles in Public Life as the focus	We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach (KA)
7	Consider how to support town and parish councils with advice and guidance by developing a Resource	We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach (KA)
8	Providing support to the Monitoring Officer by adopting an ethical governance Action Plan which responds to and monitors those delegated responsibilities	We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach (KA)
9	Design and deliver training to service teams to help them deal with complaints efficiently and in accordance with the council's agreed procedures/policies and to enable them to use Deltascheme	We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach (KA)
10	Raising the profile of complaints by engaging Senior Management and Councillors in realising the benefits of effective and robust complaints management by using data provided by Deltascheme	We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach (KA)

Monitoring and Review

To ensure that this Team Service Plan contributes to the Legal and Governance Delivery Plan we will ask ourselves the following questions:-

1) Customer confidence and satisfaction

Have we improved the complaints process? Has the effectiveness of our interaction with staff and customer improved? Do we know what our customers think?

2) Increased awareness

Are more employees, customers and councillors aware of what the team provides? Do each group know where to go for advice and support?

3) Increase satisfaction levels

Have satisfaction levels with the Service, the partners we support, and the Council increased? Is there an effective way of monitoring this?

4) Value for money

Is the complaints service offering value for money? Do our work practices offer efficiency? Are there feasible ways to generate income?

Service Improvement Plan

	Priority	Action Plan	Date	Lead Officer	Status
1	Drive forward with the team's purpose to raise the profile of both the complaints and ethical governance services to ensure both staff and members of the public can access the service and procedures easily	<ul style="list-style-type: none"> Have a dedicated member of staff who will specialise and understand the priorities and issues in service area and who will work with teams to ensure complaints are handled effectively 	Reviewed every 6 months	Team – SB to have overall view but each officer responsible for taking a lead in particular service areas	Ongoing
2	Produce Corporate policy to include corporate standards on complaints management for the Council including persistent complainants	<ul style="list-style-type: none"> SB to write policy with input from team 	September 2014	SB	Ongoing
3	Invest in team members within Customer Complaints and Governance to create a supportive and cohesive team whilst ensuring skills, knowledge and expertise are retained	<ul style="list-style-type: none"> To put forward a business case (when appropriate) for training which will develop and motivate the team to provide a service in an improved or alternative way 	Reviewed every 6 months	SB	Ongoing
4	Introduce new database to record and track customer complaints, Code of Conduct and	<ul style="list-style-type: none"> To design an effective tool for complaints management and 	31 st March 2014	SB and MG	Completed

	Police & Commissioner complaints to provide regular reports which promote organisational learning and development opportunities	reporting purposes by working with			
5	Agree and implement communication strategy for complaints management and ethical governance to include a dedicate site on the Intranet or Sharepoint	<ul style="list-style-type: none"> To identify the most effective methods of communication to managers and officers by asking key service areas how they would like to receive information To identify who within the Council deals with Intranet/Sharepoint and work to develop a dedicated resource 	30 September 2014	SB	Ongoing
6	Design and deliver training to town and parish councils using the Seven Principles in Public Life as the focus and incorporating FOI/DP training in consultation with colleagues	<ul style="list-style-type: none"> To identify and develop a training course and then roll out to town and parish councils 	31 December 2014	Team	Ongoing
7	Consider how to support town and parish councils with advice and guidance by developing a Resource	<ul style="list-style-type: none"> Explore feasibility of developing a resource with potential for income generation 	31 December 2014	Team	Ongoing
8	Providing support to the Monitoring Officer by adopting an ethical governance Action Plan in respect of Standards, Assurance, Constitution and other issues.	<ul style="list-style-type: none"> In consultation with the Monitoring Officer, identify key priorities in the governance service and dedicate appropriate resource 	30 th September 2014	Team with SB overview	Ongoing
9	Design and deliver training to service teams to help them deal with complaints efficiently and in accordance with the council's agreed procedures/policies and to enable them to use Deltascheme	<ul style="list-style-type: none"> To design service specific training which highlights generic and statutory complaint procedures. To assess key officers and provide training to enable logging of complaints at Stage 1 	30 th September 2014	SB and Team	Ongoing
10	Raising the profile of complaints by engaging Senior Management and Councillors in realising the benefits of effective and robust complaints management by using data provided by Deltascheme	<ul style="list-style-type: none"> To extract key information in report format and provide to Team Managers, Heads of Service, Associate Directors with explanation of any trends/patterns which may identify gaps in service 	30 th September 2014	SB	Ongoing

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7 July 2014

By email

Mr Carlton Brand
Corporate Director
Wiltshire Council

Dear Mr Carlton Brand

Annual Review Letter 2014

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 2014. This is the first full year of recording complaints under our new business model so the figures will not be directly comparable to previous years. This year's statistics can be found in the table attached.

A summary of complaint statistics for every local authority in England will also be included in a new yearly report on local government complaint handling. This will be published alongside our annual review letters on 15 July. This approach is in response to feedback from councils who told us that they want to be able to compare their performance on complaints against their peers.

For the first time this year we are also sending a copy of each annual review letter to the leader of the council as well as to the chief executive. We hope this will help to support greater democratic scrutiny of local complaint handling and ensure effective local accountability of public services. In the future we will also send a copy of any published Ombudsman report to the leader of the council as well as the chief executive.

Developments at the Local Government Ombudsman

At the end of March Anne Seex retired as my fellow Local Government Ombudsman. Following an independent review of the governance of the LGO last year the Government has committed to formalising a single ombudsman structure at LGO, and to strengthen our governance, when parliamentary time allows. I welcome these changes and have begun the process of strengthening our governance by inviting the independent Chairs of our Audit and Remuneration Committees to join our board, the Commission for Administration in England. We have also recruited a further independent advisory member.

Future for local accountability

There has been much discussion in Parliament and elsewhere about the effectiveness of complaints handling in the public sector and the role of ombudsmen. I have supported the creation of a single ombudsman for all public services in England. I consider this is the best way to deliver a system of redress that is accessible for users; provides an effective and comprehensive service; and ensures that services are accountable locally.

To contribute to that debate we held a roundtable discussion with senior leaders from across the local government landscape including the Local Government Association, Care Quality Commission and SOLACE. The purpose of this forum was to discuss the challenges and opportunities that exist to strengthen local accountability of public services, particularly in an environment where those services are delivered by many different providers.

Over the summer we will be developing our corporate strategy for the next three years and considering how we can best play our part in enhancing the local accountability of public services. We will be listening to the views of a wide range of stakeholders from across local government and social care and would be pleased to hear your comments.

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

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

Local authority report – Wiltshire Council

For the period ending – 31/03/2014

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 and regulation	Highways and transport	Housing	Planning and development	Total
Wiltshire Council	19	9	5	28	6	6	7	36	116

Decisions made

Local authority	<u>Detailed investigations carried out</u>		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
Wiltshire Council	17	16	3	29	6	40	111

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Review of Local Government Complaints 2013-14

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Local Government Ombudsman

**The Oaks, No 2
Westwood Way
Westwood Business Park
Coventry
CV4 8JB**

**Phone: 0300 061 0614
Web: www.lgo.org.uk
Twitter: @LGOmbudsman**



“ At a time of even greater choice and diversity in local public service provision, public information is essential to support the decisions people make. ”

It is important that the LGO is an open and transparent organisation and provides assurance to the public about the work we do and how we spend public money. Local authority complaints make up the bulk of our work. Our unique role is to remedy personal injustice caused by maladministration or service failure by conducting independent and impartial investigations. The recommendations we make affect many more people because we often ask for changes to policy and practice which improve local complaint handling, public administration and service delivery. We regard this as an important part of our role to enhance local accountability to people who use services, many of whom rely on them for their day to day well-being.

At a time of even greater choice and diversity in local public service provision, public information is essential to support the decisions people make. Since April 2013 we have published the decision statements for all our cases on our website. For the first time, this report brings together in one place a summary of data we provide to each council in England in an annual review of complaints in their area. It supplements the LGO Annual Report and Accounts which gives more information about our performance, and follows the first annual review of social care complaints published in May this year.

Complaints processes should be responsive to the public. It is important that people know where to complain, how to complain and are satisfied with remedies proposed. Positioned at the apex

of the local complaints system, we want to continue to work with local authorities in support of excellent local complaint handling to put things right as soon as possible. We also want to ensure that the journey for complainants through local procedures to the LGO is as effective as possible. In an increasingly complex delivery environment where the council is more likely to commission than provide a service, we know that journey can be complicated and confusing. To prompt our thinking on this we have included some results from our customer satisfaction research carried out recently, which raises questions about where improvements can be made.

The report includes examples from some of our cases. They are only illustrative of the many matters we deal with, but they give a flavour of how we can help individuals who have experienced problems, and indicate the sort of changes and improvements we can bring about.

I hope this report will help officers and councillors, as well as all those who provide public services locally, to reflect on how they handle and learn from complaints. I hope it will also help all those who use local public services understand better how to raise concerns to good effect.

Dr Jane Martin
Local Government Ombudsman



The data within this report refers to the complaints and enquiries we received, and the decisions we made, about English local authorities in the business year April 2013 – March 2014.

This is the first time we have combined our usual practice of writing to councils to report back the annual complaint statistics for their authority, with a report that looks at the state of local government complaints as a whole. This report will become an annual publication, intended to be a tool for those involved in complaint handling, policy making and local scrutiny to analyse trends in complaints about local public services.

We want to give open and transparent access to our data on complaints. We also want to help councils to view their statistics in the context of other local authorities. This is a common request we receive, so with this report we are publishing all of the data in one place. We know that councils have their own unique demographic make-up, so for those wanting to identify similar comparable authorities, we would refer them to the [CIPFA Nearest Neighbour model](#).

In the final section, we provide questions for local councillors to help them assess how their authority responds to, and learns from, complaints.



Complaint numbers & trends 2013-14

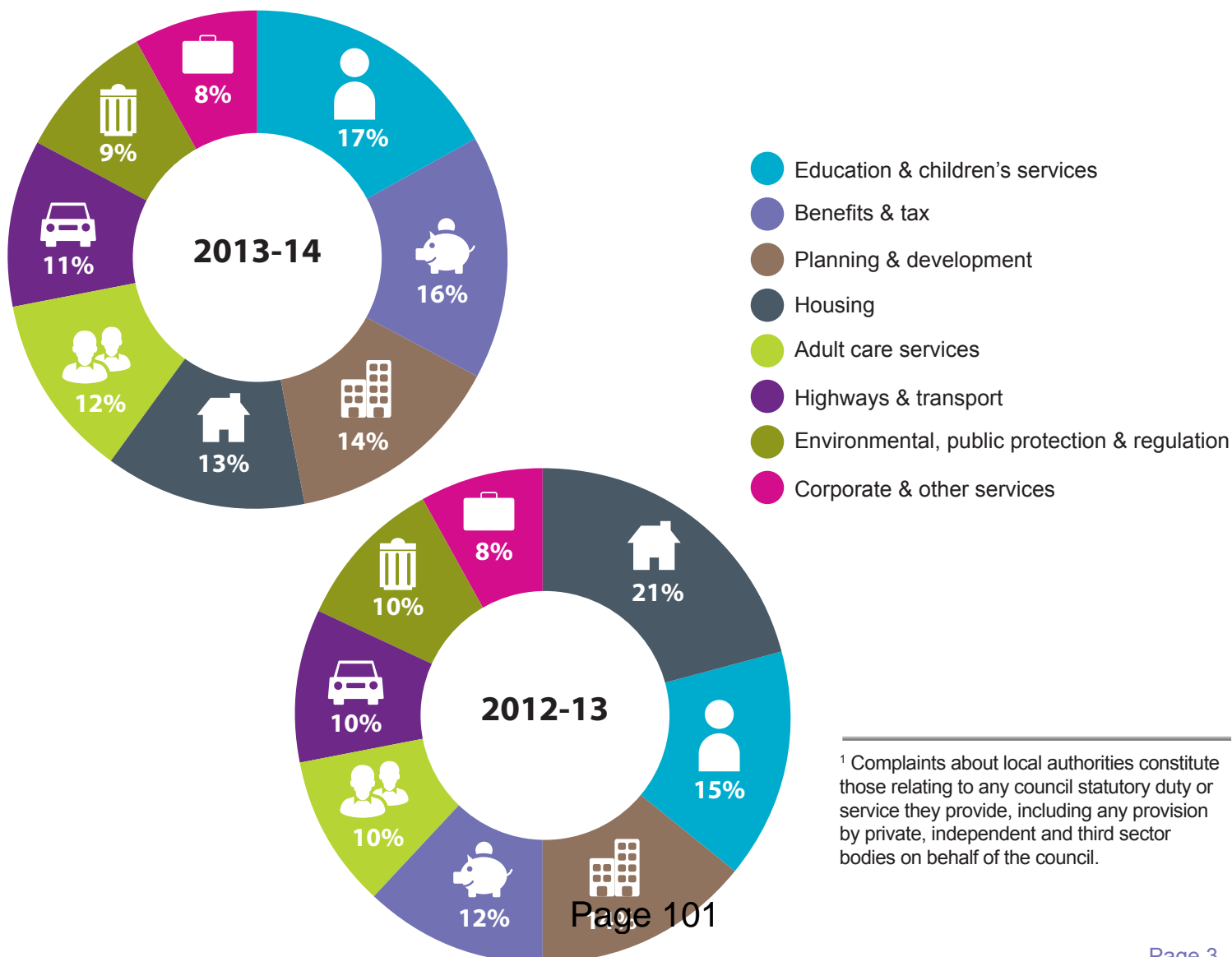
In 2013-14 the LGO registered a total of **20,306** new complaints and enquiries, an increase from 20,186 in the previous year.

While the bulk of our work is about councils, our jurisdiction includes all registered social care providers. For complaints and enquiries solely about local authorities¹ we registered **18,436** new cases, which is a similar level to the previous year's total of 18,940.

However, the broadly static total number of complaints this year accommodated a **39% decrease in housing complaints** – meaning that, in real terms, complaints and enquiries about other council services increased. The expected reduction in housing complaints was because all new complaints about councils' role as social landlords became the responsibility of the Housing Ombudsman Service in April 2013.

Complaints about benefits and tax, and adult social care, were the two areas of work that saw the biggest percentage increase on last year. They were also the two areas in which we are more likely to find fault in a detailed investigation.

The graphics below show the breakdown of complaints and enquiries received in the different areas of our work over the last two years.



¹ Complaints about local authorities constitute those relating to any council statutory duty or service they provide, including any provision by private, independent and third sector bodies on behalf of the council.



Benefits & tax

Complaints and enquiries about **benefits and tax increased by 26%** on the previous year, and had our highest **uphold rate of 49%**.

We recognise that there have been changes to legislation affecting benefits and tax during the year but we have no evidence to indicate whether or not there is a link between these changes and the increase in complaints.

We help people get redress on a range of areas but one of the most common types of complaint we receive is around council tax. We also look at issues with housing benefit, council tax support and debt recovery, including the actions of bailiffs.

Some people who complain to us about benefits and tax rely on these council services for their everyday wellbeing, therefore failures to administer properly can have an acute impact on their lives. Some of these services comprise of 'crisis funds' designed to support those in particular need. A common fault we see from councils is a failure to consider whether the person complaining may be in a vulnerable situation.

Some of the other regular issues we find are:

- > not notifying people of their appeal rights
- > administrative errors around payments
- > not exercising discretion or taking a fixed view
- > a failure to follow policies.

The nature of complaints about benefits and tax means that a remedy will usually include a recommendation for a financial payment, which could include the waiving of debts or a refund. If we find a systemic problem we will suggest the council reviews its procedures to ensure others are not adversely affected.

Council tax discretion

Bernard bought an empty property and was renovating it. He originally received an exemption covering empty homes undergoing renovation, and did not pay council tax.

The Local Government Finance Act then allowed the council to impose a premium on owners of properties empty for more than two years. Bernard later became liable for 150 per cent council tax.

Bernard contacted the council to ask if it could reduce the amount he was paying because of his personal circumstances, but officers wrongly told him that that the council had no discretion to reduce it on an individual basis.

During our investigation the council told us that it does in fact have a scheme offering discretionary reductions, but said that Bernard would not qualify. The council decided in advance that it would automatically refuse an individual application where they do not fall into a set class of criteria, thereby fettering its own discretion.

The council has agreed to invite Bernard to make an application for a discretionary reduction in his council tax bill and consider it from the date at which he first asked the council for help.

We have asked the council to make a decision within two months and provide Bernard with the reasons for its decision in writing, so that he has the option to appeal to the Valuation Tribunal if his application is unsuccessful.



Social care

Complaints and enquiries about **adult social care increased by 16%** and we **upheld 48%** of complaints after detailed investigations. As the Social Care Ombudsman we provide a route for redress for all care complaints – both publicly and privately funded – and our recently published review of social care complaints for 2013² highlighted it as one of our fastest growing areas of our work.

The three areas most complained about last year were assessment and care planning; fees, grants and payments; and residential care.

Assessing and planning for care is one of the most fundamental local authority duties. Often we find fault within the assessment process when all the facts have not been taken into account, or a person's individual needs are not placed at the heart of the process, resulting in care packages that do not meet people's needs.

People not being given clear and comprehensive information is a common fault around the charging of care, as well as so called 'top-up fees' being sought when the person's care should be fully covered by public funding.

Complaints about residential care often come from family members because the person receiving care is unable to complain. A common issue is the failure to monitor properly and record the condition of people, and the care provided, which leaves family members uncertain that loved ones are properly cared for in their absence.

It is difficult to put a price on the cost of missed or inadequate care, but in remedying a situation we can recommend a financial payment.

This can be an amount to recognise how the injustice has affected the person, or when somebody has lost out financially we can recommend that costs are waived or refunded. Where poor planning and care assessments have taken place we will usually recommend a fresh assessment is carried out. We will always seek to ensure that the same mistakes do not happen again, and where appropriate we will recommend councils carry out reviews of policies and procedures, and undertake staff training.

Ignoring the evidence

Peter has autism, epilepsy and moderate learning disabilities. He lives at home with his mother. After his NHS funding was withdrawn the council assessed his needs but failed to comply with its legal duty to agree an aftercare plan.

Care professionals raised concerns that the care package offered would not meet Peter's needs but our investigation showed that the council failed to take into account all the relevant evidence. As a result Peter and his mother were left without the support they needed and Peter was unable to access respite. Their frustration was further increased when the council's response to the complaint contained inaccurate information.

We recommended that the council reassess and expedite the process of identifying Peter's needs so a care package could be agreed. We also recommended that they apologise for the way they carried out the original assessment and for how they responded to the complaint. We also recommended a financial remedy.

² Our [Review of Adult Social Care Complaints](#) covered the 2013 calendar year and published for the first time our statistics for social care complaints about private care providers as well as local authorities.



Complaint numbers & trends 2013-14

18,436 registered local authority complaints & enquiries



Housing
down 39%



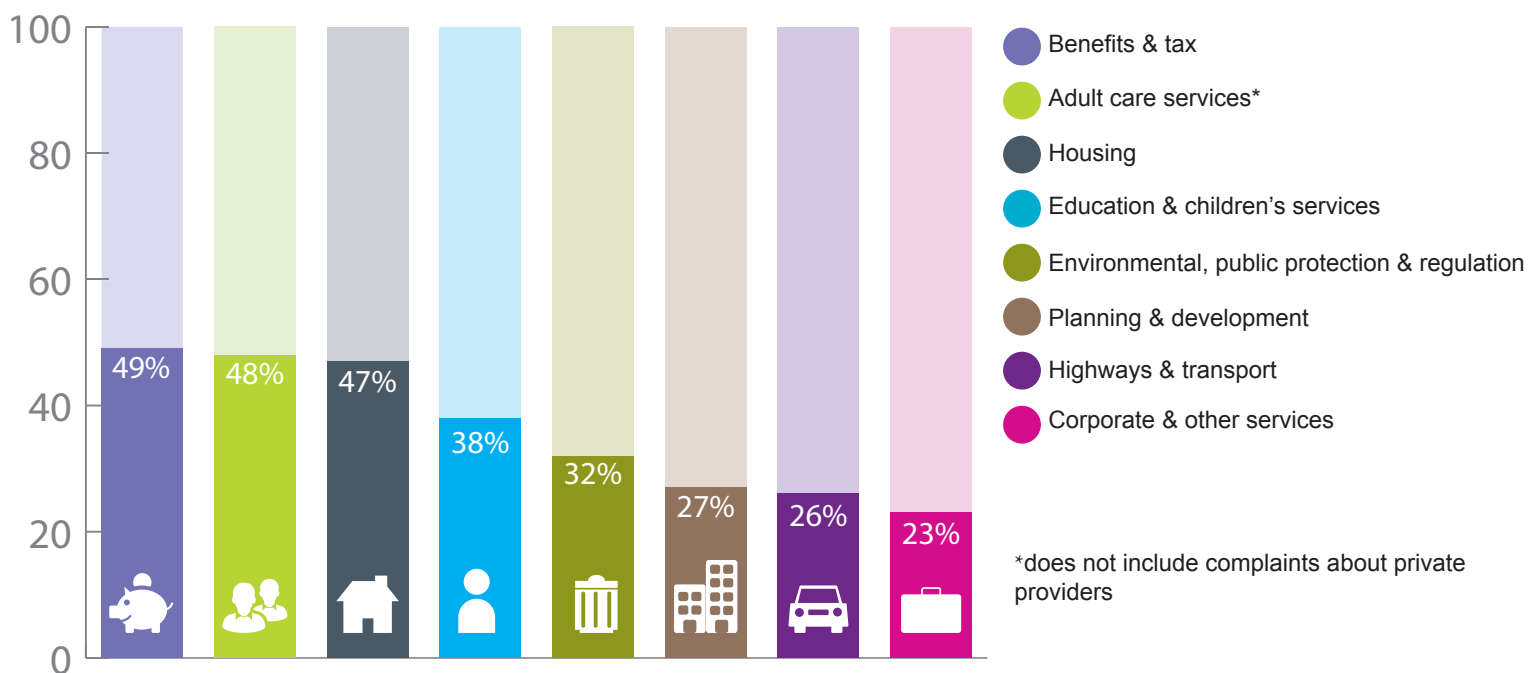
Adult care services
up 16%



Benefits & tax
up 26%

Complaints upheld

For the first time this year we have started to record complaint outcomes in a simpler way to show whether or not we have upheld a complaint. This year we **upheld 46%** of all complaints we investigated in detail. Below are the percentages by complaint type.



The complainant's journey



The people in the best position to hold service providers to account are those who use the service. Complainants tell us they want their complaints considered as quickly as possible by somebody who has the authority to put things right, and they want authorities to take responsibility when things have gone wrong. This demonstrates the need for councils to have an effective complaint handling service – one which is simple to access and provides a timely and consistent service.

Our role is to offer the assurance of an independent and consistent view when complaints cannot be resolved locally, and use our powers to ensure injustices are remedied. But referral to the ombudsman should be the last resort, once local routes to redress have been exhausted. We want to support councils to have the best possible front-line complaints service, which we do by sharing information and best practice.

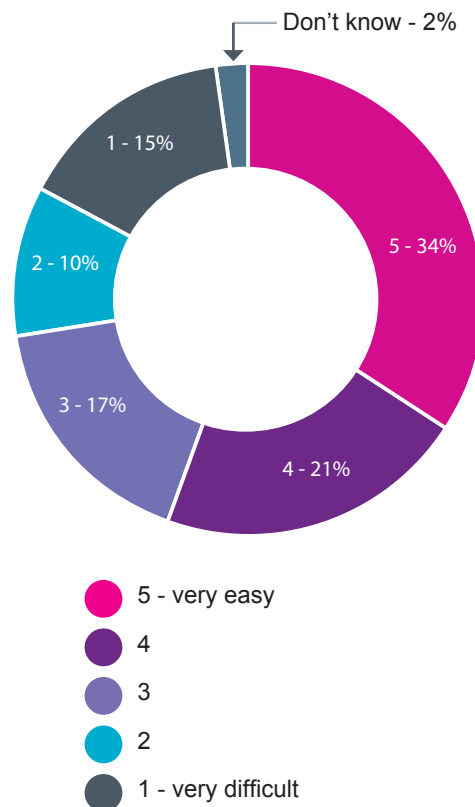
During the year we carried out independent customer satisfaction³ research about our service. The results also provided insight into the local authority complaints system as a whole, which may help councils better understand the customer experience of the system. They pose some questions about whether the local government complaints system is operating as effectively as it could be.

Accessibility

We know that the complaint system can feel more like a maze for people seeking to raise a complaint. Our research focused on the key access points when complainants navigate their way through local procedures to the Ombudsman. The figures below indicate where improvements could be made.

People were asked to say, on a scale of 1 to 5, how easy it was **to find information on how to make a complaint about their authority**. It is positive that over 50% of people rated it near the easy end of the scale. However, a quarter of people also rated it as difficult. The system should work as effectively as possible so that people can easily raise complaints locally and embark on a simple route to redress as soon as possible. Clear information about local procedures will also help to avoid people coming to the Ombudsman only to be referred back to the council.

How easy was it to find information on how to make a complaint about your authority?



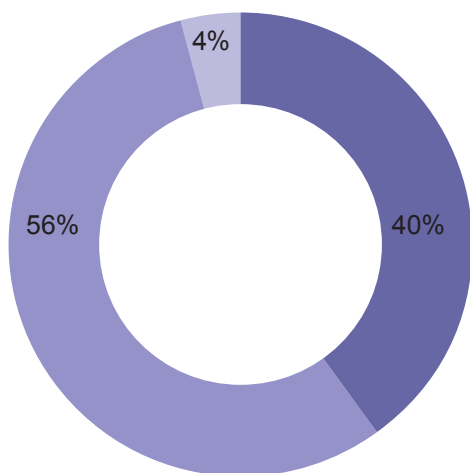
³ Our research involved an independent research company carrying out more than 800 telephone interviews with people who had ongoing cases with us. The aim was to gain a better understanding of the customer satisfaction of our service, independent of the complaint outcome. Those surveyed were a random selection from our whole caseload, so will include a small percentage of people who had a non-local authority related complaint, for example regarding a private care home. The research in full will be available on our website.

The complainant's journey



56% of people did not recall being made aware of their local authority's complaint handling procedures. All councils have published complaints procedures, but this would indicate that the majority of people who complain do not feel engaged with them. Councils may want to reflect on whether there are better ways to ensure complainants understand what they can expect from their local complaints service.

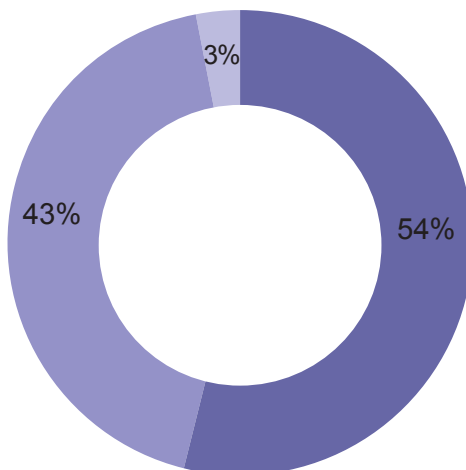
Were you made aware of the local authority's complaint handling procedures?



- Yes
- No
- Don't know

43% of people were not advised that they could refer their complaint to the Local Government Ombudsman. It is not a statutory requirement for councils to signpost to the ombudsman. These results indicate that many councils do follow this good practice, but despite this, not enough people are being advised of their right to access redress.

Were you advised that you could refer your complaint to the Local Government Ombudsman?



- Yes
- No
- Don't know

Councils increasingly deliver their services through a mix of public, private and third-sector parties, and personal choice is increasingly part of the mix for consumers. Whilst councils have a good track record historically of signposting people to the ombudsman, the companies who work for them may be less familiar with the LGO, and not as effective in providing an accessible complaints service. In this multi-agency environment, councils may want to ask whether their contracted companies are responding to complaints effectively, and whether they ensure that accountability is retained through the commissioning and contracting process.

Timeliness

The research also indicates that some complaints are taking a long time to be resolved locally before people come to us for an independent view.

The research showed that 62% of people had been **trying to resolve their problem locally** for at least six months, including more than a third (36%) who had been trying for over a year. **The average time that somebody tried to resolve their complaint before approaching us was nine months.**

We recognise that some complaints can be complex and require detailed investigation locally, and we know there are some statutory processes, such as for children's social care, which require a longer timescale, but we advise that most complaints should take no longer than 12 weeks to be resolved. This is a reasonable time for a council to consider a complaint and come to a final response. It is also good practice to have published complaint procedures that include time targets for specific stages, which are well publicised. In the rare cases that warrant further time, this should be communicated to the complainant as soon as it is known.

Sometimes people complain to us before they've given the council the full opportunity to resolve the matter. When this happens, we refer people back to the council and advise how we can help if, after exhausting the local process, they remain dissatisfied. If a complaint comes back to us following this scenario we class it as a re-submitted complaint.

This year we made decisions on 1,387 cases that were re-submitted to us. We found some form of fault in 292 of these, which is **more than a fifth** (21%) of the total amount of re-submitted cases. In these instances, it could indicate a missed opportunity for local authorities to resolve the complaint before they were referred to us.

Better services for people: sharing the lessons from complaints



The thousands of complaints and enquiries we deal with each year place us in a unique position to draw on these experiences to shape wider service improvements.

In April 2013 we started to publish all of our decision statements, unless where to do so would have compromised the anonymity of the person complaining. This brings greater transparency to our decision making, whilst providing an important resource to inform local scrutiny and service improvement.

For some complaints we highlight a wider public interest by releasing a detailed investigation report. We published 58 of these this year.

We also published new [Guidance on Remedies](#). Produced primarily for our own staff, we also made this publicly available so complaint handlers can understand our approach to remedies, and use it as a resource when suggesting suitable remedies locally.

Making complaints count

As well as helping individuals achieve redress, our investigations can have a wider outcome for the public. Sometimes we uncover systemic fault, and a single investigation can recommend remedies that right the wrongs for many people in similar situations to the person complaining.

Justice for hundreds of foster carers

More than 340 foster carers were given the right support that they had been denied, following a single investigation.

Fiona was asked by the council, and agreed to care for her nephew after his parents became unable to care for him. Left struggling to cope, she complained to us that she was not receiving the correct amount of financial support from the council.

Upon investigation, it was discovered that a council-wide approach meant that more than 340 other 'family and friends' carers were also missing out on payments to which they were entitled. A whole group of people who provide such a critical support system for children who can no longer live with their parents were being mistreated.

The council not only agreed to increase Fiona's payments, and backdate that which she had missed out, but it also agreed to pay all those carers receiving special guardianship allowance the correct rate, and to pay all its foster carers at least the Government's national minimum fostering allowance rate.

The case led to us producing an in-depth report calling for equality for carers who look after the children of family and close friends. It encouraged other authorities to look again at their own processes and procedures to ensure that other carers across the country were not being disadvantaged in the same way.

Better services for people: sharing the lessons from complaints



Elderly tenants reimbursed

Trudie lives in council-managed sheltered accommodation for people over the age of 60 and was worried that she was paying too much for her water. Her bill was nearly double the local water authority's Assessed Household Charge of £175.

The council said it had charged her for water use in accordance with its policy. But, during our investigation, the council identified that it had been charging all the residents far more than it had paid the water company, which was not in accordance with the Water Resale Order.

In total, the council had overcharged tenants by more than £38,000 over the space of five years.

The council has since written to Trudie to apologise and tell her and nearly 60 elderly neighbours that they are owed money and that they will be reimbursed that which they had been overcharged. It also agreed to carry out a review of how it charges tenants for water across the authority.

Driving service improvement

Many people say to us that a major motivation for complaining is for somebody to take responsibility for what has happened and to ensure that mistakes that have afflicted them do not happen to others. We will often ask for an apology and our investigations always seek to inform and drive service improvement, with councils agreeing to carry out reviews, policy changes or training to ensure faults are not repeated.

Care charging policy revoked

Jenny agreed to have home care after a stay in hospital and for the first six weeks this was free.

A review of Jenny's care was carried out and her social worker recommended that she needed a long-term care package. The county council then applied a weekly charge before completing its financial assessment.

Guidance from the Department of Health says that councils should not apply charges retrospectively, and should not charge before a financial assessment is carried out and the customer informed.

Our investigation found that the council's provisional charging policy, which had been in effect for 18 months, did not comply with statutory guidance.

We recommended that the council reconsider the policy, waive Jenny's provisional charge and make a payment of £200 to her son for the time and trouble in having to bring the complaint to us.

With other older people potentially affected by the policy, we recommended, and the council agreed, to identify who they were and make arrangements to repay any charges due to them.

Better services for people: sharing the lessons from complaints



Putting things right

In deciding upon remedial action or a payment to acknowledge an injustice, we will take into account the unique circumstances of each case. We can suggest remedies that are a creative way of replacing something that was missed as a result of the fault – for example a contribution towards a child's education fund – or takes into account other people that were affected.

Village gets respite from noise

An investigation helped a village community get respite from years of excessive noise, and the community centre receive support.

A group of residents complained about the noise from a nearby racetrack, and said that their local council had not been enforcing the historic restrictions that were part of its planning approval.

The villagers had been affected for a number of years and said that the council was slow to act in enforcing the issues. It left them feeling like they were trapped in their homes, unable to spend time in their gardens.

As part of the remedy, the council instructed a barrister to provide legal advice on the contents of a new notice to be served on the new track operators.

The LGO also recommended that the council consider outstanding queries about the impact alterations to the track had made on noise levels. One couple received £2,500 and the council paid £5,000 to a second couple as a contribution towards legal fees they had incurred.

The council also made a £1,000 donation to the village schoolroom committee for the benefit of other residents who were also involved in the complaint.

Supporting local complaints procedures

Sharing the learning from complaints is an important part of encouraging good local complaints handling and service improvement. Using our experience of complaint handling, we offer advice and training to councils to help them deal with complaints more effectively.

This year we provided 45 training courses to more than 750 council staff involved in complaint handling. The feedback from attendees after the courses showed that:

- > 45% more people know how to use complaints to drive service level improvements
- > 89% more people feel confident about dealing with complaints

Local scrutiny & accountability: a key role for councillors



During 2013 the Local Government Information Unit (LGIU) published a report, following a survey of over 400 local government senior officers and elected members, into how we could use our complaints data to enhance local accountability. It found that more than 75% of respondents wanted us to provide more access to detailed information about local government complaints.

We are fully committed to support local scrutiny and the representative role of councillors. They have a democratic mandate to scrutinise the way services are delivered and hold those services to account, and we believe they can use complaints as an important tool to support that process.

We started publishing all of our decision statements online on new complaints after 1 April 2013 – becoming the first UK public sector ombudsman to do so.

This year we have also sent to every council leader a copy of the annual letter we present to council chief executives. These letters provide our complaint statistics about their authority and feed back any particular issues of concern.

Questions for elected members and scrutiny committees

Members may wish to consider the following questions to assess whether their council is responding to and learning from complaints.

Does your council:

- > regularly report its experience and learning from complaints to elected members?
- > provide open access to complaints data for councillors and the public?
- > actively seek feedback from service users on its complaints handling?
- > clearly display information about its complaints process online and in all service delivery settings?
- > advise complainants of their right to access the ombudsman, and provide the correct contact information?
- > ensure providers of services also respond to complaints raised and learn from them through commissioning and contracting?

About the ombudsman



Since 1974 the Local Government Ombudsman has independently and impartially investigated complaints about councils and other bodies within our jurisdiction. Our services are free of charge. If we find something wrong, we can ask the council to take action to put it right. What we ask the council to do will depend on the particular complaint, how serious the fault was and how the complainant was affected. We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise for the fault and the injustice caused
- > take action to put things right as soon as possible
- > pay a financial remedy to acknowledge the impact of the injustice caused, such as distress
- > improve procedures so similar problems do not happen again

Data annex: complaints and enquiries received by category

	Adult care services	Benefits & tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development	Total
Adur	1	0	0	0	1	1	6	2	11
Allerdale	0	3	1	0	0	0	1	9	14
Amber Valley	0	2	2	0	2	1	3	12	22
Arun	0	3	7	0	3	0	4	9	26
Ashfield	0	2	2	0	7	0	3	2	16
Ashford	0	7	3	1	3	1	3	9	27
Aylesbury Vale	0	11	2	0	1	1	4	13	32
Babergh	0	0	2	0	1	0	2	8	13
Barking & Dagenham	13	22	8	25	6	23	21	2	120
Barnet	15	31	14	24	17	39	25	26	191
Barnsley	4	11	6	10	12	5	9	8	65
Barrow	0	5	4	1	2	0	1	4	17
Basildon	0	10	7	0	7	2	12	5	43
Basingstoke & Deane	0	6	2	0	2	0	3	5	18
Bassetlaw	0	6	2	0	2	1	5	6	22
Bath & NE Somerset	4	3	2	4	3	7	1	15	39
Bedford	3	12	1	10	4	0	4	9	43
Bexley	5	20	4	13	5	21	9	8	85
Birmingham	56	209	45	69	37	25	78	22	541
Blaby	0	0	2	0	3	1	0	3	9
Blackburn w/Darwen	6	13	6	7	6	4	0	1	43
Blackpool	14	6	3	8	9	4	11	3	58
Bolsover	0	9	3	0	1	0	1	4	18
Bolton	8	20	9	9	12	9	5	16	88
Boston	0	3	0	1	3	0	0	0	7
Bournemouth	9	8	1	11	9	8	9	8	63

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	Adult care services	Benefits & tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development	Total
Bracknell Forest	2	3	3	7	0	4	7	2	28
Braintree	0	4	2	0	3	0	3	7	19
Breckland	0	2	0	0	1	0	3	6	12
Brent	21	30	11	17	11	25	49	15	179
Brentwood	0	6	2	0	0	0	6	6	20
Brighton & Hove	10	13	10	16	21	8	19	15	112
Bristol	10	39	18	19	15	17	16	16	150
Broadland	0	3	1	0	2	0	3	12	21
Brooks Authority	0	0	0	0	0	2	0	1	3
Bromley	30	40	5	23	11	14	19	15	157
Bromsgrove	0	3	0	0	1	0	3	11	18
Broxbourne	1	1	0	0	3	0	4	3	12
Broxtowe	0	5	2	0	4	1	3	4	19
Buckinghamshire	17	0	5	27	1	49	0	1	100
Burnley	0	7	2	0	4	0	1	5	19
Bury	9	7	1	9	7	4	1	6	44
Calderdale	11	6	2	11	4	11	1	12	58
Cambridge	0	1	2	0	3	1	5	4	16
Cambridgeshire	18	1	3	42	1	8	0	2	75
Camden	11	7	11	19	9	31	45	9	142
Cannock Chase	0	2	1	0	1	1	3	2	10
Canterbury	0	4	1	0	2	3	11	11	32
Carlisle City	0	0	0	0	1	1	0	0	2
Castle Point	0	1	2	0	2	0	4	4	13
Central Bedfordshire	15	5	7	12	4	11	7	9	70
Charnwood	0	7	2	0	2	0	4	5	20

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Chelmsford	0	3	1	0	4	1	4	8	21
Cheltenham	0	2	2	0	2	0	1	10	17
Cherwell	1	6	1	0	2	2	1	9	22
Cheshire East	15	15	5	29	20	15	0	38	137
Cheshire W & Chester	16	10	21	17	15	8	3	25	115
Chesterfield	0	2	2	0	2	2	4	4	16
Chichester	0	3	0	0	1	2	3	7	16
Chilcompton	0	0	0	0	3	0	1	4	8
Chorley	0	1	1	0	0	1	0	4	7
Christchurch	1	3	1	0	1	1	0	2	9
City of Bradford	15	25	16	34	19	7	5	24	145
City of London	0	1	1	1	0	3	3	0	9
Colchester	0	4	3	0	2	5	5	3	22
Copeland	0	6	0	0	5	1	1	4	17
Corby	1	6	0	0	4	0	2	1	14
Cornwall	25	34	17	28	21	19	12	59	215
Cotswold	0	1	1	0	2	0	0	7	11
County Durham	16	32	19	29	24	13	10	22	165
Coventry	13	26	5	25	14	11	8	6	108
Craven	0	1	2	0	2	0	3	8	16
Crawley	1	7	2	0	2	1	5	2	20
Croydon	28	47	10	44	16	29	64	16	254
Cumbria	17	0	1	23	1	5	1	0	48
Dacorum	0	8	1	0	6	0	5	5	25
Darlington	3	2	3	5	7	0	1	1	22
Dartford	0	6	2	0	2	1	2	4	17

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Dartmoor National Parks Authority	0	0	0	0	0	0	0	4	4
Daventry	0	1	2	0	4	0	3	6	16
Derby	13	14	4	23	8	7	4	3	76
Derbyshire	17	3	5	33	4	13	0	2	77
Derbyshire Dales	0	1	0	0	2	1	4	3	11
Devon	42	0	3	44	8	31	1	8	137
Doncaster	30	7	5	19	7	7	10	10	95
Dorset	10	0	2	27	2	9	0	0	50
Dover	1	5	0	0	3	2	5	13	29
Dudley	4	7	5	25	15	6	13	5	80
Ealing	24	28	13	19	11	36	55	16	202
East Cambs	0	3	1	0	2	0	1	10	17
East Devon	0	2	7	0	7	0	1	16	33
East Dorset	0	5	0	0	5	0	0	3	13
East Hampshire	0	0	0	0	2	0	0	12	14
East Herts	0	5	0	0	1	0	2	5	13
East Lindsey	2	7	4	0	7	3	0	17	40
East Northants	0	2	2	0	3	1	0	6	14
East Riding of Yorks	11	5	10	23	7	12	4	18	90
East Staffs	0	1	2	0	1	0	0	9	13
East Sussex	60	2	2	25	5	13	0	2	109
Eastbourne	1	7	0	0	3	1	4	4	20
Eastleigh	0	1	2	0	2	2	4	4	15
Eden	0	2	0	0	1	0	0	5	8
Elmbridge	1	4	4	0	1	3	8	11	32
Enfield	14	23	5	27	7	15	44	15	150

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Epping Forest	0	5	4	0	1	0	12	4	26
Epsom & Ewell	1	2	4	0	1	1	1	10	20
Erewash	0	3	0	0	1	0	0	6	10
Essex	41	1	5	74	4	36	0	5	166
Exeter	0	0	4	0	0	3	11	4	22
Exmoor National Park Authority	0	0	0	0	0	0	0	0	0
Fareham	0	2	0	0	2	2	2	3	11
Fenland	0	2	5	0	4	0	1	8	20
Forest Heath	0	0	0	0	3	0	2	1	6
Forest of Dean	1	1	0	0	4	1	1	3	11
Fylde	0	6	1	0	0	1	0	6	14
Gateshead	8	6	4	12	7	4	16	7	64
Gedling	0	9	2	0	4	0	1	1	17
Gloucester	1	4	1	0	1	1	0	0	8
Gloucestershire	16	0	2	30	3	19	0	2	72
Gosport	0	7	0	0	2	2	2	0	13
Gravesham	0	12	0	1	2	1	6	2	24
Great Yarmouth	0	1	3	0	4	1	3	3	15
Greenwich	7	21	9	17	6	12	30	8	110
Guildford	0	4	3	0	4	0	5	4	20
Hackney	7	35	9	15	8	31	53	8	166
Halton	6	3	3	6	4	0	1	5	28
Hambleton	0	0	0	0	2	0	1	9	12
Hammersmith & Fulham	8	29	9	10	3	26	36	9	130
Hampshire	21	1	7	36	4	19	0	2	90
Harborough	0	1	1	0	3	0	1	14	20

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Haringey	12	63	14	15	22	26	48	23	223
Harlow	1	5	4	0	2	0	2	0	14
Harrogate	0	1	1	1	2	1	6	7	19
Harrow	17	29	6	19	14	46	17	13	161
Hart	0	0	2	0	2	0	0	1	5
Hartlepool	3	2	5	1	3	2	1	7	24
Hastings	0	7	3	1	1	1	3	4	20
Havant	0	1	1	0	1	0	0	3	6
Havering	12	22	9	5	4	16	32	19	119
Herefordshire	6	7	8	16	4	13	0	14	68
Hertfordshire	16	0	5	59	4	16	0	1	101
Hertsmere	0	3	2	0	1	4	4	14	28
High Peak	0	2	3	0	3	0	3	9	20
Hillingdon	13	26	6	10	6	3	21	8	93
Hinckley & Bosworth	0	3	1	0	2	0	0	5	11
Horsham	0	4	1	0	3	0	2	10	20
Hounslow	19	54	9	11	10	28	35	11	177
Huntingdonshire	0	2	1	0	2	0	2	4	11
Hyndburn	0	3	3	0	0	0	0	5	11
Ipswich	0	5	3	1	2	1	4	0	16
Isle of Wight	9	7	3	10	5	4	3	14	55
Isles of Scilly	1	0	0	0	1	0	0	0	2
Islington	13	19	14	14	8	21	33	7	129
Kensington & Chelsea	7	9	2	12	7	9	16	7	69
Kent	47	1	6	102	10	23	1	4	194
Kettering	0	6	2	0	4	0	4	3	19

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Kings Lynn & West Norfolk	0	4	0	0	2	1	1	6	14
Kingston upon Hull	4	16	7	17	12	11	8	6	81
Kingston upon Thames	7	9	2	11	1	18	13	4	65
Kirklees	11	15	15	26	9	10	7	17	110
Knowsley	6	7	3	6	6	2	1	0	31
Lake District National Park Authority	0	0	0	0	0	0	0	6	6
Lambeth	24	68	15	43	24	46	79	9	308
Lancashire	48	1	9	65	2	16	0	22	163
Lancaster	1	2	2	1	5	0	4	4	19
Leeds	31	23	16	42	34	8	38	26	218
Leicester	13	16	11	19	11	15	15	9	109
Leicestershire	27	0	2	32	3	13	1	2	80
Lewes	0	2	1	0	1	1	7	4	16
Lewisham	12	35	9	20	10	10	27	4	127
Lichfield	0	2	3	0	1	0	1	1	8
Lincoln	1	5	2	0	1	0	3	0	12
Lincolnshire	30	0	8	28	4	15	0	2	87
Liverpool	32	47	9	36	22	11	5	7	169
Luton	7	26	7	15	6	4	11	8	84
Maidstone	0	3	2	0	2	1	2	9	19
Maldon	0	4	1	0	4	1	0	3	13
Malvern Hills	0	2	2	0	2	0	1	4	11
Manchester	38	50	15	29	22	33	11	18	216
Mansfield	2	6	3	0	2	0	2	4	19
Medway	16	21	9	23	8	9	11	13	110
Melton	0	1	1	0	1	0	0	2	5

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Mendip	0	10	5	0	1	1	3	27	47
Merton	10	23	5	9	9	28	9	14	107
Mid Devon	0	3	3	0	3	1	3	6	19
Mid Suffolk	0	5	4	0	2	0	2	6	19
Mid Sussex	0	7	0	0	4	0	1	7	19
Middlesborough	4	12	2	9	4	0	2	6	39
Milton Keynes	11	9	6	14	10	5	12	11	78
Mole Valley	0	3	2	0	1	2	2	5	15
NE Derbyshire	0	1	3	0	2	0	2	5	13
New Forest	1	1	1	0	7	0	5	4	19
New Forest National Parks Authority	0	0	1	0	0	0	0	7	8
Newark & Sherwood	0	5	2	0	2	1	1	8	19
Newcastle	11	5	8	11	9	8	5	1	58
Newcastle-under-Lyme	1	6	6	0	3	1	3	7	27
Newham	13	36	15	27	15	79	103	9	297
Norfolk	24	0	4	33	4	11	0	0	76
North Devon	0	0	2	0	7	2	2	10	23
North Dorset	0	4	0	0	3	0	1	9	17
North East Lincs	3	12	3	6	7	3	6	8	48
North Herts	0	4	2	0	6	3	2	8	25
North Kesteven	0	2	1	0	4	0	2	5	14
North Lincolnshire	7	4	4	7	5	4	1	6	38
North Norfolk	1	3	1	0	0	1	2	11	19
North Somerset	7	26	5	7	1	8	3	8	65
North Tyneside	5	7	6	4	5	10	10	9	56
North Warwicks	0	4	0	1	1	0	1	0	7

Data annex: complaints and enquiries received by category

	Adult care services	Benefits & tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development	Total
North York Moors National Park Authority	0	0	0	0	0	0	0	2	2
North Yorks	25	0	2	38	1	15	0	5	86
Northampton	0	9	7	1	6	0	15	8	46
Northants	15	1	8	51	2	9	2	1	89
Northumberland	5	3	8	16	4	2	5	12	55
Northumberland National Park Authority	0	0	0	0	0	0	0	1	1
Norwich	0	8	9	3	3	3	15	5	46
Nottingham	11	15	13	31	11	9	18	7	115
Notts	33	0	2	40	4	16	2	1	98
Nuneaton & Bedworth	1	7	2	0	2	1	6	3	22
NW Leics	0	3	5	0	3	0	2	11	24
Oadby & Wigston	0	2	1	0	0	0	2	1	6
Oldham	9	12	8	15	8	8	2	11	73
Oxford	1	7	2	0	5	2	11	2	30
Oxfordshire	15	0	5	15	1	11	1	2	50
Peak District National Park Authority	0	0	2	0	0	0	0	7	9
Pendle	0	10	2	0	3	3	3	3	24
Peterborough	5	9	2	15	5	0	8	6	50
Plymouth	10	10	4	13	12	13	10	5	77
Poole	6	5	5	6	5	5	6	15	53
Portsmouth	11	11	10	6	6	9	9	5	67
Preston	0	4	5	0	2	1	1	4	17
Purbeck	0	1	0	0	0	0	0	4	5
Reading	4	8	3	4	2	17	6	0	44
Redbridge	27	30	6	19	7	37	27	21	174
Redcar & Cleveland	3	10	4	6	8	3	0	0	34

Data annex: complaints and enquiries received by category

	Adult care services	Benefits & tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development	Total
Redditch	1	2	2	0	5	1	5	2	18
Reigate & Banstead	2	6	1	0	3	1	5	12	30
Ribble Valley	0	0	0	0	2	0	0	11	13
Richmond upon Thames	12	3	1	13	5	7	9	12	62
Richmondshire	0	0	0	0	2	0	0	1	3
Rochdale	11	14	4	11	6	1	5	3	55
Rochford	0	3	0	0	4	1	4	10	22
Rossendale	0	5	2	0	1	0	1	9	18
Rother	0	5	1	0	1	0	1	8	16
Rotherham	6	8	8	10	11	6	4	10	63
Rugby	0	0	0	0	1	1	4	8	14
Runnymede	0	1	2	0	0	0	6	2	11
Rushcliffe	0	0	1	0	1	0	0	4	6
Rushmoor	0	2	0	0	1	5	4	1	13
Rutland	0	2	5	4	1	1	0	1	14
Ryedale	0	1	1	0	1	0	0	3	6
Salford	14	11	0	12	7	4	8	4	60
Sandwell	16	31	11	26	13	6	22	6	131
Scarborough	1	1	3	0	7	4	2	4	22
Sedgemoor	0	4	1	0	1	1	5	9	21
Sefton	11	11	5	21	9	10	1	8	76
Selby	0	4	2	0	3	0	0	6	15
Sevonoaks	0	5	0	0	1	0	2	10	18
Sheffield	26	34	9	35	15	25	14	8	166
Shepway	0	8	0	0	3	0	3	10	24
Shropshire	21	8	7	12	15	5	4	35	107

Data annex: complaints and enquiries received by category

	Adult care services	Benefits & tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development	Total
Slough	2	14	5	13	3	3	12	0	52
Solihull	11	2	2	14	5	5	6	8	53
Somerset	14	0	1	28	2	14	0	4	63
South Bucks	0	1	1	0	1	0	1	5	9
South Cambs	0	4	0	1	0	0	2	4	11
South Derbyshire	0	0	1	0	0	0	3	3	7
South Downs National Park Authority	0	0	0	0	0	0	0	1	1
South Gos	10	7	6	10	5	6	4	8	56
South Hants	0	3	2	0	4	1	0	18	28
South Holland	0	1	1	0	1	0	1	3	7
South Kesteven	0	3	1	0	0	1	4	6	15
South Lakeland	0	2	6	0	2	2	1	2	15
South Norfolk	0	1	2	1	0	0	0	9	13
South Northants	0	1	0	0	4	0	1	5	11
South Oxfordshire	0	3	0	0	0	0	1	3	7
South Ribble	1	1	2	1	4	1	1	2	13
South Somerset	0	6	3	1	3	2	1	8	24
South Staffs	0	1	1	0	2	0	0	6	10
South Tyneside	11	3	5	11	6	4	4	5	49
Southampton	15	4	4	5	5	5	6	4	48
Southend-on-Sea	8	7	4	6	3	10	4	6	48
Southwark	10	28	14	22	12	11	76	21	194
Spelthorne	0	3	2	0	3	0	1	2	11
St Albans	0	1	2	0	2	3	3	17	28
St Edmundsbury	0	2	1	1	0	1	3	8	16
St Helens	10	6	1	15	4	1	1	3	41

Data annex: complaints and enquiries received by category

	Adult care services	Benefits & tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development	Total
Stafford	0	3	1	0	0	2	1	5	12
Staffordshire	43	1	5	37	5	22	0	3	116
Staffs Moorlands	0	1	1	0	1	1	0	8	12
Stevange	1	4	2	0	1	0	3	3	14
Stockport	11	4	0	20	7	10	3	11	66
Stockton-on-Tees	4	10	1	9	5	2	0	12	43
Stoke-on-Trent	15	14	8	14	6	8	11	7	83
Stratford-on-Avon	0	3	3	0	2	0	0	6	14
Stroud	0	2	3	0	0	0	3	8	16
Suffolk	20	0	8	38	2	12	0	2	82
Suffolk Coastal	0	3	2	0	0	0	2	9	16
Sunderland	8	11	6	12	7	4	2	9	59
Surrey	35	1	8	58	2	23	0	4	131
Surrey Heath	0	4	2	0	1	3	0	6	16
Sutton	9	12	1	8	6	8	13	9	66
Swale	0	3	2	0	2	4	1	10	22
Swindon	6	19	4	9	9	6	5	7	65
Tameside	14	14	3	13	15	2	2	10	73
Tamworth	0	4	5	0	3	1	13	0	26
Tandridge	1	3	0	0	1	0	3	7	15
Taunton Deane	0	2	0	0	1	0	7	6	16
Teignbridge	1	7	4	0	0	2	0	16	30
Telford & Wrekin	12	5	3	6	5	5	2	6	44
Tendring	0	10	6	0	4	1	5	8	34
Test Valley	1	3	2	0	1	2	1	1	11
Tewkesbury	0	3	1	0	0	0	1	8	13

Data annex: complaints and enquiries received by category

	Adult care services	Benefits & tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development	Total
Thanet	0	1	6	0	5	1	3	9	25
Three Rivers	0	6	0	0	5	0	5	7	23
Thurrock	9	29	6	11	6	3	22	3	89
Tonbridge & Malling	0	2	1	0	1	0	3	1	8
Torbay	7	8	4	14	7	5	2	17	64
Torridge	0	4	4	0	1	4	3	17	33
Tower Hamlets	6	23	10	6	6	24	30	6	111
Trafford	8	24	5	12	9	5	3	18	84
Tunbridge Wells	0	4	0	0	2	1	2	7	16
Uttleford	0	3	1	0	2	1	3	8	18
Vale of White Horse	0	5	3	0	0	0	0	5	13
Wakefield	4	11	12	15	8	7	2	14	73
Walsall	20	4	4	25	9	1	1	5	69
Waltham Forest	16	29	13	23	12	24	34	11	162
Wandsworth	5	25	5	12	6	13	25	7	98
Warrington	14	9	2	13	5	3	4	8	58
Warwick	0	8	6	0	2	2	2	5	25
Warwickshire	37	0	2	26	4	8	2	0	79
Watford	0	6	1	0	0	1	8	3	19
Waveney	0	6	1	0	5	2	5	3	22
Waverley	0	4	6	0	2	0	2	9	23
Wealden	0	6	1	0	10	2	4	11	34
Wellingborough	0	2	0	0	2	1	1	3	9
Welwyn Hatfield	0	8	2	1	5	2	9	5	32
West Berkshire	5	12	4	6	9	4	2	7	49
West Devon	0	0	2	0	3	0	2	9	16

Data annex: complaints and enquiries received by category

	Adult care services	Benefits & tax	Corporate & other services	Education & children's services	Environmental services, public protection & regulation	Highways & transport	Housing	Planning & development	Total
West Dorset	0	0	2	0	3	0	2	9	16
West Lancs	0	3	3	0	0	0	3	9	18
West Lindsey	0	5	4	0	1	0	2	10	22
West Oxfordshire	0	1	1	0	2	0	3	6	13
West Somerset	0	1	0	0	1	0	0	6	8
West Sussex	59	0	2	34	6	22	1	2	126
Westminster	11	55	6	8	12	25	87	4	208
Weymouth & Portland	0	3	2	0	3	0	1	4	13
Wigan	14	26	8	16	8	8	5	8	93
Wiltshire	19	9	5	28	6	6	7	36	116
Winchester	0	1	1	0	1	2	1	7	13
Windsor & Maidenhead	2	6	3	5	3	5	0	13	37
Wirral	28	12	9	15	10	8	7	12	101
Woking	0	2	2	0	1	2	3	4	14
Wokingham	5	8	5	14	5	2	4	2	45
Wolverhampton	5	11	6	36	9	3	13	2	85
Worcester	0	0	2	1	0	2	3	2	10
Worcestershire	19	0	4	30	0	5	0	3	61
Worthing	1	4	2	1	2	3	1	4	18
Wychavon	0	2	0	0	3	0	2	8	15
Wycombe	0	12	2	0	4	1	11	10	40
Wyre	0	5	3	0	2	0	2	3	15
Wyre Forest	2	1	0	0	0	0	0	3	6
York	9	8	5	9	13	9	9	10	72
Yorkshire Dales National Park Authority	0	0	0	0	0	0	0	1	1

Data annex: complaints and enquiries received by category

Notes

The statistics include all the complaints and enquiries received in 2013/14.

Number of complaints and enquiries received: a number of cases will have been received and decided in different business years, this means the number of complaints and enquiries received will not always match the number of decisions made.

For further information on interpreting the statistics click [here](#).

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Adur	0	4	0	5	6	0	100.0%	15
Allerdale	0	3	1	5	1	5	16.7%	15
Amber Valley	0	6	3	7	3	7	30.0%	26
Arun	0	10	2	9	2	2	50.0%	25
Ashfield	3	10	1	4	3	4	42.9%	25
Ashford	1	12	1	7	3	3	50.0%	27
Aylesbury Vale	0	13	1	13	0	8	0.0%	35
Babergh	1	2	0	3	0	5	0.0%	11
Barking & Dagenham	14	36	3	48	11	9	55.0%	121
Barnet	14	67	3	79	14	10	58.3%	187
Barnsley	2	18	6	29	5	14	26.3%	74
Barrow	3	6	0	5	2	2	50.0%	18
Basildon	7	8	1	21	1	6	14.3%	44
Basingstoke & Deane	1	6	2	5	0	2	0.0%	16
Bassetlaw	2	8	0	6	3	4	42.9%	23
Bath & NE Somerset	2	12	1	14	1	10	9.1%	40
Bedford	1	10	4	18	6	4	60.0%	43
Bexley	0	28	2	38	10	12	45.5%	90
Birmingham	52	131	22	254	82	43	65.6%	584
Blaby	0	8	0	1	1	0	100%	10
Blackburn w/Darwen	2	11	0	21	4	4	50.0%	42
Blackpool	4	11	2	25	11	5	68.8%	58
Bolsover	2	6	1	9	1	1	50.0%	20
Bolton	2	28	4	36	9	12	42.9%	91
Boston	0	4	0	4	0	1	0.0%	9
Bournemouth	4	10	3	29	6	12	33.3%	64

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Bracknell Forest	2	9	1	10	0	2	0.0%	24
Braintree	0	5	1	7	2	4	33.3%	19
Breckland	1	4	0	7	3	2	60.0%	17
Brent	10	48	6	77	11	15	42.3%	167
Brentwood	2	2	1	10	2	3	40.0%	20
Brighton & Hove	4	33	4	53	12	17	41.4%	123
Bristol	15	55	4	46	24	16	60.0%	160
Brookland	0	7	0	6	4	5	44.4%	22
Broads Authority	0	3	0	0	0	0		3
Bromley	2	42	3	74	14	20	41.2%	155
Bromsgrove	0	8	0	7	1	4	20.0%	20
Broxbourne	0	3	0	7	3	0	100.0%	13
Broxtowe	1	6	1	6	4	2	66.7%	20
Buckinghamshire	2	56	11	22	7	6	53.8%	104
Burnley	0	7	0	8	0	2	0.0%	17
Bury	0	16	1	16	8	7	53.3%	48
Calderdale	3	19	3	19	8	8	50.0%	60
Cambridge	2	3	1	5	2	2	50.0%	15
Cambridgeshire	1	15	5	24	9	20	31.0%	74
Camden	24	66	2	37	20	16	55.6%	165
Cannock Chase	0	2	0	8	0	1	0.0%	11
Canterbury	2	6	0	22	1	4	20.0%	35
Carlisle	0	2	0	0	0	0		2
Castle Point	1	2	0	3	4	5	44.4%	15
Central Bedfordshire	2	23	3	28	4	13	23.5%	73
Charnwood	2	11	0	9	2	2	50.0%	26

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Chelmsford	0	6	1	7	1	4	20.0%	19
Cheltenham	1	8	0	6	4	5	44.4%	24
Cherwell	0	7	0	8	2	4	33.3%	21
Cheshire East	3	37	3	50	17	21	44.7%	131
Cheshire W & Chester	1	34	2	39	13	17	43.3%	106
Chesterfield	0	7	0	7	0	3	0.0%	17
Chichester	0	8	0	6	1	1	50.0%	16
Chiltern	0	4	0	5	0	1	0.0%	10
Chorley	0	2	0	3	1	2	33.3%	8
Christchurch	0	3	0	6	0	1	0.0%	10
City of Bradford	7	37	8	62	14	22	38.9%	150
City of London	2	2	0	1	0	1	0.0%	6
Colchester	4	6	1	8	2	2	50.0%	23
Copeland	1	7	0	5	1	6	14.3%	20
Corby	1	2	0	10	4	0	100.0%	17
Cornwall	3	70	14	67	36	32	52.9%	222
Cotswold	0	5	0	3	0	4	0.0%	12
County Durham	6	69	3	48	25	26	49.0%	177
Coventry	1	25	9	56	10	9	52.6%	110
Craven	1	3	0	10	0	2	0.0%	16
Crawley	1	6	1	8	2	4	33.3%	22
Croydon	10	71	6	121	37	23	61.7%	268
Cumbria	0	13	3	21	6	5	54.5%	48
Dacorum	1	4	3	12	1	4	20.0%	25
Darlington	0	6	2	7	3	5	37.5%	23
Dartford	0	10	1	7	2	1	66.7%	21

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Dartmoor National Park Authority	1	2	0	0	0	4	0.0%	7
Daventry	2	2	0	7	3	4	42.9%	18
Derby	2	34	1	25	9	10	47.4%	81
Derbyshire	0	26	2	36	11	8	57.9%	83
Derbyshire Dales	1	3	1	4	0	1	0.0%	10
Devon	4	36	4	30	27	40	40.3%	141
Doncaster	5	33	1	33	12	10	54.5%	94
Dorset	1	17	2	19	5	12	29.4%	56
Dover	2	9	0	11	3	5	37.5%	30
Dudley	4	25	1	38	3	16	15.8%	87
Ealing	12	63	6	86	39	21	65.0%	227
East Cambs	1	3	0	8	0	2	0.0%	14
East Devon	0	15	0	11	4	11	26.7%	41
East Dorset	0	5	1	6	3	1	75.0%	16
East Hampshire	0	7	0	0	1	3	25.0%	11
East Herts	0	4	0	6	0	1	0.0%	11
East Lindsey	0	11	0	14	1	10	9.1%	36
East Northants	1	7	1	3	1	2	33.3%	15
East Riding of Yorks	3	29	1	40	10	15	40.0%	98
East Staffs	0	5	1	3	0	3	0.0%	12
East Sussex	1	33	6	31	19	21	47.5%	111
Eastbourne	1	7	1	12	0	0		21
Eastleigh	0	4	2	6	2	2	50.0%	16
Eden	0	4	0	2	2	0	100.0%	8
Elmbridge	0	7	1	17	2	3	40.0%	30
Enfield	7	36	5	66	23	16	59.0%	153

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Epping Forest	4	5	2	10	0	1	0.0%	22
Epsom & Ewell	0	8	1	6	3	3	50.0%	21
Erewash	1	1	0	5	3	2	60.0%	12
Essex	1	53	7	60	30	16	65.2%	167
Exeter	3	6	1	8	3	3	50.0%	24
Exmoor National Park Authority	0	0	0	0	0	0		0
Fareham	0	6	0	4	0	3	0.0%	13
Fenland	1	7	1	7	4	1	80.0%	21
Forest Heath	0	2	0	1	1	1	50.0%	5
Forest of Dean	0	2	0	8	0	2	0.0%	12
Fylde	0	6	1	6	0	2	0.0%	15
Gateshead	10	14	3	24	9	9	50.0%	69
Gedling	0	11	1	5	0	2	0.0%	19
Gloucester	0	1	0	4	0	0		5
Gloucestershire	0	18	0	30	7	15	31.8%	70
Gosport	0	4	0	8	0	1	0.0%	13
Gravesham	3	4	1	12	1	1	50.0%	22
Great Yarmouth	2	1	0	9	1	1	50.0%	14
Greenwich	16	33	6	45	14	11	56.0%	125
Guildford	3	7	0	8	2	2	50.0%	22
Hackney	24	47	9	67	31	6	83.8%	184
Halton	0	10	0	10	3	6	33.3%	29
Hambleton	1	5	0	7	1	1	50.0%	15
Hammersmith & Fulham	11	57	4	40	11	12	47.8%	135
Hampshire	3	32	3	27	10	15	40.0%	90
Harborough	0	4	0	5	4	5	44.4%	18

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Haringey	17	72	3	83	32	23	58.2%	230
Harlow	2	4	0	7	1	2	33.3%	16
Harrogate	1	6	0	8	3	0	100.0%	18
Harrow	5	56	4	61	21	17	55.3%	164
Hart	0	1	1	3	0	0		5
Hartlepool	0	10	2	9	1	3	25.0%	25
Hastings	0	9	1	8	1	2	33.3%	21
Havant	0	2	0	5	1	1	50.0%	9
Havering	6	30	4	60	11	10	52.4%	121
Herefordshire	0	33	3	25	13	9	59.1%	83
Hertfordshire	1	42	5	44	11	5	68.8%	108
Hertsmere	1	6	1	13	0	4	0.0%	25
High Peak	2	5	0	7	2	3	40.0%	19
Hillingdon	4	26	2	44	5	4	55.6%	85
Hinckley & Bosworth	0	3	1	5	4	2	66.7%	15
Horsham	0	7	1	8	5	1	83.3%	22
Hounslow	8	48	3	100	19	15	55.9%	193
Huntingdonshire	2	2	0	4	3	4	42.9%	15
Hyndburn	0	3	0	5	0	8	0.0%	16
Ipswich	2	7	1	7	0	0		17
Isle of Wight	0	25	1	22	8	5	61.5%	61
Isles of Scilly	0	1	0	2	0	0		3
Islington	24	41	4	39	18	20	47.3%	146
Kensington & Chelsea	1	18	4	33	4	14	22.2%	74
Kent	1	57	12	44	36	41	46.8%	191
Kettering	2	6	1	8	3	1	75.0%	21

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
King's Lynn & West Norfolk	1	4	0	6	1	0	100.0%	12
Kingston upon Hull	3	29	2	36	7	11	38.9%	88
Kingston upon Thames	5	21	2	26	8	6	57.1%	68
Kirklees	2	41	9	37	13	23	36.1%	125
Knowsley	1	12	0	10	4	5	44.4%	32
Lake District National Park Authority	0	3	0	2	5	3	62.5%	13
Lambeth	41	95	13	104	51	34	60.0%	338
Lancashire	1	31	8	63	19	41	31.7%	163
Lancaster	1	9	0	7	3	3	50.0%	23
Leeds	21	65	5	70	29	42	40.8%	232
Leicester	6	49	8	25	15	15	50.0%	118
Leicestershire	1	19	3	36	10	11	47.6%	80
Lewes	1	3	0	9	1	0	100.0%	14
Lewisham	8	32	7	62	15	10	60.0%	134
Lichfield	1	2	1	4	0	2	0.0%	10
Lincoln	2	5	1	4	2	1	66.7%	15
Lincolnshire	1	31	3	28	11	18	37.9%	92
Liverpool	2	50	4	92	21	13	61.8%	182
Luton	2	31	5	32	6	3	66.7%	79
Maidstone	0	10	1	5	3	0	100.0%	19
Maldon	0	6	0	5	2	1	66.7%	14
Malvern Hills	0	4	0	4	2	2	50.0%	12
Manchester	8	83	11	78	16	23	41.0%	219
Mansfield	3	8	0	6	0	3	0.0%	20
Medway	2	44	7	31	6	20	23.1%	110
Melton	0	2	1	0	0	1	0.0%	4

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Mendip	0	11	4	27	4	3	57.1%	49
Merton	1	27	4	49	18	11	62.1%	110
Mid Devon	2	9	1	8	1	2	33.3%	23
Mid Suffolk	3	5	1	9	1	4	20.0%	23
Mid Sussex	0	7	0	11	3	1	75.0%	22
Middlesborough	0	8	0	18	1	6	14.3%	33
Milton Keynes	5	19	3	32	6	6	50.0%	71
Mole Valley	0	4	0	5	1	7	12.5%	17
NE Derbyshire	0	7	0	5	1	3	25.0%	16
New Forest	2	10	0	6	2	1	66.7%	21
New Forest National Park Authority	0	1	1	0	1	5	16.7%	8
Newark & Sherwood	1	11	0	9	3	0	100.0%	24
Newcastle	4	28	4	13	3	10	23.1%	62
Newcastle-under-Lyme	2	8	1	5	5	3	62.5%	24
Newham	19	90	8	133	28	21	57.1%	299
Norfolk	1	29	2	23	6	10	37.5%	71
North Devon	0	11	0	7	2	5	28.6%	25
North Dorset	0	4	0	8	0	2	0.0%	14
North East Lincs	1	15	1	24	2	8	20.0%	51
North Herts	0	8	1	11	2	1	66.7%	23
North Kesteven	0	5	0	9	1	0	100.0%	15
North Lincolnshire	1	11	3	17	5	4	55.6%	41
North Norfolk	0	8	2	5	3	2	60.0%	20
North Somerset	0	23	2	16	9	13	40.9%	63
North Tyneside	6	21	1	23	3	6	33.3%	60
North Warwicks	0	3	1	4	0	2	0.0%	10

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
North Yorks National Park Authority	0	0	0	1	0	1	0.0%	2
North Yorks	0	24	4	24	22	13	62.9%	87
Northampton	6	13	3	18	5	8	38.5%	53
Northants	1	22	5	40	12	11	52.2%	91
Northumberland	2	20	0	25	8	8	50.0%	63
Northumberland National Park Authority	0	1	0	0	0	0		1
Norwich	11	11	0	15	2	10	16.7%	49
Nottingham	7	29	4	40	14	30	31.8%	124
Nottingham	0	33	2	33	15	15	50.0%	98
Nuneaton & Bedworth	5	9	0	6	1	4	20.0%	25
NE Leics	2	7	0	9	3	5	37.5%	26
Oadby & Wigston	1	2	0	1	1	0	100.0%	5
Oldham	3	24	2	29	7	12	36.8%	77
Oxford	3	9	2	8	1	4	20.0%	27
Oxfordshire	2	22	1	14	7	14	33.3%	60
Peak District National Park Authority	0	3	1	2	2	1	66.7%	9
Pendle	1	10	1	13	1	2	33.3%	28
Peterborough	0	16	1	20	10	4	71.4%	51
Plymouth	2	25	1	33	10	11	47.6%	82
Poole	1	20	5	14	4	10	28.6%	54
Portsmouth	7	20	1	24	3	12	20.0%	67
Preston	2	6	0	6	1	1	50.0%	16
Purbeck	0	1	0	2	0	2	0.0%	5
Reading	2	18	0	17	6	6	50.0%	49
Redbridge	5	52	7	63	30	25	54.5%	182
Redcar & Cleveland	1	9	1	22	1	4	20.0%	38

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Redditch	2	3	2	11	0	1	0.0%	19
Reigate & Banstead	0	11	0	13	3	6	33.3%	33
Ribble Valley	0	2	1	5	4	3	57.1%	15
Richmond upon Thames	0	21	3	21	11	10	52.4%	66
Richmondshire	0	1	0	3	0	0		4
Rochdale	1	16	5	26	5	4	55.6%	57
Rochford	1	6	0	13	0	3	0.0%	23
Rosebush	0	5	0	8	1	4	20.0%	18
Rother	0	8	1	5	0	4	0.0%	18
Rotham	1	18	3	28	5	13	27.8%	68
Rugby	0	3	0	7	2	1	66.7%	13
Runnymede	3	1	1	5	1	1	50.0%	12
Rushcliffe	0	4	0	1	3	0	100.0%	8
Rushmoor	0	3	0	9	0	0		12
Rutland	0	9	1	6	1	1	50.0%	18
Ryedale	0	4	0	1	1	1	50.0%	7
Salford	3	11	1	25	13	10	56.5%	63
Sandwell	12	32	3	61	20	10	66.7%	138
Scarborough	0	7	0	11	1	6	14.3%	25
Sedgemoor	2	7	0	7	2	6	25.0%	24
Sefton	1	24	2	26	6	15	28.6%	74
Selby	0	3	0	5	5	5	50.0%	18
Sevenoaks	0	8	1	8	0	3	0.0%	20
Sheffield	9	48	6	69	16	26	38.1%	174
Shepway	1	5	1	10	3	4	42.9%	24
Shropshire	0	28	2	44	19	12	61.3%	105

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Slough	2	12	3	26	4	9	30.8%	56
Solihull	3	16	1	25	6	5	54.5%	56
Somerset	2	12	3	26	6	9	40.0%	58
South Bucks	0	4	1	4	1	1	50.0%	11
South Cambs	2	6	1	4	2	2	50.0%	17
South Derbyshire	1	4	0	2	1	0	100.0%	8
South Downs National Park Authority	0	0	0	1	0	0		1
South Gos	5	15	3	23	7	7	50.0%	60
South Hants	0	11	2	6	15	10	60.0%	44
South Holland	0	4	2	2	0	1	0.0%	9
South Kesteven	1	4	1	7	0	3	0.0%	16
South Lakeland	0	9	1	2	0	2	0.0%	14
South Norfolk	1	5	0	2	0	1	0.0%	9
South Northants	0	3	0	5	2	5	28.6%	15
South Oxfordshire	1	2	0	4	0	4	0.0%	11
South Ribble	0	5	1	6	0	2	0.0%	14
South Somerset	0	13	3	4	2	3	40.0%	25
South Staffs	1	3	0	4	0	1	0.0%	9
South Tyneside	5	23	0	10	1	15	6.3%	54
Southampton	2	11	1	13	8	10	44.4%	45
Southend-on-Sea	2	16	1	19	1	7	12.5%	46
Southwark	47	57	7	69	44	18	71.0%	242
Spelthorne	1	1	0	7	0	1	0.0%	10
St Albans	1	11	2	9	3	5	37.5%	31
St Edmundsbury	1	9	1	4	0	4	0.0%	19
St Helens	0	11	0	18	5	8	38.5%	42

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Stafford	0	5	1	6	3	3	50.0%	18
Staffordshire	1	35	7	35	21	15	58.3%	114
Staffs Moorlands	1	4	0	2	2	4	33.3%	13
Stevenage	3	4	1	6	1	3	25.0%	18
Stockport	1	20	2	25	3	20	13.0%	71
Stockton-on-Tees	1	10	1	23	5	5	50.0%	45
Stoke-on-Trent	2	34	6	25	17	11	60.7%	95
Stratford-on-Avon	1	4	2	1	4	2	66.7%	14
Stroud	2	7	1	6	0	0		16
Suffolk	7	25	3	29	14	11	56.0%	89
Suffolk Coastal	1	4	2	5	1	3	25.0%	16
Sunderland	2	22	4	20	9	10	47.4%	67
Surrey	0	45	6	52	17	13	56.7%	133
Surrey Heath	0	8	0	7	2	0	100.0%	17
Sutton	3	19	4	30	4	6	40.0%	66
Swale	0	11	0	10	2	2	50.0%	25
Swindon	3	21	4	28	2	9	18.2%	67
Tameside	1	17	2	33	13	12	52.0%	78
Tamworth	7	3	2	11	3	2	60.0%	28
Tandridge	0	6	2	4	2	4	33.3%	18
Taunton Deane	2	4	0	6	5	7	41.7%	24
Teignbridge	1	10	1	11	4	7	36.4%	34
Telford & Wrekin	3	11	4	14	3	7	30.0%	42
Tendring	0	8	2	20	0	5	0.0%	35
Test Valley	0	4	3	4	0	0		11
Tewkesbury	0	2	1	8	1	1	50.0%	13

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
Thanet	3	3	0	13	0	3	0.0%	22
Three Rivers	1	9	0	7	2	3	40.0%	22
Thurrock	15	21	3	40	18	10	64.3%	107
Tonbridge & Malling	0	1	0	6	0	1	0.0%	8
Torbay	0	17	3	26	11	12	47.8%	69
Torrige	0	14	2	10	9	6	60.0%	41
Tower Hamlets	11	40	3	51	10	3	76.9%	118
Trafford	3	25	1	34	11	16	40.7%	90
Tunbridge Wells	1	5	1	5	4	4	50.0%	20
Uttlesford	1	7	1	6	4	3	57.1%	22
Vale of White Horse	2	4	0	7	2	2	50.0%	17
Wakefield	2	40	5	18	7	7	50.0%	79
Walsall	2	14	3	28	9	17	34.6%	73
Waltham Forest	7	52	4	62	27	20	57.4%	172
Wandsworth	9	37	2	37	6	13	31.6%	104
Warrington	0	19	4	22	12	8	60.0%	65
Warwick	0	13	1	11	4	2	66.7%	31
Warwickshire	2	9	3	26	19	13	59.4%	72
Watford	0	11	1	7	1	0	100.0%	20
Waveney	3	5	0	14	1	3	25.0%	26
Waverley	0	11	1	4	1	4	20.0%	21
Wealden	3	7	1	16	1	6	14.3%	34
Wellingborough	0	6	0	3	1	1	50.0%	11
Welwyn Hatfield	2	8	2	15	2	2	50.0%	31
West Berkshire	0	26	1	15	3	8	27.3%	53
West Devon	0	4	0	4	0	3	0.0%	11

Data annex: decisions made (by local authority)

	Advice given	Closed after initial enquiries	Incomplete /invalid	Referred back for local resolution	Detailed investigations		% upheld*	Total
					Upheld	Not upheld		
West Dorset	0	16	0	4	1	3	25.0%	24
West Lancs	2	5	0	6	0	6	0.0%	19
West Lindsey	0	8	1	3	2	4	33.3%	18
West Oxfordshire	0	4	0	6	1	3	25.0%	14
West Somerset	0	0	0	3	0	2	0.0%	5
West Sussex	3	43	4	38	17	25	40.5%	130
Westminster	9	53	7	77	18	57	24.0%	221
Weymouth & Portland	0	2	1	9	2	1	66.7%	15
Wigan	5	30	2	37	15	11	57.7%	100
Wiltshire	3	29	6	40	17	16	51.5%	111
Winchester	0	6	1	6	1	2	33.3%	16
Windsor & Maidenhead	1	8	2	14	8	5	61.5%	38
Wirral	2	22	4	41	8	14	36.4%	91
Woking	0	7	0	6	0	3	0.0%	16
Wokingham	2	14	4	21	3	5	37.5%	49
Wolverhampton	8	27	1	32	5	23	17.9%	96
Worcester	1	2	1	3	1	0	100.0%	8
Worcestershire	0	17	2	18	14	13	51.9%	64
Worthing	0	9	0	8	0	1	0.0%	18
Wychavon	1	6	1	5	2	1	66.7%	16
Wycombe	0	11	2	19	3	8	27.3%	43
Wyre	0	3	0	10	3	0	100.0%	16
Wyre Forest	0	1	0	3	0	1	0.0%	5
York	4	23	3	19	6	14	30.0%	69
Yorkshire Dales National Park Authority	0	1	0	0	0	0		0

Data annex: decisions made (by local authority)

Notes

Number of complaints and enquiries received: a number of cases will have been received and decided in different business years, this means the number of complaints and enquiries received will not always match the number of decisions made.

* Percentage of complaints that are investigated in more detail.

For further information on interpreting the statistics [click here](#).

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Wiltshire Council

Standards Committee

21 January 2015

Review of Part 3 of the Constitution - Area Board Election of Chairs and Cabinet Member Representation

Purpose

1. To consider recommended changes to Part 3 of the Constitution from the Constitution Focus Group following a request from Full Council to review sections on the election of Chairmen to Area Boards and Cabinet Member representation on Area Boards.

Background

2. At Full Council on 29 July 2014 it was resolved to adopt a revised Part 3 of the Constitution - Responsibility for Functions and Schemes of Delegation - but that several paragraphs in relation to Area Boards be reviewed and brought back for approval at a later date, as identified during a briefing for councillors on the proposed constitutional changes held the preceding week.
3. The paragraphs in question were paragraph 4.9 (including all sub-paragraphs) in relation to the election of a Chairman, and paragraph 4.10 in relation to the attendance of Cabinet Members to Area Boards to which they were not standing members in their own right.
4. The current paragraphs 4.9 and 4.10 are as follows:

4.9 The chairman and vice-chairman of an area board will be appointed at the first meeting of an area board, which takes place after the annual meeting of the Council, by the unitary councillors on each area board, except in an election year where after the first meeting of Full Council a special meeting of each area board will take place to appoint a chairman and a vice-chairman.

4.9.1 The outgoing chairman unless he or she is seeking re-election will preside over the election. If the chairman is seeking re-election, the vice-chairman will preside.

4.9.2 The person presiding will call for nominations for the position of chairman of the area board. A councillor's nomination must be seconded to be valid. A councillor shall not be nominated in his/her absence without their written consent.

- 4.9.3 *In the event of only one valid nomination being received the person presiding will declare the nominated councillor elected.*
- 4.9.4 *In the case of two valid nominations the Chairman will ask for a show of hands from those councillors in favour of each councillor and declare the candidate receiving the majority of votes of the councillors present and voting, to be the winner.*
- 4.9.5 *In the case of an equality of votes for the two candidates, the person presiding may exercise his or her right to use a casting vote to determine the winner of the election and then declare the result.*
- 4.9.6 *In the case of three or more valid nominations being made, the person presiding will call for a show of hands for each of the candidates. The person presiding will then announce the candidate with the least number of votes and that candidate will be eliminated (in the case of a tie for the least number of votes, the person presiding may exercise his or her right to use a casting vote to determine which candidate to be eliminated). A further vote shall be taken for the remaining candidates and after each vote the candidate with the least number of votes shall be eliminated until only two candidates remain and a final vote taken.*
- 4.9.7 *The newly elected Chairman of the Area Board shall then preside over the election of the Vice Chairman in the manner described above.*
- 4.9.8 *With the exception of an election year, the chairman and vice-chairman of an area board shall remain in post until their successors are appointed.*
- 4.10 *A member of Wiltshire Council's Cabinet will attend those area boards which do not have a Cabinet member as a standing member of the area board. Cabinet members attending the area board will not have voting rights. For the avoidance of doubt a Cabinet member is entitled to vote as a standing member of the area board in which their electoral division is located.*

Focus Group Consideration

5. The Focus Group considered that the process should be kept as simple as possible and determined that the Democratic Services Officer present should preside over the election in each year, drawing lots in the event of an equality of votes.
6. Regarding Cabinet Member representation on Area Boards the Focus Group considered rules should be amended to clarify that a Cabinet Member would attend an area board meeting upon request reflecting current practice as well as the commitment of Cabinet Members to attend if so requested.

Recommendation

- 7. To recommend to Council to adopt the proposed amendments to Part 3 of the Constitution as contained at appendix 1:**

Ian Gibbons, Associate Director, Legal and Governance, and Monitoring Officer

13 January 2015

Report Author: Kieran Elliott, Senior Democratic Services Officer

Background Papers: None

Appendix 1 - Tracked Changes to Part 3

Appendix 1 - Part 3 Tracked Changes

4.9 The chairman and vice-chairman of an area board will be appointed at the first meeting of an area board, which takes place after the annual meeting of the Council, by the unitary councillors on each area board, except in an election year where after the first meeting of Full Council a special meeting of each area board will take place to appoint a chairman and a vice-chairman.

~~The outgoing chairman unless he or she is seeking re-election will preside over the election. If the chairman is seeking re-election, the vice-chairman will preside.~~

- 4.9.1 The ~~person presiding~~Democratic Services representative will call for nominations for the position of chairman of the area board. A councillor's nomination must be seconded to be valid. A councillor shall not be nominated in his/her absence without their written consent.
- 4.9.2 In the event of only one valid nomination being received the person presiding will declare the nominated councillor elected.
- 4.9.3 In the case of two valid nominations the ~~Chairman~~Democratic Services representative will ask for a show of hands from those councillors in favour of each councillor and declare the candidate receiving the majority of votes of the councillors present and voting, to be the winner.
- 4.9.4 In the case of an equality of votes for the two candidates, the ~~person presiding may~~Democratic Services representative shall exercise his or her right to use a casting vote~~draw lots~~ to determine the winner of the election and then declare the result.
- 4.9.5 In the case of three or more valid nominations being made, the ~~person presiding~~Democratic Services Representative will call for a show of hands for each of the candidates. The ~~person presiding~~Democratic Services representative will then announce the candidate with the least number of votes and that candidate will be eliminated (in the case of a tie for the least number of votes, the ~~person presiding may~~Democratic Services representative shall exercise his or her right to use a casting vote~~draw lots~~ to determine which candidate to be eliminated). A further vote shall be taken for the remaining candidates and after each vote the candidate with the least number of votes shall be eliminated until only two candidates remain and a final vote taken.
- 4.9.6 The newly elected Chairman of the Area Board shall then preside over the election of the Vice Chairman in the manner described above with the ability to use a casting vote in the event of an equality of votes.

4.9.7 With the exception of an election year, the chairman and vice-chairman of an area board shall remain in post until their successors are appointed.

4.10 A member of Wiltshire Council's Cabinet will attend upon request those area boards which do not have a Cabinet member as a standing member of the area board. Cabinet members attending the area board will not have voting rights. For the avoidance of doubt a Cabinet member is entitled to vote as a standing member of the area board in which their electoral division is located.

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Wiltshire Council

Standards Committee

21 January 2015

Standards Committee Forward Work Plan

<u>Meeting Date and Time</u>	<u>Name of Report</u>	<u>Scope of Report</u>
15 April 2015		
15 April 2015	Constitutional Changes	
15 April 2015		
8 July 2015	Draft Annual Governance Statement 2013/14	
8 July 2015		
8 July 2015	Constitutional Changes	

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

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