



OADBY AND WIGSTON BOROUGH COUNCIL

STANDARDS AND ETHICAL INDICATORS

QUARTER 3 REPORT

2021/2022

1. Introduction

This is the quarterly report to the Policy Finance and Development Committee detailing both the figures for the Ethical Indicators and the figures for the Local Determination of Complaints process for 2021/2022.

For clarification purposes the months covered by the quarters are as follows:

Quarter 1 – 1 April to 30 June
Quarter 2 – 1 July to 30 September
Quarter 3 – 1 October to 31 December
Quarter 4 – 1 January to 31 March

The report is split into two parts for ease of reference; Part 1 refers to the local determination of complaints, part 2 is the table showing the ethical indicators figures.

The report will enable the Policy Finance and Development Committee to build up a picture over time of how many complaints are received and where these are coming from. The parts of the Code of Conduct which have been breached will also be recorded to enable training to be targeted effectively.

2. Part 1 – Local Determination of Complaints

The Monitoring Officer received 0 complaints in Quarter 3 of 2021/2022.
1 outstanding complaint from Quarter 2 was resolved in Quarter 3

2.1 Source of Complaint

The outstanding complaint was received from an elected Member about comments made by another Member during a Full Council meeting. Having assessed the complaint and taken advice from 1 of the Independent Persons the Monitoring Officer determined that the words complained of did not amount to a breach of the Code of Conduct.

2.2 Assessment Sub-committee Decisions

There have been No Assessment Sub-committee meetings in this quarter.

2.3 Timeliness of Decision

The Standards for England Guidance stated that the Assessment Sub-committee should complete its initial assessment of an allegation “within an average of 20 working days” to reach a decision on what should happen with the complaint. The Council has taken this standard and adapted it under the new rules to aim to hold an Assessment Sub-committee within 20 working days of notifying the parties that informal resolution is not possible.

2.4 Review Requests

There have been no review requests in this quarter. Review requests can only be made following a decision of 'No further Action' by the Assessment Sub-committee where there is submission of new evidence or information by the complainant.

2.5 Subsequent Referrals

None

2.6 Outcome of Investigations

There were no formal investigations concluded in this period.

2.7 Parts of the Code Breached

This section is intended to show where there are patterns forming to enable the Policy Finance and Development Committee to determine where there needs to be further training for Councillors. Targeting training in this way makes it more sustainable and, hopefully, more effective.

So far this year, the following areas of the code were found to have been breached:

Not applicable

Ref	Performance Indicator Description	Officer responsible for providing information	Q1		Q2		Q3		Q4	
			2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022
LG1	Objections to the Council's Accounts	Head of Finance	0	0	0	0	0	0	0	
LG2	Follow up Action relating to reaches of the Member/Officer Protocol (Members)	Head of Law & Democracy	0	0	0	0	0	0	0	
LG3	Disciplinary Action relating to breaches of the Member / Officer Protocol (Staff)	HR Manager	0	0	0	0	0	0	0	
LG4	Number of Whistle Blowing Incidents Reported	Head of Law & Democracy	0	0	0	0	0	0	0	
LG5	No. of Recommendations made to improve Governance Procedures/Policies		0	0	0	0	0	0	0	
LG6	No. of Recommendations Implemented		0	0	0	0	0	0	0	

Corporate Complaints

Ref	Performance Indicator Description	Officer responsible for providing information	Q1		Q2		Q3		Q4	
			2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022
LG7	No. Corporate Complaints received	Data Protection Officer	19	37	15	35	29	20	43	
	No. Corporate Complaints escalated to L2		3	7	1	1	4	5	2	
	No. Corporate Complaints escalated to Ombudsman		1	1*	0	0	0	0	0	
LG7a	No. Corporate Complaints Resolved at L1		19	30	14	34	29	15	41	
	No. Corporate Complaints Resolved at L2		3	36	1	1	4	5	2	
LG7b	No. Corporate Complaints where compensation paid		0	0	0	0	0	1	2	
	Service Area		-	-	-	-	-	Housing	-	
LG8	No. Ombudsman complaints received		0	1*	1	0	1	0	0	
	Service Area		-	Housing	Comms	-	Housing	-	-	
LG8a	No. Ombudsman complaints resolved		1	0	1	0	1	0	0	
LG8b	No. Ombudsman complaints not yet determined by the Ombudsman		1	1	0	0	0	0	0	
LG8c	No. Ombudsman complaints where compensation paid		1	0	0	0	0	0	0	

* Escalated to the Housing Ombudsman

Freedom of Information Act Indicators

Ref	Performance Indicator Description	Officer responsible for providing information	Q1		Q2		Q3		Q4	
			2020/2021	2021/2022	2019/2020	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022
LG9a	No. of FOI Requests Compliant	Data Protection Officer	88	113	127	109	135	139	163	
LG9b	No. of Non-compliant FOI Requests		32	19	27	39	27	16	24	
LG9c	No. of FOI Requests still open and within the 20 working days		0	0	0	1	5	1	0	
LG9d	No. of FOI Requests withheld due to exemptions/fees applied		4	7	3	4	2	0	2	

Regulation of Investigatory Powers Act Indicators

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022
LG10	No. of Directed Surveillance Authorisations granted during the quarter	Head of Law & Democracy	0	0	0	0	0	0	0	
LG10a	No. in force at the end of the quarter		0	0	0	0	0	0	0	
LG10b	No. of CHIS recruited during the quarter		0	0	0	0	0	0	0	
LG10c	No. ceased to be used during the quarter		0	0	0	0	0	0	0	
LG10d	No. active at the end of the quarter		0	0	0	0	0	0	0	
LG10e	No. of breaches (particularly unauthorised surveillance)		0	0	0	0	0	0	0	
LG10f	No. of applications submitted to obtain communications data which were rejected		0	0	0	0	0	0	0	
LG10g	No. of Notices requiring disclosure of communications data		0	0	0	0	0	0	0	
LG10h	No. of authorisations for conduct to acquire communications data		0	0	0	0	0	0	0	
LG10i	No. of recordable errors		0	0	0	0	0	0	0	

Anti-Social Behaviour Indicators

Ref.	Performance Indicator Description	Officer responsible for providing information	Q1		Q2		Q3		Q4	
			2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022
	No. of Complaints Registered	Head of Community & Wellbeing	31	31	31	27	11	17	35	
	No. of Disposals		13	10	13	16	3	9	1	
	No. of Complaints still Open		4	0	4	2	0	3	0	
	No Further Action (where suspect identified)		3	2	3	3	1	5	3*	
	No Further Action (no suspect identified)		11	19	11	18	7	9	32	

* One reported incident resulted in 2 suspects being identified

Food Safety Inspections

Ref.	Performance Indicator Description	Officer responsible for providing information	Q1		Q2		Q3		Q4	
			2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022	2020/2021	2021/2022
BPE31	No. of Programmed Inspections	Head of Law & Democracy	46	56	43	1 15 17	24	4 27 62	101	
	No. of Programmed Inspections Completed		4	14 2*	4	1 3 0 *(2) 96	4	2 0 0 *(2)31		
	No. of Programmed Inspections Outstanding		42	13*	*81	0 12 17	*101	2 27 62 *(2)65	94	

(1) Following The Food Standard Agency's latest guidance on routine food inspections, we have prioritised inspections according to risk (High/Medium and low) All businesses are risk rating into A-E (A and B are high risk, C/D medium risk and E low risk).

In October 2021 we moved on to Phase 2 of the recovery plan all High Risk must be inspected. Phase 2 runs to 2023.

- Phase 2. All A's to be completed by March 2022.
- All B's to be completed by June 2022.
- From Sept 2022 the recovery of C-D's will start.
- Phase 2 will complete by end of March 2023 with all outstanding inspections from A-D completed.
- Low risk can be deferred.

(2) We are continuing to Triage new businesses and share data with Trading Standards of new food registrations. In Quarter 3 we have started to roll out the physical inspections and will continue in Quarter 4. We continue to use the help of two local EHO's to undertake some inspections as extra resources as a short term solution due to staff shortages.