

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

3 March 2008

**Complaints and Ethical Indicator Information**

**1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to present to the Committee statistics in relation to complaints and compliments received by the Council for Quarters 2 and 3 in 2007. It also presents information in relation to agreed ethical indicators for the period 1 April 2007 to 19 February 2008, which help give an indication of the health of the authority in relation to standards and ethics.

**2.0 BACKGROUND**

- 2.1 Appendix 1 comprises two comprehensive reports from the Staff Officer to the Chief Executive in relation to compliments and complaints for the periods 1 July 2007 to 30 September 2007 and 1 October 2007 to 31 December 2007. Members are requested to consider the detailed information in the reports which covers complaints referred for handling through the Council's complaints system, and also matters that have been referred to the Local Government Ombudsman.
- 2.2 Members also considered that it would be helpful to regularly monitor statistics in a range of areas which might act as indicators if there were difficulties within the authority. This part of the report covers the period 1 April 2007 to 19 February 2008.

**3.0 DISTRICT AUDIT PUBLIC INTEREST REPORTS**

2007/8 There were no public interest reports during this period.

2004/5	2005/6	2006/7	2007/8
0	0	0	0

**4.0 OBJECTIONS TO THE COUNCIL'S ACCOUNTS**

2007/8 There were no objections to the accounts during this period.

2004/5	2005/6	2006/7	2007/8
0	0	0	0

**5.0 REFERRALS TO AND INVESTIGATIONS UNDERTAKEN BY THE STANDARDS BOARD FOR ENGLAND**

Status	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8
Received	5	2	1	5	0	5
Investigated	2	1	1	2	0	0
Code Breached	2	1	0	0	0	0
Penalty	1	0	0	0	0	0

**6.0 NUMBER OF WHISTLEBLOWING INCIDENTS REPORTED**

2004/5	2005/6	2006/7	2007/8
4	8	73 incidents (21 of those raised through email)	60 to date

In 2007/08 60 matters were raised by whistle-blowing. 24 of those matters were reported via:

- the whistleblower hotline
- the whistleblower e mail
- the whistleblower e form
- letter

**7.0 NUMBER OF CHALLENGES TO PROCUREMENTS**

2004/5	2005/6	2006/7	2007/8
0	0	0	0

During 2007/8 there have been no actual legal challenges to procurements, although two unsuccessful tenderers have raised queries about the outcome of two procurement processes and in one of those the queries are ongoing.

**8.0 DISCIPLINARY ACTION RELATING TO BREACHES OF THE MEMBER/OFFICER PROTOCOL**

2004/5	2005/6	2006/7	2007/8
0	0	0	0

For the period April to December 2007, a total of 49 cases of disciplinary action were undertaken. 4 of those related to fraud matters, as detailed below.

Of the remaining 45 instances, 25 related to misconduct issues, including one case relating to bringing the authority into disrepute.

## 9.0 DISCIPLINARY ACTION RELATING TO FRAUD

2004/5	2005/6	2006/7	2007/8
1	3	3	4

The 4 matters recorded for 2007/8 relate to financial mis-management, falsifying timesheets and false claim of hours.

## 10.0 FREEDOM OF INFORMATION ACT INDICATORS

Statistics for 2007/08

The position to date can be summarised as follows -

Month	Number of requests received	Number of requests answered	Number of requests answered late	Percentage of requests answered late	Percentage of requests answered within time	Requests outstanding and overdue at month end
April 07	25	21	4	19%	81%	6
May 07	30	33	6	18%	82%	2
June 07	24	22	2	9%	91%	5
July 07	33	35	8	23%	77%	4
Aug 07	23	31	4	13%	87%	2
Sept 07	20	19	1	5%	95%	2
Oct 07	18	17	2	12%	88%	2
Nov 07	40	43	5	12%	88%	1
Dec 07	12	23	2	9%	91%	0
Jan 08	21	14	0	0%	100%	0
Feb 08 (part)	24	13	0	0%	100%	0
<b>Total</b>	<b>270</b>	<b>271</b>	<b>34</b>	<b>13%</b>	<b>87%</b>	

The 34 requests responded to outside of the 20 days time limit are spread across all services.

### **Appeals**

The County Council is obliged to have an appeals process which provides a mechanism for the applicant to lodge an appeal where they are unhappy with a refusal to supply all or some of the information requested. In the period April 2007 to February 2008, 4 such appeals have been received.

#### **11.0 INDUSTRIAL ACTION TAKEN OR NOTIFIED**

There were no instances of industrial action in 2007/8.

2004/5	2005/6	2006/7	2007/8
January – March	April – June	July – September	April – December 2007
0	0	0	0

#### **12.0 NUMBER OF EMPLOYMENT TRIBUNALS RECEIVED**

2007/8 11 employment tribunal claims were commenced, together with further claims in respect of equal pay and part time pensions. At the time of writing this report the figures for new part-time pensions cases for this period are not available. An oral update will be given to the meeting.

Of those 11 employment tribunal claims, 2 were withdrawn, 2 were settled, 2 were struck out and for the remaining 5 they are pending dates for hearing.

2004/5	2005/6	2006/7	2007/8
9 + 1 Multiple	10	8 + 14 equal pay and 9 part-time pension cases	11 + 23 new equal pay claims - all now withdrawn/settled Details of part-time pension cases to follow.

#### **13.0 CONCLUSION**

13.1 These indicators are provided at the request of the Committee to help give the Committee an indication of the health of the authority in relation to standards and ethics.

#### **14.0 RECOMMENDATIONS**

14.1 Members are requested to note the report.

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Background Documents:  
None

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