



## Standards Committee

**Date** Friday 27 May 2011  
**Time** 11.00 am  
**Venue** Committee Room 2 - County Hall, Durham

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### Business

#### Part A

**Items during which the Press and Public are welcome to attend.  
Members of the Public can ask questions with the Chairman's agreement.**

1. Minutes of the Meeting held on 18 February 2011 (Pages 1 - 6)
2. Declarations of Interest, if any
3. Performance Report for 2010/11: Complaints, Compliments and Suggestions - Report of Corporate Director, Neighbourhood Services (Pages 7 - 40)
4. Town and Parish Council Sub Committee Update (Pages 41 - 44)
5. Composition of the Standards Committee (Pages 45 - 46)
6. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.
7. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

#### Part B

**Items during which it is considered the meeting is not likely to be open to the public (consideration of exempt or confidential information)**

8. Update on the handling of Current Complaints - Report of Head of Legal and Democratic Services and Monitoring Officer (copy attached). (Pages 47 - 54)

9. Review of Completed Complaints
10. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.

**Colette Longbottom**  
Head of Legal and Democratic Services

County Hall  
Durham  
19 May 2011

**To: The Members of the Standards Committee**

Mrs D Winter (Chairman)  
Councillor P Charlton (Vice-Chairman)

Councillors J Armstrong, A Bainbridge, E Bell, C Carr, D Farry, G Holland,  
J Shiell, D J Southwell, W Stelling, M Williams and S Zair

J G Armstrong, D Balls, D Balmer, J Hitchman and T Naples

Councillors T Batson, F Duggan, M Goyns, D Liversidge and J Marr

- N.B.**
1. **All other Members of the County Council and the Co-opted Voting Members of the County Council's Overview and Scrutiny Management Board are invited to attend for Part A Business**
  2. **Members of the Standards Committees of Durham Police Authority and County Durham and Darlington Fire and Rescue Authority are also invited for Part A Business**

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**Contact: Jocasta Lawton**

**Email: 0191 383 3679**

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**DURHAM COUNTY COUNCIL**

**STANDARDS COMMITTEE**

At a Meeting of **Standards Committee** held in Committee Room 2 - County Hall, Durham on **Friday 18 February 2011 at 10.00 am**

**Present:**

**Mrs D Winter (Chairman)**

**Members of the Committee:**

Councillors P Charlton (Vice-Chairman), J Armstrong, A Bainbridge, D Farry, J Shiell, D J Southwell, W Stelling and S Zair

**Co-opted Members:**

Parish Councillor T Batson, F Duggan, M Goyns and D Liversidge

**Apologies:**

Apologies for absence were received from Councillor Edward Bell, Councillor Colin Carr, Councillor Grenville Holland, Councillor Mac Williams, Elsie Davies and William Ault

**Also Present:**

Councillor Brian Myers

**1 Minutes of the Meeting held on 22 November 2010**

The minutes of the meeting held on 22 November 2010 were confirmed as a correct record and signed by the Chairman.

**2 Declarations of Interest, if any**

There were no declarations of interest received.

**3 Performance Report for Quarter 3, 2010/11: Complaints, Compliments and Suggestions - Report of Corporate Director, Neighbourhood Services**

The Committee noted a report of the Corporate Director, Neighbourhood Services, the purpose of which was to present progress for quarter 3 of 2010/11 in relation to corporate complaints, compliments, comments and suggestions (for copy see file of Minutes).

The Service Development Manager was in attendance to present the report. He advised that there had been a substantial increase in the number of complaints which was largely attributed to the long period of inclement weather which affected front line services. Some of these complaints related to the lack of information regarding the winter maintenance and revised bin collections, however the Service Development Manager advised that this information was available through the website and County News. In total there had been 525 complaints received for the quarter which was an increase from 206 complaints in the same quarter of the previous year. However attention was drawn to the fact that the inclement weather in the previous year had occurred in quarter 4.

The Service Development Manager advised that 86% of stage 1 complaints and 83% of stage 2 complaints had been acknowledged within 2 working days, both figures being reflecting improved performance since the previous quarter.

Members were advised that Neighbourhood Services had recently established a complaints group to embed the complaints process within the service grouping. The work of the group would be centred around the proper logging of all complaints and how complaints could be turned around quicker.

In relation to learning outcomes the Service Development Manager advised that further to previous requests from the Standards Committee, examples of learning outcomes were now included in the report and additional functionality had been added to the complaints CRM system to allow services to log these against the complaint or suggestion.

The Service Development Manager advised that 59 suggestions had been received during the quarter, all of which were considered on a case by case basis for learning outcomes. In addition a very large number of compliments had been received with an overall increase from 323 in quarter 2 to 526 in quarter 3.

In response to Members clarified that the reason the number of unjustified complaints was high was due to the Council not being at fault. For example, complaints had been received relating to a lack of bin collections during the period, however the Council was not at fault as the collections needed to be scaled back for health and safety reasons, as such the Council had not been at fault.

The Service Development Manager agreed that a percentage increase for compliments would be included in future reports.

In relation to paragraph 21 of the report the Service Development Manager clarified that just 44% of stage 2 complaints were dealt with within the target time of 10 working days as many stage 2 complaints were particularly complex and required officer investigation. However he advised that the complainants were regularly corresponded with progress updates on their complaints.

The Chair advised that she had again visited the Corporate Complaints section and had witnessed many of those complex complaints. She continued to be extremely impressed with the work of the Corporate Complaints Team.

Members also commended those staff who had worked hard during the inclement weather to ensure that disruption to frontline services was kept to a minimum.

**Resolved:**

That the report be noted.

**4 The Localism Bill - Standards - Report of the Head of Legal and Democratic Services**

Consideration was given to a report of the Head of Legal and Democratic Services advising Members of the key provisions of the Localism Bill in relation to Standards (for copy see file of Minutes).

The Deputy Monitoring Officer outlined the report and advised that the Committee would be kept informed of any future relevant developments. Members were keen to see a Standards Committee remain within the authority past the inception of the Localism Bill, even though it was recognised that a future Committee may not have the powers that the current Standards Committee had. Members requested that plans for the future of standards within the authority be explored well in advance of the Localism Bill receiving Royal Assent.

It was further suggested that the authority work closely with the County Durham Association of Local Councils in establishing plans for the future. Furthermore it was suggested that implementing a collective relationship for Standards between Durham County Council, Durham Police Authority and County Durham and Darlington Fire Authority also be given consideration.

The Chair advised that she had already entered discussions with the Monitoring Officer on the issue. Further opinion on the future of Standards was being sought and meetings would be held with appropriate partners. The Chair would communicate the wishes of the members of the Committee in all future discussions on the matter and the Committee were assured that they would be kept updated.

**Resolved:**

That the report be noted and the Chair communicate the Committee's views to the Monitoring Officer.

**5 Decision of the First Tier Tribunal in the Appeal by Councillor Blenkinsopp against the Decision of the Standards Committee - Report of the Head of Legal and Democratic Services**

Consideration was given to a report of the Head of Legal and Democratic Services which provided an update following the decision of the First Tier Tribunal in

Councillor Blenkinsopp's appeal against the decision of the Standards Committee (for copy see file of Minutes).

The Governance Solicitor advised that although the First Tier Tribunal upheld the original decision of the Standards Committee that there had been a breach of the Code of Conduct, their determination was to vary the sanction which had originally been imposed from a three month suspension to a one month suspension.

**Resolved:**

That the report be noted.

**6 Town and Parish Council Sub Committee - Report of the Head of Legal and Democratic Services**

Consideration was given to a report of the Chair of the Town and Parish Council Sub-Committee, providing an update of the activities of the Sub-Committee (for copy see file of Minutes).

It was reported that the Town and Parish Council would be meeting following conclusion of the Standards Committee meeting. Members were advised that the Sub-Committee had established a Terms of Reference and that several requests had already been received from Parish and Town Councils for members of the Sub-Committee, accompanied by officers from the Legal and Democratic Services Team, to visit them in order to provide training and support.

**Resolved:**

That the report be noted and the terms of reference adopted by the Sub-Committee be endorsed.

**7 Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.**

The Deputy Monitoring Officer advised that a letter had been hand delivered earlier that morning, addressed to the members of the Standards Committee, by a member of the public who had previously taken a number of complaints to the Committee for consideration (for copy see file of Minutes). It was requested that the letter be considered during the meeting and as such copies were circulated to all present.

As the letter contained direct references her, the Chair of the Committee offered to leave the room while the matter was considered. Unanimously, the Members of the Committee believed it unnecessary for the Chair to leave the room, as such she remained in the meeting.

Having been given an opportunity to consider and debate the contents of the letter, Members determined that the issues raised therein had previously been subject of thorough debate. The Deputy Monitoring Office was therefore directed to respond accordingly and advise that the Members of the Committee considered the correspondence to be closed.

**Resolved:**

That the Deputy Monitoring Officer prepare a response on behalf of the Standards Committee in accordance with their views.

**8 Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.**

**Resolved:**

That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the said Act.

**9 Local Investigation - Case Reference LA88 - Report of the Head of Legal and Democratic Services**

The Committee considered a report of the Head of Legal and Democratic Services which informed of the outcome of a Standards Committee Hearing into allegations that a Town Councillor contravened the Code of Conduct (for copy see file of Minutes). The Committee were advised that the Investigating Officer's findings of a breach of the Code of Conduct were partially upheld by the Hearing Panel. The Town Councillor had since complied with the sanction imposed by the Hearing Panel and provided a written apology to the complainants.

**Resolved:**

That the report be noted.

**10 Update on the Handling of Current Complaints - Report of the Head of Legal and Democratic Services**

The Committee considered a report of the Head of Legal and Democratic Services which provided an update report in respect of complaints of alleged breaches of the Code of Conduct (for copy see file of Minutes).

A working document detailing and tracking the exact status of all complaints was circulated for information and Members noted that all complaints had been dealt with in designated timescales.

**Resolved:**

That the report be noted.

**11 Review of Completed Complaints**

Members of the Committee inspected a sample of completed complaints, comments and compliment files for the review period in question.



**Standards Committee**

**27 May 2011**



**Performance Report for 2010/11:  
Complaints, Compliments and Suggestions**

**Report of Terry Collins- Corporate Director, Neighbourhood Services**

**Purpose of the Report**

1. To present performance in relation to complaints, compliments and suggestions for the financial year, 2010/11.
2. To highlight any learning outcomes resulting from the complaints, compliments and suggestions received.
3. To update Standards Committee of developments in the collection, monitoring and management of complaints.

**Background**

4. Durham County Council strives to provide high quality services. However, we realise that sometimes we get things wrong and people are not always happy with what we do. As part of the cycle of continuous improvement and to ensure we meet the needs and expectations of the residents of the County, we analyse data received through the complaints, compliments and suggestions system to determine if we can further improve processes and thereby service delivery.
5. Non-statutory complaints, compliments and suggestions are monitored by the corporate complaints team which is part of customer services and contained within the Neighbourhood Services service grouping. They can be defined as follows;
  - **Complaint.** An expression of dissatisfaction about the standard of service, action or lack of action by the Council, its staff or contractors/agents providing services on behalf of the Council affecting an individual customer or group of customers.
  - **Compliment.** An expression of satisfaction with a service the Council provides. This could be satisfaction with an individual member of staff, team or particular service area
  - **Suggestion.** A remark made about a particular aspect of service which can be used to improve service delivery
6. There are 2 types of complaint used throughout this report,
  - **Statutory.** A complaint which arises from the duties placed on a local social services authority to provide assessments and care services under the provisions of relevant adult and children's social care legislation. The process for managing such complaints is prescribed in Regulations.
  - **Non-Statutory.** All other complaints
7. Non-Statutory Complaints can be classified as Stage 1, Stage 2 or Stage 3.

- **Stage 1:** complaint that can not be resolved at the first point of contact and so has been passed to Customer Services in order to 'champion' the complaint on behalf of the complainant.
  - **Stage 2:** complaint that can not be resolved at Stage 1 and so has been sent to the relevant director to investigate in conjunction with customer services
  - **Stage 3:** complaint that can not be resolved at Stage 2 and so has been referred to the Local Government Ombudsman (LGO) which will carry out an independent assessment on behalf of the complainant.
8. This report contains information on all complaints received by the Authority and logged on the Customer Relationship Management (CRM) system or Social Services Information Database (SSID). All complaints received and reported relate to Durham County Council internally run services only. The overview section refers to the numbers of non-statutory complaints received across the Council. Details of the statutory complaints for Adults, Wellbeing & Health and Children & Young People's Services are provided in the section appropriate to that service grouping.
9. The corporate complaints team, and the Council as a whole, work to specified service standards, previously agreed by Cabinet for non-statutory complaints, and so have a number of targets to achieve, for example, acknowledging all complaints within 2 working days, and responding to stage 1 complaints within 10 working days and stage 2 complaints within 20 working days.
10. Performance updates are reported on a quarterly basis and this is the final routine report for 2010/11.

### **Data Quality**

11. Recent work on data quality of complaints, compliments and suggestions has highlighted some issues in relation to the recording mechanisms in CRM. These generally relate to the distinction between a service request and a complaint. For example, to report:
- a street light that is not working
  - that their bin has been missed during their normal collection round
  - that they feel there is an unacceptable level of litter in their street
  - a noisy neighbour

Service requests should only be classified as complaints if the customer is dissatisfied with the response to their request. However, service requests are frequently confused with complaints and recorded incorrectly. Confusion arises when customers express dissatisfaction that the service has not been provided. We are aware that a number of service requests are being categorised as complaints. This incorrect coding could undermine the analysis of the data and the conclusions reached. The majority of these cases are confined to Neighbourhood Services, due to the front facing nature and scope of its service provision. Steps are being taken to correct the situation and ensure only true complaints are counted through the Neighbourhood Services link officer group and the corporate complaints group.

12. We are also aware that some complaints are being recorded as compliments or suggestions in CRM. This appears to be due to complainants using the website to record their complaint selecting the incorrect option. In addition to ensuring the electronic complaints recording system is as user friendly as possible, we will be looking at a process to correct these anomalies and ensure customer feedback is appropriately logged and dealt with.










13. There is variation in the manner in which complaints, compliments and suggestions are being recorded. A minority of service areas are not utilising the CRM system, although they are responding to the correspondence appropriately. This mainly affects Neighbourhood Services due to system issues arising from Local Government Review (LGR). We strongly feel that all data should be held in the same place and subject to the same data quality checks. It will also allow accurate downloads to be made at anytime without the need to manually change the data. Over time, all service areas will be migrated onto the same system. It should be noted that this will lead to an increased number of complaints recorded in this report. Standards Committee will be kept informed of all developments.

### **Progress of the Complaints Handling Review**

14. A review of the procedures in place for handling complaints, compliments and suggestions is now complete and an action plan has been developed. The action plan, which focuses on processes and procedures, the storage and recovery of performance data, and the collection and use of learning outcomes, is now being implemented. The governance and implementation of the actions will be monitored by the Customer Focus Board as part of the council's improvement programme and will be reported to future standards committees. Progress made since the last meeting includes
- New website pages have been launched
  - The complaints form has been re drafted and is now available in a 'pdf' format allowing Services to print copies as and when required
  - A survey of past complainants gauging their views in relation to our complaints procedure has been completed and the results are being analysed.
  - The current complaints system is being tested and following this an evaluation exercise will be carried out. A report will be submitted to the Customer Focus Board this month outlining proposals to simplify the current procedures.

### **Format of this report**

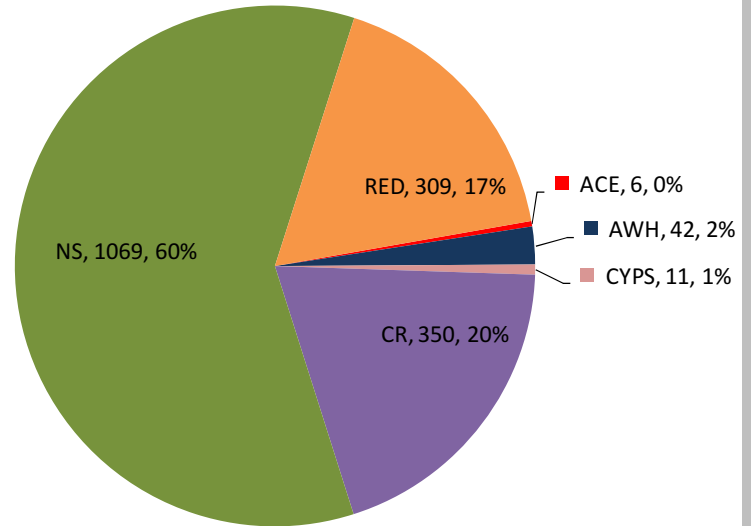
15. This report is divided into 3 main sections. The following table abbreviations and colour codes are used to identify service groupings throughout this report

|   |  |
|---|--|
|  | Section 1: Overview of the 2010/11 financial year                        |
|  | Section 2: Overview of Quarter 4, 2010/11                                |
|  | Section 3: Detailed quarter 4, 2010/11 report from each service grouping |
|  | Assistant Chief Executive's Office (ACE)                                 |
|  | Adults, Wellbeing and Health (AWH)                                       |
|  | Children and Young People's Services (CYPS)                              |
|  | Corporate Resources (CR)   |
|  | Neighbourhood Services (NS)  |
|  | Regeneration and Economic Development (RED)                              |

## Section 1: Overview of 2010/11

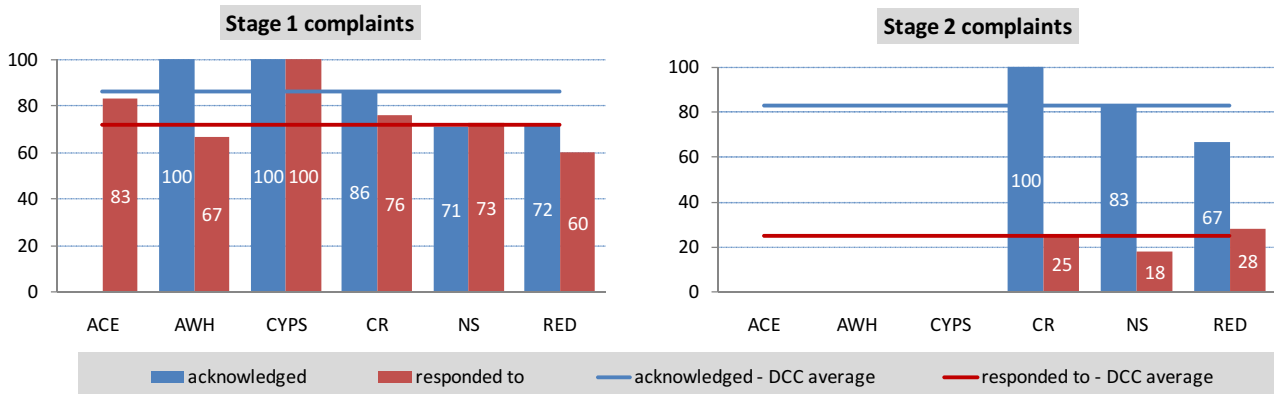
16. Between 1 April 2010 and the 31 March 2011, 1,787 non-statutory complaints, 1,412 compliments and 568 suggestions were received by Durham County Council. This compares with 1,088 non-statutory complaints, 385 compliments and 220 suggestions received in 2009/10.

17. The majority of complaints (60%) related to Neighbourhood Services (NS). This service grouping is front facing and the scope of its service provision includes customer services, waste collection, street cleansing, highways, and leisure provision. These services are provided to all residents and this exposure explains why NS receives the greatest number.



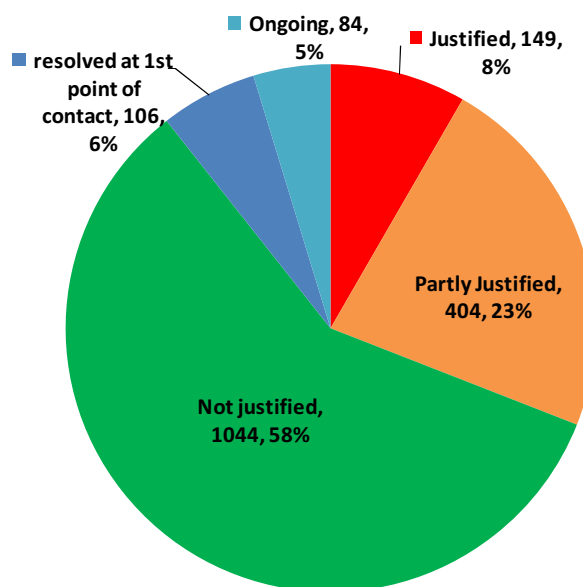
18. The number of complaints received can vary significantly throughout the year. Inclement weather caused significant disruption to service provision at the end of November and beginning of December 2010 and ongoing development to the complaints system due to continued harmonisation resulting from Local Government Review (LGR) have contributed to these fluctuations. Both of these resulted in an increase in the number of recorded complaints.

19. For all complaints there is an acknowledgement target of 2 working days. In addition, there is a responded to target time of 10 working days for stage 1 complaints and 20 working days for stage 2 complaints. The following graphs show the average response times throughout 2010/11.



20. On occasions when complaints are received and we have not been able to respond within the timescales holding letters are sent out explaining the reasons for the delays.

21. Acknowledgement and response times vary throughout the year. The main reason for this fluctuation is simply volume. Complaints peak at certain times of the year, most notably during the council tax billing period, periods of inclement weather and bank holidays. At these times, officers are unable to handle complaints within the desired timescales due to a combination of the volume received and the relevant officers endeavouring to keep services running through these busy periods.



22. Further investigation of the 1,787 complaints received during the financial year 2010/11 shows that there were 1,044 occasions (58%) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.

23. If the not justified complaints, those that were resolved at the first point of contact and those that are ongoing are removed, DCC is left with 553 (31%) justified complaints, 149 fully and 404 partly justified, from which there is possibility of learning.

24. Complaints can be classified as belonging to one of 8 categories. The following table shows the breakdown of the justified complaints received during 2010/11. As can be seen the majority of complaints (79%) have been categorised as either quality of service or service failure

| Complaint Category   | Fully Justified | Partly Justified | Total      |            |
|----------------------|-----------------|------------------|------------|------------|
|                      |                 |                  | Number     | % of total |
| Administration       | 6               | 6                | 12         | 2          |
| Communication        | 5               | 10               | 15         | 3          |
| Council Policy       | 1               | 3                | 4          | 1          |
| Environmental Impact | 7               | 13               | 20         | 4          |
| Planning             | 3               | 8                | 11         | 2          |
| Quality of Service   | 55              | 176              | 231        | 42         |
| Service Failure      | 52              | 152              | 204        | 37         |
| Speed of Delivery    | 7               | 14               | 21         | 4          |
| Staff Attitude       | 13              | 22               | 35         | 6          |
| <b>TOTAL</b>         | <b>149</b>      | <b>404</b>       | <b>553</b> |            |

25. In addition to complaints, we also analyse compliments and suggestions to determine if we can further improve processes, and thereby service delivery. The ratio of compliments to complaints is 0.79 and for every 3 complaints received, we receive a suggestion for improved service delivery.

| Service Grouping | Complaints   | Compliments  | Suggestions |
|------------------|--------------|--------------|-------------|
| ACE              | 6            | 3            | 102         |
| AWH              | 42           | 203          | 27          |
| CR               | 350          | 156          | 33          |
| CYPS             | 11           | 402          | 5           |
| NS               | 1,069        | 453          | 368         |
| RED              | 309          | 195          | 33          |
| <b>Total</b>     | <b>1,787</b> | <b>1,412</b> | <b>568</b>  |

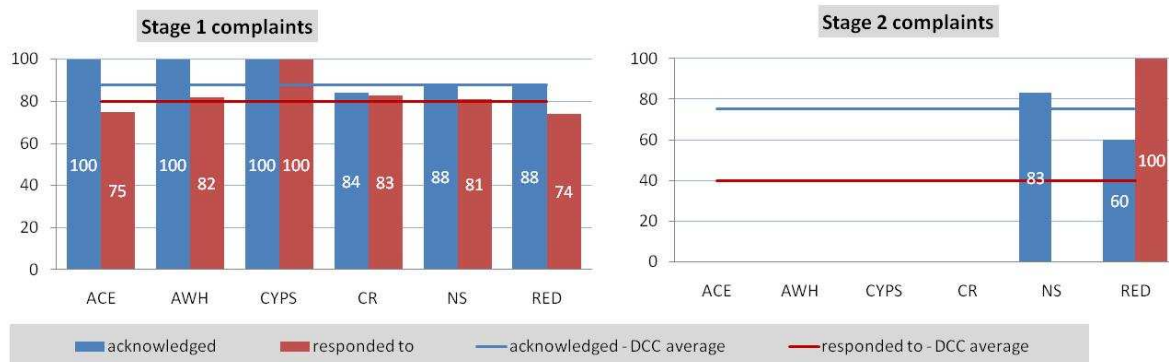
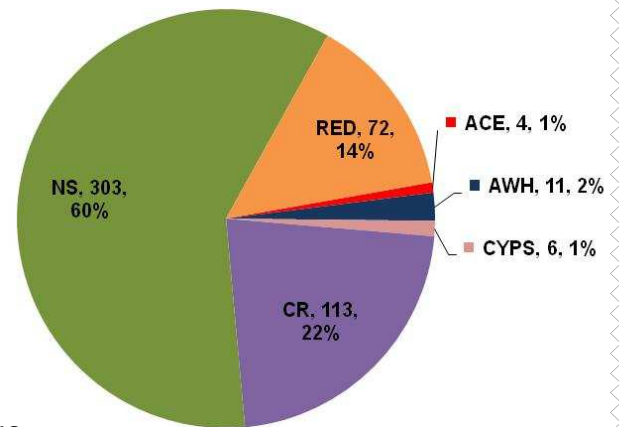
26. All correspondence is reviewed and considered. We sent full apologies to complainants in all cases and have continued to tackle staff / suppliers whose attitude / service is called into question, ensuring that our service standards are maintained. More specifically, as a result of complaints, compliments and suggestions received, during 2010/11 we
- Initiated a review of the refuse and recycling winter operation plan
  - Changed the mechanism for changing swimming pool programmes so consideration is always given to the displacement of current users
  - Negotiated a reduction the number of swimming lanes at Freeman's Quay used by Durham University to increase public access
  - Implemented new cleaning operations at Freeman's Quay
  - Secured the services of another firm in relation to impounding and removing horses from council owned land
  - Improved processes with regard to the disposal of surplus assets
  - Appointed 4 additional permanent staff into revenues to improve customer service
  - Initiated a review into relation to the way helpdesk calls are handled
  - Introduced new tenant information and a text message reminder service for appointments in relation to repairs and maintenance (Durham City Homes)
  - Improved guidance to officers in relation to the production of planning case reports, ensuring that where a site note is issued a photograph of the notice is include on the file
  - Initiated a full review of the priority network and consideration is being given to changing the manner in which we deal with the requests from vulnerable people
  - Improved guidance to officers on the production of planning case reports and adding in to the standard procedure that where a site notice is issued a photograph of the notice is included in the file.

## Section 2: Overview of quarter 4, 2010/11 (non-statutory complaints)

27. Between 1 January 2011 and the 31 March 2011, 509 non-statutory complaints, 416 compliments and 175 service requests were received by Durham County Council.

28. The majority of complaints (60%) related to Neighbourhood Services (NS). This is consistent with the trend over the 2010/11 financial year.

29. For all complaints there is an acknowledgement target of 2 working days. In addition, there is a responded to target time of 10 working days for stage 1 complaints and 20 working days for stage 2 complaints. The following graphs show the average response times throughout quarter 4, 2010/11



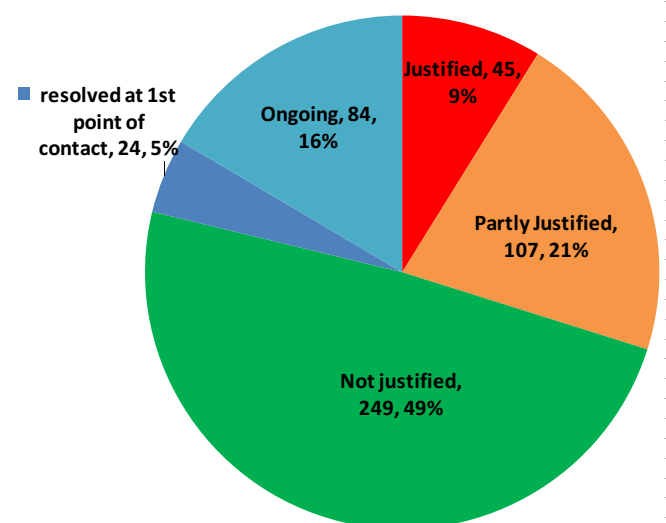
30. On occasions when complaints are received and we have not been able to respond within the timescales holding letters are sent out explaining the reasons for the delays.

31. Considering the volume of complaints received, our response times during quarter 4 were very good.

32. Further investigation of the 509 complaints received during the last quarter of 2010/11 shows that there were 249 occasions (49%) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.

33. If the not justified complaints, those that were resolved at the first point of contact and those that are ongoing are removed, DCC is left with 152 (30%) justified complaints, 45 fully and 107 partly justified, from which there is possibility of learning.

34. Complaints can be classified as belonging to one of 8 categories. The following table shows the breakdown of the justified complaints received during quarter 4, 2010/11.



As can be seen the majority of complaints have been categorised as either quality of service or service failure

| Complaint Category   | Fully Justified | Partly Justified | Total  |            |
|----------------------|-----------------|------------------|--------|------------|
|                      |                 |                  | Number | % of total |
| Administration       | 1               | 1                | 2      | 1          |
| Communication        | 0               | 1                | 1      | 1          |
| Council Policy       | 0               | 1                | 1      | 1          |
| Environmental Impact | 0               | 1                | 1      | 1          |
| Planning             | 0               | 1                | 1      | 1          |
| Quality of Service   | 23              | 50               | 73     | 48         |
| Service Failure      | 16              | 41               | 57     | 37         |
| Speed of Delivery    | 1               | 5                | 6      | 4          |
| Staff Attitude       | 4               | 6                | 10     | 7          |
| <b>TOTAL</b>         | 45              | 107              | 152    |            |

35. In addition to complaints, we also analyse compliments and suggestions to determine if we can further improve processes, and thereby service delivery. The ratio of compliments to complaints is 0.82 and for every 3 complaints received, we receive a suggestion for improved service delivery.

| Service Grouping | Complaints | Compliments | Suggestions |
|------------------|------------|-------------|-------------|
| ACE              | 4          | 1           | 11          |
| AWH              | 11         | 205         | 4           |
| CR               | 113        | 28          | 10          |
| CYPS             | 6          | 0           | 2           |
| NS               | 303        | 105         | 140         |
| RED              | 72         | 75          | 8           |
| <b>Total</b>     | 509        | 416         | 175         |

36. All correspondence is reviewed and considered.

37. More detail, in relation to learning outcomes, can be found in each service grouping's dedicated section of the report. However, the following is a list of some of the lessons learned and changes implemented as a result of complaints, compliments and suggestions.

- To deal with land purchases and right to buy in a more timely manner, corporate resources has employed an additional member of staff
- The benefits service has implemented a number of changes in response to the number benefits service complaints in Derwentside. Temporary resource has been transferred from another site to provide front-line customer services and allow staff to adapt to a new computer system; resource has been allocated as a direct contact to landlords; errors in the assessment of claims have been corrected and training issues identified. New procedures for dealing with documents submitted at Chester-le-Street office reception have been implemented.
- The authority changed its procedure in relation to e-petitions.
- During times of peak volume, Customer Services divert calls to area offices where call volumes are lower



- 'queue busting' roles have been introduced to further reduce waiting times at our access points
- Following issues during the period of inclement weather, the processes for communicating disruption to services (direct services) to residents and members have been amended
- The peer review programme for swimming teachers has been refreshed
- Shift patterns have been reviewed and an improved staff communication system has been put in place in our leisure centres
- An improved method of communicating the under 8s policy has been discussed with leisure staff.
- Leisure operations managers have been asked to use their discretion when services are not operational; offering alternatives or free sessions. An improved system for informing customers which facilities are not in operation will be introduced.
- A number of recommendations resulted from a post winter review by Overview and Scrutiny Committee
- A new tenancy agreement is to be introduced which requires all tenants to take out contents insurance.
- The service offered by Care Connect is being harmonised across the authority area. Service users keys are being returned and alternative methods are being used to access properties in an emergency, e.g. installation of key safes.
- All staff should be made aware of the policy regarding use of Facebook and other social media; and should not publicise their place of work.
- Where 'template' letters are used, care should be taken to ensure details, including date, are correct for the particular recipient.
- Where Nurseries are taken over by private providers, the process, including payments of fees, should be fully explained to parents.

38. The following sections provide more detail in relation to the types and numbers of statutory and non-statutory complaints received across the service groupings during quarter 4 of 2010/11:

## Section 3: Detailed quarter 4, 2010/11 report from each service grouping

### Assistant Chief Executive's Office (ACE)

39. The ACE service grouping consists of 3 service areas and between 1 January 2011 and 31 March 2011, 4 complaints, 1 compliment and 102 suggestions were received.

| Abbreviation | Service Area                          |
|--------------|---------------------------------------|
| PCE          | Partnerships and Community Engagement |
| PP           | Planning and Performance              |
| PC           | Policy and Communications             |

40. The complaints were about Freedom of Information in one case (PP) and articles in or the delivery of Durham County News (PC).

### Compliments and suggestions

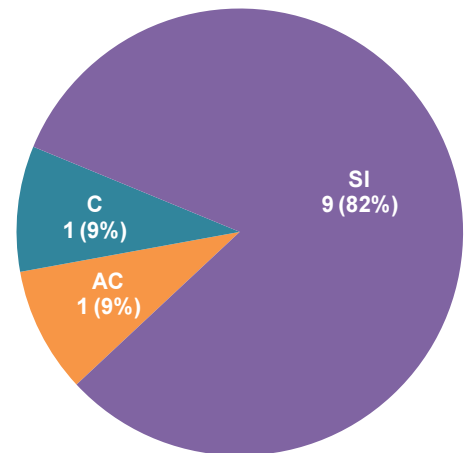
- 41. During quarter 4, ACE received 1 compliment and 11 suggestions.
- 42. The compliment related to the functionality of the website.
- 43. The suggestions were about Durham County News and the Website

## Adults, Wellbeing and Health (AWH)

### Non-statutory complaints, compliments and suggestions

44. The AWH service grouping consists of 5 main service areas and between 1 January 2011 and 31 March 2011, 11 non-statutory complaints, 156 compliments and 2 suggestions were received.
45. During quarter 4, all complaints were acknowledged within 2 working days.
46. During quarter 4, 82% of complaints were responded to within 10 working days
47. The majority of complaints (82%) were received by the Social Inclusion service area.
48. Further investigation of the complaints received during quarter 4 shows that there were 5 occasions (45%) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.
49. If the not justified complaints and those that are ongoing are removed, AWH is left with 4 (36%) justified complaints, 2 fully and 2 partly justified, from which there is possibility of learning.
50. No key trends or learning outcomes have been identified from the complaints received.

| Abbreviation | Service Area                   |
|--------------|--------------------------------|
| AC           | Adult Care                     |
| C            | Commissioning                  |
| F            | Finance                        |
| PPC          | Policy, Planning & Performance |
| SI           | Social Inclusion               |



### Non-statutory compliments and suggestions

51. During quarter 4, AWH received 156 compliments. All of these were in Social Inclusion, 127 (81%) for Welfare Rights and 29 (19%) for Workable Solutions.
52. 2 suggestions were submitted, one to welfare rights and one to libraries.
53. There were no key trends or learning outcomes taken resulting from the compliments and suggestions received.

## Statutory complaints, compliments and suggestions (AWH)

54. During quarter 4, 35 statutory complaints were received by the AWH service grouping. This is a 12.5% decrease on the previous quarter. Details of the quarterly performance are shown below

| Comparison of Complaints Received by Quarter |          |          |          |          |          |   |
|--|----------|----------|----------|----------|----------|---|
| Service Area                                 | Q4 09/10 | Q1 10/11 | Q2 10/11 | Q3 10/11 | Q4 10/11 | Direction of Travel from previous quarter |
| Adult Social Care                            | 19       | 16       | 34       | 40       | 35       | ↓ ↓                                       |

55. As with the last quarter, Older People Services received the most complaints with 18. However, this was a 31% reduction in comparison to the number received in the third quarter. Having reversed an upward trend last quarter, the Learning Disabilities Service had a 100% increase in complaints to 10, largely due to outcomes following reviews during the re-assessment process. Details are shown in the table below.

| Complaints Received by Service Area<br>(previous Quarter's figures shown in brackets)  |                       |                |                       |               |                |
|--|-----------------------|----------------|-----------------------|---------------|----------------|
| Service Area   | Learning Disabilities | Older People   | Physical Disabilities | Mental Health | Total          |
| Social Work Teams<br>(Learning Disability/ Mental Health/ Carers)  | 8*(4)                 | 0 (1)          | 0 (0)                 | 2 (0)         | 10 (5)         |
| Social Work Teams<br>(Older Persons/ Mental Health Services Older Persons/ Physical Disability and Sensory Impairment & Sensory Support) | 0 (0)                 | 16 (23)        | 2 (3)                 | 0 (0)         | 18 (26)        |
| Finance  | 1 (1)                 | 3 (1)          | 0 (0)                 | 0 (0)         | 4 (2)          |
| County Durham Care and Support   | 0 (1)                 | 0 (2)          | 0 (1)                 | 0 (1)         | 0 (5)          |
| Commissioning  | 0 (0)                 | 2 (1)          | 1 (0)                 | 0 (0)         | 3 (1)          |
| Policy, Planning & Performance   | 0 (0)                 | 0 (0)          | 0 (1)                 | 0 (0)         | 0 (1)          |
| <b>Total</b>   | <b>9 (6)</b>          | <b>21 (28)</b> | <b>3 (5)</b>          | <b>2 (1)</b>  | <b>35 (40)</b> |
| * contains complaint against SCD – managed by Adult Care LD/MH/Carers  |                       |                |                       |               |                |

56. All complaints were acknowledged within three working days maintaining performance at 100%.
57. Of the 35 complaints, Complaints Resolution Plans (CRP) were completed in all cases.
58. Of the 35 complaints received in the quarter, 26 were completed – all within the timescales agreed within the CRP. The remaining 9 cases were not concluded within the quarter but have not breached their agreed completion timescales.
59. Of the 26 complaints completed in the quarter, 15 were not upheld, 5 were partially upheld and 6 were upheld (see paragraph 57 - remedies). The following table details the breakdown of findings per team.

#### Outcome of Complaints Completed in the Quarter

| Service Area   | Not Upheld | Partially Upheld | Upheld   | TBC      | Total     |
|--|------------|------------------|----------|----------|-----------|
| County Durham Care and Support   | 0          | 0                | 0        | 0        | 0         |
| Social Work Teams<br>(Learning Disability/ Mental Health/ Carers)  | 3          | 3                | 1        | 3        | 10        |
| Social Work Teams<br>(Older Persons/ Mental Health Services<br>Older Persons/ Physical Disability and<br>Sensory Impairment & Sensory Support) | 8          | 1                | 4        | 5        | 18        |
| Commissioning  | 2          | 0                | 0        | 1        | 3         |
| Finance  | 2          | 1                | 1        | 0        | 4         |
| <b>Total</b>   | <b>15</b>  | <b>5</b>         | <b>6</b> | <b>9</b> | <b>35</b> |

60. Examples of remedies include:-

- Re-assessment of need following the reduction in care packages (in some cases this resulted in the reinstatement of services);
- Explanations provided or reiterated where communication had been poor;
- Apologies were given;
- Occupational Therapy re-assessments were conducted where disputes arose following the original assessments for adaptations.

During the quarter an independent mediator was commissioned in a complex case. This was the first time mediation was utilised as a resolution method. The mediation took place in early April and all parties have reported that it was highly successful with a positive outcome.

61. The complaints can be classified as shown in the table below. Application of Service Guidance/Procedures (8) was the highest category of complaint, closely followed by Communication/Information (7). Both categories are linked to the application of procedures in the current review processes.

| <b>Complaints by Classification</b>                             |                          |
|---|--------------------------|
| <b>Classification</b>   | <b>No. of complaints</b> |
| Lack Of Service - Communications/Information                    | 7                        |
| Conduct Or Attitude Of Staff                                    | 5                        |
| Lack Of Service - Restricted Choices Of Current Services        | 1                        |
| Provision of Service - Equipment                                | 1                        |
| Lack Of Service – Contact/Visits/Service                        | 1                        |
| Application Of Service Guidance/Procedures                      | 8                        |
| Lack Of Service – Other   | 4                        |
| Lack Of Service – Changes to a Clients Service As Per Care Plan | 4                        |
| Not Stated  | 3                        |
| Provision Of Service Assessment                                 | 2                        |
| Provision Of Service – Reviews/Conferences                      | 1                        |
| Quality Of Service - Personal Care                              | 2                        |
| Quality Of Service – Personal Financial Issues                  | 4                        |

| <b>Complaints by Classification</b>         |                          |
|---|--------------------------|
| <b>Classification</b>                       | <b>No. of complaints</b> |
| Quality Of Service – Work Of Other Agencies | 1                        |

**NB A complaint may have more than one classification recorded against it**

62. Durham County Council (DCC) received 6 new referrals from the Local Government Ombudsman (LGO) in the 4<sup>th</sup> quarter. Of the 6, the LGO referred 3 complaints back to DCC as the complainant had not given the Authority the opportunity to respond. The LGO has made preliminary enquiries in other 3 cases and the outcomes of these are awaited.
63. In one case received by the LGO in a previous quarter, a determination has been made in relation to an OT assessment and a Disabled Facilities Grant application. The Ombudsman, in summary took the view that there was maladministration by the Council in relation to the feasibility assessment (with regard to converting an existing bathroom into a walk-in shower) but it had caused no injustice.
64. During the period the following 3 learning outcomes have been identified:
- All social work and TEWV staff have been instructed to cross check assessment documentation for accuracy before relying on information that may be inaccurate when completing new or updated assessments.
  - A briefing note has been issued to all Learning Disability staff to ensure that all assessment information is properly coordinated, is accurate and can be verified as far as possible.
  - Staff have been formally reminded that accurate assessment is a professional responsibility and that they should act in accordance with the principles of robust assessment, risk management and care planning.

### **Adult Social Care Compliments**

65. There were 114 compliments received in the quarter compared to 127 in the third quarter (see table below). The ratio of compliments to complaints is 3.25:1, compared to 3:1 in the third quarter.

| <b>Areas</b>   | <b>Service</b> | <b>Compliments Received</b> |                         |
|--|----------------|-----------------------------|-------------------------|
|  |                | <b>Current Quarter</b>      | <b>Previous Quarter</b> |
| <b>County Durham Care and Support</b>  |                | <b>80 (70%)</b>             | <b>95 (75%)</b>         |
| <b>Social Work Teams (Learning Disability /Mental Health/Carers)</b>   |                | <b>5 (4%)</b>               | <b>3 (2%)</b>           |
| <b>Social Work Teams (Older Persons/ Mental Health Services Older Persons/ Physical Disability and Sensory Impairment &amp; Sensory Support)</b> |                | <b>27 (24%)</b>             | <b>29 (23%)</b>         |
| <b>Policy, Planning &amp; Performance</b>  |                | <b>1 (1%)</b>               | <b>0 (0%)</b>           |
| <b>Finance</b>   |                | <b>1 (1%)</b>               | <b>0 (0%)</b>           |
| <b>TOTAL</b>   |                | <b>114 (100%)</b>           | <b>127 (100%)</b>       |

### **Adult Social Care Suggestions**

66. Three suggestions were recorded during the period, 2 related to staff name badges in Residential Care and the remaining issue related to a request to re-allocate resources being spent in a residential care home planned for closure.

## Children and Young People's Services (CYPS)

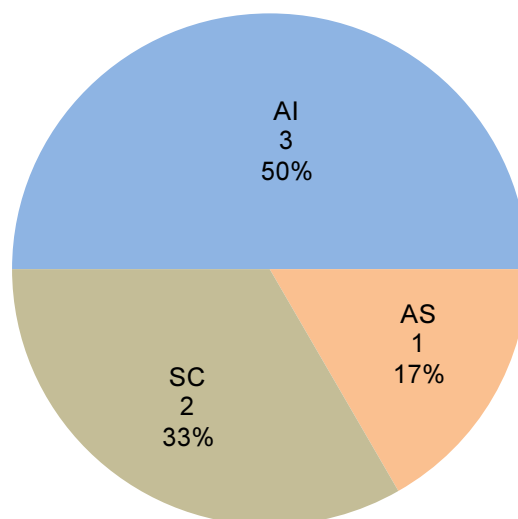
67. The CYPS service grouping consists of 5 main service areas and complaints received can be statutory or non-statutory.

| Abbreviation | Service Area                       |
|--------------|------------------------------------|
| AI           | Access and Inclusion               |
| AS           | Achievement Services               |
| ES           | Extended Services                  |
| SaSS         | Safeguarding & Specialist Services |
| SC           | Strategic Commissioning            |

68. Statutory complaints arise from the duties placed on a local social services authority to provide assessments and care services under the provisions of relevant adult and children's social care legislation. The process for managing such complaints is prescribed in Regulation. All other complaints are non-statutory.

69. During quarter 4 CYPS did not receive any formal non-statutory complaints, but 6 non-statutory complaints were resolved informally (at first point of contact).

70. The complaints received related to the following service area Access and Inclusion (3), Strategic Commissioning (2) and Achievement Services (1). Four of these were not justified, 1 was partly justified and 1 justified. The



71. This compares with 4 formal and 4 informally resolved non-statutory complaints received in quarter 3 (total 8 complaints). During Q4 2009/10, a total of 13 non-statutory complaints were received.

72. In addition, there were 10 enquiries which were actioned by the Representations and Quality Officer, compared with 13 enquiries in the previous quarter. During the quarter, 'enquiries' comprised of:

- 2 anonymous informal complaints which were noted and actioned as far as possible using the few details which were imparted by the complainants;
- A letter from a member of the public, which could be a complaint about historic events but which cannot be investigated or actioned until further information is sought from the sender;
- A 'complaint' which, following initial investigation, became a matter for disciplinary procedures;
- A complaint which was considered to be more appropriately dealt with by Adults, Well-being and Health;
- 5 complaints which needed to be re-directed to a school or college, via the School and Governor Support Service.

### Actions as a result of non-statutory representations



73. The following recommended operational actions have been noted as a result of non-statutory complaints received/resolved during the quarter:
- All staff should be made aware of the policy regarding use of Facebook and other social media; and should not publicise their place of work.
  - Where 'template' letters are used, care should be taken to ensure details, including date, are correct for the particular recipient.
  - Where Nurseries are taken over by private providers, the process, including payments of fees, should be fully explained to parents.

### Statutory complaints, compliments and suggestions

74. During quarter 4, four formal statutory complaints were received by the SaSS service area of the CYPs service grouping, and a further 23 complaints about social care services were resolved informally.
75. This compares with 3 formal and 24 informally resolved complaints about social care services received in quarter 3 (total 27 complaints). During Q4 2009/10, a total of 36 statutory complaints were received.
76. A breakdown of formal complaints by theme is shown in the table:

| Poor Service | Staff Conduct | Poor Service & Staff Conduct | Decision re Service | Poor Service & Decision re Service | Staff Conduct & Decision re Service & Poor Service | Totals       |
|--------------|---------------|------------------------------|---------------------|------------------------------------|--|--------------|
| 2 (1)        | 0 (0)         | 1 (0)                        | 1 (0)               | 0 (1)                              | 0 (1)  | <b>4 (3)</b> |

*(numbers in brackets refer to Q3 2010/11)*

77. 100% of new statutory Stage 1 complaints were acknowledged within the target timescale of 2 working days, compared with 100% in Q3.
78. At the time of writing, 2 statutory Stage 1 complaints are outstanding; both are outside the 20 day timescale for response. Of the 2 formal complaints which were resolved, 1 was within timescale and 1 was outside.
79. Of the complaints which were resolved, 1 was partially upheld (one or more parts of the complaint were found to be justified); and 1 was upheld (investigation found that the Service had acted incorrectly and/or inappropriately).

*Formal complaints: resolution and outcome*

| No. (new) resolved in timescale | No. (new) resolved outside timescale | No. ongoing - outside timescale | No. upheld | No. partially upheld | No. not upheld |
|---------------------------------|--------------------------------------|---------------------------------|------------|----------------------|----------------|
| 1                               | 1                                    | 2                               | 1          | 1                    | 1              |

80. Detailed information about complaints received in quarter 4 can be provided by the Representations and Quality Officer. In brief:
- One complaint was about the length of time taken to provide a young adult (who had been adopted as a child) with her social care records (partially upheld).

- One complaint was received from a Foster Carer, who felt that she had not been fully supported by her fostering Officer (currently ongoing).
- One complaint was received from a child (via his Advocate) about the decision to move him to a different Foster Care placement (currently ongoing).
- One complaint was received from a young person (via her Advocate) about the lack of support she had received from her Social Worker (upheld).

81. As in previous quarters, efforts have been made to respond to more complaints informally, at a local level, for example by discussing the issues with the complainant without the need for a formal investigation by a senior manager. This:

- improves service user relations and satisfaction;
- minimises the number of complaints initially actioned at a formal level, thereby potentially resulting in cost savings to the Service.

82. Unless a complainant specifically requests that their complaint is actioned as a 'formal complaint', the Representations and Quality Officer considers every complaint on a case by case basis to decide if a complaint should be actioned 'informally' or 'formally' (directly at Stage 1).

83. All complaints, whether formally or informally resolved, are acknowledged and noted and copies retained (in line with Caldicott procedures).

#### **Actions as a result of statutory representations**

84. The following recommended operational actions have been noted as a result of statutory complaints (both formal and informal) received/resolved during the quarter:

- Initial Response Team should ensure that, where appropriate, referrers are made aware of action taken following the referral.
- Ensure that Social Worker visits are carried out regularly in line with statutory requirements.
- Where important/sensitive information is to be shared with family, this should not be done via text message.

#### **Stage 2 statutory complaints**

85. Independent investigations into two statutory complaints received during quarter 2 were completed during quarter 4.

86. One investigation (into a complaint made by a grandfather) had to be re-commenced due to an error in the investigation process on the part of the Independent Investigating Officer (IIO). The agency which supplies IIOs to CYPS is carrying out another investigation by a different IIO at no charge to the Local Authority.

87. Reports were received about the second investigation (into a complaint made by a child) and were shared with the complainant. The Adjudicating Officer advised that if the complainant wished to take the matter further, she should apply to the Local Government Ombudsman for 'Early Referral' of the case, rather than going Stage 3 of the statutory complaints procedure (Review Panel). The complainant has contacted the Ombudsman and further information is awaited at the time of writing.

88. The contract to supply IIOs has ended and a new arrangement for the procurement of IIOs is being discussed with neighbouring authorities. The new arrangement is expected to commence in September 2011; in the interim period, known IIOs will be contacted directly and will be asked to provide estimates to carry out particular pieces of work. In order to save costs other arrangements have been explored, such as the Representations and Quality Officer (RQO) carrying out investigations; this would depend on complainant's agreement, amount of involvement by RQO at Stage 1, and officer capacity.
89. Current arrangements remain in place for Independent Persons for at least another 12 months.

### Compliments and suggestions

90. During quarter 4, CYPS received 131 compliments and 2 suggestions/comments.
91. Compliments have been broken down by service area / team, as shown in the table below

| Service area                         | Team/function                           | Number     |
|--------------------------------------|---|------------|
| Safeguarding and Specialist Services | Aycliffe Secure Services                | 8          |
|                                      | Children Looked After - Aycliffe        | 1          |
|                                      | Children Looked After - Durham          | 1          |
|                                      | Development Support Unit                | 1          |
|                                      | Disabled Children and Families Team     | 1          |
|                                      | Full Circle                             | 2          |
|                                      | Initial Response Team                   | 1          |
|                                      | Safeguarding Children – Bishop Auckland | 1          |
|                                      | Safeguarding Children – Peterlee        | 1          |
|                                      | Safeguarding Children - Seaham          | 1          |
|                                      | Children's Homes                        | 5          |
| Access and Inclusion                 | Admissions & Transport                  | 5          |
|                                      | Learning Support Service                | 11         |
| Extended Services                    | Sure Start                              | 12         |
|                                      | Youth Offending Service                 | 13         |
|                                      | Connexions                              | 41         |
| Finance Services                     | School Budgets                          | 2          |
| Strategic Commissioning              | Children's Trust                        | 1          |
|                                      | Human Resources                         | 21         |
|                                      | Planning, Quality and Commissioning     | 2          |
| <b>Total</b>                         | <b>(Statutory 23, Corporate 108)</b>    | <b>131</b> |

92. There were 171 recorded compliments in quarter 3. The ratio of compliments to complaints was 3.85:1 in quarter 4, compared with 5:1 in quarter 3. The CYPS Strategic Leadership Team are aware that more compliments are received by staff of the Service than are reported to the Representations and Quality Officer, therefore staff

are to be reminded to report details of all compliments received so they can be included in future reports.

### **Suggestions**

93. A suggestion was received from a student about proposed cuts to transport; a reply was sent that the Council will be undertaking a consultation prior to any decisions being made about this and the service user's comments would be taken into account.
94. A suggestion was about supply teachers in the Durham Supply Teaching Partnership being given passwords so they can access 'School to School' notices (for job opportunities) via the Extranet. This suggestion is being given serious consideration by Achievement Services; although it would require some work to set up, a charge could be made to supply teachers requiring this access, which could generate income.

## Corporate Resources (CR)

95. The Resources service grouping consists of 5 main service areas and between 1 January 2011 and 31 March 2011, 113 complaints, 28 compliments and 10 suggestions were received.

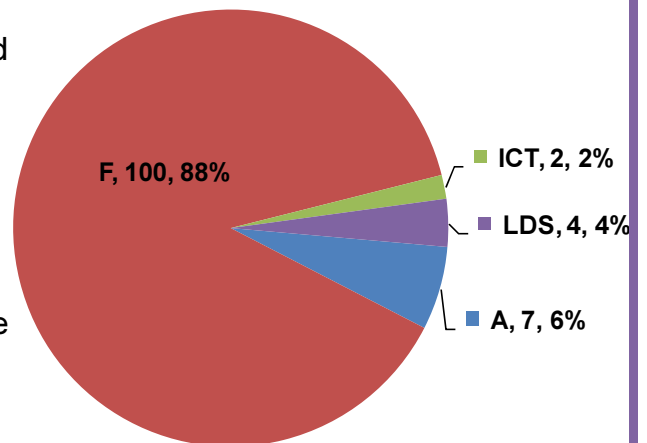
| Abbreviation | Service Area                             |
|--------------|--|
| A            | Assets                                   |
| F            | Finance                                  |
| HR           | HR and Organisational Development        |
| ICT          | Information and Communication Technology |
| LDS          | Legal and Democratic Services            |

96. During quarter 4, 84% of complaints were acknowledged within 2 working days.

97. All the complaints received during quarter 4 were stage 1 and of these, 83% were responded to within 10 working days

98. The vast majority of complaints (88%) were received by the Finance service area.

99. Further investigation of the complaints received during quarter 4 shows that there were 47 occasions (41%) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.



100. If the not justified complaints and those that are ongoing are removed, CR is left with 44 (39%) justified complaints, 12 fully and 32 partly justified, from which there is possibility of learning.

101. The following section provides further analysis of complaints, by service area, and the associated learning outcomes:

### Assets (A)

102. During quarter 4, seven complaints were received in relation to A.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 0         | 1                | 5             | 0  | 1       | 7     |
| % of total received | 14%       |                  | 71%           | -  | 14%     | -     |

103. These related to land purchase, right to buy, and boundary fences. In order to deal with purchases in a more timely manner, an additional member of staff has been employed to deal with requests to purchase so that delays should be kept to a minimum.

## Finance (F)

104. During quarter 4, 100 complaints were received in relation to FIN.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 13        | 26               | 40            | 3  | 18      | 100   |
| % of total received | 39%       |                  | 40%           | 3%   | 18%     | -     |

### Benefits Service

105. 45 complaints were raised for the Benefits Service. Of these 25 related to delays in the assessment of benefit claims (this included 7 occasions where error had been made in assessing the benefit claim), 18 related to administrative problems and 2 were in response to staff attitude/ knowledge. More than half the complaints received (25) came from customers in the former Derwentside area, 19 of which related to delays in assessment.
106. This large volume of claims from one geographic area can be attributed to an increase in outstanding work due to the re-location of the benefits processing team from Stanley to Chester-le-Street. At the same time the new CIVICA document management system has been implemented at this site resulting in system downtime and conversion issues to be resolved.
107. Resource from another site has been brought in for a temporary period to provide front-line customer services to allow staff to adapt to the new computer system and address the backlog. In response to the origin of many of the Derwentside complaints, resource has been allocated as a direct contact for landlords to resolve any issues. Errors in the assessment of claims have been corrected and training issues identified. New procedures for dealing with documents submitted at Chester-le-Street office reception have been implemented.

### Revenues Service.

108. 47 complaints were raised for the Revenues Service during quarter 4. Of these, 30 were due to quality of service, 12 were service failures, 1 was as a result of council policy, 2 related to speed of delivery, 1 was communication, and 1 administration.
109. No discernable trend is identifiable from the complaints made. However, 2 or 3 factors contributed to the increase since quarter 3. Annual billing for council tax and non-domestic rates has a tendency to generate an increase in complaints. At the same time, the implementation of the new Revenues and Benefits system commenced, including the income management and cash receipting modules. Both of these went live during March and had an impact upon complaints. Another factor is the implementation of ORACLE E-business suite although to a lesser degree, through the handover of the issue of refunds from the former districts.

## Information and Communication Technology (ICT)

110. During quarter 4, 2 complaints were received in relation to ICT.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 0         | 0                | 2             | 0  | 0       | 2     |
| % of total received | -         | -                | 100%          | -  | -       | -     |

111. No discernable trend could be identified and the issues raised were logged and resolved quickly.

### Legal and Democratic Services (LDS)

112. During quarter 4, four complaints were received in relation to LDS.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 0         | 4                | 0             | 0  | 0       | 4     |
| % of total received | 100%      | -                | -             | -  | -       | -     |

113. Complaints this quarter highlighted level of service quality and service failure. One complaint was referred to us by the Ombudsman after a premature complaint was made in respect of a village green to the LGO. Another highlighted an issue with the transfer of documents through the Council's internal mail system when items were mislaid in transit. E-petitions became the focus of a complaint in respect of opposition to the proposed cuts for the Citizens Advice Bureau.

114. With regard to E-petitions, being a relatively new phenomenon, it was necessary to investigate how other councils handle these. As a result of this research, the Council changed its procedure and the complainant was thanked for drawing this issue to the notice of the Council.

### Compliments and Suggestions

115. During quarter 4, CR received 28 compliments and 10 suggestions.

116. Compliments were received in relation to Benefits staff for their professional, polite and helpful approach, Registrar service for their manner of conducting wedding ceremonies, and staff who provided support to new members. For the third consecutive quarter, 75% of compliments for the Revenues service arose in the Easington area and relayed thanks to our staff for their help and service. Two suggestions in relation to Council Tax were noted.

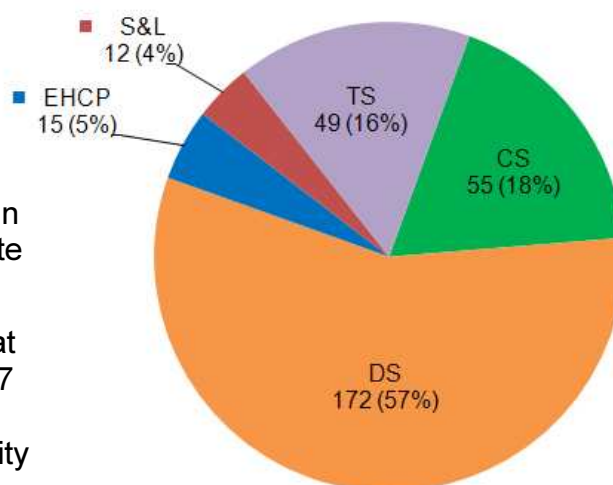
## Neighbourhood Services (NS)

117. The NS service grouping consists of 5 main service areas and between 1 January 2011 and 31 March 2011, 303 complaints, 105 compliments and 140 suggestions were received.
118. 88% of stage 1 complaints and 83% of stage 2 complaints were acknowledged within 2 working days
119. 81% of stage 1 complaints were responded to within the target of 10 working days. No stage 2 complaints were responded to within the target of 20 working days

| Abbreviation | Service Area                               |
|--------------|--|
| CS           | Customer Services                          |
| DS           | Direct Services                            |
| EHCP         | Environmental Health & Consumer Protection |
| S&L          | Sport and Leisure                          |
| TS           | Technical Services                         |

120. The majority of complaints (57%) were received by Direct Services.

121. Further investigation of the complaints received during quarter 4 shows that there were 155 occasions (51%) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.



122. If the not justified complaints and those that are ongoing are removed, NS is left with 87 (29%) justified complaints, 28 fully and 59 partly justified, from which there is possibility of

123. The following section provides further analysis of complaints, by service area, and the associated learning outcomes:

## Customer Services (CS)

124. During quarter 4, 55 complaints were received in relation to CS.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 5         | 10               | 27            | 4  | 9       | 55    |
| % of total received | 27%       |                  | 49%           | 7%   | 16%     | -     |

125. A proportion of the complaints covered a variety of isolated issues (including complaint handling) and consequently could not be categorised into a particular theme. However, 5 clear trends can be identified from the complaints received

- Delays in handling telephone calls within contact centres (15)
- Technical faults on telephone systems (13)



- Staff Attitude (6)
- General comments relating to poor service (5)
- Waiting times at access points (4)

126. Over 50% of all complaints related to the telephone service and delays associated with call answering. The overarching issue with this area is the complexity of our system - there are 14 different telephone systems supporting customer services teams across the Council.
127. In addition, we are experiencing technical faults with the telephone systems on a week by week basis. It is therefore difficult to determine whether the problems experienced by customers are due to the volume of calls or technical failures. The procurement of a single telecommunications solution has been commissioned with a view to identifying a provider by September 2011.
128. Complaints relating to staff attitude are taken extremely seriously. The importance of good customer service has been outlined to the 6 members of staff in question by their managers, and training requirements for all staff to deal with difficult customers are being reviewed.

#### **Delays in Handling Calls / Technical faults**

129. Whilst we are always concerned that our customers may have to wait longer than they would wish to speak to a customer services officer, it is important to note the context in which the number of complaints is considered. Over a 12 month period the authority receives over a million telephone calls and throughout March 250,000 council tax bills were issued to customers across the County and consequently call volumes peaked. 20 of the 28 complaints received in relation to the telephone service were received during the last 2 weeks of March when call volumes were at their peak.
130. Between 1 January 2011 and 31 March 2011, customer services received in excess of 300,000 telephone calls, 73% of which were answered within an average waiting time of less than 60 seconds (corporate standard). At peak times and certainly during the council tax period, waiting times were slightly longer than we would have liked.
131. The ultimate solution to these problems would be to install a single telephone system and restructure the service. However, in the meantime, we continue to make smaller changes to improve service delivery. For example, during times of peak volume, diverting calls to area offices where call volumes are slightly lower.
132. It is pleasing to note that 83% of customers are satisfied with access to council services by the telephone (2010 residents' survey).

#### **Waiting times in access Points**

133. 4 complaints were received in relation to waiting times at access points. It should be noted that in all cases the customers in question were dealt with within 15 minutes (corporate standard), therefore, the complaints were not considered justified. We are exploring new ways to improve service and as such we have introduced 'queue busting' roles who will target any queues that build up within our access points.

#### **Staff Attitude**

134. 6 complaints were received which related to staff attitude toward customers. In each case, the officers had a 1-2-1 meeting with their line manager and issues were addressed, including the identification of possible training / coaching and mentoring. On every occasion, customers received a full response and apology where necessary.

### Direct Services (DS)

135. During quarter 4, 172 complaints were received in relation to DS.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 19        | 35               | 84            | 5  | 29      | 172   |
| % of total received | 31%       |                  | 49%           | 3%   | 17%     | -     |

136. The majority of complaints (64%) received were in relation to our refuse and recycling service. Of these
- 37 (21%) related to missed collections
  - 33 (19%) related to recycling collections
  - 7 (4%) related to assisted collections
  - 34 (20%) related to various complaints regarding bins.
137. It is important to understand the context in which these complaints are considered. Direct Services collect refuse and recycling from 233,000 properties, providing an assisted service to 13,915. During quarter 4, the refuse and recycling crews collected the equivalent of 2.7 million domestic bins and 1.5 million recycling containers of varying types. We take every complaint seriously; however, it should be noted that proportionally the number of complaints received is very small, and we believe this number is artificially high due to a number of service requests being wrongly categorised as complaints.
138. We aim to provide a good quality service and resolve issues as soon as possible. For this reason, once we are informed a bin has been missed, we will endeavour to send a vehicle to collect that bin the same day. However, we are aware that reasons for bins being missed include contamination, overloading or not being put out early enough. Some complaints were justified and have been resolved, e.g. residents who should have been receiving an assisted service but were overlooked, others were found to be unjustified, e.g. 'bottle recycling was in our street at 6.58 am and a number of residents missed the collections'
139. Changes are being implemented to our refuse and recycling service in Derwentside to ensure that all residents receive the same high level of service across the County. These changes include our method for collecting glass and cans.
140. Due to the small number and varied nature of the complaints, no trends could be identified. During periods of disruption either due to inclement weather conditions or bank holidays, the number of complaints tends to increase in proportion to the service disruption. Response times also lengthen as staff work to maintain service provision. During quarter 4, inclement weather at the beginning of January led to a number of complaints in relation to suspended collections.

- 141. A system is in place for reviewing complaints. Streetscene area managers meet regularly with technical support managers to discuss individual complaints, determining if there are any trends and whether changes can be implemented to improve service delivery.
- 142. As a result of feedback and complaints following recent inclement weather, we have amended our processes for communicating any service disruption to residents and members.
- 143. Further investment in the Bar Tech System is being considered (subject to funding). Already in operation in the former districts of Sedgefield, Wear Valley and Teesdale, it records bin collection information, allowing Technical Support staff to respond to concerns in relation to missed collections more efficiently.

### Environment, Health and Consumer Protection (EHCP)

- 144. During quarter 4, 15 complaints were received in relation to EHCP.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 0         | 1                | 9             | 1  | 4       | 15    |
| % of total received | 7%        |                  | 60%           | 7%   | 27%     | -     |

- 145. Of the 15 complaints logged against EHCP service, 1 has been wrongly allocated as a complaint as it is a request for service, 8 were not justified and 4 related to other service areas.
- 146. The remaining 2 complaints are being investigated. Both relate to licensing services; 1 relates to the misinterpretation of the council's latest colour policy on taxis, the other to taxi badges. The complainants have received a response; however the outcomes are not yet determined.
- 147. Due to the small number and variation in complaints received, it has not been possible to identify any trends or learning outcomes. However, it should be noted that data quality in relation to the complaint recording remains an issue for EHCP; issues experienced include receiving complaints that are service requests and complaints that are the responsibility of other service areas.

### Sport and Leisure Services (S&L)

- 148. During quarter 4, 12 complaints were received in relation to S&L.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 1         | 4                | 5             | 0  | 2       | 12    |
| % of total received | 42%       |                  | 42%           | -  | 17%     | -     |

149. The number of complaints received by sport and leisure remains relatively low. However, it should be noted that the main reason for this is that not all complaints received in relation to our indoor facilities are logged on the CRM. Complaints are being logged and responded to appropriately, however, the process used varies between leisure centres. Work is continuing to harmonise processes and ensure that all complaints, compliments and suggestions are recorded on the central system.
150. The following is a summary of complaints received by leisure centres
- Newton Aycliffe Leisure Centre**
- Swimming teacher consistency and the treatment of a pupil in front of others.
  - Customers unable to access early morning sessions at the centre as centre not ready on time.
- Chester le Street Leisure Centre**
- Sauna and Steam room facility not fully operational and some cleanliness issues.
- Spennymoor Leisure Centre**
- Understanding of the under 8s policy; staff attitude and ability to communicate it effectively.
  - Slide and wave machine were not operational but there was no discounted entry price.
151. When compared to the number of visitors to our leisure centres, the number of complaints received is a very small proportion. As a result of the small number and variation in theme that exists, it is difficult to pinpoint specific trends. However, there is a thread in relation to customer service and the need to be more pro-active to resolve issues before the customer feels the need to complain.
152. In response to specific complaints, changes have been made:
- The peer review programme for swimming teachers has been refreshed.
  - Shift patterns have been reviewed and an improved staff communication system introduced to highlight any problems that have arisen prior to that shift's start.
  - An improved method of communicating the under 8s policy has been discussed with staff.
  - Operations managers have been asked to use their discretion when services are not operational; offering alternatives or free sessions. An improved system for informing customers which facilities are not in operation will be introduced.
153. Centre managers have been tasked with addressing these issues within their Quest Action Plans.
154. The following complaints were received by outdoor sport during quarter 4. The first 3 complaints have been referred to Direct Services
- The maintenance and cleanliness of Town Rec Bishop Auckland
  - Dog faeces and a knife were found in Brandon Play Area.

- A resident complained about noise resulting from children and young people playing football on an open space adjacent to the resident's property
  - A child had accident in Wharton Park. A request has gone back to the complainant to provide more info on an accident form. Neighbourhood Services' Health and Safety team is currently investigating.
155. Outdoor Sport and Leisure is now meeting on a regular basis with clean and green colleagues from Direct Services. In addition to general sharing of information and learning, complaints will also be discussed at these meetings.
156. Hardwick Country Park received one complaint relating to dogs not on leads and dog faeces. This complaint was received in March 2011 and was whilst advance warning that a new dogs on lead policy was to commence from April 2011. This was communicated to the complainant.
157. One complaint related to the closure of Aykley Heads Sports Facility and the Council's involvement in that process. The complainant was informed that this was a Police Authority decision and that DCC was working to mitigate any impact. The complainant has subsequently written back to add further comment.

### Technical Services (TS)

158. During quarter 4, 49 complaints were received in relation to TS.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 3         | 9                | 30            | 1  | 6       | 49    |
| % of total received | 24%       |                  | 61%           | 2%   | 12%     | -     |

159. There has been a noticeable reduction in the number of complaints received since quarter 3. Of the 49 complaints received, 18 related to strategic highways, 22 to highways operations, 7 were sent to TS in error and related to other service areas and 1 could not be classified due to insufficient detail on the CRM
160. Of the 18 complaints received by strategic highways, 9 related to the winter service and 5 related to parking / traffic issues. These numbers are small when compared to previous quarters.
161. DCC's winter service has been subjected to a post winter review by Overview and Scrutiny Committee which has resulted in a number of recommendations for improvement. These include measures to:
- concentrate resources on a new set of priority 'snow routes' during heavy snowfall in order to keep the county's main road network moving
  - increase the amount of salt the council is able to buy and store to 45,000 tonnes
  - provide more salt bins in areas of need and take steps to enable them to be re-filled more quickly and efficiently
  - employ more farmers to help with snow clearance on roads, specifically to enable refuse collections to be carried out
  - continue to ensure footpaths are clear and safe for pedestrians
  - make effective use of £2.3 million extra government funding to tackle potholes.

162. Of the 22 complaints received by highways operations, 4 related to potholes / condition of the highway, 1 related to delays due to traffic lights and 1 related to a missing manhole cover. There has been a concentrated effort of patching activities throughout March.
163. During quarter 4, 4 complaints were received in relation to staff attitude. However, further investigation revealed only 2 relate to actual behavioural problems and both of these have been dealt with by the Manager via counselling.
164. Due to the small number of complaints received and the variety of topics, it is difficult to identify any clear trends.

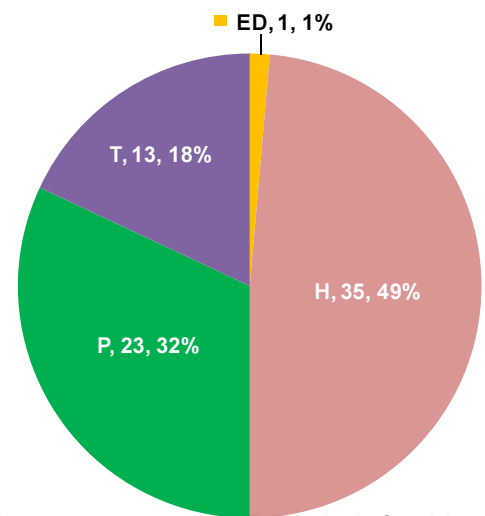
## Compliments and Suggestions

165. During quarter 4, NS received 105 compliments and 140 suggestions.
166. The compliments received relate to a broad range of services and differ from service and service.
167. Within Direct Services, the Refuse and Recycling teams received the most compliments of any team within NS during quarter 4. These compliments show a great appreciation of the work the crews undertake. In addition to these compliments a high proportion also relates to the work of the Street Cleansing staff.
168. Customer Services staff have received 9 compliments, each in relation to the efforts made to support and resolve customer concerns and issues even if that means staff are working above and beyond the call of duty.
169. The majority of the compliments received by Technical Services relate to pothole repairs and repairing street lighting outages. A small number are concerned with road safety issues and 1 was a note of thanks to a member of Strategic Highways staff.
170. Compliments received have been passed on to the relevant team / individual.
171. Suggestions included improvements to telephony systems and feedback in relation to S&L's indoor facilities review. All suggestions in relation to S&L's consultation will be incorporated into the consultation exercise.

## Regeneration and Economic Development (RED)

172. The RED service grouping consists of 4 main service areas and between 1 January 2011 and 31 March 2011, 72 complaints, 75 compliments and 9 suggestions were received.
173. 88% of stage 1 complaints and 60% of stage 2 complaints were acknowledged within 2 working days
174. 74% of stage 1 complaints were responded to within the target of 10 working days.
175. 100% of stage 2 complaints were responded to within the target of 20 working days
176. The majority of complaints (49%) were received by Housing.
177. Further investigation of the complaints received during quarter 4 shows that there were 39 occasions (54%) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.
178. If the not justified complaints and those that are ongoing are removed, RED is left with 17 (23%) justified complaints, 2 fully and 15 partly justified, from which there is possibility of learning.
179. The following section provides further analysis of complaints, by service area, and the associated learning outcomes:

| Abbreviation | Service Area         |
|--------------|----------------------|
| ED           | Economic Development |
| H            | Housing              |
| P            | Planning             |
| T            | Transport            |



## Economic Development (ED)

180. During quarter 4, 1 complaint was received in relation to ED

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 1         | 0                | 0             | 0  | 0       | 1     |
| % of total received | 100%      |                  | -             | -  | -       | -     |

181. The complaint received by the ED service area related to a replacement wall constructed as part of the Pelton Fell regeneration scheme. The Council has accepted that the work was sub-standard and the repair will be met at our cost.

## Housing (H)

182. During quarter 4, 35 complaints were received in relation to H

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 1         | 10               | 16            | 3  | 5       | 35    |
| % of total received | 31%       |                  | 46%           | 8%   | 14%     | -     |

183. Durham City Homes (DCH) is continuing to implement service improvements which cover all aspects of the service. The largest number of complaints for DCH relates to repairs and maintenance and decent homes improvements of properties. In line with the delivery plan, DCH has introduced new tenant information in relation to categories of repairs and developed close joint working with customer services to effectively manage the reporting and recording process. A number of the complaints received related to delays in repairs being addressed, on investigation this has been due to delays because of inclement weather. A small number of complaints received in relation to DCH related to housing management issues including the amount of decorating vouchers paid to tenants where accidental damage has occurred (i.e. flooding from water tank). A new tenancy agreement is to be introduced which requires all tenants to take out contents insurance

184. The service offered by Care Connect is being harmonised across the authority area. This includes the return of service users' keys and the use of alternative methods to access properties in emergencies, for example the installation of key safes to the outside of properties. A number of complaints related to this issue and Care Connect is currently working with service users to explain the reason for this decision and the options available to them.

## Planning (P)

185. During quarter 4, 23 complaints were received in relation to P

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 0         | 2                | 17            | 0  | 4       | 23    |
| % of total received | 9%        |                  | 74%           | -  | 17%     | -     |

186. The continuing reduction in the number of planning related complaints reflects the service procedures and customer first culture that has been implemented and embedded in the Planning Development Team since Local Government Reorganisation (LGR.).

187. Similar trends have been found in relation to the nature of the complaints received; i.e. many relate to customer dissatisfaction with a planning decision (an inevitable part of the services business) and others relate to customer expectations of delivering a responsive and helpful service.



188. It has been noted that of the 21 complaints all but four were responded to within timescales, and whilst this gives room for improvement this turnaround figure demonstrates that generally complaints are responded to in a timely manner

## Transport (T)

189. During quarter 4, 13 complaints were received in relation to T.

|                     | Justified | Partly Justified | Not justified | Resolved at 1 <sup>st</sup> point of contact | Ongoing | Total |
|---------------------|-----------|------------------|---------------|--|---------|-------|
| Number              | 0         | 3                | 6             | 0  | 4       | 13    |
| % of total received | 23%       |                  | 46%           | -  | 31%     | -     |

190. Of the 13 transport related complaints received during Quarter 4, most (8) were in relation to passenger transport services. All complaints involving bus operators have been forwarded to the appropriate operator for response. It is anticipated that the withdrawal of services from the 17 April and the 29 May will lead to an increase in the number of bus service related complaints. No trend information can be gained from the remaining more isolated complaints within the transport service.

## Compliments and suggestions

191. During quarter 4, RED received 75 compliments and 9 suggestions. The compliments received were general messages of thanks for the service received. The significant upward trend in relation to compliments within the Planning Service is very welcome and mirrors the general downward trend in regard to complaints and can be attributed to service culture development demonstrating the importance customers attach to the timely, helpful and problem solving approach to service provision.
192. Of the 9 suggestion type comments received, 4 related to planning, 3 to transport and 3 to housing. All the comments and suggestions have been reviewed by the Service.

## Local Government Ombudsman (LGO): current activity

193. During quarter 4, the Local Government Ombudsman (LGO) initiated investigations into 16 matters relating to a range of complaints concerning:
- **Planning.** Although there were 6 issues, one was referred back to DCC as it was a premature complaint. LGO exercised discretion in two of these cases and the outcome of the remaining 3 is awaited
  - **Adult Social Care.** Of the 3 issues, LGO exercised discretion in one, another was determined to be outside the jurisdiction of the LGO and the outcome is awaited in relation to the remaining case
  - **Highway flooding.** Outcome awaited
  - **Misuse of Section 106 monies.** Outcome awaited
  - **Anti social Behaviour.** Outcome awaited
  - **Environmental health.** Outcome awaited
  - **Draughts and dampness in a council bungalow.** LGO ruled that there was no or insufficient evidence of maladministration
  - **Highways drainage.** LGO ruled that there was no or insufficient evidence of maladministration
  - **Leisure and culture.** LGO ruled that there was no or insufficient evidence of maladministration
194. The Ombudsman delivered decisions on 8 matters which had been subject to investigations that had been initiated prior to the beginning of the quarter. These matters can be summarised as follows:
- **Planning and Building Control.** Of the 4 issues, LGO determined no or insufficient evidence of maladministration in 2 of the cases, exercised discretion in one case and the final case was concluded as a local settlement
  - **Adult Social Care.** Of the 3 issues, LGO exercised discretion in one, another was determined to be outside the jurisdiction of the LGO and the outcome is awaited in relation to the remaining case
  - **Flooding from a council pipe.** LGO determined this was outside jurisdiction
195. During the quarter the Ombudsman also notified the Council of the outcome in relation to a range of matters which were not subject to full investigation. The Ombudsman's investigators reached their decisions on the basis of the details supplied by complainants supplemented in some instances with contextual information from Council officers. These matters can be summarised as follows:
- **Planning and Building Control.** Of the 4 issues, 2 were determined to be outside jurisdiction, 1 was LGO's discretion and 1 was no maladministration.

### RECOMMENDATIONS AND REASONS

196. Members of Standards Committee note the report.
197. When the current reporting regime for complaints handling was introduced it was on the understanding that refinements/further development would take place as a continuing process. The views of Members as part of this process are always welcome.

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**Contact: Neil Green**

**Tel: 01388 761933**

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## Standards Committee

27 May 2011



## Town and Parish Council Sub Committee

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### Report of Tina Naples, Chair of the Town and Parish Council Sub Committee

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#### Purpose of the Report

1. To provide an update to members in relation to the work undertaken by the Town and Parish Council Sub Committee of the Standards Committee.

#### Work of the Sub Committee

2. Since last reporting to Standards Committee in February 2011 the work of the Town and Parish Council sub-committee has significantly increased. Many more visits to councils have been made or scheduled – the full list since we began our work is at Appendix 1.
3. The universal issues raised have been the Code of Conduct and concerns about the future when the current standards regime comes to an end. It has also been possible to clarify confusion surrounding the position of “dual-hatted” members. We have been heartened by the support for the Code of Conduct but it is important to bring forward how local councils are worrying about their ability to cope in future.
4. We have been advocating that local councils do adopt a code of conduct under the new arrangements and most of them seem to want to do this. However, it would clearly be neither feasible nor desirable for all 104 of them to write their own individual code. Some clerks are already discussing with their counterparts on ways of collaborating on this or other issues. Another way forward might be for the County Council to issue its own code (if it does indeed adopt one) to be used as a template for local councils to make use of.
5. Cost is another major area of concern, particularly if complaints need to be investigated. It would not be possible for clerks to investigate matters related to their own council and this is another possible area of collaboration with other councils in order to keep a rein on costs. Whether the County Council might be able to offer a low cost investigation service is something that might be worth considering.

6. An overriding matter coming from clerks is that they are already overstretched, often working more than their contracted hours to keep the present requirements fulfilled. They are seriously concerned about their ability to meet more demands on their time. With the limited funding available to local councils it is difficult to see how some of them will be able to get around this matter.
7. Finally, we have started issuing feedback forms to gauge the usefulness of the visits. The results are extremely positive and a couple of councils have asked for a return visit for more detailed discussions.

### **Recommendation**

8. Standards Committee is invited to note the content of this report.

**Contact: Jocasta Lawton Tel: (0191) 383 3679**

| <b>Parish/Town Council</b> | <b>Visit Date</b> | <b>Visit Time</b> | <b>Requirements</b>   |
|----------------------------|-------------------|-------------------|---|
| Horden Parish Council      | 6 Jan 2011        | 8pm               | Code/Dual Hatted/Localism Bill  |
| Brandon & Byshottles PC    | 9 Feb 2011        | 6:30pm            | Code/Dual Hatted/Localism Bill/Complaints Criteria  |
| Cassop cum Quarrington PC  | 16 Feb 2011       | 7pm               | Q & A re future of Standards  |
| Great Aycliffe TC          | 10 Mar 2011       | 6:30pm            | General refresher,<br>Planning & dual hat cllrs, Outside bodies representing the<br>Town Council/declarations of interest                           |
| Sedgefield Parish Council  | 14 March<br>2011  | 7pm               | Future of Standards etc the q & a (v.brief, max 20 mins on<br>agenda)   |
| Tow Law Town Council       | 15 March<br>2011  | 6:30pm            | Work of Cttee followed by general discussion on Standards<br>matters  |
| Haswell                    | 29 March<br>2011  | 6pm               | COC refresher/update on future/q&a  |
| Shadforth Parish Council   | 5 April 2011      | 6:30pm            | COC / Dual Hatted   |
| Ferryhill Town Council     | 13 April<br>2011  | 6:30pm            | COC/Standards in General  |
| Wingate Parish Council     | 14 April<br>2011  | 6:30              | General refresher,  |
| Esh Parish Council         | 12 April<br>2011  | 7pm               | Explanation and discussion re. the role of the Standards<br>Committee   |
| Monk Hesleden              | 23 May 2011       | 6pm-8pm           | Code of Conduct- review declaration of interests<br>Alternative to Standards Board<br>Roles and Responsibilities in particular the role of Chairman |
| Waldridge                  | TBC               |                   |   |
| Stanhope Parish Council    | TBC               |                   |   |
| Stanley Town Council       | TBC               |                   |   |
| Ferryhill TC Visit No. 2   | TBC               |                   |   |

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## Standards Committee

27 May 2011



## Composition of Standards Committee

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### Report of Colette Longbottom, Head of Legal and Democratic Services

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#### Purpose of the Report

1. To update members on the membership of the Standards Committee.

#### Background

2. At the meeting of the County Council held 23 February 2011 members considered a report of the Head of Legal and Democratic Services regarding the composition of the Standards Committee. The Council's constitution provides for a Standards Committee comprising of 12 County Councillors, 6 persons who are not councillors or officers of the Council or any other body having a Standards Committee (the independent members) and 6 members of parish or town councils within the County. This is 24 members in total.
3. Following the resignation of two independent members of the Committee the County Council were advised that it is a requirement under the Standards Committee (England) Regulations 2008 ('the Regulations') that at least 25% of the members of a Standards Committee are independent members.
8. County Council were further advised that Standards for England guidance allows for independent members of another standards committee (for example police and fire authority standards committees) to be temporarily appointed to another standards committee to consider a particular assessment, review or hearing or for a particular period of time.
9. As both County Durham and Darlington Fire Authority and Durham Police Authority operate standards committees with independent members it was proposed that two independent members from those affiliated committee's be temporarily appointed to the Durham County Council Standards Committee for a particular period of time, in this case until such time as the Decentralisation and Localism Bill comes into force.
10. Following consideration the members of the County Council resolved to delegate authority to the Head of Legal and Democratic Services to temporarily appoint two independent standards committee members from the affiliated authority's to

Durham County Councils Standards Committee, in consultation with the Chair of the Standards Committee, with such appointments to be for a particular period of time, in this case until such time as the Decentralisation and Localism Bill comes into force.

### **New Members**

11. Following the decision of the County Council and a request for expressions of interest from the independent standards committee members from the affiliated authority's, Mr James Armstrong and Mr John Hitchman have been temporarily appointed as independent members of the Standards Committee in accordance with Standards for England guidance.
12. Prior to retiring 3 years ago Mr James Armstrong worked in the Civil Service for 48 years, 20 years of which he worked as a fraud investigator. He has been a governor of Harelaw School, Stanley for 18 years and was in the Territorial Army for 34 years. Mr Armstrong is currently a magistrate on the Sunderland bench and also a Training and Development officer with the Independent Monitoring Board for Prisons. He also served a 12 month secondment as Chairperson of the Independent Monitoring Board at Kirk Levington men's prison. James first became involved in Standards as an independent member of the former Chester le Street District Council Standards Committee and has been an independent member on the County Durham and Darlington Fire and Rescue Standards Committee for 2 years.
13. Mr John Hitchman was principal of a Chartered Architect's practice in Durham City. He is currently a member of the Lord Chancellor's Committee for the Appointment of Magistrates and serves on Durham County Council's Remuneration Panel and the County Durham and Darlington Fire and Rescue Standards Committee as an independent lay member. John is a Non-Executive Director of Finchale Training College, a residential college that retrains adults with disabilities, and serves as a trustee of a number of local charities. Recently he was selected by the Royal College of Anaesthetists to serve on their Patient Liaison Group and other committees.
14. Both new members have met with the Head of Legal and Democratic Services and the Chair and Vice Chair of the Standards Committee and are both due to observe a forthcoming Assessment Sub Committee meeting in order to prepare for future chairing requirements.

### **Recommendation**

15. Standards Committee are invited to note the report.

**Contact: Jocasta Lawton**

**Tel: (0191) 3833679**



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

## **Agenda Item 8**

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of the Local Government Act 1972.

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