



## **Standards Committee**

**Date**        **Friday 18 February 2011**  
**Time**        **10.00 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 22 November 2010 (Pages 1 - 8)
2. Declarations of Interest, if any
3. Performance Report for Quarter 3, 2010/11: Complaints, Compliments and Suggestions - Report of Corporate Director, Neighbourhood Services (Pages 9 - 48)
4. The Localism Bill - Standards - Report of the Head of Legal and Democratic Services (Pages 49 - 50)
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 (Pages 51 - 58)
6. Town and Parish Council Sub Committee - Report of the Head of Legal and Democratic Services (Pages 59 - 64)
7. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.
8. 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 will not be open to the public (consideration of exempt or confidential information)**

9. Local Investigation - Case Reference LA88 - Report of the Head of Legal and Democratic Services (Pages 65 - 72)
10. Update on the Handling of Current Complaints - Report of the Head of Legal and Democratic Services (Pages 73 - 80)
11. Review of Completed Complaints
12. 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  
10 February 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 Southwell, W Stelling, M Williams and S Zair.

Mr B Argyle, Mr D Balls, Mrs D Balmer and Mrs T Naples

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

**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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**DURHAM COUNTY COUNCIL**

At a **Meeting** of the **Standards Committee** held at the County Hall, Durham on **22 November 2010** at **10.00 a.m.**

**PRESENT**

**Members of the Standards Committee:**

**Chairman:** Mrs D Winter

**Members:** Councillors A Bainbridge, E Bell, C Carr, P Charlton, D Farry, G Holland, E Bell, D Farry, G Holland, D Southwell and M Williams.

Mr B Argyle, Mrs D Balmer and Mrs T Naples

Councillors F Duggan, D Liversidge and T Batson

**Other Members:**

J Armstrong (Fire Authority)

Councillor S Zair

**Apologies:**

Councillor J Armstrong, Mr W Ault, Mr D Balls, Parish Councillor M Goyns and Mr P Thompson

**A1 Minutes**

The minutes of the meeting held on 16 September 2010 were confirmed as a correct record and signed by the Chairman.

**A2 Declarations of Interest**

There were no declarations of interest received.

**A3 Corporate Complaints, Compliments, Comments and Suggestions  
Performance Report – Quarter 2 (1 July to 30 September 2010)**

The Committee noted a report of the Corporate Director, Neighbourhood Services, the purpose of which was to present progress for quarter 2 of 2010/11 in relation to corporate complaints, compliments, comments and suggestions (for copy see file of Minutes).

The Customer Service Manager was in attendance to present the report. He advised that there had been a 37% increase in the number of complaints received this quarter compared to the same quarter in the last year. As requested at the previous meeting of the Standards Committee, the report provided a breakdown of the overall status of complaints and members were advised that of the 366 complaints received for the period, 177 were not justified. The Customer Service Manager further explained that the status of a complaint was an independent judgement made by the Corporate Complaints Team.

The Committee were advised that there had been 323 compliments for the same period and that just 21 suggestions had been received. The Customer Service Manager informed members that staff based within locality offices were trying to encourage customers to make suggestions and that it was hoped that the volume of customer suggestions would increase.

The Quality Standards Team Manager, Adults, Wellbeing and Health, was in attendance to advise on the complaints, compliments, comments and suggestions received during the quarter for that particular service area. She advised that there had been a significant increase in social care complaints, however explained that this could be attributed to a more thorough approach in the assessing of peoples' needs so that operating procedures and eligibility criteria could be consistently applied. The Quality Standards Team Manager further advised that the service area had also seen a significant increase in the number of compliments received during the quarter.

In response to Members, the Customer Service Manager advised that the process for handling complaints which had been introduced in April 2009 had been too involved and as such work had since been undertaken to simplify the process. He advised that between the current time and April 2011 a full review of the process was to be undertaken so that significant improvements could be identified and subsequently implemented.

The Chair advised that she had recently visited the Corporate Complaints section and had been extremely impressed with the processes that she witnessed were in place although it was acknowledged that there was room for improvement.

In response to a request from Members the Customer Service Manager agreed to provide a breakdown of all suggestions which were received to indicate what they were and what had been done as a result of them, although he did clarify that all suggestions were followed up with a response to customer. He further advised that the authority was looking to implement a "you said, we did" type of campaign in the future.

**Resolved:**

That the report be noted.

#### **A4 Annual Representations Report 2009/10, Children and Young Peoples Services**

Consideration was given to a report of the Corporate Director, Children and Young Peoples Services (for copy see file of Minutes).

Accompanied by the Head of Strategic Commissioning, the Complaints and Quality Officer was in attendance to present the report, which was the fourth Annual Report of its kind and which detailed the performance of Durham County Council's Children and Young People's Services' Representations Procedure. She advised that the aim of the report was to provide performance information in a concise manner and she drew Members attention to key points from the report.

#### **Resolved:**

That the content of the Annual Report be noted.

#### **A5 Request for Dispensation from Edmondsley Parish Council**

Consideration was given to a report of the Head of Legal and Democratic Services regarding a request from Edmondsley Parish Council for a dispensation under the Standards Committee (Further Provisions)(England) Order 2009 (for copy see file of Minutes).

The Deputy Monitoring Officer advised that Edmondsley Parish Council currently operated with seven members as there were four vacant seats which were not expected to be filled until into the New Year. Of the seven current members, four were affiliated with Edmondsley Community Association and as such were required to declare prejudicial interest and leave Parish Council Meetings when business relating to the Association was being discussed, thus leaving the meeting inquorate. A dispensation was therefore requested which would allow those members to participate and vote on any future related items.

#### **Resolved:**

That a dispensation be granted to those members of Edmondsley Parish Council who are affiliated with the Edmondsley Community Association, permitting them to participate and vote on any future Parish Council business concerning the Edmondsley Community Association and that the dispensation shall continue until there are nine Parish Council members in post.

#### **A6 First Tier Tribunal and Upper Tier Tribunal Decisions relating to Councillors Clark and Fawcett of West Rainton and Leamside Parish Council**

Consideration was given to a report of the Head of Legal and Democratic Services which provided a summary of the decision of the First Tier Tribunal in relation to the appeal by Councillors Clark and Fawcett against the decision

of the Standards Committee and Councillor Clark's appeal against the decision of the First Tier Tribunal (for copy see file of Minutes).

The Deputy Monitoring Officer advised that although a similar report had been brought before the previous meeting of the Standards Committee, Councillor Clark had requested that a more detailed report be circulated for information.

**Resolved:**

That the report be noted.

**A7 Development Strategy 2010/2011**

The Committee considered a report of the Head of Legal and Democratic Services which provided an update of the work carried out to date as part of the Development Strategy of the Standards Committee for the year 2010/11 (for copy see file of Minutes).

The Deputy Monitoring Officer advised that although good progress had been made in meeting various actions and targets contained within the Strategy's action plan, those activities would not continue until the future of Standards Committee's was better understood upon the imminent release of the Decentralization and Localism Bill.

**Resolved:**

That the report be noted.

**A8 Parish and Town Council Sub Committee**

Consideration was given to a report of the Head of Legal and Democratic Services which provided an update on the appointment of a Parish and Town Council Sub Committee of the Standards Committee (for copy see file of Minutes).

The Governance Solicitor advised that following approval at the last meeting of the Standards Committee, a Parish and Town Council Sub Committee had since been established and would hold their first meeting later that day. Future reports from the Sub Committee would come to the Standards Committee for consideration.

**Resolved:**

That the report be noted.

**A9 Other Business**

The Chair advised that there were two additional items of business that she had deemed necessary for consideration by the Standards Committee during the open part of the meeting.

The Governance Solicitor addressed the first item of additional business. She advised that the previous day the First Tier Tribunal had held an appeal

hearing regarding a complaint about a Parish Councillor that had previously been considered by a Standards Committee Hearing Panel.

She advised that the authority's Hearing Panel had originally made a determination that the Parish Councillor had breached the Code of Conduct and as such had imposed a sanction that the Parish Councillor should submit a letter of apology to the complainant and in addition undergo training on the Code of Conduct. The Hearing Panel further determined that in the absence of a suitably worded letter of apology that the Parish Councillor would be subject to a six week suspension. The Parish Councillor had appealed this decision with the First Tier Tribunal.

The Governance Solicitor reported that upon considering the case, the First Tier Tribunal determined that the Parish Councillor had breached the Code of Conduct and as such upheld the finding of the Standards Committee Hearing Panel. The Tribunal's direction was that the original sanctions imposed by the Hearing Panel were to be upheld in their entirety.

The Chair addressed the second item of additional business. She advised the Committee that a letter had been hand delivered for her attention prior to the meeting commencing, from a member of the public who had previously made a number of complaints to the Standards Committee. The letter was circulated to all present, accompanied by the Decision Notice and accompanying letter to which it referred.

The hand delivered letter called for the resignation of the Chair of the Standards Committee and for a public apology to be made to that member of the public further to him being aggrieved at a decision taken by an assessment sub committee of the Standards Committee at an earlier date.

Further to consideration of all circulated papers the Standards Committee determined that there was no reason for them to contemplate issuing an apology and furthermore they expressed their support for the Chair of the Committee.

#### **A10 Exclusion of the Public**

##### **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.

#### **B11 Local Investigation – Case Reference LA118**

The Committee considered a report of the Head of Legal and Democratic Services detailing the investigation conducted into an allegation that a Town Councillor contravened the Code of Conduct (for copy see file of Minutes).

The Investigating Officer's report concluded that there was no breach of the Code of Conduct.

**Resolved:**

That the report's recommendations be accepted.

**B12 Local Investigation – Case Reference LA140**

The Committee considered a report of the Head of Legal and Democratic Services detailing the investigation conducted into an allegation that a County Councillor contravened the Code of Conduct (for copy see file of Minutes). The Investigating Officer's report concluded that there was no breach of the Code of Conduct.

**Resolved:**

That the report's recommendations be accepted.

**B13 Local Investigation – Case Reference LA76**

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 of a breach of the Code of Conduct by a Town Councillor (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 upheld at a Standards Committee Hearing and the Panel imposed a sanction that the Town Councillor was to provide a letter of apology to the complainant. The Town Councillor failed to provide that apology and therefore the Hearing Panel reconvened to determine an alternative sanction to be imposed. The decision was made to suspend the Town Councillor for a period of three months.

Members were advised that the Town Councillor had subsequently appealed to the First Tier Tribunal and as such the Committee was requested to consider whether to contest the appeal.

**Resolved:**

That the appeal be contested.

**B14 Update on the handling of Current Complaints**

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.

**B15 Review of Completed Complaints**

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

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## Standards Committee

18 February 2011

### Performance Report for Quarter 3, 2010/11: Complaints, Compliments and Suggestions



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

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#### Purpose of the Report

1. To present performance in relation to complaints, compliments and suggestions for quarter 3, 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. 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 Regulation.
  - **Non-Statutory.** All other complaints

This report contains information on all complaints received by the Authority. 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's & Young Peoples Services are provided in the section appropriate to that service grouping.

7. The corporate complaints team, and the Council as a whole, work to specified service standards, previously agreed by Cabinet, and so have a number of targets to achieve, for example, acknowledging all complaints within 2 working days, and responding within 10 working days.
8. Performance updates are reported on a quarterly basis and this is the third routine report for 2010/11.

### **Data Quality**

9. Recent work on data quality of complaints, compliments and suggestions has highlighted some issues in relation to the recording mechanisms. 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 formation of a Neighbourhood Services link officer group (detail provided later in report)

10. We are also aware that some complaints are being recorded as suggestions. 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.
11. Some service areas are not utilising the CRM system to record their complaints, compliments and suggestions. 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. The main reason for not using the CRM is simply due to system issues arising from Local Government Reorganisation (LGR). Over time, all service areas will be migrated onto the same system. We will keep Standards Committee informed of all developments. This mainly affects Neighbourhood Services as the harmonisation process is continuing.

## Progress of the Complaints Handling Review

12. 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 beginning to be 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 the
- re-design of the website (due to be launched on 21 February)
  - re-drafting and re-design of the complaints form
  - addition of a new field to the CRM to allow learning outcomes from complaints suggestions and compliments to be recorded
  - completion of a survey of past complainants to gauge their views in relation to our complaints procedure.

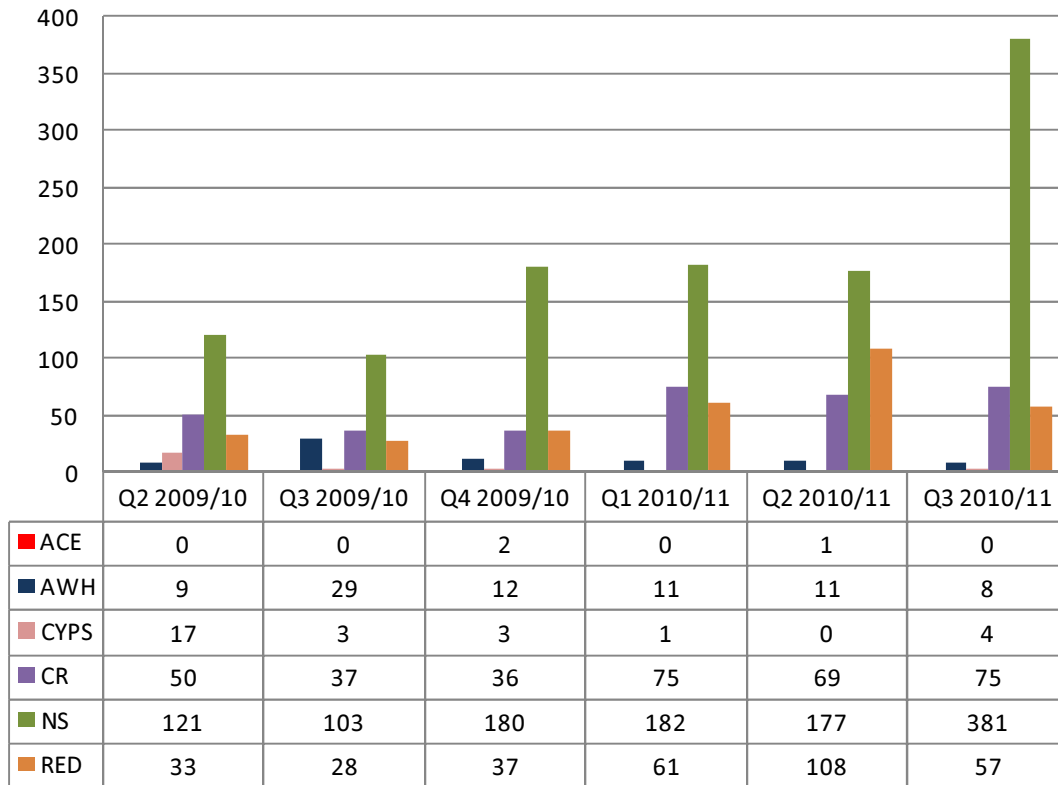
## Format of this report

13. This report is divided into 2 main sections, an overview section and a more detailed report from each service grouping.
14. It should be noted that the following abbreviations and colours are used to identify service groupings throughout this report

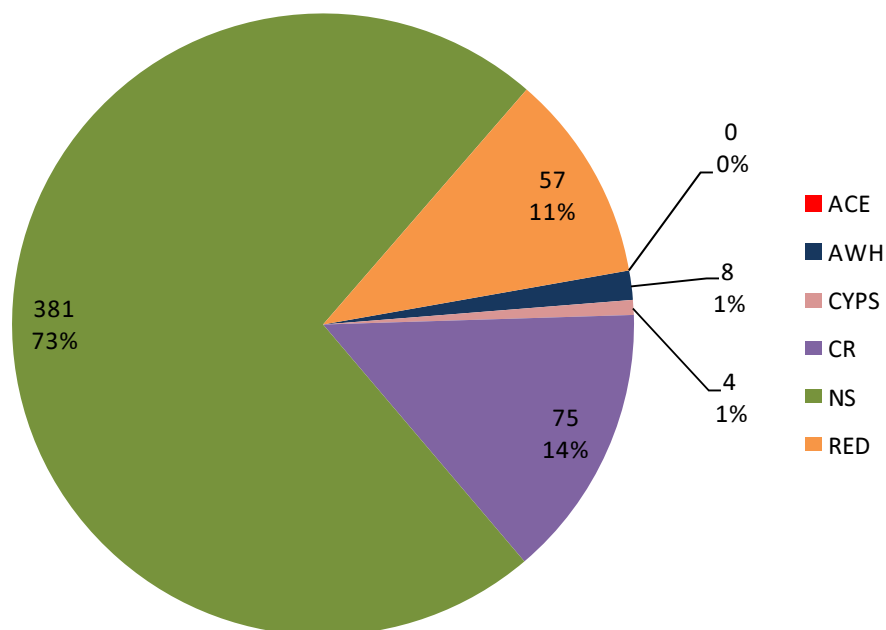
Abbreviation	Service Grouping	Colour
ACE	Assistant Chief Executive's Office	Red
AWH	Adults, Wellbeing and Health	Blue
CYPS	Children and Young People's Services	Pink
CR	Corporate Resources	Purple
NS	Neighbourhood Services	Green
RED	Regeneration and Economic Development	Orange

## Section 1 – Overview: Non-Statutory Complaints

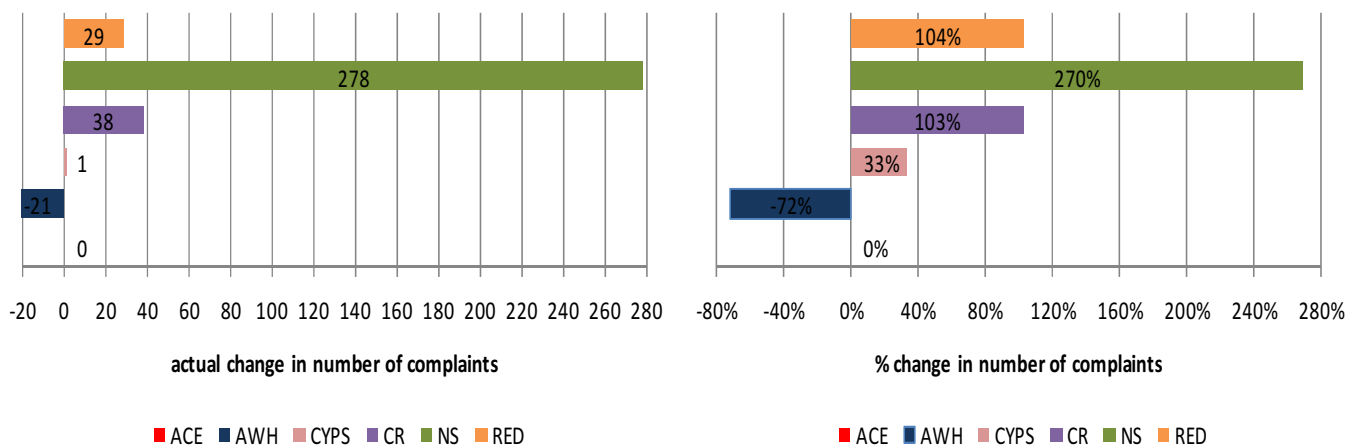
15. The following graph shows the number of non-statutory complaints received each quarter over the last eighteen months. The information is sub divided by each service grouping



16. Between 1 October 2010 and the 31 December 2010, 525 complaints were received. The following chart shows a breakdown of these complaints by service grouping.

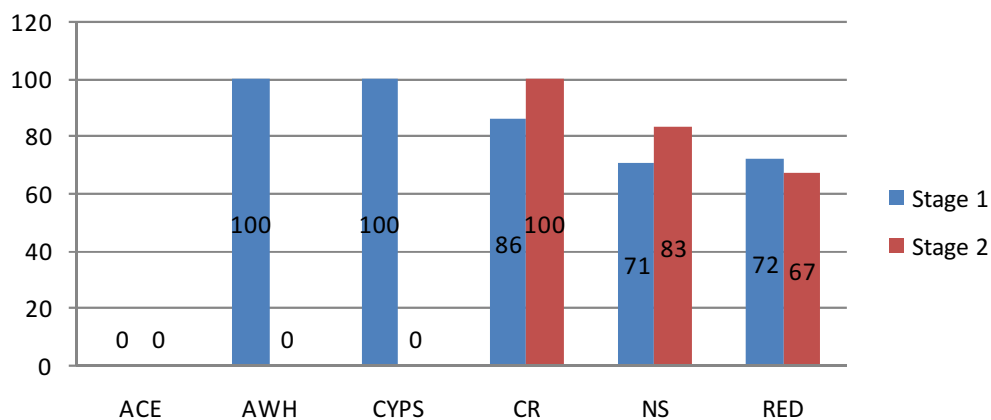


17. As can be seen, the majority of complaints related to Neighbourhood Services. This is simply due to the front facing nature and scope of its service provision. This service grouping's diverse responsibilities includes customer services, waste collection, street cleansing, highways, sport and leisure, and consequently has a high level of contact with the public as all residents receive services provided by it.
18. The number of complaints received can vary significantly throughout the year. The increase experienced by NS can be attributed to the period of inclement weather, which caused significant disruption to service provision at the end of November and beginning of December 2010.
19. It is possible to compare the number of complaints received with the number received for the same period, 12 months earlier. The following graphs shows the change in complaints received during quarter 3, 2010/11 and complaints received during quarter 3, 2009/10. The graph on the left shows the actual change (number). The graph on the right shows the percentage change.

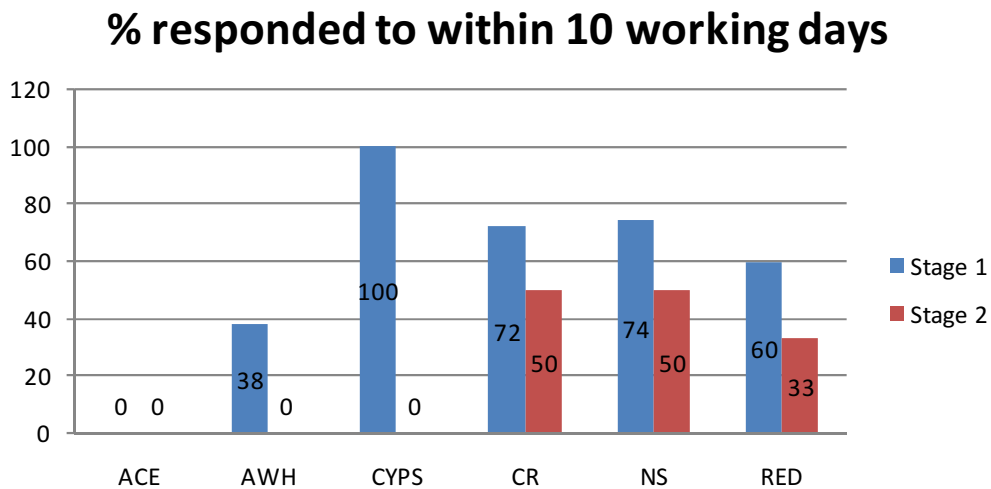


20. During 1 October 2010 and 31 December 2010, Durham County Council acknowledged 86% of stage 1 complaints and 83% of stage 2 complaints within the target time of 2 working days. The following table shows a breakdown by service grouping.

### % acknowledged within 2 working days

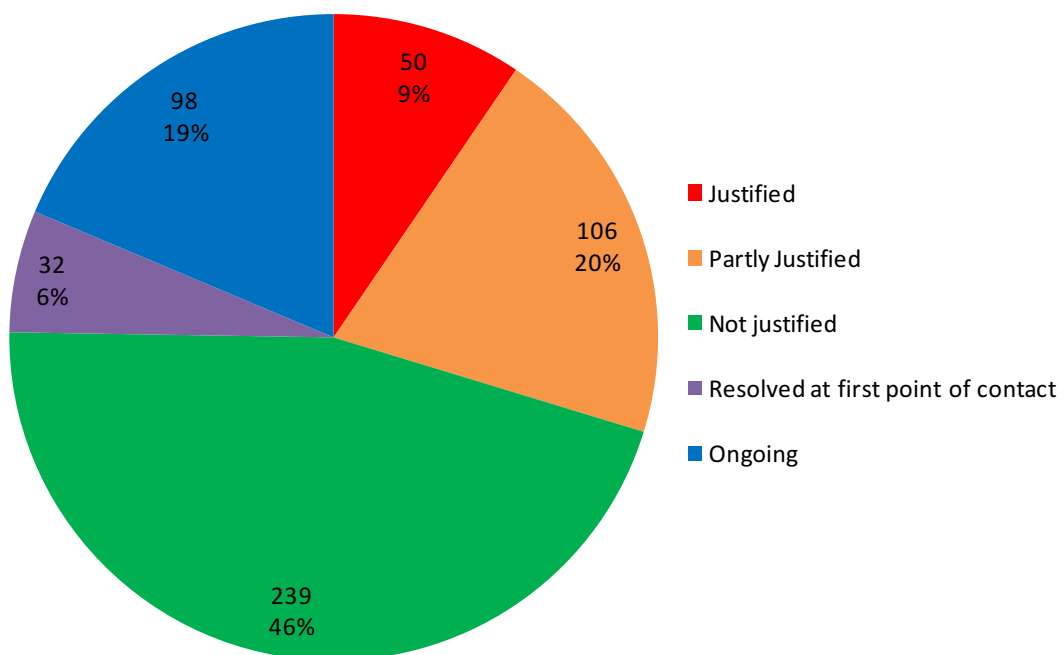


21. During 1 October 2010 and 31 December 2010, Durham County Council responded to 69% of stage 1 complaints and 44% of stage 2 complaints within the target time of 10 working days. The following table shows a breakdown by service grouping.



22. Although reporting quarterly information is important, the data has its limitations due to seasonal influences, e.g. the number of complaints received by NS tends to increase significantly through periods of bad weather due to the resulting effect on service provision. This has been evident throughout this year's period of bad weather. Therefore, work will continue to ensure that future reports have a section that presents the data as a 12 month rolling total as this ensures each data point has all aspects of the year included. This makes it possible to see if the trend in relation to complaints is upwards or downwards.

23. The following chart depicts the breakdown of complaints by their outcome. Of the 525 complaints received between 1 October 2010 and the 31 December 2010, 239 were not justified (46%).





24. The following table provides a breakdown by service grouping

Service Area	Justified	Partly Justified	Not justified	Resolved at first point of contact	Ongoing	Total
ACE	0	0	0	0	0	0
AWH	1	1	5	1	0	8
CYPS	0	2	2	0	0	4
CR	14	18	36	2	5	75
NS	29	76	167	29	80	381
RED	6	9	29	0	13	57
<b>Totals</b>	<b>50</b>	<b>106</b>	<b>239</b>	<b>32</b>	<b>98</b>	<b>525</b>

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

26. The following table shows the number of compliments and suggestions each service grouping received during quarter 3.

Service Grouping	Compliments	Suggestions
ACE	1	1
AWH	104	5
CR	36	5
CYPS	145	1
NS	206	39
RED	34	5
<b>Total</b>	<b>526</b>	<b>59</b>

27. As mentioned earlier in this report, complaints, compliments and suggestions are part of the cycle of continuous improvement and are analysed to determine if we can further improve processes, and thereby service delivery. 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. We

- Sent full apologies to complainants in all cases
- Ensured one-to-one meetings were held between line managers and staff whose attitude was called into question
- Discussed complaints received with appropriate bus operators to ensure they did not re-occur (para 158)
- Initiated a review of the refuse and recycling winter operation plan (para 107)

- Changed the mechanism for changing swimming pool programmes so consideration is always given to the displacement of current users (para 118)
- Negotiated a reduction the number of swimming lanes at Freeman’s Quay used by Durham University to increase public access (page 118)
- Implemented new cleaning operations at Freeman’s Quay (para 119)
- Secured the services of another firm in relation to impounding and removing horses from council owned land (para 173)
- Improved processes with regard to the disposal of surplus assets (para 173)
- Appointed 4 additional permanent staff into revenues (para 176)
- Initiated a review into relation to the way helpdesk calls are handled (para 179)
- Introduced new tenant information and a text message reminder service for appointments in relation to repairs and maintenance (Durham City Homes) (para 149)
- 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 (para 154)
- Reiterated to leisure centre staff that when out of office, for whatever reason, the out of office facility on their email should be switched on, directing the customer to an appropriate contact point (para 124)
- 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 (para 129)
- Head of Achievement Services wrote to young person thanking her for the suggestion and explained that work on virtual classrooms had already started(para 75)
- 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 (para153)

28. 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 3 of 2010/11:

## Assistant Chief Executive's Office (ACE)

29. The following table shows the 3 main service areas of ACE. It should be noted that the following abbreviations are used to identify service areas throughout this section of the report

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

30. During 1 October 2010 and 31 December 2010, no complaints were received by the ACE service grouping.
- 31.

## Compliments and suggestions

32. During quarter 3, ACE received 12 compliments and 1 suggestion.

Service Area	Compliments	Suggestions
Partnerships and Community Engagement	1	0
Planning and Performance	11	0
Policy and Communications	0	1
<b>ASSISTANT CHIEF EXECUTIVE'S OFFICE TOTAL</b>	<b>12</b>	<b>1</b>

33. The suggestion related to saving money by reducing the frequency of the Council's magazine, 'Durham County News'. This circulation has been reduced from 10 to 6 copies per year (bi-monthly) and consultation is currently underway regarding revised distribution arrangements.
34. The applicant was sent a written acknowledgement within 1 day.

## Adults, Wellbeing and Health (AWH)

35. The following table shows the 5 main service areas of AWH. It should be noted that the following abbreviations are used to identify service areas throughout this section of the report

Abbreviation	Service Area
AC	Adult Care
C	Commissioning
F	Finance/AWH
PPP	Policy, Planning and Performance
SI	Social Inclusion

## AWH Non-Statutory Complaints, Compliments & Suggestions

36. During 1 October 2010 and 31 December 2010, 8 complaints were received by the AWH service grouping. These were all attributed to Social Inclusion.
37. During Quarter 3:  
Of stage 1 complaints
- 100% were acknowledged in 2 working days
  - 38% responded to within 10 working days
- There were 5 of the 8 complaints (62%) that went beyond the 10 working days but there are justifications for this and the complainant was kept informed of progress throughout. There were no Stage 2 complaints
38. Of the 8 complaints received, 5 were not justified, 1 was partially justified, 1 was justified and 1 was resolved at the point of contact.
39. The following section provides further analysis of complaints, by service area, and the associated learning outcomes:

## Social Inclusion (SI)

40. During quarter 3, 8 complaints were received in relation to SI, compared to 2 for the same quarter last year.

The complaints related to

- 1 complaint related to the relocation of the children’s library at Bishop Auckland and an explanation for the reason for this was provided.
  - 3 complaints involved the availability of audio-visual items and the lack of variety of the book stock.
  - 1 complaint related to fines incurred when the borrower turned up at closing time to return the books and the library was closing down for the evening.
  - 1 complaint was about access to country pursuit websites, which were filtered to prevent access. The filters were removed to provide access. No key trends were capable of extraction from such a small number of complaints except that borrowers are expressing concerns about stock depletion.
  - 1 complaint related to representation at a welfare rights appeals tribunal where the client was unhappy with the outcome but this was not attributable to the adviser.
  - The 2<sup>nd</sup> complaint related to adult learning and is as yet unresolved.
41. Due to the small number of complaints received, no key trends were identified.

## Compliments and suggestions

42. During quarter 3, AWH received 104 compliments and 5 suggestions.

Service Area	Compliments	Suggestions
Adult Care	0	0
Commissioning	0	0
Finance/AW&H	0	0
Policy, Planning and Performance	0	0
Social Inclusion	104	5
<b>ADULT, WELLBEING AND HEALTH TOTAL</b>	<b>104</b>	<b>5</b>

43. All of these were in Social Inclusion, with the majority 101 for Welfare Rights and 3 for Library services.
44. There were 5 suggestions submitted in total, 4 for Library services and 1 for Welfare Rights.
45. There were no key trends, learning outcomes or actions taken resulting from the compliments and suggestions received.

## Statutory Adult Social Care Complaints, Compliments and Suggestions

### Complaints Received in the Quarter

46. During the quarter, 40 complaints were received. This is a 33% increase on the previous quarter illustrating the continuing upward trend in complaints. The increase is largely accounted for by the review and re-assessment process. Details of the quarterly performance are provided in Table One below.

Table 1: Comparison of Complaints Received by Quarter						
Service Area	Q3 09/10	Q4 09/10	Q1 10/11	Q2 10/11	Q3 10/11	Direction of Travel from previous quarter
ADULT SOCIAL CARE – AW&H	10	19	16	34	40	↑↑

### Complaints Received by Service Area

47. The service area receiving the largest number of complaints was Social Work Older People's Services (23). The upward trend in complaints that the Learning Disabilities Service was experiencing in previous quarters was reversed in this quarter with a 66.7% decrease in numbers from 15 in the second quarter to 5 in this quarter. Please Table Two below.

Table 2: Complaints Received by Service Area (previous Quarters figures shown in brackets)					
Service Area	Learning Disabilities	Older People	Physical Disabilities	Mental Health	Total
Social Work Teams (Learning Disability /Mental Health/Carers	4 (15)	1 (0)	(0)	(0)	5(15)
Social Work Teams (Older Persons /Mental Health Services Older Persons/Physical Disability and Sensory Impairment & Sensory Support)	(0)	23 (16)	3 (0)	(0)	26 (16)
Finance	1 (0)	1 (1)	(0)	(0)	2 (1)
County Durham Care and Support	1 (0)	2 (2)	1 (0)	1 (0)	5 (2)
Commissioning	0 (0)	1 (0)	0 (0)	(0)	1 (0)
Policy, Planning & Performance	0 (0)	0 (0)	1 (0)	0 (0)	1 (0)
<b>TOTAL</b>	<b>6</b>	<b>28</b>	<b>5</b>	<b>1</b>	<b>40</b>

### Responding within Timescales

48. All complaints were acknowledged within three working days maintaining performance at 100%.

### Complaints Resolution Plans (CRP)

49. Of the 40 complaints, CRPs were completed in all cases.

### Completion within CRP Timescales

50. Of the 40 complaints received in the quarter 35 were completed – all within the timescales agreed within the CRP. The remaining 5 cases were not concluded within the quarter but had not breached their agreed completion timescale.

### Findings on the Complaints

51. Of the 35 complaints received and completed in the quarter 22 were not upheld, 3 were partially upheld and 10 were upheld. Table Three details the breakdown of findings per Team.

<b>Table 3: Outcome of Complaints Completed in the Quarter</b>					
<b>Service Area</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Upheld</b>	<b>TBC</b>	<b>Total</b>
Social Work Teams (Learning Disability /Mental Health/Carers	3	0	0	2	5
Social Work Teams (Older Persons /Mental Health Services Older Persons/Physical Disability and Sensory Impairment & Sensory Support)	15	3	6	2	26
Finance	2	0	0	0	2
County Durham Care and Support	2	0	2	1	5
Commissioning	0	0	1	0	1
Policy, Planning & Performance	0	0	1	0	1
<b>TOTAL</b>	<b>22</b>	<b>3</b>	<b>10</b>	<b>5</b>	<b>40</b>

### Remedies

52. Examples include:-

- Re-assessment of need following the reduction in care packages (in some cases this resulted in the reinstatement of services)
- Residential care contributions, which should have been charged at the permanent rate, were revised to the lower rate for temporary placements due to invoicing and communication errors.
- Occupational Therapy re-assessments were conducted where disputes arose following the original assessments for adaptations.

- Transport service to attend day care was reinstated for a client whose circumstances provided exceptional reasons why public or private transport could not be accessed.

### Complaints by Classification

53. *Conduct/Attitude of Staff* remained the highest category of complaint. As in the previous quarter, this was largely linked to staff having to communicate difficult decisions around the funding of care packages and was not necessarily a reflection of individual staff members' behaviour or professionalism. The second highest category was *Change to client's service/care plan* and was linked to the application of procedures and criteria during the re-assessment process. Table Four below illustrates the full detail of classification.

<b>Table 4: Complaints by Classification</b>	
<b>Classification</b>	<b>No. of complaints</b>
Lack Of Service - Communications/Information	2
Confidentiality	2
Safeguarding	1
Conduct Or Attitude Of Staff	11
Personal Financial Issues	3
Assessment	2
Personal Care/Physical Handling	3
Lack Of Service - Restricted Choices Of Current Services	3
Provision of Service – Equipment	3
Lack Of Service – Contact/Visits/Service	3
Change to client's service/care plan	5
Lack of Reviews	1
Application Of Service Guidance/Procedures	2

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

### Declined Complaints

54. None of the complaints received in the quarter were declined

### Local Government Ombudsman (LGO)

55. The LGO received 4 complaints during the quarter. In two cases the LGO rejected the complaints. Decisions are awaited on the other two cases.

### Learning Outcomes

56. Respite given at a County Durham Care and Support (CDCS) establishment, detailed in the care plan that personal care assistance for a client be carried out and this practice did not occur. Staff have been advised that that all personal care is now recorded in detail for all clients to avoid a repetition of the situation.

57. At a CDCS establishment, staff have been issued new instructions on how to manage the administration of medication when a person is unable to communicate information relating to their medication needs.

58. Social Work Team Managers were asked to ensure appropriate communication processes are put in place if staff are absent. In particular, if this is for a prolonged



duration, such as long-term sick leave. In addition the effectiveness of call divert systems are to be checked and instructions to staff that voicemail messages should be changed and an alternative contact number provided if a colleague is off sick.

### Adult Social Care Compliments

59. There were 127 compliments received in the quarter compared to 171 in the second quarter see Table Five below. The reduction in the number of compliments relates to the changes within Adult Care - County Durham Care and Support. The ratio of compliments to complaints is 3:1, compared to 5:1 in the second quarter.

<b>Table 5: Compliments Received by Service Area</b>		
<b>Service Areas</b>	<b>Compliments Received</b>	
	<b>Current Quarter</b>	<b>Previous Quarter</b>
County Durham Care and Support	95 (75%)	143 (84%)
Social Work Teams (Learning Disability /Mental Health/Carers	3 (2%)	3 (2%)
Social Work Teams (Older Persons /Mental Health Services Older Persons/Physical Disability and Sensory Impairment & Sensory Support)	29 (23%)	25 (14%)
<b>TOTAL</b>	<b>127 (100%)</b>	<b>171 (100%)</b>

### Adult Social Care Suggestions

60. No comments were recorded.

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

61. The following table shows the 6 main service areas of CYPS. It should be noted that the following abbreviations are used to identify service areas throughout this section of the report

Abbreviation	Service Area
AI	Access and Inclusion
AS	Achievement Services
ES	Extended Services
F	Finance/Services
SaSS	Safeguarding & Specialist Services
SC	Strategic Commissioning

## CYPS Non-Statutory Complaints, Compliments & Suggestions

62. During 1 October 2010 and 31 December 2010, 4 complaints were received by the CYPS service grouping.
- 2 related to Access and Inclusion
  - 2 related to Achievement Services
63. During Quarter 3:
- Of stage 1 complaints
    - 100% were acknowledged in 2 working days
    - 100% responded to within 10 working days
  - No stage 2 complaints were received
64. Further investigation into the complaints received in this quarter shows that there are 2 records in which the complaint was not upheld, indicating that although service users were dissatisfied with services received, the service had in fact acted properly and followed appropriate procedures.
65. If these 2 records are removed, CYPS is left with 2 justified complaints from which there is possibility of learning. Both of those were partly justified complaints. One related to Access and Inclusion and the one related to Achievement Services.
66. The following section provides further analysis of complaints, by service area, and the associated learning outcomes:

## Access and Inclusion (AI)

67. During quarter 3, 2 complaints were received in relation to AI, compared to 3 for the same quarter last year.
68. The complaints related to:
- the time taken to progress a school placement application
  - an allegedly lost school admissions form
69. In response to the complaints received, we have learned that where applications are hand-delivered, improved communication is required between the County Hall Helpdesk and the Admissions team. This is to be taken forward during the next few months.

## Achievement Services (AS)

70. During quarter 3, 2 complaints were received in relation to AS, compared to 0 for the same quarter last year.
71. The complaints related to:
- a Local Authority inspection visit to a Day Nursery
  - lack of information about the transition process to Stanley Academy
72. In response to the complaints received, we have learned that prior to Education Development Service support and development visits, officers should ensure that providers are clear about the purpose and remit of the visit. This message is to be circulated throughout the service.

## Compliments and suggestions

73. During quarter 3, CYPS received 171 compliments and 1 suggestion.

Service Area	Compliments	Suggestions
Access and Inclusion	17	0
Achievement Services	3	1
Extended Services	120	0
Finance/C&YPS	0	0
Strategic Commissioning	5	0
<b>CYPS TOTAL</b>	<b>145</b>	<b>1</b>

74. The suggestion was from a young person and related to setting up virtual classrooms online, to use in cases of severe inclement weather for example.
75. In response to the suggestions received, the Head of Achievement Services wrote to the young person, thanked her for her suggestion and explained that work had already started, and some schools are looking into the possibility of providing opportunities for

pupils to access some of their work via a website - so her practical suggestion may become a reality.

## CYPS Statutory Complaints, Compliments & Suggestions

### Safeguarding & Specialist Services (SaSS)

76. During quarter 3, 3 complaints were received in relation to SaSS, which were taken through the formal statutory complaints procedure relating to social care services. The numbers are therefore not reflected in the rest of this report, which relates to non-statutory complaints recorded on CRM rather than statutory ones recorded on SSID.
77. The complaints related to
- the outcome of an Initial Assessment process following a referral about a child to Social Care Direct
  - the decision to move a Looked After child to a different care provider
  - the action taken as a result of a referral about a child, which was actioned as a school / bullying issue rather than as a safeguarding concern\*
- \* This complaint also contained one element relating to the young person's Statement of Special Educational Needs and school placement, but as the main part of the complaint was about social care issues it was recorded as a statutory complaint.
78. In response to the complaints received about social care issues, some of which were responded to at an informal level, we have learned:
- to try to ensure that any concerns raised by other family members are listened to and taken into account in Social Worker reports to Court
  - to make sure that family contact rooms are kept warm and clean - including floors and toys
  - to ensure that Core Assessments are written within appropriate timescales

### Compliments and suggestions

79. During quarter 3, SaSS received 26 compliments and 0 suggestions.

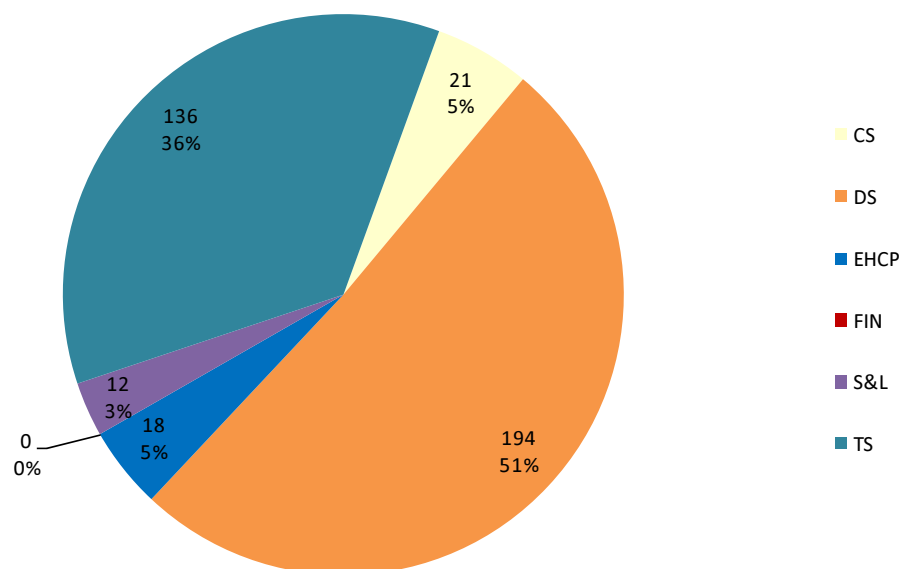
Service Area	Compliments	Suggestions
SaSS	26	0
<b>CYPS TOTAL</b>	<b>26</b>	<b>0</b>

## Neighbourhood Services (NS)

80. The following table shows the 6 main service areas of NS. It should be noted that the following abbreviations are used to identify service areas throughout this section of the report

Abbreviation	Service Area
CS	Customer Services
DS	Direct Services
EHCP	Environmental Health & Consumer Protection
FIN	Finance, HR, Business Support (incl. PPC)
S&L	Sport and Leisure
TS	Technical Services

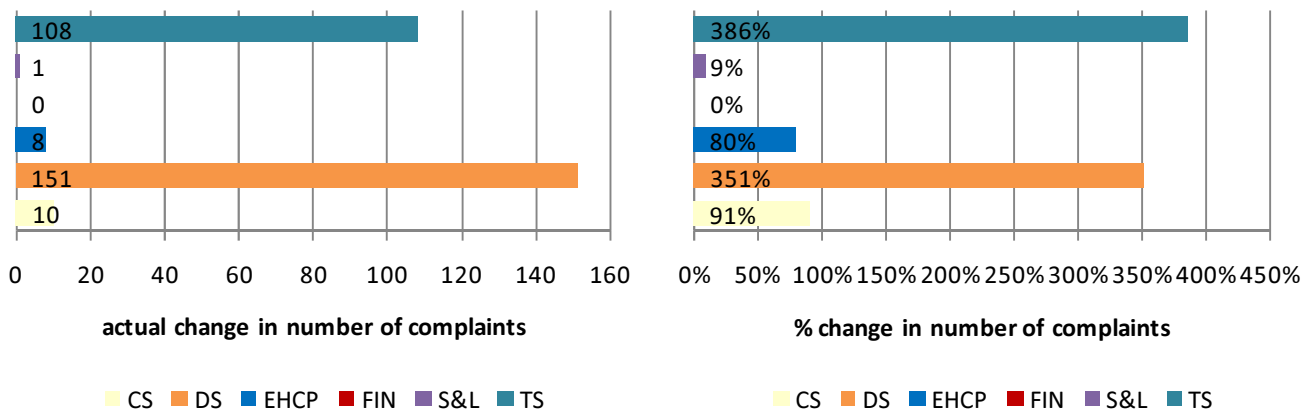
81. During 1 October 2010 and 31 December 2010, 381 complaints were received by the NS service grouping. The following graph shows the breakdown by service area.



82. 330 (87%) of the complaints received related to services provided by either Technical Services or Direct Services. Both of these service areas respond to inclement weather and experienced significant pressures as a result of the prolonged period of freezing temperatures and snow at the end of November / beginning of December. 237 (72%) of these 330 incidents can be attributed to winter maintenance during this period. This predominantly relates to gritting issues of roads and pavements and refuse and recycling collections.
83. NS takes complaints very seriously and deals with each and every one of them in a professional manner. However, the high number of complaints should not detract from

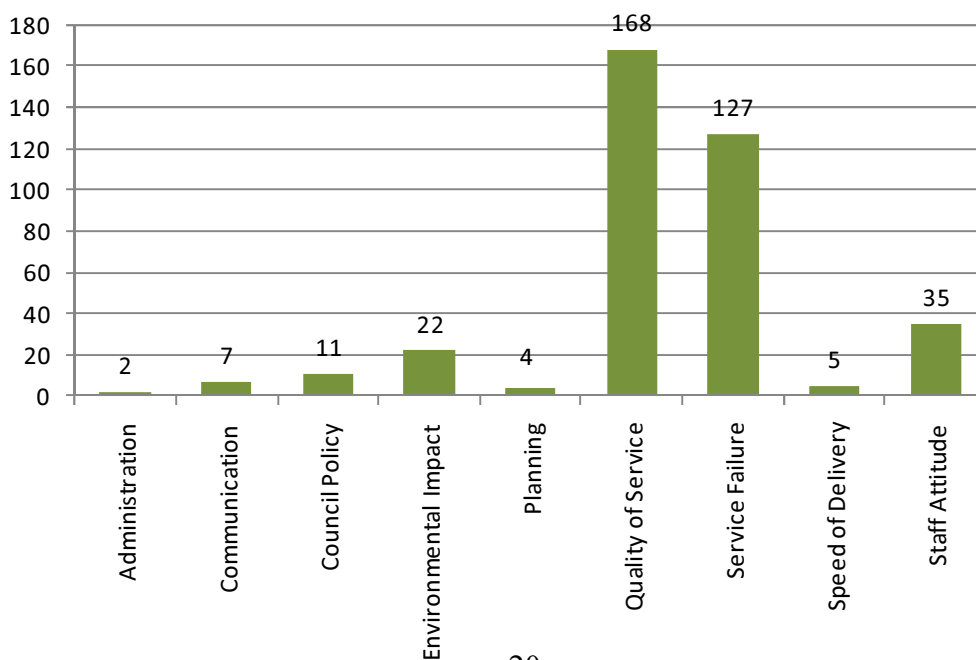
the hard work and dedication shown by staff throughout this period that ensured roads remained open and services continued.

84. It is possible to compare the number of complaints received with the number received for the same period, 12 months earlier. The following graphs show the change in complaints received during quarter 3, 2010/11 and complaints received during quarter 3, 2009/10. The graph on the left shows the actual change (number). The graph on the right shows the percentage change.

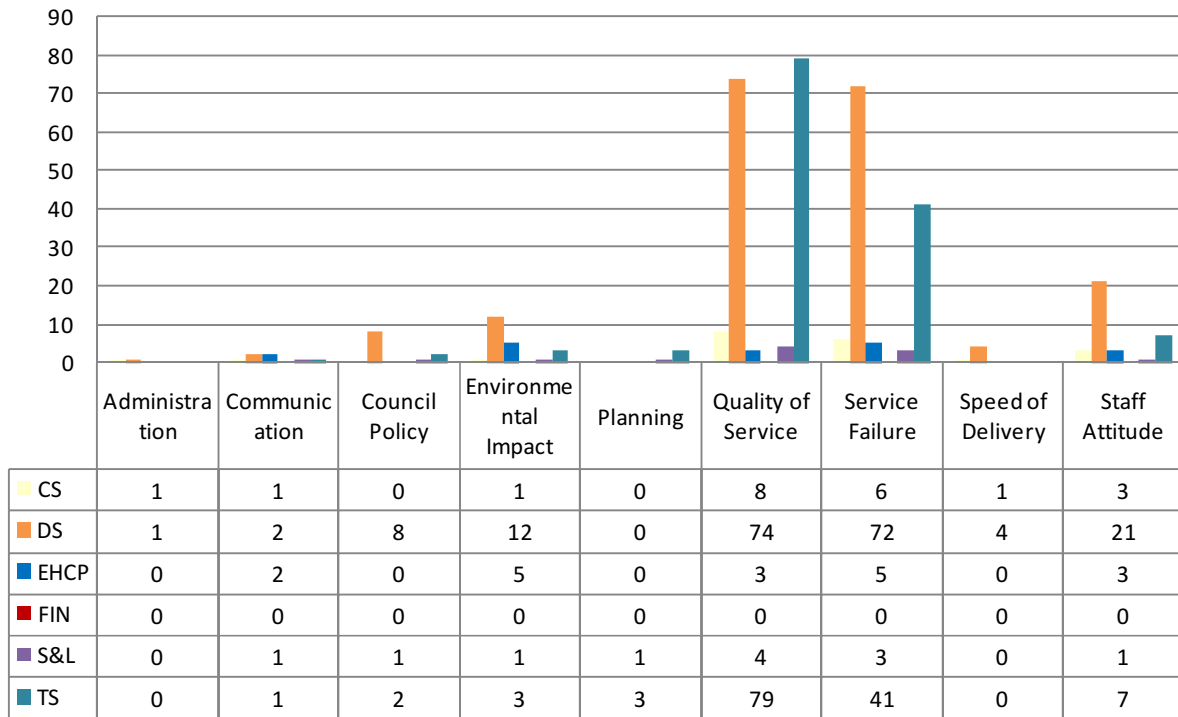


85. Although there appears to have been a significant increase in the number of complaints received, this 'increase' is mainly as a result of improved recording practices. NS is the result of the amalgamation of the former county council and the 7 former district authorities, each of which worked to its own processes and systems. Harmonisation is a major undertaking and as work continues we fully expect the number of complaints 'received' to increase. However, we would like to reassure Standards Committee that although there is variation in the manner complaints are handled, they are all being dealt with in line with the policy. The only issue is not all complaints are being centrally recorded on the CRM. NS is currently undertaking a project (detail provided later in report) to embed the complaints process within the service grouping.

86. Analysis has shown that complaints can be categorised. The following graph shows the number of complaints received for each category.



87. Further analysis provides a breakdown of category and service area.



88. Again the majority of complaints link with the recent inclement weather

89. During Quarter 3:

- Of stage 1 complaints
  - 71% were acknowledged in 2 working days
  - 74% responded to within 10 working days
- Of stage 2 complaints
  - 83% were acknowledged in 2 working days
  - 50% were responded to within 10 working days

90. Further investigation of the complaints received during quarter 3 shows that there were 167 occasions (44%) 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.

91. If these 167 records are removed, NS is left with 105 justified complaints, 29 fully and 76 partly justified, from which there is possibility of learning. Of the remaining complaints reported throughout quarter 3, 29 were resolved at the first point of contact and the remaining 80 are still being investigated. The following table shows the breakdown across the service areas of the complaints deemed to be “justified”:

<b>Service Area</b>	<b>No. of complaints (after not justified removed) 1 Oct 10 – 31 Dec 10</b>	<b>% of complaints received</b>
Customer Services	6	2%
Direct Services	53	14%
Environment, Health & Consumer Protection	4	1%
Finance, HR, Business Support (incl. PPC)	0	0%
Sport and Leisure	4	1%
Technical Services	38	10%
<b>NEIGHBOURHOOD SERVICES TOTAL</b>	<b>105</b>	<b>28%</b>

92. Neighbourhood Services has set up a complaints link officer group. This group will meet each quarter and its primary purpose is to build and maintain strong working relationships between teams within the Neighbourhoods Service Grouping to aid the development of effective mechanisms for recording and reporting complaints, compliments and suggestions across the Neighbourhoods Service Grouping and to Standards Committee. The main points resulting from this meeting were
- Not all service areas are utilising the CRM. IT is investigating the possibility of leisure centres directly accessing the CRM and the availability of licences
  - Service requests are being recorded as complaints. This will be discussed at the next meeting in more detail after some investigations and further analysis has taken place to establish the extent of the problem
  - Many complaints have the same subject, e.g. non-gritting of roads. Each service area will liaise with corporate complaints to produce standardised letters that can be immediately sent out by the complaints team and the complaint closed, without the service area seeing the complaint.
  - A future development is for service areas to respond directly to complainants. This requires appropriate processes to be set up in each service area. The process may vary in each service area, e.g. leisure centre managers will respond in sport and leisure, other service areas might prefer a more centralised approach
  - Learning outcomes are not being captured effectively. All link officers are considering how this can be improved within their service area and this will be discussed in more detail at the next meeting
  - The number of complaints, compliments and suggestions will be reported in line with the CRM at a point in time. Manual changes will only be accepted in exceptional circumstances. Corrections should always be made to the CRM.
  - Standardised reports are being amended so they are more informative and it is the intention to send an update report once a week to summarise the current status. This will make the process more streamlined. Currently, an officer can receive tens of emails each week in relation to various complaints
93. The following section provides further analysis of complaints, by service area, and the associated learning outcomes:



## Customer Services (CS)

94. During quarter 3, 21 complaints were received in relation to CS, compared to 11 for the same quarter last year.

Resolved at first point of contact	Justified	Partly justified	Not justified	Ongoing
0	1	5	8	7

95. The majority of complaints related to:
- Delays in handling telephone calls within contact centres (8)
  - Incorrect information provided to customers (3)
  - Lack / delay of response (3)
  - Staff attitude (3)
96. The other complaints related to isolated incidents and errors for which no learning outcomes can be identified. As a consequence most complaints related to quality of service (8), service failure (6) and staff attitude (3).
97. We are aware that the overarching issue in relation to delays associated with answering calls is system complexity. There are 14 different telephone systems throughout the Council. However, plans are being put in place to implement a single telecommunications solution. A detailed report was considered by Corporate Management team (CMT) in December 2010 with a view to tendering for a single telecoms solution in March 2011.
98. We take complaints relating to staff attitude extremely seriously and the 3 members of staff in question have met with managers and the importance of good customer service has been outlined. In addition, we are exploring training options to support staff when dealing with difficult customers.

### Delays in Handling Calls

99. Although 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 numbers of complaints are considered. Over 277,000 calls were handled during quarter 3 and the average waiting time was 38 seconds.
100. We have made changes to the manner we handle calls in an effort to improve performance, and it is pleasing to note that 83% of customers are satisfied with access to council services by telephone. With the introduction of a single telecoms solution, greater strides will be taken to merge teams together and improve overall performance for call handling.

### Incorrect information provided to customers

101. The customer services team logs in excess of 42,000 CRMS transactions per month and while every effort is made to ensure the information taken from the customer is

accurate, errors do occur. For the 3 complaints received, a fully apology was given and the errors corrected.

**Lack / Delay in response**

102. No clear trends were identified nor could the delays be attributed to an individual officer. An apology was given to the customer affected in all cases.

103. **Staff attitude**

104. In each of the 3 complaints received in relation to the attitude of staff toward customers, the officers concerned have had 1-2-1 meetings with line managers and issues have been addressed, including identification of possible training / coaching and mentoring. On every occasion, customers received a full response and apology where necessary.

**Direct Services (DS)**

105. During quarter 3, 194 complaints were received in relation to DS, compared to 43 for the same quarter last year.

Resolved at first point of contact	Justified	Partly justified	Not justified	Ongoing
23	18	35	80	38

106. The complaints related to missed refuse and recycling collections. Refuse and recycling collections were suspended on several occasions throughout the County during November and December because of heavy snowfall and prolonged icy conditions. The Met Office clarified that this winter has been the coldest since recording began. Notwithstanding this, waste collections were largely caught up before Christmas and crews are now collecting waste on normal days.

107. In response to the complaints received, Streetscene Area Managers will be meeting section managers and supervisors shortly to review the refuse and recycling winter operational plan. Managers will then be able to assess what worked well and how we can further improve our services. Refuse and Recycling and Clean and Green staff have worked very hard in testing conditions and they have shown a commitment to team working. At times when the refuse and recycling service had to be suspended, crews assisted clean and green with snow clearing duties. Likewise, clean and green staff assisted refuse and recycling crews and utilised a tractor and trailer to clear as much side waste as possible from our streets. Furthermore, clean and green staff gritted side roads utilising tractors and gritters and they have assisted with bin pull outs. Compared to many other authorities we have faired extremely well.

108. Customer Services received a significant increase in calls because of the adverse weather and complaints are recorded on the Council’s Customer Relationship Management (CRM) system. A large number of calls relate to missed refuse and recycling collections however some requests we received were for snow to be cleared

from footpaths. When we receive a request it is allocated to the relevant section to ensure it is responded to as quickly as possible.

109. Winter maintenance reports have been sent to Members in a timely way. Daily reports have included updates in respect of Streetscene (refuse and recycling and clean and green) and Building Facilities and Maintenance Services (call outs and car park/path snow clearance at public buildings). At times Members were kept up to date twice a day to ensure they are fully informed how our services were performing. Key messages have also been displayed on the Council's website.

## Environment, Health and Consumer Protection (EHCP)

110. During quarter 3, 18 complaints were received in relation to EHCP, compared to 10 for the same quarter last year.

Resolved at first point of contact	Justified	Partly justified	Not justified	Ongoing
0	2	2	9	5

111. Whilst there is a range of complaints, there is an emerging trend regarding access to services, whereby customers have contacted the council offices and have been unable to speak with appropriate officers or been passed around a number of telephone extensions. It is not clear from the complaints, whether the customer spoke to the appropriate teams in the first instance, it would appear that the main contact has been through customer access points.
112. In response to the complaints received, we are aware that there are not EHCP services at every council location and there is no guarantee that customers will have direct access to officers who may be unavailable. The service is currently going through transition and officers are working from temporary locations until the accommodation moves are finalised. We are trying to keep customer services up to date of any moves as they occur and further communications to other staff, customer access points and customer contact information will be made available once the moves have been completed.

## Finance, HR, Business Support incl. PPC (FIN)

113. During quarter 3, no complaints were received in relation to FIN.

## Sport and Leisure Services (S&L)

114. During quarter 3, 12 complaints were received in relation to S&L, compared to 11 for the same quarter last year.

Resolved at first point of contact	Justified	Partly justified	Not justified	Ongoing
0	1	3	8	0

115. Overall fewer complaints were received this quarter by all areas except countryside, however due to the low numbers of complaints received by that service, this is not statistically significant.
116. It should be noted that complaints, compliments and suggestions in relation to S&L services are not recorded on the CRM. Leisure centres receive and respond directly to customer feedback. Work is underway, via the complaints link officer group, to ensure that all feedback is recorded on the CRM. Initially, this will result in an increase in the number of complaints, compliments and suggestions reported. However, it will allow greater analysis of the data, trends to be identified and a consistent approach to be adopted.
117. In response to the complaints received we have identified the following learning outcomes and actions.

### **Freeman’s Quay**

118. One complaint related to changes in the pool programme that resulted in a reduction of lane swimming. Pool programming issues will now form part of joint responsibilities between the centre manager and Business Development Manager – Aquatics and consideration will always be given to displacement of current users when making changes. A head count sheet is now in operation and Durham University has agreed to a reduction in lanes to allow the public access to the pool at this time.
119. A complaint related to cleanliness issues on poolside and within the changing room. We have taken on board the customer complaint and reviewed our cleaning operations. Deep cleaning will now take place out of public opening hours; larger sanitary bins have been deployed; toilet roll checks have been included as part of facility inspections; a new repairs reporting procedure is now in place with property services and one member of Property Services staff will be on site each morning to carry out urgent repairs as necessary.

### **Glenholme Leisure Complex**

120. The Quality of Service complaint relating to Glenholme highlighted a number of issues:
- Limited number of exercise classes within the programme
  - Inability to access the swimming pool at the time of their visit due to children’s holiday programmes; the pool inflatable meant swimming was not possible.
  - Layout of the building not being fit for purpose – no private female showering and to access sauna it is necessary to walk across the reception area.
  - Sauna not being at the correct temperature.
  - Hair drying facilities being inadequate
  - Cleanliness of the changing rooms.

121. Within the manager's response an apology was given overall for the level of service received by the customer. We are aiming to improve the publicity for exercise to music classes including cross facility promotion. Improved advice provided at reception in relation to access to facilities including the changing rooms and availability of single sex showers. These issues will be discussed at the Indoor Facilities Improvement Team and will lead to better communication for customers and the implementation of actions relating to cleanliness and maintenance.

### **Spennymoor Leisure Centre**

122. The issue of service failure related to lack of response to letters received by the Centre. The issue was resolved with a telephone call to the customer. The new customer feedback procedures being developed include improvements to the internal system for logging customer communications with responsibilities allocated for acknowledging and dealing with correspondence.

### **Louisa Centre**

123. The complaint about the cancellation of an exercise class at the Louisa Centre, which is operated by LeisureWorks trust on behalf of the Council, has highlighted the need for the service to work closer with the trust on complaints monitoring and to ensure that future complaints about the LeisureWorks sites are directed to the trust.

### **Newton Aycliffe Leisure Centre**

124. In response to the complaint about the lack of response to emails, we have reiterated that if an officer is away from the office, for whatever reason, the out of office facility on their email should be switched on, directing the customer to the point of sale which is manned during the opening hours of the centre and not only during standard office hours.

### **Roseberry Golf Course**

125. Following the complaint about staff attitude at Roseberry, all staff have been informed by their manager of the new system that will ensure provision of golf balls during wet times on the driving range. The need to be more aware of customer needs and expectations was also discussed.

## **Technical Services (TS)**

126. During quarter 3, 136 complaints were received in relation to TS, compared to 28 for the same quarter last year.

<b>Resolved at first point of contact</b>	<b>Justified</b>	<b>Partly justified</b>	<b>Not justified</b>	<b>Ongoing</b>
6	7	31	62	30

127. The complaints related to winter maintenance service (104) during late November/December 2010 when particularly severe winter weather was encountered across the UK. The majority of these complaints related to lack of gritting, ploughing and salt provided.
128. A number of the remaining complaints related to the attitude of council workers toward members of the public. Although these numbers are limited we believe it is prudent to review the individual complaints relating to staff attitude, providing learning outcomes that will be undertaken in due course. The others were more general and related to roadworks, faulty temporary lights, conditions of footpaths along with road and traffic issues such as parking.
129. In response to the complaints received, we are aware that the expectations of the public are way in excess of the resilience of the Council and although the priority network was kept clear during heavy snowfalls the public anticipated that the whole of the network would be treated. Additional communication is being considered to ensure the public are aware of the service to be delivered. A full review of the priority network is necessary in order that DCC fully understand priorities across the whole service and not just the priorities of Highways. Dealing with requests from vulnerable people should perhaps be dealt with by other services who are better placed to safeguard their welfare rather than pushing service requests through to Highways who are not necessarily in a position to fulfil their needs i.e. fuel, food, medicine etc.
130. During extreme weather conditions CRM requests can overwhelm the system whereby Technical Services are unable to deal with individual requests. For example, in one week 5,000 service requests were received for snow clearance and salt bin replenishment; these should be closed at source by CRM in order that Technical Services are given the opportunity to deal with true emergencies i.e. fuel, hospital appointments, funerals etc.
131. As part of the performance management culture of the organisation, complaints should be viewed as customer feedback and where possible action should be taken to resolve problems/trends identified above. This is now discussed routinely at team meetings. Officers should outline actions taken to resolve issues as a result of complaints received. From the learning outcomes mentioned it is essential that key stakeholders look at – communicating with the public; review of the priority network across the whole Council area; CRM/HAL process i.e. logging of calls/closing off at source.
132. The replenishment of salt bins is now on a rolling programme.

## Compliments and suggestions

133. During quarter 3, NS received 206 compliments and 39 suggestions.

<b>Service Area</b>	<b>Compliments</b>	<b>Suggestions</b>
Customer Services	16	4
Direct Services	94	15
Environment, Health and Consumer Protection	8	0
Finance, HR Business Support (incl. PPC)	0	0
Sport and Leisure	1	4
Technical Services	87	16
<b>NEIGHBOURHOOD SERVICES TOTAL</b>	<b>206</b>	<b>39</b>

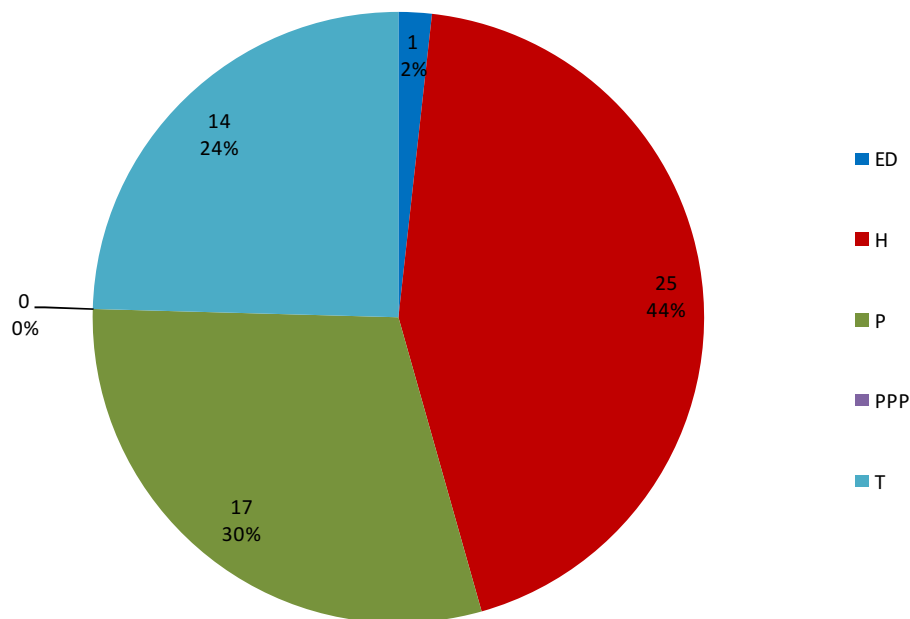
134. The suggestions related to a broad range of services provided by NS and included winter maintenance, the condition of the roads and footpaths, refuse and recycling collections, customer access point opening hours and requests for additional sport and leisure activities.
135. In response to the suggestions received, they have either been actioned or will be considered as part of service reviews.

## Regeneration and Economic Development (RED)

136. The following table shows the 5 main service areas of RED. It should be noted that the following abbreviations are used to identify service areas throughout this section of the report

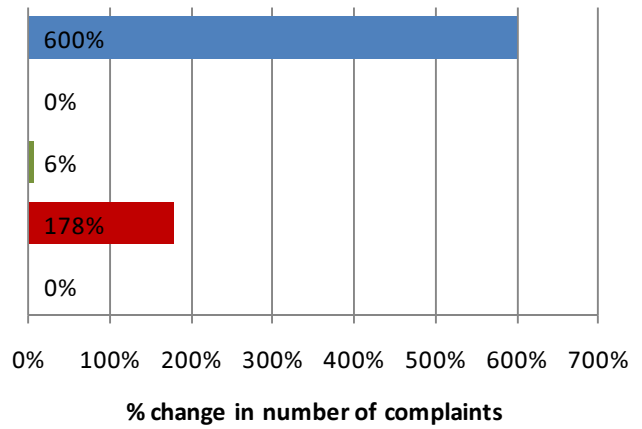
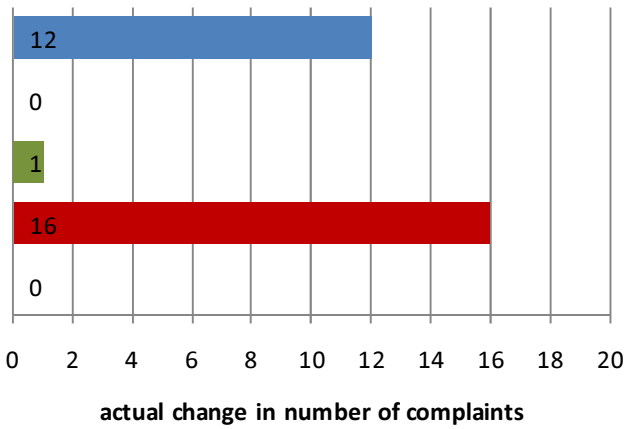
Abbreviation	Service Area
ED	Economic Development
H	Housing
P	Planning
PPP	Policy, Planning and Performance
T	Transport

137. During 1 October 2010 and 31 December 2010, 57 complaints were received by the RED service grouping. The following graph shows the breakdown by service area.



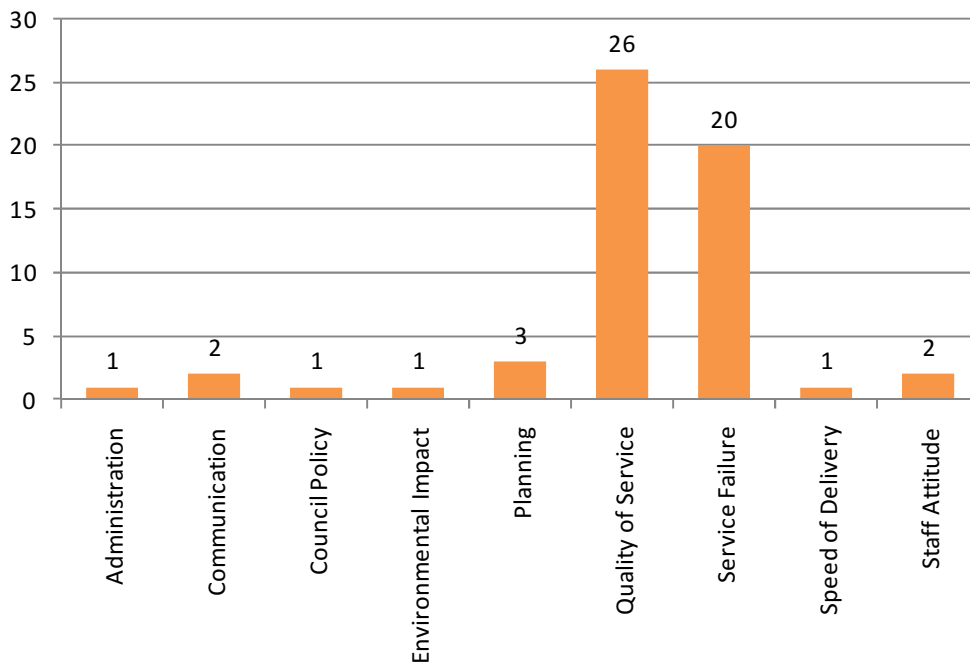
138. It is possible to compare the number of complaints received with the number received for the same period, 12 months earlier. The following graphs show the change in complaints received during quarter 3, 2010/11 and complaints received during quarter 3, 2009/10. The graph on the left shows the actual change (number). The graph on the right shows the percentage change.



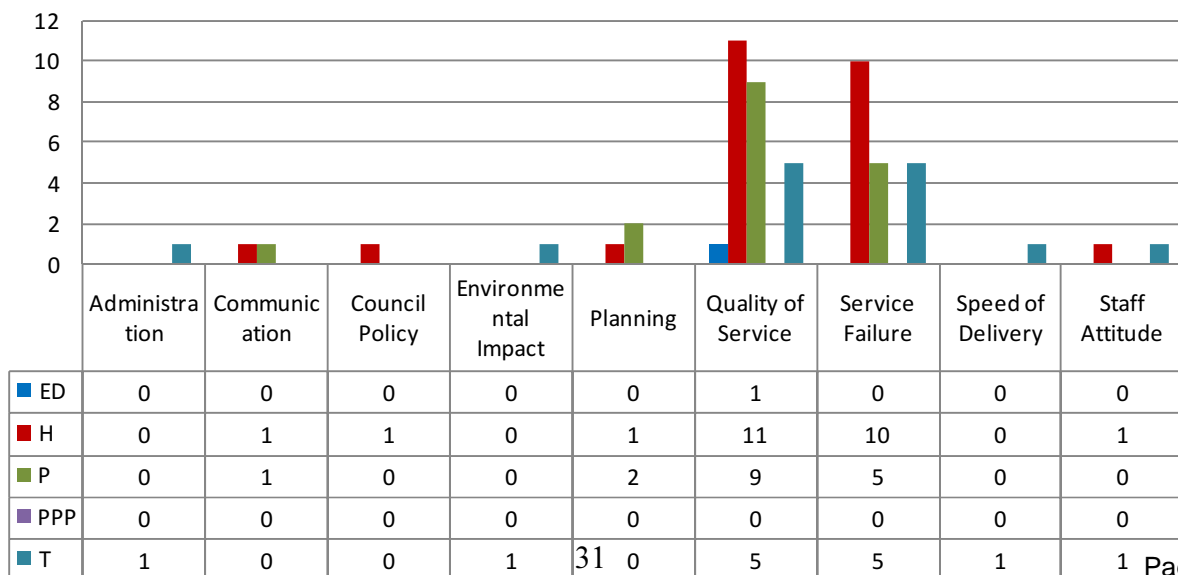


Legend: ED (Blue), H (Red), P (Green), PPP (Purple), T (Light Blue)

139. Analysis has shown that complaints can be categorised. The following graph shows the number of complaints received for each category.



140. Further analysis provides a breakdown of category and service area.



141. During Quarter 3:
- Of stage 1 complaints
    - 72% were acknowledged in 2 working days
    - 60% responded to within 10 working days
  - Of stage 2 complaints
    - 67% were acknowledged in 2 working days
    - 33% were responded to within 10 working days
142. Further investigation into the complaints received in this quarter shows that there are 42 records in which the complaint was not upheld, indicating that although service users were dissatisfied with services received, the service had in fact acted properly and followed appropriate procedures.
143. If these 42 records are removed, RED is left with 15 justified complaints from which there is possibility of learning. Of those, 9 were partly justified complaints. The following table shows the breakdown across the service areas of the complaints deemed to be “justified”:

Service Area	No. of complaints (after not justified removed) 1 Oct 10 – 31 Dec 10	% of complaints received
Economic Development	0	0%
Housing	6	10%
Planning	4	6%
Policy, Planning and Performance	0	0%
Transport	5	8%
<b>RED TOTAL</b>	<b>15</b>	<b>24%</b>

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

### Economic Development (ED)

145. During quarter 3, 1 complaint was received in relation to ED, matching the same quarter last year.
146. The complaints related to incorrect advice which was not found to be justified and therefore no learning outcome could be identified

### Housing (H)

147. During quarter 3, 25 complaints were received in relation to H, compared to 9 for the same quarter last year.
148. The complaints related mainly to repairs and maintenance of council properties within the Durham City area and to the choice based lettings scheme ‘Durham Key Options’.

149. In response to the complaints received, we are continuing to implement service improvements in relation to repairs and maintenance in line with the Delivery Plan for Durham City Homes, including the introduction of new tenant information in relation to categories of repairs, close joint working with customer services to effectively manage the reporting and recording process and the introduction of a text message reminder service in relation to appointments. Across a range of performance indicators in relation to Durham City Homes repairs and maintenance service, over quarter three there has been continuous improvement. This is particularly noteworthy as the service has experienced a significant increase in the number of emergency repairs due to the inclement weather during the quarter three period. At the peak of the cold spell the repairs service was receiving and responding to 600 emergency calls over a two week period as apposed to an average of 100.
150. Durham Key Options is delivered in partnership with a number of the key providers of social housing across County Durham. This partnership is governed by a board which has recently commissioned an external review of the scheme following its first year of operation. The external review is due to report in quarter four and the board will consider the recommendations of the report identifying next steps where appropriate, to implement service improvements.

## **Planning (P)**

151. During quarter 3, 17 complaints were received in relation to P, compared to 16 for the same quarter last year.
152. The complaints related to those where a complaint has been received relating to a planning application decision and those relating to planning service complaints such as advice and information.
153. In response to the complaints received, this period has seen a significant reduction in the number of complaints received with no multiple complaints being received from planning decisions made. Of the 17 complaints received only 6 were in relation to decisions made, 1 of which was partly justified. The remaining complaints cover access to information and planning advice 3 of which were partly justified.
154. Learning points are considered on a case by case basis and recent examples of improvements include improved guidance to officers on the production of planning case reports and adding in to standard procedure that where a site notice is issued a photograph of the notice is included on the file.

## **Policy, Planning and Performance (PPP)**

155. During quarter 3, 0 complaints were received in relation to PPP, compared to 0 for the same quarter last year.

## **Transport (T)**

156. During quarter 3, 14 complaints were received in relation to T, compared to 2 for the same quarter last year.

157. The complaints related to a number of different areas of the Transport Service. For Quarter 3, the subject of the complaints were: 4 were in relation to school buses, 3 in connection with non-school bus services, 3 were in connection to parking fines, 1 was in connection with bus shelters, 1 was in connection with a highway related planning issue, 1 in connection with car parking and 1 in connection with assisted transport.
158. In response to the complaints received, each have been investigated on a case by case basis and because the nature of the complaints is varied it is difficult to establish any trend. Of the 14 complaints, 9 related to school and non-school bus services. We have liaised with the bus operators on these complaints to ensure that the same difficulties are not encountered in the future. With regard to the remaining 5 complaints, mainly parking related, only one was found to be partly justified.

## Compliments and suggestions

159. During quarter 3, RED received 34 compliments and 5 suggestions.

Service Area	Compliments	Suggestions
Economic Development	0	1
Housing	8	1
Planning	26	1
Policy, Planning and Performance	0	0
Transport	0	2
<b>RED TOTAL</b>	<b>34</b>	<b>5</b>

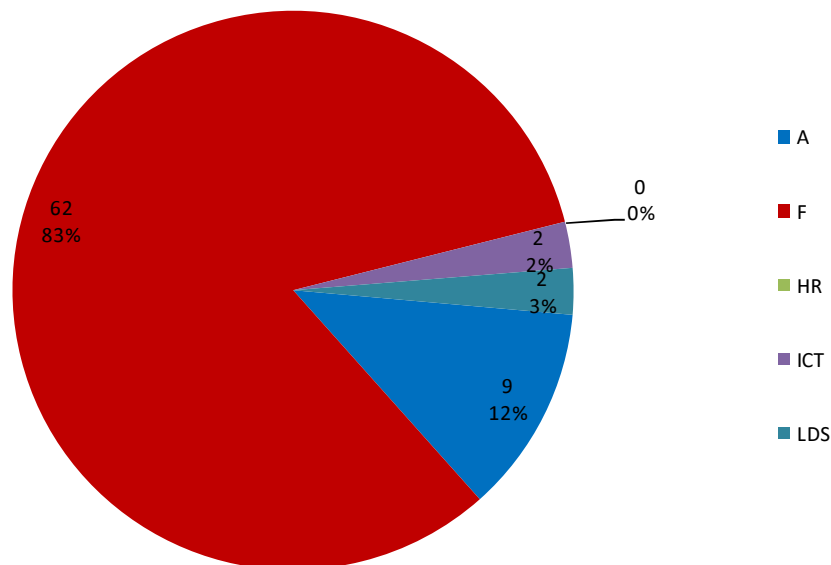
160. The suggestions related to a broad range of activity including Durham Key Options, Chester-le-Street Market, concessionary travel and car parking
161. In response to the suggestions received, we have looked into all the suggestions and further information has been requested in regard to the Durham Key Options suggestion and the appropriate action will be taken once the details are known.

## Corporate Resources (CR)

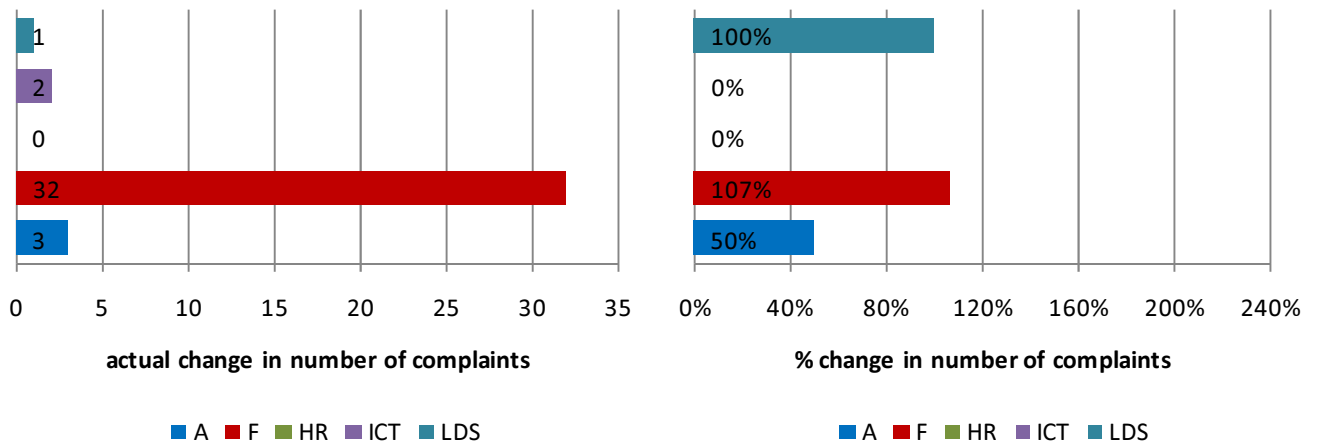
162. The following table shows the 5 main service areas of CR. It should be noted that the following abbreviations are used to identify service areas throughout this section of the report

Abbreviation	Service Area
A	Assets
F	Finance
HR	Human Resources
ICT	Information and Communication Technology
LDS	Legal and Democratic Services

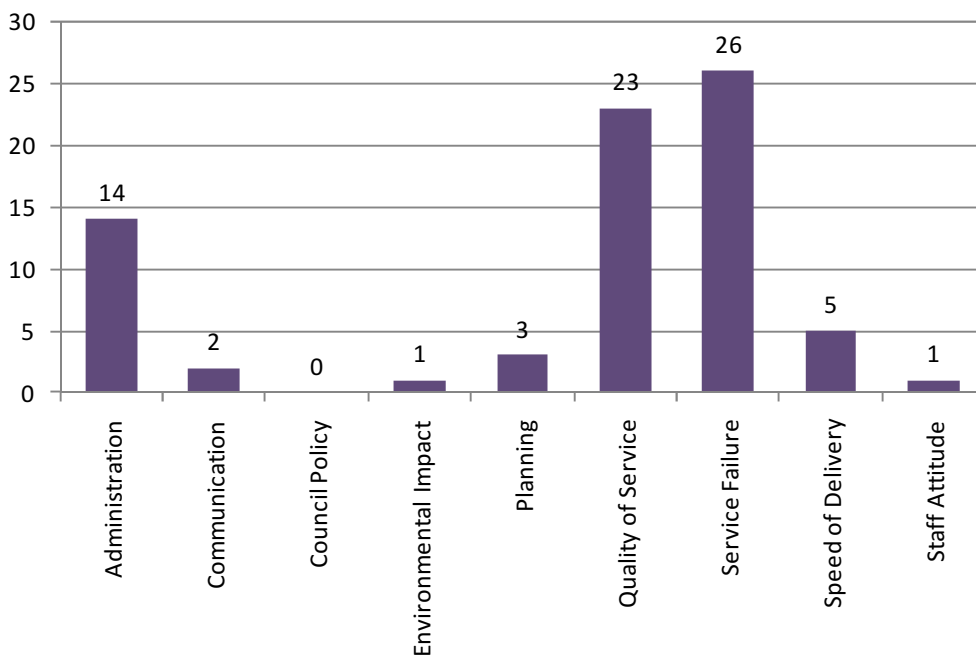
163. During 1 October 2010 and 31 December 2010, 75 complaints were received by the CR service grouping. The following graph shows the breakdown by service area.



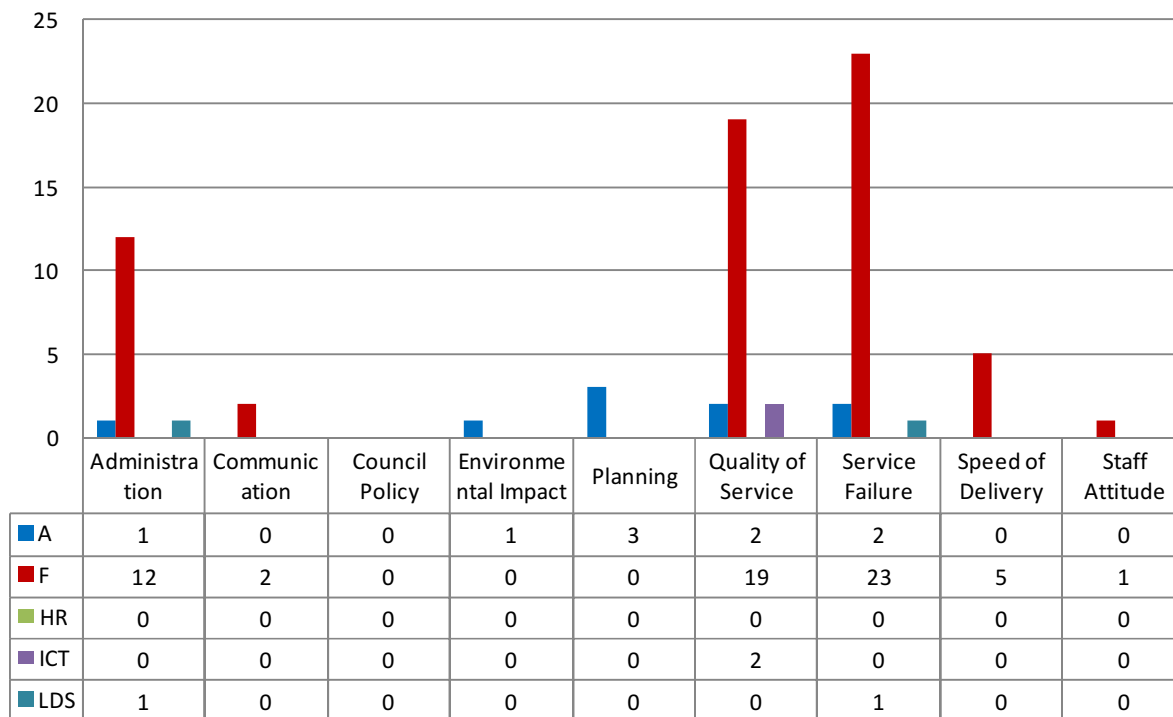
164. It is possible to compare the number of complaints received with the number received for the same period, 12 months earlier. The following graphs show the change in complaints received during quarter 3, 2010/11 and complaints received during quarter 3, 2009/10. The graph on the left shows the actual change (number). The graph on the right shows the percentage change.



165. Analysis has shown that complaints can be categorised. The following graph shows the number of complaints received for each category.



166. Further analysis provides a breakdown of category and service area.



167. During Quarter 3:

- Of stage 1 complaints
  - 91% were acknowledged in 2 working days
  - 72% responded to within 10 working days
- Of stage 2 complaints
  - 100% were acknowledged in 2 working days
  - 50% were responded to within 10 working days

168. Further investigation into the complaints received in this quarter shows that there are 43 records in which the complaint was not upheld, indicating that although service users were dissatisfied with services received, the service had in fact acted properly and followed appropriate procedures.

169. If these 43 records are removed, CR is left with 32 justified complaints from which there is possibility of learning. Of those, 18 were partly justified complaints. The following table shows the breakdown across the service areas of the complaints deemed to be “justified”:

<b>Service Area</b>	<b>No. of complaints (after not justified removed) 1 Oct 10 – 31 Dec 10</b>	<b>% of complaints received</b>
Assets	6	8%
Finance	23	28%
Human Resources	0	0%
Information and Communication Technology	1	1%
Legal and Democratic Services	2	3%
<b>CORPORATE RESOURCES TOTAL</b>	<b>32</b>	<b>41%</b>

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

### **Assets (A)**

171. During quarter 3, 9 complaints were received in relation to A, compared to 6 for the same quarter last year.
172. The complaints related to the length of the process to purchase land and buildings from the Council, tree and horse issues, all of which relate to quality of service.
173. In response to the complaints received, we have secured the services of another firm in relation to impounding and removing horses from our land (due to the poor performance by the former contractor), and the reorganisation of work within the estates function is intended to improve our processes with regard to the disposal of surplus assets.

### **Finance (F)**

174. During quarter 3, 62 complaints (24 for Revenues and 38 for Benefits) were received in relation to F, compared to 30 for the same quarter last year.
175. The complaints related to delays in assessment, quality of service, service failure and administration.
176. In response to the complaints received, we are working hard to clear the current backlogs, staff resource is being addressed, and training issues will be addressed as new staff gain knowledge and experience. A briefing note was prepared for managers with a number of recommendations to address the backlog situation in Benefits. Four additional permanent staff have been appointed into Revenues and they are due to start work this month.



## Information and Communication Technology (ICT)

177. During quarter 3, 2 complaints were received in relation to ICT, compared to 0 for the same quarter last year.
178. The complaints related to handling a helpdesk call, and a delay in providing computers to an organisation.
179. In response to the complaints received, we have initiated a review regarding the way in which helpdesk calls are handled, and in relation to the second complaint, the process is being reviewed and is about to be re-launched.

## Legal and Democratic Services (LDS)

180. During quarter 3, 2 complaints were received in relation to LDS, compared to 1 for the same quarter last year.
181. The complaints related to administration and service failure
182. In response to the complaints received, we explained how ceremony fees are made up and the fact that they included both an increase and a VAT increase; we explained that staff shortages due to sick leave at a busy period had led to difficulties in contacting us. The customer was offered an appointment within service standard guidelines and was satisfied with the response.

## Compliments and suggestions

183. During quarter 3, CR received 36 compliments and 5 suggestions.

Service Area	Compliments	Suggestions
Assets	1	0
Finance	14	5
Human Resources	0	0
Information and Communication Technology	0	0
Legal and Democratic Services	21	0
<b>CORPORATE RESOURCES TOTAL</b>	<b>36</b>	<b>5</b>

184. The compliments and suggestions related to praise for conducting wedding ceremonies and civil partnerships, polite and professional service in relation to visiting and processing staff,
185. In response to the compliments and suggestions received, these were reported to relevant managers and staff.

## Local Government Ombudsman (LGO) – current activity

186. During quarter 3, the Local Government Ombudsman (LGO) initiated investigations into 14 matters relating to a range of complaints concerning:
- 2 Planning issues. Outcomes are being awaited.
  - 5 Adult Social Care issues. The Ombudsman determined No Evidence of Maladministration in one of these cases; the outcomes of the other cases are being awaited.
  - 2 Housing issues. The Ombudsman exercised discretion in one of these cases and the other case was determined as a premature complaint and referred back to the Council.
  - 1 Accommodation issue. Outcome is being awaited.
  - 1 Housing and Council Tax Benefit issue. Outcome is being awaited.
  - 1 Flooding from a Council Pipe. Outcome is being awaited.
  - 1 Homelessness issue. Outcome is being awaited.
  - 1 Environmental Health issue. Outcome is being awaited.
187. The Ombudsman delivered decisions on 7 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:
- 4 Planning and Building Control Issues. The Ombudsman determined No Evidence of Maladministration in 3 of these cases and exercised discretion in the other case.
  - 1 Education issue. Local Settlement.
  - 1 Leisure and Culture issue. Local Settlement.
  - 1 Other. Local Settlement.
188. 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:
- 4 Planning and Building Control. Outcomes were all No Maladministration
  - 2 Transport and Highways. Outside Jurisdiction
  - 1 Housing. No Maladministration
  - 1 Education. Outside Jurisdiction
  - 1 Adult Care Services. No Maladministration
  - 2 Other. 1 outcome was Ombudsman's Discretion and 1 outcome was Outside Jurisdiction

### RECOMMENDATIONS AND REASONS

189. Members of Standards Committee note the report.
190. 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**

**18 February 2011**

**The Localism Bill - Standards**



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**Report of Colette Longbottom**

**Head of Legal and Democratic Services**

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**Purpose of the Report**

- 1 To advise Members of the Key Provisions of the Localism Bill relating to Standards.

**Background**

- 2 The Localism Bill was published in December.
- 3 Its principal provisions relating to Standards are:-
  - (i) The Standards Board regime will end.
  - (ii) The Secretary of State's power to specify principles which cover a Code of Conduct are removed. He also has no power to issue a Model Code of Conduct.
  - (iii) The provisions compelling Local Authorities to adopt the Code of Conduct are rescinded.
  - (iv) The Code of Conduct that was introduced under the Local Government Act will cease to have effect and the undertakings to comply with the Code of Conduct given by Members when they sign their declaration, will also cease to have effect when the Code ceases to have affect.
  - (v) The County Council will no longer have responsibility to the Standards Committee of Parish Councils.
  - (vi) Standards Committees, however, continue with their obligations to promote and maintain high standards of conduct and assist Members in observing their Code.
  - (vii) The authority will have to promote and maintain high standards of conduct by Members and co-opted Members of Authorities and they may adopt voluntary Codes of Conduct.
  - (viii) Under regulations, the Monitoring Officer will be responsible for the provision for disclosure and registration of Members' and Co-opted Members interests. What will be required to be placed on that register will depend upon regulations which the Act authorises the Secretary of State to make.

- (ix) Failure to disclose registerable interests or participating in business whilst having such interests will be an offence. The details of the offences will become clearer when the regulations are produced.
- 4 Until the Bill undergoes further debate and subsequent guidance is issued, it is obviously difficult to plan and prepare for the implications its inception will have on this authority, however Standards will continue to be kept informed of any relevant developments.

**Recommendation**

- 5 The Committee is asked to note the report.

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**Contact: Colette Longbottom Tel: 0191 383 5643**

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## Standards Committee

18 February 2011



### **Decision of the First Tier Tribunal in the Appeal by Councillor Blenkinsopp against the Decision of the 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 following the decision of the First Tier Tribunal in Councillor Blenkinsopp's appeal against the decision of the Standards Committee.

##### **Background**

2. Councillor Blenkinsopp of Great Aycliffe Town Council appealed against the Standards Committee's finding that he failed to comply with the Code of Conduct.
3. On 13 January 2011 the First Tier Tribunal upheld the decision of the Standards Committee that Councillor Blenkinsopp breached the Code of Conduct.
4. The First Tier Tribunal varied the sanction imposed by Standards Committee from a suspension of three months to a suspension of one month to start from the date of the hearing. A copy of the decision of the First Tier Tribunal is attached as Appendix 1 and a copy of the Reasons for the Decision is attached as Appendix 2.

##### **Recommendations and Reasons**

5. Standards Committee is requested to note the content of this report.

**Contact: Clare Burrows Tel: (0191) 383 4905**

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**IN THE FIRST-TIER TRIBUNAL  
GENERAL REGULATORY CHAMBER  
(Local Government Standards in England)**



## Notice of Decision

**Ref No:** LGS/2010/0531

**Subject matter:** Appeal by a member of a local authority against a Standards Committee decision

**Appellant:** Councillor William Blenkinsopp of Great Aycliffe Town Council

**Respondent:** Durham County Council Standards Committee

### Tribunal Members

**Judge:** David Laverick  
**Member:** David Billing  
**Member:** Darryl Stephenson

1. The Appellant had appealed against the Standards Committee's finding that he had failed to follow paragraphs 3(1) of the Code of Conduct by acting in a disrespectful manner towards the complainant and using foul language, and against the action, which the Standards Committee had decided to take in the light of the failure to follow the provisions of the Code of Conduct. That action in the absence of a written apology from the Appellant was that he should be suspended for three months. That suspension was stayed pending the outcome of the appeal.
2. The evidence of the complainant that the Appellant used foul language towards her was largely corroborated by another witness heard by the Tribunal and on the balance of probabilities was accepted by the Tribunal in preference to the Appellant's version.
3. The Appellant accepted on the basis of that finding of fact that his words did show a lack of respect to a fellow Councillor but queried whether the Code of Conduct applied to such a conversation which took place before the Council meeting had formally begun.
4. The Appellant's evidence was that he had objected to the other Councillor's choice of seat because he wished to have a discussion, to which she would have been within earshot, with the Leader of the Council. He intended that discussion with the Leader to be in his capacity as a Councillor and the discussion about seating was also in that capacity. The Code did therefore apply.
5. The Tribunal therefore upheld the Standards Committee's finding that Councillor Blenkinsopp failed to comply with the Code of Conduct and that some action should be taken in respect of that breach of the Code.

6. A three-month suspension is very much toward the serious end of the range of actions open to a Standards Committee and in the view of the Tribunal was disproportionate. The Tribunal has decided that the appropriate action would be for the Appellant to be suspended for one month. That suspension will start from the date of the hearing (13 January 2011).
7. The Tribunal has thus varied the decision of the Standards Committee.
8. Any request for permission to appeal against the Tribunal's decisions needs usually to be made to the First-tier Tribunal within 28 days of receipt of the Tribunal's reasoned decision. Such applications need to be in writing.

**David Laverick**  
**Judge**  
13 January 2011





**IN THE FIRST-TIER TRIBUNAL  
GENERAL REGULATORY CHAMBER  
(Local Government Standards in England)**

**CASE NO: LGS/2010/0531**

**ON APPEAL FROM:**

**Standards Committee of: Durham County Council  
Date of Decision Notice: 21 September 2010**

**APPELLANT: Councillor William Blenkinsopp of Great  
Aycliffe Town Council**

**RESPONDENT: Durham County Council Standards  
Committee**

**DATE OF HEARING: 13 January 2011**

**HEARD AT: Bishop Auckland Magistrates Court**

**DATE OF DECISION: 13 January 2011**

**BEFORE**

**Judge: David Laverick  
Member: David Billing  
Member: Darryl Stephenson**

**ATTENDANCES:**

**For the Appellant: Councillor Blenkinsopp appeared in person**

**For the Respondent: Ms Clare Burrows**

**Subject matter: Appeal by a member of a local authority  
against a Standards Committee decision**

## **DECISION OF THE FIRST-TIER TRIBUNAL**

The appeal has been upheld in part

### **REASONS FOR DECISION**

1. The Tribunal has considered written and oral submissions from the parties and has heard evidence from the Appellant and from Councillor Bowman and Councillor Hewitson.
2. The Appellant had appealed against the Standards Committee's finding that the Appellant had failed to follow paragraph 3(1) of the Code of Conduct by acting in a disrespectful manner towards the Complainant and using foul language.
3. The Appellant has appealed against the action, which the Standards Committee decided to take in the light of the failure to follow the provisions of the Code of Conduct. That action, determined after he had declined to submit a written apology to the complainant, was that he be suspended for three months.
4. Paragraph 3(1) of the Code provides:  
*'You must treat others with respect'*
5. The Tribunal declined to accept new documentary evidence proffered by the Appellant which was intended to cast doubt on the credibility of a witness. The Appellant has known since he first learnt of the complaint that he disputed her evidence as to what he had said. He had ample opportunity at the time of the Standards Committee investigation and hearing to introduce relevant evidence. To seek to do so only on the day of the hearing into the appeal against the decision of that earlier hearing was not acceptable. The evidence of the particular witness that the Appellant used foul language toward her was largely corroborated by another witness heard by the Tribunal and on the balance of probabilities was accepted by the Tribunal in preference to the Appellant's version.
6. The Appellant accepted that on the basis of that finding of fact his words did show a lack of respect to a fellow Councillor but queried whether the Code of Conduct applied to such a conversation which took place before the Council meeting had formally begun.
7. The Appellant's evidence was that he had objected to the other Councillor's choice of seat because he wished to have a discussion, during which she would have been within earshot, with the Leader of the Council. He intended that discussion with the Leader to be in his capacity as a Councillor and the discussion about seating was also in that capacity. The Code did therefore apply.
8. The Tribunal therefore upheld the Standards Committee's finding that Councillor Blenkinsopp failed to comply with the Code of Conduct and that some action should be taken.

9. It is unfortunate that the Appellant had not provided the apology which at one stage he had agreed to proffer, although it was apparent to the Tribunal that any such apology would have been insincere. As stated by the representative of the Standards Committee, the action to be taken needed to be proportionate to the facts of the case. A three-month suspension is very much toward the serious end of the range of actions open to a Standards Committee and in the view of the Tribunal was disproportionate. The Tribunal has decided that the appropriate action would be for the Appellant to be suspended for one month. That suspension will start from the date of the hearing (13 January 2011)
10. The Tribunal has thus varied the decision of the Standards Committee.
11. The written reasons for the Tribunal's decision will be published on the Tribunals website at [www.adjudicationpanel.tribunals.gov.uk](http://www.adjudicationpanel.tribunals.gov.uk).
12. Any request for permission to appeal needs usually to be made to the First-tier Tribunal within 28 days of receipt of the Tribunal's reasoned decision. Such applications need to be in writing.

David Laverick  
**Judge**  
18 January 2011



**Standards Committee**

**18 February 2011**



**Town and Parish Council Sub-Committee**

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**Report of the Chair of the Town and Parish Council Sub Committee**

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**Purpose of the Report**

1. To provide Members with an update of the activities of the Town and Parish Council Sub-Committee.

**Background**

2. The Town and Parish Council Sub-Committee was appointed on 16 September 2010. The Sub-Committee met on 22 November 2010 and appointed Tina Naples as Chair in accordance with the terms of reference. The Sub Committee established a work programme, which included drafting terms of reference and making contact with all Parish and Town Councils to offer support in maintaining high standards of conduct, whether through training or otherwise.
3. At its meeting on 25 January 2011, the Sub-Committee adopted terms of reference which can be found at Appendix 1. Sub Committee would like to invite Members to endorse the terms of reference. Members will note that the Sub-Committee has adopted action point 5 from the Standards Committee Action Plan which is to develop communication links with local politicians. This is to improve awareness and understanding of the value of the Code of Conduct and the role and functions of the Standards Committee amongst the County's Parish and Town Council's with a view to reducing the number of complaints submitted to the Standards Committee
4. In December 2010 the Sub-Committee sent letters to all 104 Parish and Town Councils offering training and support in maintaining high standards of conduct. Since that time the Sub-Committee has attended three Parish Councils to discuss issues such as the Code of Conduct, dual hatted Members and the future for standards following the Localism Bill. The Sub Committee has further visits planned to other Parish and Town Councils in March. A letter was also sent to the secretaries of the County Durham Association of Local Councils Sub Committees, which consist of representatives from Parish and Town Councils, offering the same support.

5. Appendix 2 identifies those Parish and Town Councils who have been visited by members of the Sub Committee and those Councils awaiting a visit.

### **Recommendations and Reasons**

6. Standards Committee is invited to note the content of this report and endorse the terms of reference adopted by the Sub-Committee.

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**Contact: Clare Burrows**

**Tel: (0191) 3834905**

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## **Town and Parish Councils Sub-Committee**

### **Terms of Reference**

#### **1. Authority**

This sub-committee is established by and takes its authority from the Durham County Council Standards Committee. It is accountable to and reports to the Standards Committee as required.

#### **2. Membership**

Members are appointed by the Standards Committee and comprise of 3 County Council members, 3 Town or Parish Council members and 3 independent members. The sub-committee will appoint a chair and vice-chair from among the independent members.

#### **3. Meetings**

The sub-committee will meet at least quarterly and more frequently, if required.

#### **4. General Purpose**

The Standards Committee will appoint a sub-committee comprising 3 councillors, 3 parish/town council members and 3 independent members. The remit of the sub-committee will be to support parish and town councillors and their clerks in maintaining high standards of conduct, whether through training or otherwise, and for this purpose to maintain close links with the County Durham Association of Local Councils.

#### **5. Aims and Objectives**

- a. To support the Standards Committee in the promotion of the standards contained within the Code of Conduct through the provision of advice, guidance and, where appropriate, training.
- b. To undertake such tasks as delegated by the Standards Committee.
- c. To encourage and support effective chairmanship in local councils through enabling advice, guidance and training.
- d. To enable support mechanisms for local clerks, and where appropriate and necessary, a means of advice in cases of difficulty.

## **6.Reporting**

The sub-committee will report on its activities to the Standards Committee.

## **7.Approval**

These Terms of Reference are approved by the Standards Committee.

Date: 24November 2010



**PARISH AND TOWN COUNCIL SUB COMMITTEE VISITS**

6 Jan 2011 – Horden Parish Council

9 Feb 2011 – Brandon & Byshottles Parish Council

16 Feb 2011 – Cassop cum Quarrington Parish Council

14 March 2011 – Sedgfield Town Council

15 March 2011 – Tow Law Town Council

5 April 2011 – Shadforth Parish Council

13 April 2011 – Ferryhill Town Council

Expressions of Interest have also been received from the following, with dates to be confirmed:

Esh Parish Council;  
Great Aycliffe Town Council;  
Haswell Parish Council;  
Monk Hesleden Parish Council;  
Stanley Town Council;  
Waldridge Parish Council;  
Wingate Parish Council.

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