



Standards Committee

Date: 27 June 2012
Time: 6.15 pm
Venue: Committee Room 2
District Council Offices, Queen Victoria Road, High Wycombe Bucks

Membership

Chairman Councillor Mrs E Springford
Vice Chairman Councillor Mr D Sainsbury

Councillors: D J Carroll, Mrs G A Jones, J A Savage and Ms J D Wassell

Independent Members: Revd G Hargrove and Mr B Morgan-Timms

Parish Council Members: Parish Cllr D Banfield, Parish Cllr J Sherlock and Parish Cllr Mrs V Smith

Agenda

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Agenda Item 1

APOLOGIES FOR ABSENCE

To receive apologies for absence.

Agenda Item 2

DECLARATIONS OF INTEREST

To receive any declarations of personal or prejudicial interest by Members relating to the Agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting.

Members are reminded that if they are declaring an interest, whether personal or personal and prejudicial, then (subject to paragraph 14 of the Code of Conduct) they should state the nature of that interest, whether or not they leave the meeting.

Agenda Item 3

MINUTES OF PREVIOUS MEETING – 27 MARCH 2012

To confirm the Minutes of the meeting held on 27 March 2012 (previously circulated)

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Agenda Item 4

The Localism Act 2011 – The Amended Standards Regime

Report of the District Solicitor and Monitoring Officer

PROPOSED RECOMMENDATION TO COUNCIL

That the recommendations 1 to 7 featured in the below report be adopted in respect of the Council's Code of Conduct and Standards Regime.

1 The Localism Act 2011

The Localism Act 2011 makes fundamental changes to the system of regulation of standards of conduct for elected and co-opted councillors. These changes come into force on 1 July 2012. This report describes the changes and recommends the actions required for the Council to implement the new regime.

2 Duty to promote and maintain high standards of conduct

The Authority will remain under a statutory duty to promote and maintain high standards of conduct for its elected and co-opted members.

3 Standards Committee

The Act repeals Section 55 of the Local Government Act 2000, which provides for the current statutory Standards Committee, so there will be no requirement to have a Standards Committee. However, there will still be a need to deal with standards issues and case work, so that it is likely to remain convenient to have a Standards Committee. This will be a normal committee of Council, without the unique features which the Standards Committee was given by the previous legislation. As a result:

- 3.1 The composition of the Committee will be governed by proportionality, unless Council votes otherwise with no member voting against. The present restriction to only one member of the Executive on the Standards Committee will cease to apply;
- 3.2 The current co-opted independent members will cease to hold office. The Act establishes for a new category of Independent Persons (see below) who must be consulted at various stages. Under the transitional provisions which have now been issued, up to 1 July 2013 the previous co-opted independent members can be appointed as Independent Persons for such terms as Council considers appropriate; however, when Independent Persons come to be appointed after 1 July 2013, the former Independent Members will not be eligible for re-appointment. The new Independent Persons may be invited to attend meetings of the Standards Committee, but cannot be voting members of the Committee;
- 3.3 The District Council will continue to have responsibility for dealing with standards complaints against elected and appointed members of Parish Councils, but the current Parish Council representatives cease to hold office. The District Council can choose whether it wants to continue to involve Parish Council representatives. These would be co-opted but non-voting members.

Recommendation 1:

- a. **That the Council establish a Standards Committee comprising eight elected members of the District Council, appointed proportionally (currently 6 Conservative, 1 Labour and 1 Liberal Democrat).**
- b. **That the Leader of the Council be requested to nominate to the Committee one member who is a member of the Executive;**
- c. **That the Parish Councils be invited to nominate a maximum of three Parish Councillors to be co-opted as non-voting members of the Committee.**

4 The Code of Conduct

The current ten General Principles and Model Code of Conduct will be repealed and members will no longer have to give an undertaking to comply with the Code of Conduct. However, the Council is required to adopt a new Code of Conduct governing elected and co-opted members' conduct when acting in that capacity. The Council's new Code of Conduct must, viewed as a whole, be consistent with the following seven principles:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

The Council can decide what it includes within its new Code of Conduct, provided that it is consistent with the seven principles. However, the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, which have now been made under the Act, require the registration and disclosure of "Disclosable Pecuniary Interests" (DPIs). The Act also requires an authority's Code to contain appropriate requirements for the registration (and disclosure) of other pecuniary interests and non-pecuniary interests. A draft Code has been prepared which complies with these requirements, and is attached as **Appendix 4A**.

The Act prohibits members with a DPI from participating in Council business, and the Council can adopt a Standing Order requiring members to withdraw from the meeting room.

Recommendation 2:

- a) **That Council adopt the Code of Conduct set out in Appendix 4A to this report.**
- b) **That the Standards Committee undertake a review of the code in six months' time so that any changes can be made in the light of operational experience.**

5 Dealing with Misconduct Complaints

5.1 Arrangements for dealing with complaints

The Act requires that the Council adopt arrangements for dealing with complaints of breach of Code of Conduct both by District Council members and by Parish Council members, and such complaints can only be dealt with in accordance with such arrangements. So the arrangements must set out in some detail the process for dealing with complaints of misconduct and the actions which may be taken against a member who is found to have failed to comply with the relevant Code of Conduct.

The advantage is that the Act removes the requirements for separate Initial Assessment, Review and Hearings Sub-Committees, and enables the Council to establish its own process, which can include delegation of decisions on complaints. As the Act gives neither the Standards Committee nor the Monitoring Officer special powers to deal with complaints, it is necessary for Council to delegate appropriate powers to any Standards Committee and to the Monitoring Officer.

5.2 Decision whether to investigate a complaint

In order to take advantage of the new flexibility, it is suggested that the initial decision on whether a complaint requires investigation be delegated to the Monitoring Officer, subject to consultation with the Independent Person and the ability to refer particular complaints to the Standards Committee where he feels that it would not be appropriate for him to take a decision on it, for example where he has previously advised the member on the matter or the complaint is particularly sensitive. These arrangements would also offer the opportunity for the Monitoring Officer to try and resolve a complaint informally, before taking a decision on whether the complaint merits formal investigation.

It is suggested that the Monitoring Officer make an annual report to the Standards Committee which would enable him to report on the number and nature of complaints received, to draw to the Committee's attention areas where training or other action might avoid further complaints, and advise the Committee of progress on investigations and costs.

5.3 "No Breach of Code" finding on investigation

Where a formal investigation finds no evidence of failure to comply with the Code of Conduct, the current requirement is that this is reported to the Hearings Sub-Committee and the Sub-Committee takes any decision whether to accept the findings of the investigation and take no further action. In practice, it would be reasonable to delegate this decision to the Monitoring Officer, but with the power to refer a matter to Standards Committee if he feels it appropriate. It is suggested that the Monitoring Officer provides a summary report of each such investigation to Standards Committee for information.

5.4 "Breach of Code" finding on investigation

Where a formal investigation finds evidence of failure to comply with the Code of Conduct, there may yet be an opportunity for local resolution, avoiding the necessity of a local hearing. Sometimes the investigation report can cause a member to recognise that his/her conduct was at least capable of giving offence, or identify other appropriate remedial action, and the complainant may be satisfied by recognition of fault and an apology or other remedial action. However, it is suggested that at this stage it would only be appropriate for the Monitoring Officer to agree a local resolution only after consultation with the Independent Person and where the complainant is satisfied with the outcome, and subject to summary report for information to the Standards Committee.

In all other cases, where the formal investigation finds evidence of a failure to comply with the Code of Conduct, it would be necessary for the Hearings Panel (constituted as a Sub-Committee of Standards Committee) to hold a hearing at which the member against whom the complaint has been made can respond to the investigation report, and the Hearing Panel can determine whether the member did

fail to comply with the Code of Conduct and what action, if any, is appropriate as a result.

5.5 Action in response to a hearing finding of failure to comply with Code

The Act does not give the Council or its Standards Committee any powers to impose sanctions such as suspension or requirements for training or an apology on members. So, where a failure to comply with the Code of Conduct is found, the range of actions which the authority can take in respect of the member is limited and must be directed to securing the continuing ability of the authority to continue to discharge its functions effectively, rather than “punishing” the member concerned. In practice, this might include the following:

- 5.5.1 Censuring or reprimanding the member;
- 5.5.2 Reporting its findings to Council or to the Parish Council for information;
- 5.5.3 Recommending to the member’s Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- 5.5.4 Recommending to Council that the member be replaced as Executive Leader of the authority;
- 5.5.5 Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
- 5.5.6 Instructing the Monitoring Officer to (or recommend that the Parish Council) arrange training for the member;
- 5.5.7 Removing (or recommending to the Parish Council that the member be removed) from all outside appointments to which he/she has been appointed or nominated by the Council or by the Parish Council;
- 5.5.8 Withdrawing (or recommending to the Parish Council that it withdraws) facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
- 5.5.9 Excluding (or recommending that the Parish Council) exclude the member from the Council’s offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

The Localism Act gives the Standards Committee no power to do any more in respect of a member of a Parish Council than make a recommendation to the Parish Council on action to be taken in respect of the member. Parish Councils will be under no obligation to accept any such recommendation.

5.6 Existing Complaints

Existing complaints under the old Code, and which have been investigated, will now be dealt with under the new arrangements. Where a complaint has not yet been

investigated, there is no statutory provision for it to be determined. So such complaints now lapse.

5.7 Appeals

There is no requirement to put in place any appeals mechanism against such decisions. The decision would be open to judicial review by the High Court if it was patently unreasonable, or if it were taken improperly, or if it sought to impose a sanction which the authority had no power to impose.

Recommendation 3:

- a. **That the Council adopt the Arrangements for dealing with standards allegations as set out in Appendix 4B to this report.**
- b. **That the Monitoring Officer be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;**
- c. **That the Monitoring Officer be given delegated power, after consultation with the Independent Person, to determine whether a complaint merits formal investigation and to arrange such investigation.**
- d. **That the Monitoring Officer be authorised to seek resolution of complaint without formal investigation wherever practicable, that he be given discretion to refer decisions on investigation to the Standards Committee where he feels that it is inappropriate for him to take the decision, and that he report annually to the Standards Committee on the discharge of this function;**
- e. **Where the investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer be authorised to close the matter, providing a copy of the report and findings of the investigation to the complainant and to the member concerned, and to the Independent Person, and reporting the findings to the Standards Committee for information;**
- f. **Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer in consultation with the Independent Person be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report for information to Standards Committee. Where such local resolution is not appropriate or not possible, he is to report the investigation findings to a Hearings Panel of the Standards Committee for local hearing;**
- g. **That Council delegate to the Hearings Panel of the Standards Committee such of its powers as can be delegated to take decisions in respect of a member who is found on hearing to have failed to comply with the Code of Conduct, such actions to include –**
 - **Recommending to the member's Group Leader (or in the case of independent members, recommend to Council) that he/she be removed from any or all Committees or Sub-Committees of the Council;**
 - **Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;**

- **Instructing the Monitoring Officer to (or recommending that the Parish Council) arrange training for the member;**
- **Removing (or recommending to the Parish Council that the member be removed) from all outside appointments to which he/she has been appointed or nominated by the authority (or by the Parish Council);**
- **Withdrawing (or recommending to the Parish Council that it withdraws) facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or**
- **Excluding (or recommending that the Parish Council exclude) the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.**

6 Independent Person(s)

The "arrangements" adopted by Council must include provision for the appointment by Council of at least one Independent Person.

6.1 Independence

The Independent Person must be appointed through a process of public advertisement, application and appointment by a positive vote of a majority of all members of the District Council (not just of those present and voting).

A person is considered not to be "independent" if:

- 6.1.1 He or she is, or has been within the last five years, an elected or co-opted member or an officer of the District Council or of any of the Parish Councils within its area;
- 6.1.2 he or she is, or has been within the last five years, an elected or co-opted member of any Committee or Sub-Committee of the District Council or of any of the Parish Councils within its area. (**Note:** regulations have recently provided that up until 1 July 2013, the current co-opted Independent Members can be appointed as Independent Persons, for such terms a Council considers appropriate, but where Independent Persons come up for re-appointment after 1 July 2013, the former Independent Member will not be eligible to be appointed); or
- 6.1.3 he or she is a relative or close friend of a current elected or co-opted member or officer of the District Council or any Parish Council within its area, or of any elected or cop-opted member of any Committee or Sub-Committee of such Council.

For this purpose, "relative" comprises:

- (a) the candidate's spouse or civil partner;
- (b) any person with whom the candidate is living as if they are spouses or civil partners;
- (c) the candidate's grandparent;
- (d) any person who is a lineal descendent of the candidate's grandparent;
- (e) a parent, brother, sister or child of anyone in paragraphs (a) or (b);

- (f) the spouse or civil partner of anyone within paragraphs (c), (d) or (e); or
- (g) any person living with a person within Paragraphs (c), (d) or (e) as if they were spouse or civil partner to that person.

6.2 Functions of the Independent Person

The functions of the Independent Person(s) are:

- They **must** be consulted by the authority before it makes a finding as to whether a member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that member (this means on a decision to take no action where the investigation finds no evidence of breach or, where the investigation finds evidence that there has been a breach, on any local resolution of the complaint, or on any finding of breach and on any decision on action as a result of that finding);
- They **may** be consulted by the authority in respect of a standards complaint at any other stage; and
- They **may** be consulted by a member or co-opted member of the District Council or of a Parish Council against whom a complaint has been made.

It would be inappropriate for an Independent Person who has been consulted by the member against whom the complaint has been made, and who might as a result be regarded as prejudiced on the matter, to be involved in the determination of that complaint.

6.3 Remuneration

As the Independent Person is not a member of the authority or of its committees or sub-committees, the remuneration of the Independent Person no longer comes within the scheme of members' allowances, and can therefore be determined without reference to the Independent Remuneration Panel. Council have already agreed in accordance with a recommendation of the Standards Committee that two Independent Persons be appointed and that their remuneration be an annual allowance of £200.00 each and an allowance of £25.00 plus expenses for each meeting he or she is required to attend.

- 6.4 The Monitoring Officer has advertised for the position of two Independent Persons in accordance with the previous decision.

Recommendation 4:

That Council appoint such person(s) as Independent Person(s) as the Monitoring Officer shall recommend.

7 The Register of Members' Interests

7.1 The Register of Members' Interests

The Localism Act 2011 abolishes the concepts of personal and prejudicial interests and replace them with "Disclosable Pecuniary Interests" (DPIs). The Monitoring Officer is required to maintain a register of interests, which must be available for inspection and available on the Council's website. The Monitoring Officer is also responsible for maintaining the register for Parish Councils, which also have to be

open for inspection at the District Council offices and on the District Council's website.

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 specify what are DPIs. These are broadly equivalent to the current prejudicial interests. The intention was to simplify the registration requirement, but in fact the Act extends the requirement for registration to cover *not just the member's own interests, but also those of the member's spouse or civil partner, or someone living with the member in a similar capacity.*

The provisions of the Act in respect of the Code of Conduct require an authority's code to contain appropriate requirements for the registration (and disclosure) of other pecuniary interests and non-pecuniary interests.

The Monitoring Officer is required by the Act to set up and maintain registers of interests for each Parish Council, available for inspection at the District Council offices and on the District Council's website and, where the Parish Council has a website, provide the Parish Council with the information required to enable the Parish Council to put the current register on its own website.

7.2 Registration on election or co-option

Each elected or co-opted member must register all DPIs within 28 days of becoming a member. Failure to register is made a criminal offence, but would not prevent the member from acting as a member.

In so far as the Code of Conduct which the Council adopts requires registration of other interests, failure to do so would not be a criminal offence, but merely a failure to comply with the Code of Conduct.

There is no continuing requirement for a member to keep the register up to date, except on re-election or re-appointment, but it is likely that members will register new interests from time to time, as this avoids the need for disclosure in meetings. When additional notifications are given, the Monitoring Officer has to ensure that they are entered into the register.

The preparation and operation of the register, not just for this authority but also for each Parish Council, is likely to be a considerable administrative task, especially where different Parish Councils adopt different Code requirements for registration and disclosure in respect of interests other than DPIs. There is no provision for the District Council to recover any costs from Parish Councils.

Recommendation 5:

- a. That the Monitoring Officer prepare and maintain a new register of members interests to comply with the requirements of the Act and of the Council's Code of Conduct, once adopted, and ensure that it is available for inspection as required by the Act;**
- b. That the Monitoring Officer ensure that all members are informed of their duty to register interests;**
- c. That the Monitoring Officer prepare and maintain new registers of members' interests for each Parish Council to comply with the Act and any Code of**

Conduct adopted by each Parish Council and ensure that it is available for inspection as required by the Act; and

- d. That the Monitoring Officer arrange to inform Parish Clerks on the new registration arrangements.**

8 Disclosure of Interests and Withdrawal from Meetings

As set out above, DPIs are broadly equivalent to prejudicial interests, but with important differences. So:

- 8.1 The duty to disclose and withdraw arises whenever a member attends any meeting of Council, a committee or sub-committee, or of Cabinet or a Cabinet committee, and is aware that he/she has a DPI in any matter being considered at the meeting. So it applies even if the member would be absent from that part of the meeting where the matter in question is under consideration.
- 8.2 Where these conditions are met, the member must disclose the interest to the meeting (i.e. declare the existence and nature of the interest). However, in a change from the current requirements, the member does not have to make such a disclosure if he/she has already registered the DPI, or at least sent off a request to the Monitoring Officer to register it (a "pending notification"). So, members of the public attending the meeting will in future need to read the register of members' interests, as registered interests will no longer be disclosed at the meeting.
- 8.3 Where the member does make a disclosure of a DPI, he/she must then notify it to the Monitoring Officer within the next 28 days, so that it can go on the register of interests.
- 8.4 If a member has a DPI in any matter, he/she must not:
 - 8.4.1 Participate in any discussion of the matter at the meeting. The Act does not define "discussion", but this would appear to preclude making representations as currently permitted under paragraph 12(2) of the model Code of Conduct; or
 - 8.4.2 Participate in any vote on the matter,

unless he/she has obtained a dispensation allowing him/her to speak and/or vote.
- 8.5 Failure to comply with the requirements (paragraphs 8.2, 8.3 or 8.4) becomes a criminal offence, rather than leading to sanctions;
- 8.6 The Council's Code of Conduct must make "appropriate" provisions for disclosure and withdrawal for interests other than DPIs, but failure to comply with these requirements would be a breach of Code of Conduct rather than a criminal offence.
- 8.7 The requirement to withdraw from the meeting room can be covered by Standing Orders, which would apply not just to Council, Committees and Sub-Committees, but can apply also to Cabinet and Cabinet Committee meetings, so that failure to comply would be neither a criminal offence nor a breach of Code of Conduct, although the meeting could vote to exclude the member.

Recommendation 6: That an additional Procedural Standing Order be adopted which equates to the current Code of Conduct requirement that a member must withdraw

from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which he/she has a DPI, except where he is permitted to remain as a result of the grant of a dispensation.

9 Disclosure and withdrawal in respect of matters to be determined by a Single Member

9.1 Matters can be decided by a single member acting alone where the member is a Cabinet Member acting under Portfolio powers.

9.2 The Act provides that, when a member becomes aware that he/she will have to deal with a matter and that he/she has a DPI in that matter:

9.2.1 Unless the DPI is already entered in the register of members' interests or is subject to a "pending notification", he/she has 28 days to notify the Monitoring Officer that he/she has such a DPI; and

9.2.2 He/she must take no action in respect of that matter other than to refer it another person or body to take the decision.

9.3 The additional Standing Order referred to above can then provide for the exclusion of the member from any meeting while any discussion or vote takes place on the matter.

9.4 Note that the Act here effectively removes the rights of a member with a prejudicial interest to make representations as a member of the public under Paragraph 12(2) of the current Code of Conduct

10 Sensitive Interests

The Act effectively re-enacts the existing Code of Conduct provisions on Sensitive Interests.

So, where a member is concerned that disclosure of the detail of an interest (either a DPI or any other interest which he/she would be required to disclose) at a meeting or on the register of members' interests would lead to the member or a person connected with him/her being subject to violence or intimidation, he/she may request the Monitoring Officer to agree that the interest is a "sensitive interest".

If the Monitoring Officer agrees, the member then merely has to disclose the existence of an interest, rather than the detail of it, at a meeting, and the Monitoring Officer can exclude the detail of the interest from the published version of the register of members' interests.

11 Dispensations

11.1 The provisions on dispensations are significantly changed by the Localism Act 2011.

11.2 At present, a member who has a prejudicial interest may apply to Standards Committee for a dispensation on two grounds:

11.2.1 That at least half of the members of a decision-making body have prejudicial interests (this ground is of little use as it is normally only at the meeting that it is realise how many members have prejudicial interests in

the matter, by which time it is too late to convene a meeting of Standards Committee); and

- 11.2.2 That so many members of one political party have prejudicial interests in the matter that it will upset the result of the vote on the matter.
- 11.3 In future, a dispensation will be able to be granted in the following circumstances:
 - 11.3.1 That so many members of the decision-making body have DPIs in a matter that it would “impede the transaction of the business” - in practice this means that the decision-making body would be inquorate as a result;
 - 11.3.2 That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
 - 11.3.3 That the authority considers that the dispensation is in the interests of persons living in the authority’s area;
 - 11.3.4 That, without a dispensation, no member of the Cabinet would be able to participate in this matter; or
 - 11.3.5 That the authority considers that it is otherwise appropriate to grant a dispensation.
- 11.4 Any grant of a dispensation must specify for how long it lasts, up to a maximum of 4 years.
- 11.5 Where the Local Government Act 2000 required that dispensations be granted by Standards Committee, the Localism Act gives discretion for this power to be delegated to Standards Committee or a Sub-Committee, or to the Monitoring Officer. It is suggested that the discretion to grant dispensations remains with Standards Committee, after consultation with the Independent Person.

Recommendation 7: That Council delegate the power to grant dispensations to the Standards Committee, after consultation with the Independent Person.

12 Transitional Arrangements

The Localism Act (Commencement No.6 and Transitional, Savings and Transitory Provisions Order) 2012 provides for:

- a. the transfer of Standards for England cases to local authorities following the abolition of Standards for England on 31 March 2012;
- b. the determination of any outstanding complaints under the current Code of Conduct and referrals or appeals relating to a decision by a standard committee made before 1 July 2012;
- c. removal of the power of suspension from 7 June 2012; and
- d. the new arrangements being adopted by Council and taking effect on or after 1 July 2012.

Appendix 4A
Draft Code of Conduct

Appendix AB
Draft Arrangements

Wycombe District Council

Code of Conduct for Members

1 Application

This Code of Conduct applies to you whenever you are acting in your capacity as a member of Wycombe District Council, including –

- 1.1 at formal meetings of the Council, its Committees and Sub-Committees, its Cabinet and Cabinet Committees
- 1.2 when acting as a representative of the authority
- 1.3 in taking any decision as a Cabinet member or a Ward Councillor
- 1.4 in discharging your functions as a ward Councillor
- 1.5 at briefing meetings with officers and
- 1.6 at site visits
- 1.7 when corresponding with the authority other than in a private capacity

2 General Conduct

You must –

- 2.1 provide leadership to the authority and communities within its area, by personal example and
- 2.2 respect others and not bully any person
- 2.3 recognise that officers (other than political assistants) are employed by and serve the whole authority
- 2.4 respect the confidentiality of information which you receive as a member –
 - 2.4.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
 - 2.4.2 not obstructing third parties' legal rights of access to information
- 2.5 not misconduct yourself in a manner which is likely to bring the authority into disrepute
- 2.6 use your position as a member in the public interest and not for personal advantage
- 2.7 accord with the authority's reasonable rules on the use of public resources for private and political purposes
- 2.8 exercise your own independent judgement, taking decisions for good and substantial reasons –
 - 2.8.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups
 - 2.8.2 paying due regard to the advice of officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer and
 - 2.8.3 stating the reasons for your decisions where those reasons are not otherwise apparent
- 2.9 account for your actions, particularly by supporting the authority's scrutiny function
- 2.10 ensure that the authority acts within the law.

3 Disclosable Pecuniary Interests

You must -

- 3.1 comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest
- 3.2 ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests
- 3.3 make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent
- 3.4 “Meeting” means any meeting organised by or on behalf of the authority, including –
 - 3.4.1 any meeting of the Council, or a Committee or Sub-Committee of Council
 - 3.4.2 any meeting of the Cabinet and any Committee of the Cabinet
 - 3.4.3 in taking a decision as a Ward Councillor or as a Member of the Cabinet
 - 3.4.4 at any briefing by officers; and
 - 3.4.5 at any site visit to do with business of the authority

4 Other Interests

- 4.1 In addition to the requirements of Paragraph 3, if you attend a meeting at which any item of business is to be considered and you are aware that you have a “non-disclosable pecuniary interest or non-pecuniary interest” in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent
- 4.2 You have a “non-disclosable pecuniary interest or non-pecuniary interest” in an item of business of your authority where –
 - 4.2.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority’s administrative area, or
 - 4.2.2 it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close associationand that interest is not a disclosable pecuniary interest.

5 Gifts and Hospitality

- 5.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a member from any person or body other than the authority.
- 5.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.
- 5.3 This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

Appendix

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

| <i>Interest</i> | <i>Prescribed description</i> |
|---|--|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992). |
| Contracts | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or |

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose –

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Arrangements for dealing with standards allegations under the Localism Act 2011

1 Context

These Arrangements set out how you may make a complaint that an elected or co-opted member of this Council (or of a Parish Council within its area) has failed to comply with the Council's Code of Conduct, and sets out how the Council will deal with allegations of a failure to comply with the Code.

Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place "arrangements" under which allegations that a member or co-opted member of the Council (or of a Parish Council within its area), or of a Committee or Sub-Committee of the Council, has failed to comply with the Council's Code of Conduct can be investigated and decisions made on such allegations.

Such arrangements must provide for the Council to appoint at least one Independent Person, whose views must be sought by the authority before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the authority at any other stage, or by a member (or a member or co-opted member of a Parish Council) against whom an allegation as been made.

2 The Code of Conduct

The Council has adopted a Code of Conduct for members, which is attached as Appendix One to these Arrangements and is available for inspection on the authority's website and on request from Reception at the Civic Offices.

Each Parish Council is also required to adopt a Code of Conduct. If you wish to inspect a Parish Council's Code of Conduct, you should inspect any website operated by the Parish Council and request the parish clerk to allow you to inspect the Parish Council's Code of Conduct.

Done to here

3 Making a complaint

If you wish to make a complaint, please write to:

Complaints Officer
Wycombe District Council
Queen Victoria Road
High Wycombe
Bucks HP11 1BB

Or email: complaints@wycombe.gov.uk

The Monitoring Officer has statutory responsibility for maintaining the register of members' interests and who is responsible for administering the system in respect of complaints of member misconduct.

In order to ensure that we have all the information which we need to be able to process your complaint, please complete and send us the model complaint form, which can be downloaded from the authority's website, next to the Code of Conduct, and is available on request from Reception at the Council Offices.

Please do provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form, in which case we will not disclose your name and address to the member against whom you make the complaint, without your prior consent. The authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of your complaint within five working days of receiving it, and will keep you informed of the progress of your complaint.

4 Will your complaint be investigated?

The Monitoring Officer will review every complaint received and, after consultation with the Independent Person, take a decision as to whether it merits formal investigation. This decision will normally be taken within 14 days of receipt of your complaint. Where the Monitoring Officer has taken a decision, he/she will inform you of his/her decision and the reasons for that decision.

Where he/she requires additional information in order to come to a decision, he/she may come back to you for such information, and may request information from the member against whom your complaint is directed. Where your complaint relates to a Parish Councillor, the Monitoring Officer may also inform the Parish Council of your complaint and seek the views of the Parish Council before deciding whether the complaint merits formal investigation.

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the member accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the authority. Where the member or the authority makes a reasonable offer of local resolution, but you are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies.

5 How is the investigation conducted?

The Council has adopted a procedure for the investigation of misconduct complaints, which is attached as Appendix Two to these arrangements.

If the Monitoring Officer decides that a complaint merits formal investigation, he/she will appoint an Investigating Officer, who may be another senior officer of the authority, an officer of another authority or an external investigator. The Investigating Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint and so that you can explain your understanding of events and suggest what documents the Investigating Officer needs to see, and who the Investigating Officer needs to interview.

The Investigating Officer would normally write to the member against whom you have complained and provide him/her with a copy of your complaint, and ask the member to provide his/her explanation of events, and to identify what documents he needs to see and who he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the complaint to the member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the member, or delay notifying the member until the investigation has progressed sufficiently.

At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration.

Having received and taken account of any comments which you may make on the draft report, the Investigating Officer will send his/her final report to the Monitoring Officer.

6 What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will review the Investigating Officer's report and, if he is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the member concerned (and to the Parish Council, where your complaint relates to a Parish Councillor), notifying you that he is satisfied that no further action is required, and give you both a copy of the Investigating Officer's final report. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he may ask the Investigating Officer to reconsider his/her report.

7 What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Panel or, after consulting the Independent Person, seek local resolution.

7.1 Local Resolution

The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and with you as complainant and seek to agree what you consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the authority. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee (and the Parish Council) for information, but will take no further action. However, if you tell the Monitoring Officer that any suggested resolution would not be adequate, the Monitoring Officer will refer the matter for a local hearing.

7.2 Local Hearing

If the Monitoring Officer considers that local resolution is not appropriate, or you are not satisfied by the proposed resolution, or the member concerned is not prepared to undertake any proposed remedial action, such as giving an apology, then the Monitoring Officer will report the Investigating Officer's report to the Hearings Panel

which will conduct a local hearing before deciding whether the member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the member.

The Council has agreed a procedure for local hearings, which is attached as Appendix Three to these arrangements.

Essentially, the Monitoring Officer will conduct a pre-hearing process, requiring the member to give his/her response to the Investigating Officer's report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing, and the Chairman of the Hearings Panel may issue directions as to the manner in which the hearing will be conducted. At the hearing, the Investigating Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Hearings Panel. The member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Hearings Panel as to why he/she considers that he/she did not fail to comply with the Code of Conduct.

If the Hearings Panel, with the benefit of any advice from the Independent Person, may conclude that the member did not fail to comply with the Code of Conduct, and so dismiss the complaint. If the Hearings Panel concludes that the member did fail to comply with the Code of Conduct, the Chairman will inform the member of this finding and the Hearings Panel will then consider what action, if any, the Hearings Panel should take as a result of the member's failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the member an opportunity to make representations to the Panel and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter.

8 What action can the Hearings Panel take where a member has failed to comply with the Code of Conduct?

The Council has delegated to the Hearings Panel such of its powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Hearings Panel may, as it considers appropriate:

- 8.1 Censure or reprimand the member;
- 8.2 Publish its findings in respect of the member's conduct;
- 8.3 Report its findings to Council (or to the Parish Council) for information;
- 8.4 Recommend to the member's Group Leader (or in the case of independent members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- 8.5 Recommend to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
- 8.6 Recommend to Council that the member be replaced as Executive Leader;
- 8.7 Instruct the Monitoring Officer to (or recommend that the Parish Council) arrange training for the member;

- 8.8 Remove (or recommend to the Parish Council that the member be removed) from all outside appointments to which he/she has been appointed or nominated by the authority or by the Parish Council;
- 8.9 Withdraw (or recommend to the Parish Council that it withdraws) facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
- 8.10 Exclude (or recommend that the Parish Council exclude) the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

The Hearings Panel has no power to suspend or disqualify the member or to withdraw members' or special responsibility allowances.

9 What happens at the end of the hearing?

At the end of the hearing, the Chairman will state the decision of the Hearings Panel as to whether the member failed to comply with the Code of Conduct and as to any actions which the Hearings Panel resolves to take.

As soon as reasonably practicable thereafter, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Hearings Panel, and send a copy to you, to the member (and to the Parish Council), make that decision notice available for public inspection and report the decision to the next convenient meeting of the Council.

10 Who are the Hearings Panel?

The Hearings Panel is a sub-committee of the Council's Standards Committee. The Standards Committee has decided that it will comprise a maximum of five members of the Council, including not more than one member of the authority's Executive and comprising members drawn from at least two different political parties. Subject to those requirements, it is appointed on the nomination of party group leaders in proportion to the strengths of each party group on the Council.

The Independent Person is invited to attend all meetings of the Hearings Panel and his views are sought and taken into consideration before the Hearings Panel takes any decision on whether the member's conduct constitutes a failure to comply with the Code of conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

11 Who is the Independent Person?

The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post, and is appointed by a positive vote from a majority of all the members of Council.

A person cannot be "independent" if he/she:

- 11.1 Is, or has been within the past five years, a member, co-opted member or officer of the authority, with the exception that former Independent Members of Standards Committees can be appointed as Independent Persons;
- 11.2 Is or has been within the past five years, a member, co-opted member or officer of a parish council within the authority's area, or

- 11.3 Is a relative, or close friend, of a person within paragraph 11.1 or 11.2 above. For this purpose, “relative” means:
- 11.3.1 Spouse or civil partner;
 - 11.3.2 Living with the other person as husband and wife or as if they were civil partners;
 - 11.3.3 Grandparent of the other person;
 - 11.3.4 A lineal descendant of a grandparent of the other person;
 - 11.3.5 A parent, sibling or child of a person within paragraphs 11.3.1 or 11.3.2;
 - 11.3.6 A spouse or civil partner of a person within paragraphs 11.3.3, 11.3.4 or 11.3.5; or
 - 11.3.7 Living with a person within paragraphs 11.3.3, 11.3.4 or 11.3.5 as husband and wife or as if they were civil partners.

12 Revision of these arrangements

The Council may by resolution agree to amend these arrangements, and has delegated to the Chair of the Hearings Panel the right to depart from these arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

13 Appeals

There is no right of appeal for you as complainant or for the member against a decision of the Monitoring Officer or of the Hearings Panel.

If you feel that the authority has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman.

| | |
|----------------|---------------------------------|
| Appendix One | The Authority’s Code of Conduct |
| Appendix Two | Procedure for Investigations |
| Appendix Three | Procedure for Hearings |

Agenda Item 5

Complaints/Comments/Compliments - Information and Improvements

Officer contact: Jean Roberts
DDI: 01494 421202/Email: jean_roberts@wycombe.gov.uk

Wards affected: All

PROPOSED DECISION OR RECOMMENDATION TO COUNCIL

The Standards Committee is asked to:

Note the attached data and charts for the periods 1 January – 31 March 2012 (Quarter 4).

Corporate Implications

The establishment and maintenance of complaints procedures is conducive to the discharge of the Council's various functions and as such are authorised by Section 111 of the Local Government Act 1972.

There are no financial implications.

A robust complaints procedure assists in minimising the risks to the Council arising from complaints.

Executive Summary

Statistics and data appended herewith for information and noting.

Background and Issues

Quarterly information is supplied to all business units which record complaints, comments or compliments on ServiceMail, and after consultation with managers, composite information for each Management Team and the Strategic Management Board. Further complaints statistics are also incorporated as Local Performance Indicators by the Policy and Research Unit.

Report

The information and charts for the quarters are attached herewith and additional information has been added to the graphs to show the targets in place for the relevant time periods, as well as a spreadsheet showing a comparison with the quarters in the previous year for key indicators.

The target in place for complaints responded to in target is 90% for this year, and feedback on customer satisfaction with response, customer satisfaction with outcome, and satisfaction with complaint handling are also now all 90%. The following are the priority areas for improvement and the results for this quarter for all business units within the Council:

1. Answering complaints within our corporate timescale of 10 working days

This quarter there was a total percentage of complaints within target of 92.5%, above target and an improvement of 6% from the last quarter.

2. Review of Complaints by business units to “Learn Lessons” and Improvements Made

For this quarter 53 complaints were received with 13 complaints reviewed by business units, but only 1 improvement logged. It is still disappointing not to have more improvements as a result of complaints.

3. Customer Feedback Cards - Complaints

The numbers of customer feedback responses will always be lower than the number of complaints received as these are sent out after our response. This quarter has seen feedback logged for 27 out of the 53 items received. Feedback for this quarter with regard to outcome stands at 77% satisfaction, complaint handling 81%, and speed of response stands at 93%. The speed of response percentage is disappointing as this is usually considerably higher. The speed of response does also have an impact on general complainant satisfaction as nationally it has been shown that customers are more satisfied with the outcome of the complaints if the response is quick.

4. Complaints to the LG Ombudsman

There have been no findings of maladministration. There are 2 current ongoing Ombudsman enquiries.

5. Compliments Logging

The total for compliments logged is 97 for this quarter, a large rise from Quarter 3! The single service area with the most compliments for this quarter is Development Management with 21, then Off-Street Parking with 16, and Environmental Health with 14. This is a very good result for the services concerned.

Comments from Management Teams

It is pleasing to see the number of compliments exceeding those for complaints, particularly for the regulatory services. There is a need however to ensure services continue to review the complaints they have received and to consider whether there are any service improvements that can be made.

Comments from Strategic Management Board

There was a large increase in compliments across the Council to 97 in total.

SMB has issued a reminder about the need to review any complaints to learn lessons and identify and log improvements.

Conclusions

(a) It will be interesting to see the impact of the removal of most of Housing services from the Council statistics in the forthcoming months which should result in a reduction of complaints.

(b) The Persistent and Unreasonable Complaints procedure for the Council will shortly be updated and circulated for comments.

Background Papers

“Have We Got It Right” leaflet for the public.

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Agenda Item 5 Appendix 5

| Items by Type by Business Unit by In Target between 01/01/12 and 31/03/12 | | |
|--|---------------|--------------|
| Type: Comments | | |
| | | |
| Business Unit | | Total |
| | | |
| Customer Service Centre | In Target | 11 |
| | | |
| Development Management | In Target | 1 |
| | | |
| Total for Comments | | 12 |
| | | |
| Type: Complaint | | |
| | | |
| Business Unit | | Total |
| | | |
| Building Control | In Target | 2 |
| | | |
| Community Safety | In Target | 1 |
| | | |
| Council Tax | Out of Target | 2 |
| | In Target | 7 |
| | | |
| Customer Service Centre | In Target | 7 |
| | | |
| Development Management | In Target | 8 |
| | | |
| Environmental Health | In Target | 4 |
| | | |
| Green Space Contracts | In Target | 2 |
| | | |
| Homelessness | In Target | 2 |
| | | |
| Housing Applications | In Target | 1 |
| | | |
| Housing Benefit | In Target | 1 |
| | | |
| Housing Maintenance | In Target | 1 |
| | | |
| Parking - Off-street | In Target | 5 |
| | | |
| Property Services | Out of Target | 1 |
| | In Target | 1 |
| | | |
| Ranger Services | In Target | 2 |
| | | |
| Refuse | Out of Target | 1 |
| | In Target | 2 |
| | | |
| Spatial Planning | In Target | 1 |
| | | |
| Sports Centres Client | In Target | 2 |
| | | |
| Total for Complaint | | 53 |
| | | |

Items by Type by Business Unit by In Target between 01/01/12 and 31/03/12

| Type: Compliment | | |
|--|-----------|-----------|
| Business Unit | | Total |
| Chief Executive | In Target | 1 |
| Cohesion | In Target | 4 |
| Community Safety | In Target | 8 |
| Corporate Administration | In Target | 1 |
| Customer Service Centre | In Target | 5 |
| Demo & Legal HoS & PA/Complaints Officer | In Target | 1 |
| Development Management | In Target | 21 |
| Elections/Land Charges | In Target | 3 |
| Environmental Health | In Target | 14 |
| Green Space Contracts | In Target | 2 |
| Housing Applications | In Target | 1 |
| Museum - Wycombe | In Target | 2 |
| Parking - Off-street | In Target | 16 |
| Projects & Development (Community) | In Target | 2 |
| Ranger Services | In Target | 1 |
| Refuse | In Target | 1 |
| Regeneration (Community Services) | In Target | 2 |
| Spatial Planning | In Target | 3 |
| Sports Development | In Target | 9 |
| Total for Compliment | | 97 |

Complaints in target from 01/01/12 to 31/03/12

Team: CHIEF EXECUTIVE TEAM

| Business Unit | In Target | Out of Target |
|-------------------------|-----------|---------------|
| Council Tax | 7 | 2 |
| Customer Service Centre | 7 | 0 |
| Housing Benefit | 1 | 0 |
| Property Services | 1 | 1 |

Total for CHIEF EXECUTIVE

| | |
|----------------|----|
| In target: | 16 |
| Out of target: | 3 |

Team: I WESTGATE TEAM

| Business Unit | In Target | Out of Target |
|------------------------|-----------|---------------|
| Building Control | 2 | 0 |
| Community Safety | 1 | 0 |
| Development Management | 8 | 0 |
| Environmental Health | 4 | 0 |
| Green Space Contracts | 2 | 0 |
| Homelessness | 2 | 0 |
| Housing Applications | 1 | 0 |
| Housing Maintenance | 1 | 0 |
| Parking - Off-street | 5 | 0 |
| Ranger Services | 2 | 0 |
| Refuse | 2 | 1 |
| Spatial Planning | 1 | 0 |
| Sports Centres Client | 2 | 0 |

Total for I WESTGATE TEAM

| | |
|----------------|----|
| In target: | 33 |
| Out of target: | 1 |

TOTAL FOR WYCOMBE DC

| | | |
|----------------|----|-------|
| In target: | 49 | 92.5% |
| Out of target: | 4 | 7.5% |

Complaint Feedback from 01/01/12 to 31/03/12

Business Unit: Council Tax

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 7 | Speed - No: | 0 |
| Easily Understood - Yes: | 7 | Easily Understood - No: | 0 |
| Outcome - Yes: | 7 | Outcome - No: | 0 |
| Complaint Handling - Yes: | 7 | Complaint Handling - No: | 0 |

Business Unit: Customer Service Centre

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 4 | Speed - No: | 1 |
| Easily Understood - Yes: | 4 | Easily Understood - No: | 1 |
| Outcome - Yes: | 4 | Outcome - No: | 1 |
| Complaint Handling - Yes: | 4 | Complaint Handling - No: | 1 |

Business Unit: Development Management

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 0 | Speed - No: | 1 |
| Easily Understood - Yes: | 1 | Easily Understood - No: | 0 |
| Outcome - Yes: | 0 | Outcome - No: | 1 |
| Complaint Handling - Yes: | 0 | Complaint Handling - No: | 1 |

Business Unit: Environmental Health

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 3 | Speed - No: | 0 |
| Easily Understood - Yes: | 3 | Easily Understood - No: | 0 |
| Outcome - Yes: | 3 | Outcome - No: | 0 |
| Complaint Handling - Yes: | 3 | Complaint Handling - No: | 0 |

Business Unit: Green Space Contracts

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 0 | Speed - No: | 1 |
| Easily Understood - Yes: | 0 | Easily Understood - No: | 1 |
| Outcome - Yes: | 0 | Outcome - No: | 1 |
| Complaint Handling - Yes: | 0 | Complaint Handling - No: | 1 |

Business Unit: Homelessness

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 1 | Speed - No: | 0 |
| Easily Understood - Yes: | 1 | Easily Understood - No: | 0 |
| Outcome - Yes: | 1 | Outcome - No: | 0 |
| Complaint Handling - Yes: | 1 | Complaint Handling - No: | 0 |

Business Unit: Housing Applications

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 1 | Speed - No: | 0 |
| Easily Understood - Yes: | 1 | Easily Understood - No: | 0 |
| Outcome - Yes: | 1 | Outcome - No: | 0 |
| Complaint Handling - Yes: | 1 | Complaint Handling - No: | 0 |

Business Unit: Housing Benefit

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 1 | Speed - No: | 0 |
| Easily Understood - Yes: | 1 | Easily Understood - No: | 0 |
| Outcome - Yes: | 1 | Outcome - No: | 0 |
| Complaint Handling - Yes: | 1 | Complaint Handling - No: | 0 |

Business Unit: Parking - Off-street

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 3 | Speed - No: | 0 |
| Easily Understood - Yes: | 3 | Easily Understood - No: | 0 |
| Outcome - Yes: | 3 | Outcome - No: | 0 |
| Complaint Handling - Yes: | 3 | Complaint Handling - No: | 0 |

Business Unit: Property Services

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 2 | Speed - No: | 0 |
| Easily Understood - Yes: | 2 | Easily Understood - No: | 0 |
| Outcome - Yes: | 2 | Outcome - No: | 0 |
| Complaint Handling - Yes: | 2 | Complaint Handling - No: | 0 |

Business Unit: Refuse

| | | | |
|---------------------------|---|--------------------------|---|
| Speed - Yes: | 2 | Speed - No: | 0 |
| Easily Understood - Yes: | 2 | Easily Understood - No: | 0 |
| Outcome - Yes: | 2 | Outcome - No: | 0 |
| Complaint Handling - Yes: | 2 | Complaint Handling - No: | 0 |

Total:

| | | | |
|---------------------------|----|--------------------------|---|
| Speed - Yes: | 24 | Speed - No: | 3 |
| Easily Understood - Yes: | 25 | Easily Understood - No: | 2 |
| Outcome - Yes: | 24 | Outcome - No: | 3 |
| Complaint Handling - Yes: | 24 | Complaint Handling - No: | 3 |

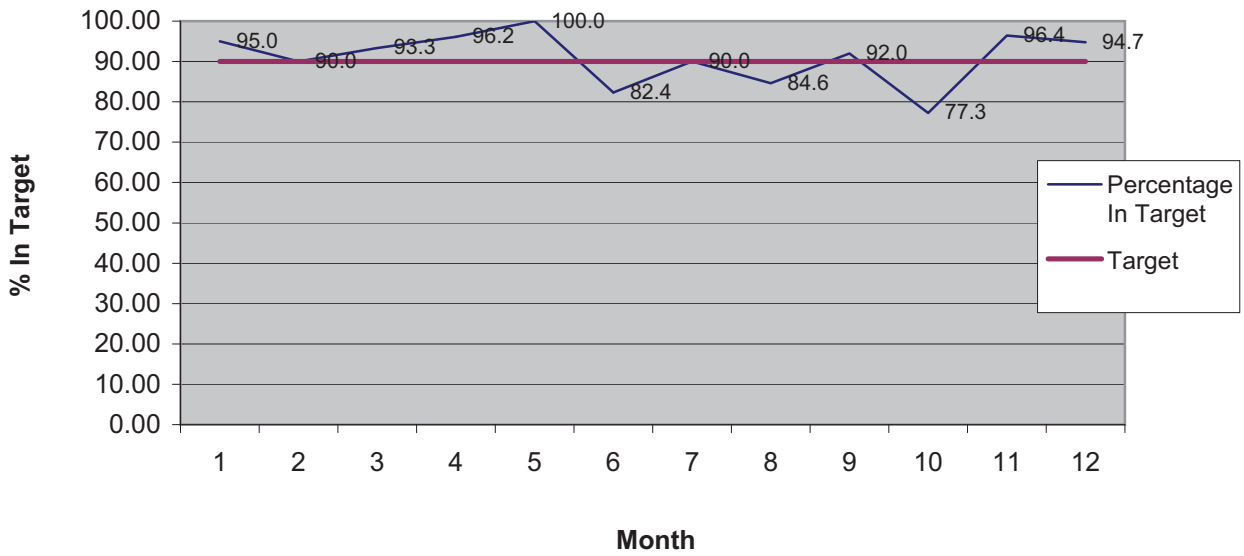
| | |
|---------------------------|-----|
| Speed - Yes: | 88% |
| Easily Understood - Yes: | 93% |
| Outcome - Yes: | 88% |
| Complaint Handling - Yes: | 88% |

| Complaints and Feedback logged | | |
|---------------------------------------|-------------------------|------------------------|
| Business Unit | Complaints Total | Feedback Logged |
| Building Control | 2 | 0 |
| Community Safety | 1 | 0 |
| Council Tax | 9 | 7 |
| Customer Service Centre | 7 | 5 |
| Development Management | 8 | 1 |
| Environmental Health | 4 | 3 |
| Green Space Contracts | 2 | 1 |
| Homelessness | 2 | 1 |
| Housing Applications | 1 | 1 |
| Housing Benefit | 1 | 1 |
| Housing Maintenance | 1 | 0 |
| Parking - Off-street | 5 | 3 |
| Property Services | 2 | 2 |
| Ranger Services | 2 | 0 |
| Refuse | 3 | 2 |
| Spatial Planning | 1 | 0 |
| Sports Centres Client | 2 | 0 |
| Total for Complaint | 53 | 27 |

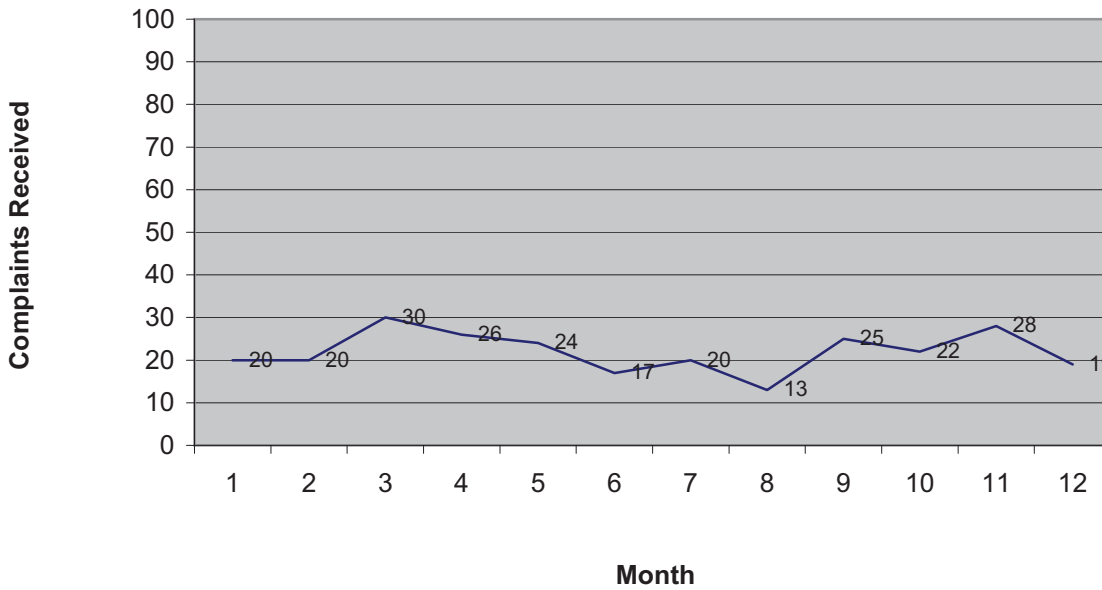
Service Improvements from 01/01/12 to 31/03/12

| Item Type | Item No | Subject | Details of improvement |
|---------------|---------|----------------|---|
| Refuse | | | |
| Complaint | 9592 | Bin collection | Discussed with contractor - request for contractor to retrain staff |

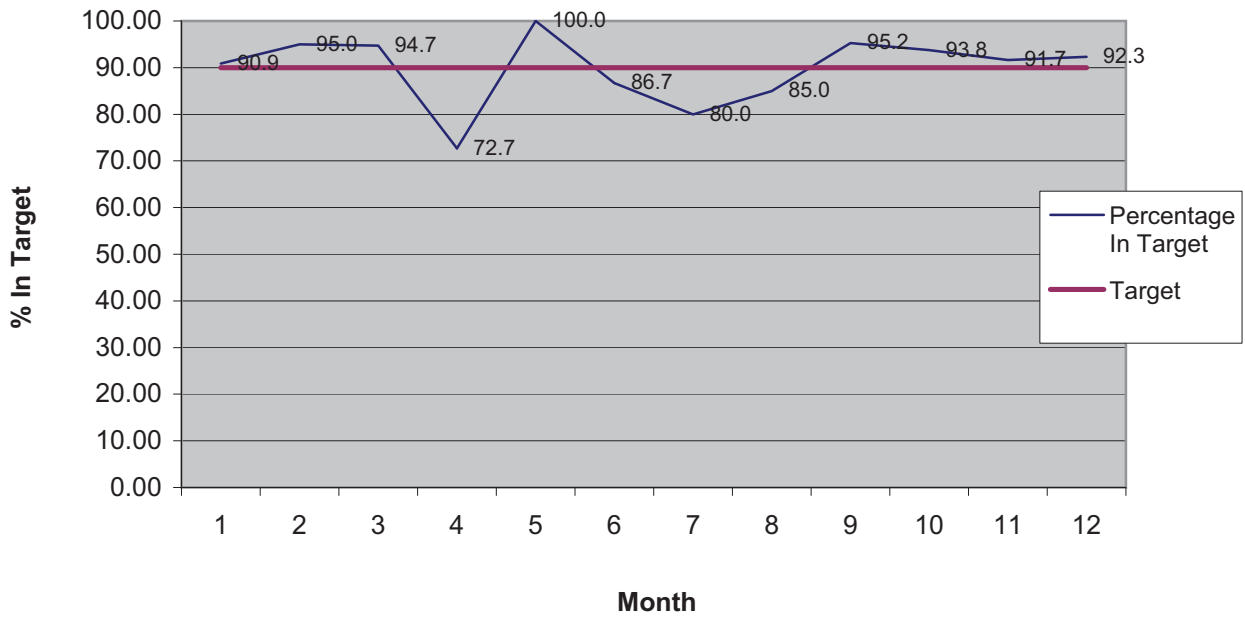
WDC Complaints in target 2010



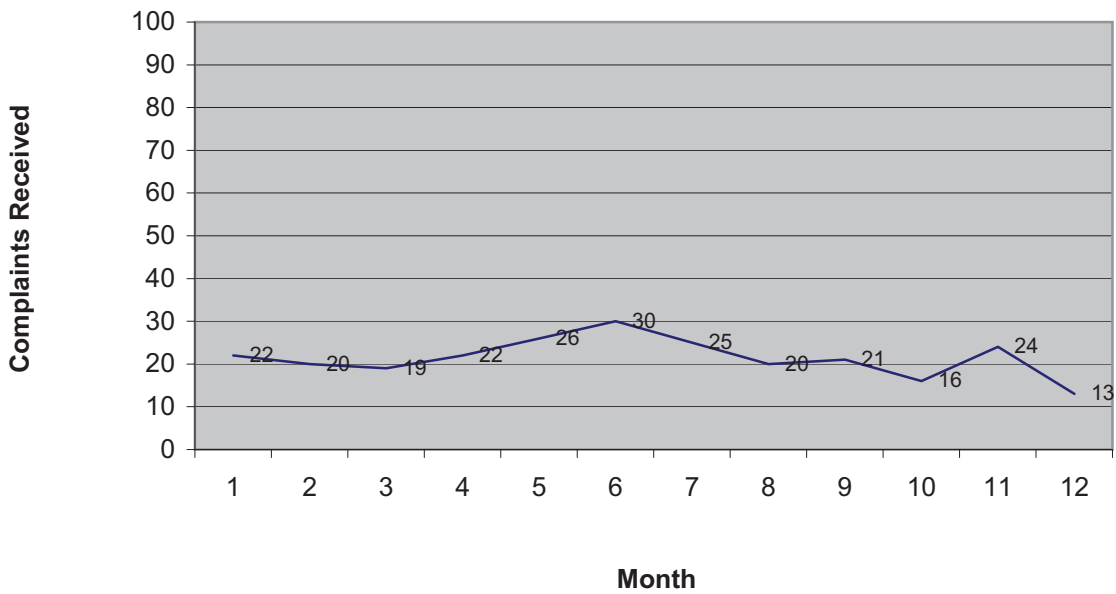
WDC Complaints Received 2010



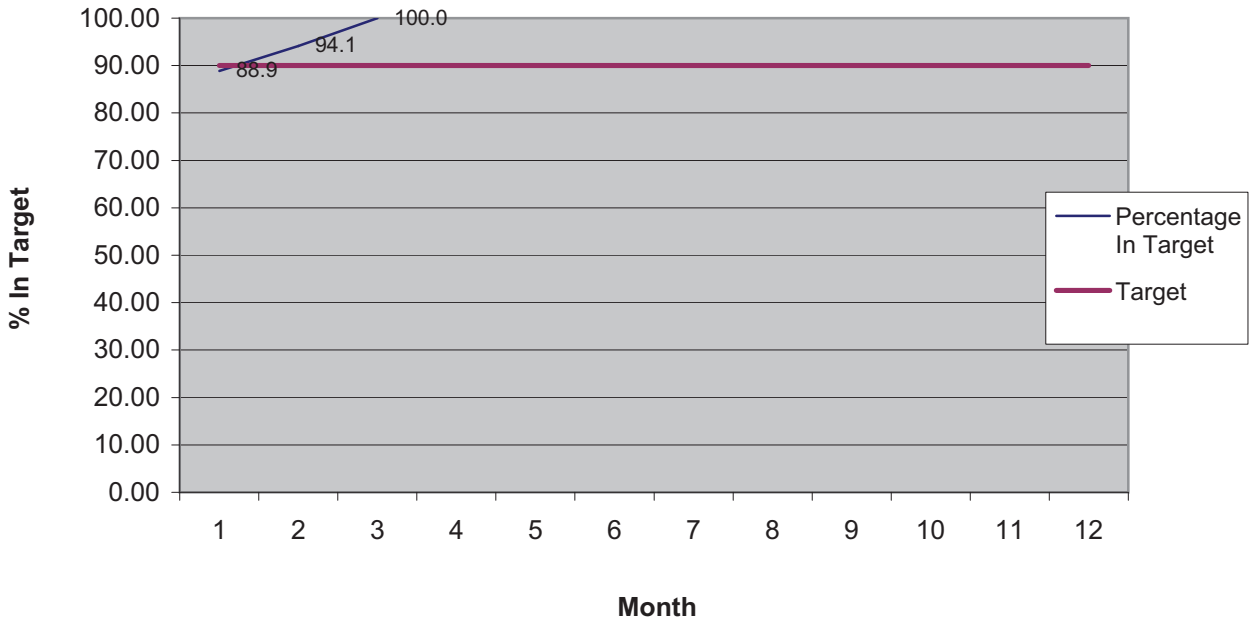
WDC Complaints in target 2011



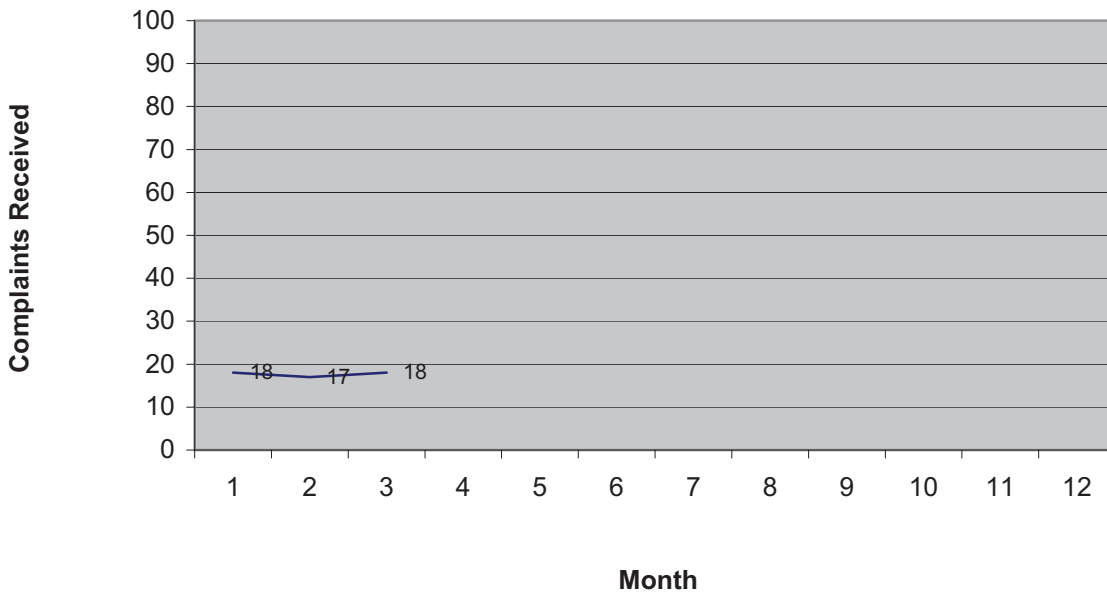
WDC Complaints Received 2011



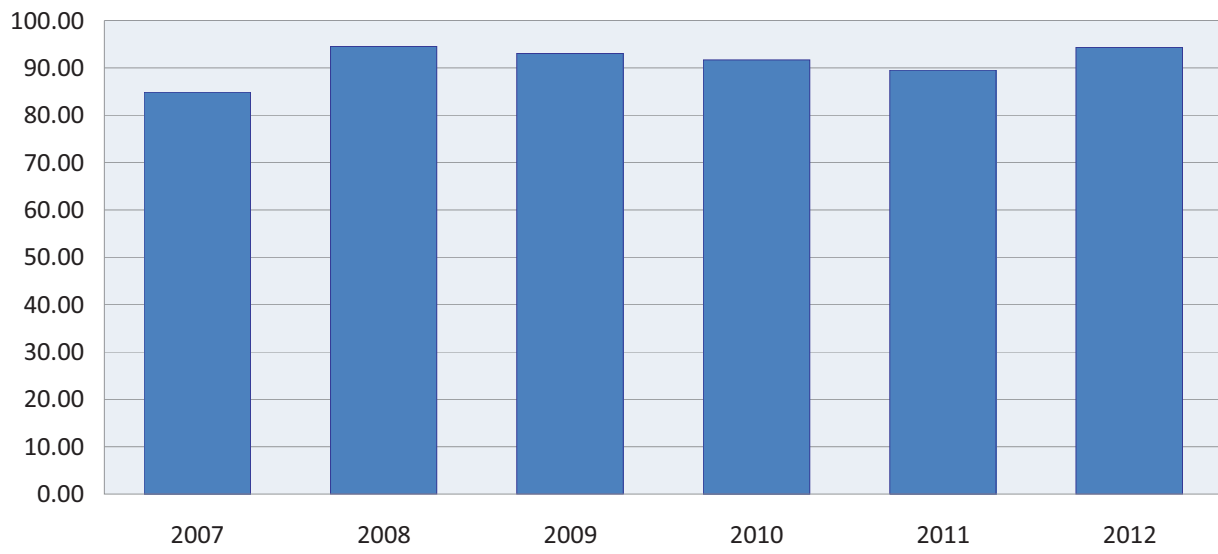
WDC Complaints in target 2012



WDC Complaints Received 2012



WDC Complaints In Target 2007 - 2012



**Wycombe District Council
Complaints/Compliments - Year on Year
Comparison**

| | Quarter 1 | | Quarter 2 | | Quarter 3 | | Quarter 4 | | Year to date | % variance against target | ▲ ● ★ | |
|------------------------------------|---------------|-------------------|---------------|-------------------|---------------|-------------------|---------------|-----------------|--------------|---------------------------|-------|--------|
| | Target for Q1 | Outturn Apr - Jun | Target for Q2 | Outturn Jul - Sep | Target for Q3 | Outturn Oct - Dec | Target for Q4 | Outturn Jan-Mar | | | | |
| Compliments and Compliments | | | | | | | | | | | | |
| 2010-11 Year | n/a | 97 | n/a | 74 | n/a | 87 | n/a | n/a | 88 | 346 | n/a | n/a |
| 2011-12 Year | n/a | 79 | n/a | 94 | n/a | 60 | n/a | n/a | 55 | 233 | | |
| 2010-11 Year | n/a | 65 | n/a | 54 | n/a | 69 | n/a | n/a | 64 | 252 | n/a | n/a |
| 2011-12 Year | n/a | 79 | n/a | 67 | n/a | 53 | n/a | n/a | 53 | 199 | | |
| 2010-11 Year | 90% | 93.85% | 90% | 90.74% | 90% | 88.41% | 90% | 90% | 93.75% | 91.62% | ● | 1.62% |
| 2010-11 Year | | 61 | | 49 | | 61 | | | 60 | 231 | | |
| 2010-11 Year | | 65 | | 54 | | 69 | | | 64 | 252 | | |
| 2011-12 Year | 90% | 87.34% | 90% | 86.57% | 90% | 92.45% | 90% | 90% | 92.45% | 89.29% | ● | -0.71% |
| 2011-12 Year | | 69 | | 58 | | 49 | | | 49 | 225 | | |
| 2011-12 Year | | 79 | | 67 | | 53 | | | 53 | 252 | | |

**Wycombe District Council
Complaints/Compliments - Year on Year
Comparison**

| | Quarter 1 | Outturn Apr - Jun | | Quarter 2 | Outturn Jul - Sep | | Quarter 3 | Outturn Oct - Dec | | Quarter 4 | Outturn Jan-Mar | Year to date | % variance against target | |
|--------------|---------------------|----------------------|--|---------------------|----------------------|--|---------------------|----------------------|--|---------------------|--------------------|--------------|------------------------------------|--|
| | Target for Q1 | | | Target for Q2 | | | Target for Q3 | | | Target for Q4 | | | | |
| 2010-11 Year | 90% | 96.77% | | 90% | 86.21% | | 90% | 91.67% | | 90% | 100.00% | 94.12% | 4.12% | |
| 2010-11 Year | | 30 | | | 25 | | | 22 | | | 35 | 112 | | |
| 2010-11 Year | | 31 | | | 29 | | | 24 | | | 35 | 119 | | |
| 2011-12 Year | 90% | 96.43% | | 90% | 100.00% | | 90% | 88.89% | | 90% | 88.89% | 95.83% | 5.83% | |
| 2011-12 Year | | 27 | | | 17 | | | 24 | | | 24 | 92 | | |
| 2011-12 Year | | 28 | | | 17 | | | 27 | | | 27 | 96 | | |
| 2010-11 Year | 90% | 90.32% | | 90% | 75.86% | | 90% | 79.17% | | 90% | 88.57% | 84.03% | -5.97% | |
| 2010-11 Year | | 28 | | | 22 | | | 19 | | | 31 | 100 | | |
| 2010-11 Year | | 31 | | | 29 | | | 24 | | | 35 | 119 | | |
| 2011-12 Year | 90% | 96.43% | | 90% | 82.35% | | 90% | 77.78% | | 90% | 88.89% | 89.58% | -0.42% | |
| 2011-12 Year | | 27 | | | 14 | | | 21 | | | 24 | 86 | | |
| 2011-12 Year | | 28 | | | 17 | | | 27 | | | 27 | 96 | | |

**Wycombe District Council
Complaints/Compliments - Year on Year
Comparison**

| | Quarter 1 | Outturn Apr - Jun | Quarter 2 | Outturn Jul - Sep | Quarter 3 | Outturn Oct - Dec | Quarter 4 | Outturn Jan-Mar | Year to date | % variance against target | |
|---------------------|---------------------|----------------------|---------------------|----------------------|---------------------|----------------------|---------------------|--------------------|--------------|------------------------------------|--|
| | Target for Q1 | | Target for Q2 | | Target for Q3 | | Target for Q4 | | | | |
| 2010-11 Year | 90% | 96.77% | 90% | 75.86% | 90% | 83.33% | 90% | 94.29% | 88.24% | -1.76% | |
| 2010-11 Year | | 30 | | 22 | | 20 | | 33 | 105 | | |
| 2010-11 Year | | 31 | | 29 | | 24 | | 35 | 119 | | |
| 2011-12 Year | 90% | 96.43% | 90% | 95.56% | 90% | 81.48% | 90% | 88.89% | 91.34% | 1.34% | |
| 2010-12 Year | | 27 | | 43 | | 22 | | 24 | 116 | | |
| 2011-12 Year | | 28 | | 45 | | 27 | | 27 | 127 | | |

Symbols Used:



Exceeds target by more than 5%



Within +/- 5% of target



More than 5% below target

Agenda Item 6

SUPPLEMENTARY ITEMS (IF ANY)

Agenda Item 7

URGENT ITEMS (IF ANY)

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