

Standards Committee

Date: Thursday, 20th September, 2018

Time: 6.15 pm

Venue: Council Chamber - Guildhall, Bath

To: All Members of the Standards Committee

Independent Members: Susan Toland (Chair), Deborah Russell and Dr Cyril Davies

Parish/Town Councillors: Tony Crouch and Veronica Packham

Bath and North East Somerset Councillors: Councillor Sally Davis, Councillor Sarah Bevan, Councillor Nigel Roberts, Councillor Geoff Ward and Councillor Brian Simmons

Chief Executive and other appropriate officers

Press and Public



Enfys Hughes

Democratic Services

Lewis House, Manvers Street, Bath, BA1 1JG

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Web-site - <http://www.bathnes.gov.uk>

E-mail: Democratic_Services@bathnes.gov.uk

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator.

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4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

Standards Committee - Thursday, 20th September, 2018

at 6.15 pm in the Council Chamber - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out on the Agenda.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTION

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* an **other interest**,
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

The Chair will announce any items of urgent business accepted since the agenda was prepared under the Access to Information provisions.

6. ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS (COMPLAINTS MUST GO THROUGH THE STANDARDS COMPLAINTS PROCEDURE)

7. ITEMS FROM COUNCILLORS AND CO-OPTED AND ADDED MEMBERS RELATING TO THE GENERAL BUSINESS OF THE COMMITTEE

8. MINUTES OF THE MEETING OF 19TH JULY 2018 (Pages 5 - 6)
9. ANNUAL REPORT ON COMMISSION FOR LOCAL ADMINISTRATION IN ENGLAND (LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN) COMPLAINTS (Pages 7 - 22)
10. REPORT ON THE ASSESSMENT OF COMPLAINTS (Pages 23 - 26)
11. WORKPLAN FOR THE STANDARDS COMMITTEE (Pages 27 - 28)

The Committee Administrator for this meeting is Enfys Hughes who can be contacted on 01225 394410.

BATH AND NORTH EAST SOMERSET

STANDARDS COMMITTEE

MINUTES OF THE MEETING OF THURSDAY, 19TH JULY, 2018

PRESENT:-

Independent Members: Susan Toland (Chair), Deborah Russell and Dr Cyril Davies

Parish Representatives: Tony Crouch and Veronica Packham

Bath and North East Somerset Councillors: Sally Davis, Sarah Bevan, Geoff Ward and Brian Simmons

Officers: Maria Lucas (Monitoring Officer); Jo Morrison (Democratic Services Manager)

Independent Person: Tony Drew

1 WELCOME AND INTRODUCTIONS

The Chair welcomed Parish Councillor David Elliott to the meeting.

2 EMERGENCY EVACUATION PROCEDURE

The Chair invited the Clerk to announce the emergency evacuation procedure.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTION

No apologies had been submitted.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

6 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS (COMPLAINTS MUST GO THROUGH THE STANDARDS COMPLAINTS PROCEDURE)

There were no items from the public.

7 ITEMS FROM COUNCILLORS AND CO-OPTED AND ADDED MEMBERS RELATING TO THE GENERAL BUSINESS OF THE COMMITTEE

There were no items from Councillors.

8 MINUTES OF THE MEETING OF 8TH MARCH 2018

The minutes of 8th March 2018 were approved as a correct record and signed by the Chair.

9 EXCLUSION OF THE PUBLIC

The Committee **RESOLVED** that having been satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business and the reporting of the meeting be prevented under Section 100A(5A) because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

10 LOCAL HEARING ON INVESTIGATION INTO COMPLAINT 1.18A AND B HINTON BLEWETT PARISH COUNCIL

Following careful consideration of all the facts in the Investigating Officer's report, and the representations from parties made at the meeting, the Committee

RESOLVED as set out below.

They concluded that Parish Councillor Elliott did have a personal interest, in view of the nature of the application, which was not disclosed. His failure to declare this interest did constitute a breach of the Code of Conduct. They made the following recommendations;

1. That Parish Councillor Elliott apologise for his breach of the Code to the next full meeting of the Parish Council;
2. That the Parish Council as a whole are strongly recommended to undertake training on the Code of Conduct, especially on disclosures of interest, by the end of 2018; and
3. That the Parish Council review its Standing Orders and Code of Conduct to ensure they are clear and consistent.

The Committee suggested that the Parish Council approach ALCA for help with the training.

The meeting ended at 7.10 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Standards Committee	
MEETING/ DECISION DATE:	20 September 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Annual Report on Commission for Local Administration in England (Local Government & Social Care Ombudsman) complaints	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 Annual letter from the Ombudsman		
Appendix 2 Anonymised determinations made by the Ombudsman 2017 – 2018		

1 THE ISSUE

- 1.1 To report the Ombudsman's Annual Review and determinations for 2017 – 2018 and provide an opportunity for the Standards Committee to comment on these.

2 RECOMMENDATION

The Committee is asked to note the Annual Review and note the determinations made by the Ombudsman and determine what, if any, further action is required.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 None.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The duty under s.5(2) Local Government & Housing Act 1989 requiring the Monitoring Officer to prepare a formal report to Council where the Ombudsman has found maladministration, can be discharged by an annual periodic report to the Council. The Council has delegated the consideration of any report of the Local Government Ombudsman to the Standards Committee.

5 THE REPORT

- 5.1 This report covers the period ending 31 March 2018. During this period 46 decisions were made by the Ombudsman. Of the 11 detailed investigations undertaken by the Ombudsman, 2 were not upheld and 9 were upheld. Appendix 2 to the report details the 9 upheld cases in anonymised form and any recommendations made by the Ombudsman.

	Year 16-17	Year 17-18
Upheld	9 (16%)	9 (20%)
Referred back	17 (30%)	17 (37%)
Closed without further action	13 (23%)	15 (33%)
Not Upheld	14 (24%)	2 (4%)
Incomplete	4 (7%)	2 (4%)
Advice given	0 (0%)	1 (2%)
Total	57 (100%)	46 (100%)

6 RATIONALE

- 6.1 To allow consideration of the complaints and recommend any actions required.

7 OTHER OPTIONS CONSIDERED

- 7.1 None

8 CONSULTATION

- 8.1 S.151 Officer and Strategic Management Team

9 RISK MANAGEMENT

- 9.1 A risk assessment has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	Maria Lucas tel 01225 395171
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

Local Government & Social Care OMBUDSMAN

18 July 2018

By email

Ashley Ayre
Chief Executive
Bath and North East Somerset Council

Dear Ashley Ayre,

Annual Review letter 2018

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

Complaint statistics

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

Future development of annual review letters

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new corporate strategy for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will therefore be seeking views from councils on the future format of our annual letters early next year.

Supporting local scrutiny

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at www.lgo.org.uk/scrutiny I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

Learning from complaints to improve services

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the reports and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

Complaint handling training

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Local Authority Report: Bath and North East Somerset Council
For the Period Ending: 31/03/2018

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
7	9	0	6	7	5	4	6	1	45

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Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
2	1	17	15	2	9	82%	46

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
8	1

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Reference	Authority	Category	Decided	Decision
16001307	Bath and North East Somerset Cc	Housing	19/09/2017	Upheld
16011670	Bath and North East Somerset Cc	Highways & Transport	22/06/2017	Not Upheld
16015004	Bath and North East Somerset Cc	Planning & Development	15/01/2018	Not Upheld
16015966	Bath and North East Somerset Cc	Environmental Services & Public Protection & Reg	14/08/2017	Upheld
16017960	Bath and North East Somerset Cc	Adult Care Services	16/01/2018	Upheld
16018491	Bath and North East Somerset Cc	Education & Childrens Services	18/04/2017	Closed after initial enquiries
16019162	Bath and North East Somerset Cc	Adult Care Services	08/08/2017	Upheld
16019521	Bath and North East Somerset Cc	Planning & Development	27/04/2017	Closed after initial enquiries
17000101	Bath and North East Somerset Cc	Planning & Development	04/04/2017	Referred back for local resolution
17000306	Bath and North East Somerset Cc	Adult Care Services	12/07/2017	Upheld
17000672	Bath and North East Somerset Cc	Environmental Services & Public Protection & Reg	13/04/2017	Referred back for local resolution
17000782	Bath and North East Somerset Cc	Highways & Transport	03/05/2017	Referred back for local resolution
17001281	Bath and North East Somerset Cc	Housing	24/05/2017	Closed after initial enquiries
17002970	Bath and North East Somerset Cc	Benefits & Tax	25/09/2017	Referred back for local resolution
17003150	Bath and North East Somerset Cc	Planning & Development	01/12/2017	Upheld
17003527	Bath and North East Somerset Cc	Planning & Development	05/06/2017	Referred back for local resolution
17003953	Bath and North East Somerset Cc	Planning & Development	12/06/2017	Referred back for local resolution
17004113	Bath and North East Somerset Cc	Adult Care Services	04/07/2017	Referred back for local resolution
17004847	Bath and North East Somerset Cc	Education & Childrens Services	20/12/2017	Upheld
17005123	Bath and North East Somerset Cc	Education & Childrens Services	08/08/2017	Closed after initial enquiries
17005460	Bath and North East Somerset Cc	Benefits & Tax	01/08/2017	Closed after initial enquiries
17006163	Bath and North East Somerset Cc	Highways & Transport	22/08/2017	Closed after initial enquiries
17006449	Bath and North East Somerset Cc	Education & Childrens Services	08/03/2018	Upheld
17007295	Bath and North East Somerset Cc	Highways & Transport	14/12/2017	Closed after initial enquiries
17007620	Bath and North East Somerset Cc	Benefits & Tax	11/09/2017	Closed after initial enquiries
17007665	Bath and North East Somerset Cc	Benefits & Tax	09/08/2017	Referred back for local resolution
17008047	Bath and North East Somerset Cc	Environmental Services & Public Protection & Reg	16/08/2017	Referred back for local resolution
17008647	Bath and North East Somerset Cc	Housing	07/12/2017	Referred back for local resolution
17008868	Bath and North East Somerset Cc	Education & Childrens Services	25/01/2018	Upheld
17009481	Bath and North East Somerset Cc	Environmental Services & Public Protection & Reg	13/11/2017	Closed after initial enquiries
17009733	Bath and North East Somerset Cc	Benefits & Tax	20/09/2017	Referred back for local resolution
17010154	Bath and North East Somerset Cc	Environmental Services & Public Protection & Reg	18/10/2017	Closed after initial enquiries

17011496	Bath and North East Somerset Cc	Education & Childrens Services	15/11/2017	Closed after initial enquiries
17011913	Bath and North East Somerset Cc	Benefits & Tax	20/10/2017	Referred back for local resolution
17013064	Bath and North East Somerset Cc	Education & Childrens Services	13/11/2017	Referred back for local resolution
17014212	Bath and North East Somerset Cc	Planning & Development	12/01/2018	Closed after initial enquiries
17014310	Bath and North East Somerset Cc	Adult Care Services	04/12/2017	Incomplete/Invalid
17015065	Bath and North East Somerset Cc	Environmental Services & Public Protection & Reg	01/03/2018	Referred back for local resolution
17015910	Bath and North East Somerset Cc	Housing	14/03/2018	Closed after initial enquiries
17016488	Bath and North East Somerset Cc	Benefits & Tax	20/02/2018	Referred back for local resolution
17018284	Bath and North East Somerset Cc	Other	21/02/2018	Advice given
17018303	Bath and North East Somerset Cc	Highways & Transport	28/03/2018	Closed after initial enquiries
17018650	Bath and North East Somerset Cc	Planning & Development	28/03/2018	Closed after initial enquiries
17018846	Bath and North East Somerset Cc	Environmental Services & Public Protection & Reg	09/03/2018	Referred back for local resolution
17019086	Bath and North East Somerset Cc	Adult Care Services	07/03/2018	Incomplete/Invalid
17019388	Bath and North East Somerset Cc	Highways & Transport	13/03/2018	Referred back for local resolution

Remedy
Apology,Financial Redress,Other Remedy
Null
Null
Apology,Improved BinJ remedy
Null
Null
Apology,Write off debt,Other Remedy
Null
Null
Apology,Reimbursement/unquantified payment,Other Remedy
Null
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Null
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Apology,Financial Redress: Quantifiable Loss,Financial redress: Avoidable distress/time and trouble
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Apology,Other Remedy,Provide information/advice
Null
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Apology,Financial redress: Loss of service,Financial Redress: Quantifiable Loss,Financial redress: Avoidable distress/time and trouble
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Null
Apology,Procedure or policy change/review
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Summary of LGO complaints with findings of maladministration and injustice - Cases closed 2017/18

LGO case ref. and Complainant Name	B&NES Service	Subject	LGO recommended remedy	B&NES actions
17 000 306 Mr X	Adult Social Care	Safeguarding investigation	<ol style="list-style-type: none"> 1. Apologise 2. Take responsibility for the full cost of stay for the full duration at the current placement, minus any client contribution; 3. Arrange a re-assessment of needs, including a risk assessment about the possibility of moving to a suitable available placement. If the assessment decides the client cannot be moved then the Council will have to fund the current placement in full minus any client contribution for the full duration of the stay. If the client can be moved, the Council must fund the current placement until the move takes place, minus any client contribution. If the client can be moved but family prefers she stay where she is then the family will have to agree to fund the top-up. The Council must be satisfied the family are willing and able to do so for the full duration of the stay. 4. Refund all top-ups paid for the current placement; 5. If the Council does not already have one, produce an information leaflet for residents and their families. This should cover the process of choosing care placements, usual cost rates, and out of borough care placements. 	Case closed July 2017 and no subsequent follow ups by LGO
16 019 162 Mrs W on behalf of Mr and Mrs V	Adult Social Care	Care Home Fees	<ol style="list-style-type: none"> 1. Apologise for failing to appropriately explain residential care fees with them or handle their complaint correctly. 2. Write off the outstanding £834.86 invoice. 3. Issue a guidance note to social workers about the importance of explaining care fees to service users before decisions are made and keeping accurate case notes to evidence this. 	Letter from Senior Commissioning Manager. Case closed Oct 2017.

LGO case ref. and Complainant Name	B&NES Service	Subject	LGO recommended remedy	B&NES actions
16 015 966 Mr X	Environmental Public Protection	Trading Standards - Trusted Trader Scheme	<ol style="list-style-type: none"> 1. A formal written apology. 2. I commend the action the Council has already taken to improve the mediation service it offers under the BWC scheme. The Council has also confirmed that in 2016 it reviewed the administration of the BWC scheme and appointed a new officer with responsibility for delivery of the scheme, leading to procedural improvements. The Council has undertaken to ensure all self-assessment review forms will be signed off by the officer. I therefore made no further recommendation in respect of the fault in record keeping identified by my investigation. 	Apology declined by complainant as he did not accept the outcome of LGO's investigation. LGO informed Aug 2017
16 001 307 Ms A & Mr B	Property & Project Delivery	House repairs after CDSM scheme works	<ol style="list-style-type: none"> 1. Apologise; 2. Pay £250 in recognition of the time and inconvenience in trying to obtain documents; 3. Within two months, the Council provides or through its insurers and their contractors provides a copy of the paperwork promised in March 2017; or 4. If its insurers fail to provide the paperwork to consider making a complaint to the Financial Services Ombudsman or help present a complaint to the Financial Services Ombudsman sharing with that Ombudsman any information the Council may have to assist in the investigation of the complaint against the insurers. 	Follow-up work and letters to the complainant. All actions completed and LGO informed July 2018.

LGO case ref. and Complainant Name	B&NES Service	Subject	LGO recommended remedy	B&NES actions
17 003 150 Mrs X	Development Management	Planning Application	<ol style="list-style-type: none"> 1. apologise for its part in the fault and pay £150 to recognise its role in causing distress and upset to Mr and Mrs X; 2. pay £780 for Mrs X's legal fees for advice provided by her first solicitor; and 3. to waive fees for pre-application advice and processing a full planning application for Mrs X's proposal. 	Follow-up work and letters to the complainant. LGO informed and case closed April 2018
17 004 847 Miss W	Adult Social Care	Adoption	<ol style="list-style-type: none"> 1. apologise for failing to include in a letter to her family information referred to by the stage three panel; 2. end a revised letter to the complainant's mother and brother to include the necessary information; and 3. remind those considering complaints at stage three to record, when they recommend a review of a policy, what they expect that review to address. 	Letters from Adult Social Care. LGO informed and case closed June 2018
16 017 960 Mrs X	Adult Social Care	Child Access	Final decision: "I find fault with the Council's decision not to carry out a formal mental capacity assessment before Mr Y went to stay with his father unsupervised. The Council has already suitably remedied the distress that Mrs X suffered after she found out that her son had stayed with his father. I have not investigated the suitably or the quality of care provided at Care Home 2 because Mr Y has not provided us with his consent to that part of the complaint"	Council's own remedies were already considered sufficient. Case closed Jan 2018
17 008 868 Ms W	Children Social Care	Sharing personal confidential information	<ol style="list-style-type: none"> 1. Apologise for the avoidable distress caused; 2. Consider reflecting in its protocol on information sharing and advice to Directors considering Complaints Panel recommendations the lessons learned from this complaint. 	Follow-up work and letter to the complainant. LGO informed and case closed Mar 2018

LGO case ref. and Complainant Name	B&NES Service	Subject	LGO recommended remedy	B&NES actions
17 006 449 Mr & Mrs X	Education Inclusion Service	Education / EHCP	<ol style="list-style-type: none"> 1. apologise to Mr and Mrs X for failing to ensure there was a plan for providing alternative education for Y from April 2014 when the HERS tuition stopped, and the distress this caused; 2. pay Mr and Mrs X £1,500 to recognise the lack of education for Y during the three terms between April 2014 and April 2015, to be used for the benefit of Y's education; 3. reimburse the cost of the on-line provision for four terms from when it started in April 2015 until the end of the summer term 2016 before Y started at the Centre in September; 4. pay them £200 to recognise their time and trouble in pursuing the complaint. 5. The Council has explained that over the past two years it has put in place a range of strategies, including a fortnightly meeting between HERS, the Special Educational Needs and Disability service, the Children Missing Education Service and other agencies to oversee all cases where a pupil is vulnerable and not engaging with education. This is a welcome development, as is the commissioning of the on-line learning pilot. I recommended that within three months of the final decision on this complaint the Council should send the Ombudsman further details of these new procedures and an update on the on-line learning pilot. It has agreed to do so. 	Follow-up work and letter to the complainant. LGO informed and case closed July 2018

Bath & North East Somerset Council		
MEETING	Standards' Committee	
MEETING	20 th September 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Report on Assessment of Complaints	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Annex 1 – Report on assessment of complaints		

1 THE ISSUE

- 1.1 The Committee is asked to consider Annex 1 (Report on assessment of complaints) and discuss any issues arising.

2 RECOMMENDATION

- 2.1 That the Committee consider the report and make any recommendations required.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 None.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Council is required to have in place adequate arrangements to assess complaints and deal with any further actions required.

5 THE REPORT

- 5.1 An up-dated table providing information on the complaints received since the last report was sent to the Standards Committee in March 2018 is attached as Appendix 1 for the consideration of the Committee.

6 RATIONALE

6.1 To update the Standards' Committee on complaints received since March 2018.

7 OTHER OPTIONS CONSIDERED

7.1 None.

8 CONSULTATION

8.1 Not applicable.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Maria Lucas, Head of Legal & Democratic Services, Monitoring Officer & Council Solicitor (01225) 395171</i>
Background papers	<i>List here any background papers not included with this report, and where/how they are available for inspection.</i>
Please contact the report author if you need to access this report in an alternative format	

Standards Committee - Assessment of Complaints March 2017

Complaint Number	Date Received	Complainant	Subject	Relevant provision of Code	Assessment	Date / Decision	Decision	Current Position
04-15 Dunkerton PC	18.05.15	P Cllr	P Cllr	Bullying/Intimidation. Improperly conferring a disadvantage	Initial assessment by MO and IP - investigation	Standards Hearing 10.12.15	No breach	Complete
05a-15 Dunkerton PC	29.05.15	P Cllr	P Cllr	Bullying/Intimidation. Improperly conferring a disadvantage. Disrespectful behaviour.	Initial assessment by MO and IP - investigation	Standards Hearing 10.12.15	Breach	Complete
05b-15 Dunkerton PC	29.05.15	P Cllr	P Cllr	Bullying/Intimidation. Improperly conferring a disadvantage. Disrespectful behaviour.	Initial assessment by MO and IP - investigation	Standards Hearing 10.12.15	No breach	Complete
05c-15 Dunkerton PC	31.07.15	P Cllr	P Cllr	Bullying/Intimidation. Disclosure of confidential information. Potential criminal offence. Disrespectful behaviour.	Initial assessment by MO and IP - investigation	Standards Hearing 10.12.15	No breach	Complete
06-15 BANES	17.05.15	MoP	Cllr	Disrespectful behaviour.	Initial assessment by MO and IP	23.09.15	No breach	Complete
07-15 BANES	01.06.15	MoP	Cllr	Disrespectful behaviour.	Initial assessment by MO and IP	29.06.15	No breach	Complete
08-15 BANES	23.06.15	O	Cllr	Inappropriate behaviour.	Initial assessment by MO and IP	08.07.15	Breach - apology made	Complete
09-15 Chew Stoke PC	20.07.15	P Cllr / MoP	P Cllr	Non disclosure of DPI.	Not proportionate for police to allocate further resources due to the limited public interest. Independent investigation.	1.3.16	Breach/NFA	Complete
10-15 Paulton PC	18.08.15	P Cllr	P Cllr	Non disclosure of DPI	Referred to police. Not proportionate for police to allocate further resources due to the limited public interest.	Standards Hearing 31.03.16	Breach	Complete
11-15 BANES	28.08.15	MoP	Cllr	Non disclosure of interest	Initial assessment by MO and IP	29.09.15	No breach	Complete
12-15 BANES	18.10.15	MoP	Cllr	Inappropriate behaviour	Initial assessment by MO and IP	18.02.15	No breach	Complete
13-15 Shoscombe PC	05.11.15	P Cllrs	P Cllr	Bullying/Intimidation	Initial assessment that as cllr is no longer a councillor, no jurisdiction for complaint to be further investigated	20.12.15	No further investigation required	Complete
01-16 BANES	24.12.15	MoP	Cllr	Inappropriate behaviour	Initial assessment by MO and IP - cllr to send apology to Somerset Guardian	11.02.16	No breach	Complete
02-16 Hinton Blewett PC	04.01.16	MoP	P Cllr	Non disclosure of interest	Initial assessment by MO and IP	21.03.16	No further action	Complete
03-16 Paulton PC	25.01.16	P Cllrs	P Cllr	Inappropriate behaviour	Initial assessment by MO and IP	21.03.16	No further action	Complete
04-16 Paulton PC	25.01.16	P Cllrs	P Cllr	Inappropriate behaviour	Initial assessment by MO and IP	21.03.16	No further action	Complete
05-16 Paulton PC	19.01.16	P Cllr	P Cllr	Inappropriate behaviour	Initial assessment by MO and IP	21.03.16	No further action	Complete
06-16 Paulton PC	19.01.16	P Cllr	P Cllr	Inappropriate behaviour	Initial assessment by MO and IP	21.03.16	No further action	Complete
07-16 BANES	26.01.16	MoP	Cllr	Inappropriate behaviour	Initial assessment by MO and IP	25.03.16	No breach	Complete
08-16 BANES	26.01.16	MoP	Cllr	Inappropriate behaviour	Initial assessment by MO and IP	25.03.16	No breach	Complete
09-16 Paulton PC	02.02.16	P Cllr	P Cllr	Inappropriate behaviour	Initial assessment by MO and IP	21.03.16	No further action	Complete
10-16 BANES	25.02.16	MoP	Cllr	Non disclosure of interest	Initial assessment by MO and IP	25.03.16	No breach	Complete
11-16 a,b,c High Littleton PC/BANES	25.08.16	MoP	P Cllr	Non disclosure of interest	Initial assessment by MO and IP	17.10.16	No further action	Complete
12-16 a,b BANES	05.09.16	MoP	Cllr	Non disclosure of interest	Initial assessment by MO and IP	24.10.16	Breach/NFA	Complete
13-16 BANES	01.09.16	Cllr	Cllr	Non disclosure of interest	Initial assessment by MO and IP	24.10.16	Breach/NFA	Complete
14-16 BANES	26.08.16	MoP	Cllr	Inappropriate behaviour	Initial assessment by MO and IP	24.10.16	No further action	Complete
15-16 BANES	07.12.16	MoP	Cllr	Inappropriate behaviour	Initial assessment by MO and IP	7.2.17	No further action	Complete

KEY

P Cllr - Parish Councillor. MoP - Member of the Public. Cllr - BANES Councillor
O - Officer

Standards Committee - Assessment of Complaints March 2017

Complaint Number	Date Received	Complainant	Subject	Relevant provision of Code	Assessment	Date / Decision	Decision	Current Position
1.17 Chew Stoke PC	5.1.17	MoP	P Cllr	Bullying	Initial assessment by MO and IP	1.3.17	No further action	Complete
2.17 BANES	1.3.17	MoP	Cllr	Inappropriate behaviour	Initial assessment by MO and IP	2.5.17	Breach / NFA	Complete
3.17 BANES	12.04.17	MoP	Cllr	Disrepute	Initial assessment by MO and IP	16.06.17	No Breach	Complete
04-17 BANES	08.05.17	MoP	Cllr	Disrepute (breach of the Council's Code of Conduct on pre-election publicity)	Initial assessment by MO and IP	31.05.17	No further action	Complete
05-17 BANES	01.07.17	MoP	Cllr	Inappropriate behaviour - bullying	Initial assessment by MO and IP	30.11.17	No breach	Complete
06-17 BANES	01.07.17	MoP	Cllr	Inappropriate behaviour - bullying	Initial assessment by MO and IP	06.09.17	No breach	Complete
07-17 BANES	20.09.17	MoP	Cllr	Inappropriate behaviour - bullying	Initial assessment by MO and IP	30.11.17	No breach - further action	Complete
08-17 BANES	22.09.17	MoP	Cllr	Inappropriate behaviour/non-disclosure of interest	Initial assessment by MO and IP	30.11.17	No breach - further action	Complete
09-17 BANES	09.10.17	CX	Cllr	Non disclosure of interest	Initial assessment by MO and IP / Investigation	Standards Hearing 18.01.17	Breach	Complete
10-17 BANES	06.10.17	MoP	Cllr	Disrepute (Inappropriate behaviour - misuse of council resources)	Initial assessment by MO and IP	08.12.17	No breach	Complete
11-17 BANES	16.10.17	MoP	Cllr	Non disclosure of interest	Initial assessment by MO and IP	26.02.18	No breach	Complete
12-17 BANES	13.12.17	MoP	Cllrs	Non disclosure of interest	Initial assessment by MO and IP	26.02.18	No breach	Complete
13-17 SSPC	10.11.17	MoP	P Cllr	Disrepute (Inappropriate behaviour)	Initial assessment by MO and IP	23.04.18	No breach	Complete
01-18 HBPC a & b	07.02.18	MoP	P Cllr	Non disclosure of interest	Initial assessment by MO and IP / Investigation	Standards Hearing 19.07.18	Breach / NFA	Complete
02-18 HBPC	26.02.18	MoP	P Cllr	disrepute (Inappropriate behaviour)	Initial assessment by MO and IP	08.03.18	withdrawn	Withdrawn (closed)
03-18 BaNES	07.03.18	Cllr	Cllr	Bringing council into disrepute	Initial assessment by MO and IP	09.04.18	Breach / NFA	Complete
04-18 BPC a	06.04.18	MoP	P Cllr	disrepute (Inappropriate behaviour)	Initial assessment by MO and IP	25.06.18	Breach / NFA	Complete
04-18 BPC b	06.04.18	MoP	P Cllr	disrepute (Inappropriate behaviour)	Initial assessment by MO and IP	25.06.18	Breach / NFA	Complete
05-18 BPC	01.05.18	MoP	P Cllr	disrepute (Inappropriate behaviour)	Initial assessment by MO and IP	25.06.18	Breach / NFA	Complete
06-18 HBPC	02.06.18	P Cllr	P Cllr	disrepute (Inappropriate behaviour)	Initial assessment by MO and IP	23.07.18	Breach	Complete
07-18 BANES	08.06.18	MoP	Cllr	disrepute (Inappropriate behaviour)	Initial assessment by MO and IP	31.07.18	No breach/NFA	Complete
08-18 BANES	09.07.18	MoP	Cllr	disrepute (Inappropriate behaviour)	Initial assessment by MO and IP	02.08.18	No breach/NFA	Complete
09-18 BANES (various)	31.07.18	MoP	Cllrs	Non disclosure of interest	Initial assessment by MO and IP			Ongoing
10-18 BANES (various)	31.07.18	MoP	Cllrs	Non disclosure of interest	Initial assessment by MO and IP			Ongoing
11-18 BANES	24.08.18	MoP	Cllr	disrepute (Inappropriate behaviour)	Initial assessment by MO and IP			Ongoing

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STANDARDS COMMITTEE WORKPLAN 2018 – 2019

Date of meeting	Title	Report author/responsible officer
Thursday 17th May 2018 (substantive)		
CANCELLED	Annual report of the Standards Committee	Maria Lucas
Thursday 19th July 2018 (provisional)		
	Investigation into complaint	Maria Lucas
Thursday 20th September 2018 (substantive)		
	Annual review letter 2016/2017 Annual Report on Local Government Ombudsman complaints	Maria Lucas Maria Lucas
Thursday 22nd November 2018 (provisional)		

Thursday 24th January 2019 (substantive)		
Thursday 14th March 2019(provisional)	Previously 21st March but clash with Council	
Thursday 16th May 2019 (substantive)		
Thursday 18th July 2019 (provisional)		
Thursday 19th September 2019 (substantive)		
Thursday 21st November 2019 (provisional)		

Every meeting – Report on the assessment of complaints

Workplan