



Date: 23 May 2017  
Ask For: Emily Kennedy  
Direct Dial: (01843) 577046  
Email: emily.kennedy@thanet.gov.uk

## STANDARDS COMMITTEE

1 JUNE 2017

A meeting of the Standards Committee will be held at **7.00 pm on Thursday, 1 June 2017** in the Council Chamber, Cecil Street, Margate, Kent.

### Membership:

Dr Jonathan Sexton (Chairman); Mrs Janet Bacon (Vice Chairman)

Councillors: Braidwood, Buckley, Dexter, J Fairbrass, Johnston, Tomlinson and Jaye-Jones

Parish Councillors: Way (Monkton) and Wright (Birchington)

## A G E N D A

Item  
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES OF PREVIOUS MEETING** (Pages 3 - 4)  
To approve the Minutes of the meeting of Standards Committee held on 13 September 2016, copy attached.
4. **LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW** (Pages 5 - 16)
5. **STANDARDS COMPLAINT STATISTICS** (Pages 17 - 20)

**Declaration of Interest form - back of agenda**

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# Public Document Pack Agenda Item 3

## STANDARDS COMMITTEE

**Minutes of the meeting held on 13 September 2016 at 7.00 pm in Council Chamber, Cecil Street, Margate, Kent.**

**Present:** Dr Jonathan Sexton (Chairman), Mrs Janet Bacon (Independent Member of the Standards Committee)

Councillors: Braidwood, Buckley, J Fairbrass, Johnston, Tomlinson, Jaye-Jones and Taylor-Smith

Parish Councillors: Way (Monkton Parish Council) and Wright (Birchington Parish Council - Birchington South),

### **125. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Dexter for whom Councillor Taylor-Smith was present.

### **126. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **127. MINUTES OF PREVIOUS MEETING**

It was proposed by Councillor Johnston, seconded by Councillor Jaye-Jones and AGREED that the minutes of the meeting of 28 June 2016 were a correct record and be signed by the Chairman.

### **128. SEALING OF DOCUMENTS**

Tim Howes, Director of Corporate Governance and Monitoring Officer, outlined his report. Members were advised that the proposed change would increase efficiency and prevent delays for Legal Services. Members heard that the process involving Members was not used by other councils and is considered to be an archaic practice.

The Chairman invited Committee Members' questions.

It was noted that:

-Members felt that from their perspective it was not difficult to witness the sealing of documents and felt they had made themselves available.

-Members felt it was an erosion of their role and the sealing of documents was an opportunity for individuals to learn about matters they may not otherwise have known about.

-Members heard that whilst they have witnessed the sealing of documents, they have not vouched for the content or accuracy of any document.

Councillor Buckley proposed, Councillor Fairbrass seconded:

“That option 3.1 as outlined in the officer’s report be recommended to Full Council.”

Upon being put to the vote, the motion was declared LOST.

129. **STANDARDS COMPLAINT STATISTICS**

The Committee noted the Standards Complaint Statistics report.

Meeting concluded : 7.45pm

21 July 2016

*By email*

Madeline Homer  
Chief Executive  
Thanet District Council

Dear Madeline Homer,

### **Annual Review Letter 2016**

I write to you with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2016.

The enclosed tables present the number of complaints and enquiries received and the decisions we made about your authority during the period. I hope that this information will prove helpful in assessing your authority's performance in handling complaints.

Last year we provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year we are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

We provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us. In addition, we provide a compliance rate for implementing our recommendations to remedy a fault.

I want to emphasise that these statistics comprise 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, but who 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.

### **Effective accountability for devolved authorities**

Local government is going through perhaps some of the biggest changes since the LGO was set up more than 40 years ago. The creation of combined authorities and an increase in the number of elected mayors will hugely affect the way local services are held to account. We have already started working with the early combined authorities to help develop principles for effective and accessible complaints systems.

We have also reviewed how we structure our casework teams to provide insight across the emerging combined authority structures. Responding to council feedback, this included reconfirming the Assistant Ombudsman responsible for relationship management with each authority, which we recently communicated to Link Officers through distribution of our manual for working with the LGO.

## **Supporting local scrutiny**

Our corporate strategy is based upon the twin pillars of remedying injustice and improving local public services. The numbers in our annual report demonstrate that we continue to improve the quality of our service in achieving swift redress.

To measure our progress against the objective to improve local services, in March we issued a survey to all councils. I was encouraged to find that 98% of respondents believed that our investigations have had an impact on improving local public services. I am confident that the continued publication of our decisions (alongside an improved facility to browse for them on our website), focus reports on key themes and the data in these annual review letters is helping the sector to learn from its mistakes and support better services for citizens.

The survey also demonstrated a significant proportion of councils are sharing the information we provide with elected members and scrutiny committees. I welcome this approach, and want to take this opportunity to encourage others to do so.

## **Complaint handling training**

We recently refreshed our Effective Complaint Handling courses for local authorities and introduced a new course for independent care providers. We trained over 700 people last year and feedback shows a 96% increase in the number of participants who felt confident in dealing with complaints following the course. To find out more, visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).


## **Ombudsman reform**

You will no doubt be aware that the government has announced the intention to produce draft legislation for the creation of a single ombudsman for public services in England. This is something we support, as it will provide the public with a clearer route to redress in an increasingly complex environment of public service delivery.

We will continue to support government in the realisation of the public service ombudsman, and are advising on the importance of maintaining our 40 years plus experience of working with local government and our understanding its unique accountability structures.

This will also be the last time I write with your annual review. My seven-year term of office as Local Government Ombudsman comes to an end in January 2017. The LGO has gone through extensive change since I took up post in 2010, becoming a much leaner and more focused organisation, and I am confident that it is well prepared for the challenges ahead.

Yours sincerely



Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

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
0	7	3	0	9	0	12	10	0	41

## Decisions made

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	2	20	13	3	1	25%	41

### 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.

The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.

### Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement	Compliance Rate
1	0	100%

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	Reference	Authority	Category	Received
1	15000234	Thanet DC	Housing	07/04/15
2	15000552	Thanet DC	Environmental Services & Public Protection & Regulation	13/04/15
3	15001034	Thanet DC	Housing	20/04/15
4	15001323	Thanet DC	Housing	24/04/15
5	15001356	Thanet DC	Housing	27/04/15
6	15002017	Thanet DC	Corporate & Other Services	06/05/15
7	15002355	Thanet DC	Corporate & Other Services	12/05/15
8	15002372	Thanet DC	Housing	12/05/15
9	15004280	Thanet DC	Planning & Development	12/06/15
10	15004832	Thanet DC	Planning & Development	22/06/15
11	15005630	Thanet DC	Benefits & Tax	03/07/15
12	15005742	Thanet DC	Benefits & Tax	06/07/15
13	15005963	Thanet DC	Planning & Development	08/07/15
14	15006565	Thanet DC	Environmental Services & Public Protection & Regulation	17/07/15
15	14014633	Thanet DC	Environmental Services & Public Protection & Regulation	20/07/15
16	15006814	Thanet DC	Environmental Services & Public Protection & Regulation	22/07/15
17	15000981	Thanet DC	Planning & Development	24/07/15
18	15007122	Thanet DC	Environmental Services & Public Protection & Regulation	28/07/15
19	15000089	Thanet DC	Planning & Development	10/08/15
20	15008018	Thanet DC	Planning & Development	12/08/15
21	15008052	Thanet DC	Environmental Services & Public Protection & Regulation	12/08/15
22	15008213	Thanet DC	Housing	14/08/15
23	15008620	Thanet DC	Planning & Development	24/08/15
24	15009548	Thanet DC	Planning & Development	09/09/15
25	15009852	Thanet DC	Benefits & Tax	15/09/15
26	15010036	Thanet DC	Environmental Services & Public Protection & Regulation	18/09/15
27	15011330	Thanet DC	Benefits & Tax	12/10/15
28	15011742	Thanet DC	Housing	19/10/15
29	15012186	Thanet DC	Benefits & Tax	26/10/15
30	15012357	Thanet DC	Corporate & Other Services	28/10/15
31	15012814	Thanet DC	Environmental Services & Public Protection & Regulation	05/11/15
32	15012893	Thanet DC	Housing	09/11/15
33	15013192	Thanet DC	Benefits & Tax	12/11/15
34	15015593	Thanet DC	Housing	06/01/16

35	15017075	Thanet DC	Planning & Development	28/01/16
36	15019222	Thanet DC	Planning & Development	03/03/16
37	15019506	Thanet DC	Housing	09/03/16
38	15019758	Thanet DC	Housing	11/03/16
39	15019912	Thanet DC	Housing	14/03/16
40	15020003	Thanet DC	Benefits & Tax	16/03/16
41	15020390	Thanet DC	Environmental Services & Public Protection & Regulation	23/03/16

	Reference	Authority	Category	Decision Date
1	14019721	Thanet DC	Highways & Transport	07/04/15
2	15000552	Thanet DC	Environmental Services & Public Protection & Regulation	13/04/15
3	14019722	Thanet DC	Environmental Services & Public Protection & Regulation	14/04/15
4	14019723	Thanet DC	Corporate & Other Services	15/04/15
5	15001034	Thanet DC	Housing	20/04/15
6	14020570	Thanet DC	Planning & Development	24/04/15
7	15001356	Thanet DC	Housing	27/04/15
8	15002372	Thanet DC	Housing	12/05/15
9	15002017	Thanet DC	Corporate & Other Services	18/05/15
10	14014636	Thanet DC	Housing	21/05/15
11	15002355	Thanet DC	Corporate & Other Services	26/05/15
12	15005742	Thanet DC	Benefits & Tax	06/07/15
13	15004832	Thanet DC	Planning & Development	15/07/15
14	15005630	Thanet DC	Benefits & Tax	22/07/15
15	15006814	Thanet DC	Environmental Services & Public Protection & Regulation	22/07/15
16	15005963	Thanet DC	Planning & Development	29/07/15
17	15008052	Thanet DC	Environmental Services & Public Protection & Regulation	12/08/15
18	15008213	Thanet DC	Housing	14/08/15
19	15007122	Thanet DC	Environmental Services & Public Protection & Regulation	26/08/15
20	15000089	Thanet DC	Planning & Development	02/09/15
21	15000981	Thanet DC	Planning & Development	04/09/15
22	15009852	Thanet DC	Benefits & Tax	15/09/15
23	15006565	Thanet DC	Environmental Services & Public Protection & Regulation	17/09/15
24	15010036	Thanet DC	Environmental Services & Public Protection & Regulation	18/09/15
25	15004280	Thanet DC	Planning & Development	24/09/15
26	15009548	Thanet DC	Planning & Development	02/10/15
27	15008018	Thanet DC	Planning & Development	06/10/15
28	15011330	Thanet DC	Benefits & Tax	12/10/15
29	15001323	Thanet DC	Housing	16/10/15
30	15011742	Thanet DC	Housing	19/10/15
31	15012893	Thanet DC	Housing	09/11/15
32	15012186	Thanet DC	Benefits & Tax	10/11/15
33	15012357	Thanet DC	Corporate & Other Services	12/11/15
34	14014633	Thanet DC	Environmental Services & Public Protection & Regulation	27/01/16

35	15017075	Thanet DC	Planning & Development	28/01/16
36	15019506	Thanet DC	Housing	09/03/16
37	15012814	Thanet DC	Environmental Services & Public Protection & Regulation	11/03/16
38	15019758	Thanet DC	Housing	11/03/16
39	15019912	Thanet DC	Housing	14/03/16
40	15020003	Thanet DC	Benefits & Tax	16/03/16
41	15020390	Thanet DC	Environmental Services & Public Protection & Regulation	23/03/16

<b>Decision</b>
Referred back for local resolution
Referred back for local resolution
Referred back for local resolution
Referred back for local resolution
Advice given
Referred back for local resolution
Referred back for local resolution
Referred back for local resolution
Closed after initial enquiries
Not Upheld
Closed after initial enquiries
Incomplete/Invalid
Closed after initial enquiries
Closed after initial enquiries
Referred back for local resolution
Closed after initial enquiries
Referred back for local resolution
Referred back for local resolution
Closed after initial enquiries
Closed after initial enquiries
Closed after initial enquiries
Referred back for local resolution
Closed after initial enquiries
Referred back for local resolution
Not Upheld
Referred back for local resolution
Closed after initial enquiries
Referred back for local resolution
Upheld
Advice given
Referred back for local resolution
Closed after initial enquiries
Closed after initial enquiries
Not Upheld

Referred back for local resolution
Referred back for local resolution
Closed after initial enquiries
Referred back for local resolution
Referred back for local resolution
Incomplete/Invalid
Referred back for local resolution



NULL
NULL
NULL
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NULL



	COMPLAINT NO:	DATE	PROGRESS	COMPLAINANT	AGAINST	ALLEGATION
147	TDCSC147/16	18/07/2016	Informal Dispute Resolution. Letter from the Monitoring Officer issued.  Closed	Member of the Public	TDC Councillor	Allegations of rudeness in email correspondence.
148	TDCSC148/16	23/09/2016	Did not meet legal jurisdiction test.  Closed	Member of the Public	TDC and Parish Councillors	-
149	TDCSC149/16	25/08/2016	Withdrawn  Closed	TDC Councillor	TDC Councillor	Allegations of harassment.
150	TDCSC150/16	24/10/2016	No further action.  Closed	TDC Councillor	TDC Councillor	Allegations of bullying and unfair behaviour in council meetings
151	TDCSC151/16	28/10/2016	No further action  Closed	TDC Councillor	TDC Councillor	Allegations of inappropriate use of civic robes.
152	TDCSC152/16	28/10/2016	Did not meet legal jurisdiction test.	TDC Councillor	TDC Councillor	-

			Closed			
153	TDCSC153/16	28/10/2016	No further action  Closed	TDC Councillor	TDC Councillor	Allegations that inappropriate comments had been made to the press regarding a safeguarding matter.
154	TDCSC154/16	31/10/2016	No further action.  Closed	Member of the Public	TDC Councillor	Allegation that subject member had failed to declare an interest in a planning application.
155	TDCSC155/16	03/11/2016	Informal Dispute Resolution. Letter from the Monitoring Officer issued.  Closed	Member of the Public	TDC Councillor	Allegations of harassment and unannounced visit to member of the public's home.
156	TDCSC156/16	08/12/2016	Informal Dispute Resolution Letter from the Monitoring Officer issued.  Closed	TDC Councillor	TDC Councillor	Allegations concerning prejudiced and political views and renegeing on duty to assist resident.
157	TDCSC157/16	21/12/2016	Did not meet legal jurisdiction test.	Member of the Public	TDC Councillor	-

			Closed			
	<b>2017</b>					
158	TDCSC158/17	20/01/17	Did not meet legal jurisdiction test.  Closed.	TDC Councillor	TDC Councillors	-
159	TDCSC159/17	27/01/17	Did not meet legal jurisdiction test.  Closed.	Member of the public	TDC Councillor	-
160	TDCSC160/17	06/02/17	Investigation on hold.  Open.	Member of the public	Parish Councillor	Allegations of bullying and attempts to unduly influence the outcome of an election.
161	TDCSC161/17	22/02/17	Informal complaint resolution instigated.  Closed.	Member of the public	Parish Councillor	Allegations of bullying behaviour and inappropriate use of language.
162	TDCSC162/17	27/02/17	No further action.  Closed.	Member(s) of the public and TDC Councillor	TDC Councillor	Allegations of misuse of charity money.

163	TDCSC163/17	28/02/17	Did not meet legal jurisdiction test.  Closed.	Member of the public	TDC Councillor	-
164	TDCSC164/17	09/03/17	No further action.  Closed.	Member of the public	TDC Councillor	Allegations of inappropriate sharing of information.
165	TDCSC165/17	13/04/17	Currently on hold.  Open.	Member of the public.	TDC Councillor	-
166	TDCSC166/17	10/05/17	Did not meet legal jurisdiction test.  Closed.	Parish Councillor	Parish Councillor	-
167	TDCSC167/17	15/05/17	Open.	TDC Councillors	TDC Councillor	Allegations of bullying and harassment.

## THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

### Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

### Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
  - exercises functions of a public nature; or
  - is directed to charitable purposes; or
  - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

### **Gifts, Benefits and Hospitality**

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

### **What if I am unsure?**

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

## **DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY**

MEETING.....

DATE..... AGENDA ITEM .....

DISCLOSABLE PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....  
.....  
.....

NAME (PRINT): .....

SIGNATURE: .....

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.