

Audit and Standards Committee

Thursday 18 February 2021 at 5.00 pm

To be held as an online video conference. To access the meeting, click on the 'View the Webcast' link below

The Press and Public are Welcome to Attend

Membership

Councillors Sioned-Mair Richards (Chair), Simon Clement-Jones (Deputy Chair), Angela Argenzio, Adam Hurst, Mohammed Mahroof, Josie Paszek and Dianne Hurst

Independent Co-opted Members

Alison Howard.

PUBLIC ACCESS TO THE MEETING

The Audit and Standards Committee oversees and assesses the Council's risk management, control and corporate governance arrangements and advises the Council on the adequacy and effectiveness of these arrangements. The Committee has delegated powers to approve the Council's Statement of Accounts and consider the Annual Letter from the External Auditor.

The Committee is also responsible for promoting high standards of conduct by Councillors and co-opted members.

A copy of the agenda and reports is available on the Council's website at <http://democracy.sheffield.gov.uk>. You may not be allowed to see some reports because they contain confidential information.

Recording is allowed at meetings of the Committee under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

If you require any further information please contact Abby Brownsword in Democratic Services on 0114 273 5033 or email abby.brownsword@sheffield.gov.uk.

FACILITIES

N/A

**AUDIT AND STANDARDS COMMITTEE AGENDA
18 FEBRUARY 2021**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of the Press and Public**
To identify items where resolutions may be moved to exclude the press and public.
- 4. Declarations of Interest** (Pages 5 - 8)
Members to declare any interests they have in the business to be considered at the meeting.
- 5. Minutes of Previous Meeting** (Pages 9 - 14)
To approve the minutes of the meeting of the Committee held on 21st January 2021.
- 6. Model Code of Conduct and Code of Conduct Training for Members** (Pages 15 - 44)
Report of the Monitoring Officer
- 7. Introduction of Kate Josephs, Chief Executive**
- 8. Annual Ombudsman Complaints Report 2019/20** (Pages 45 - 68)
Report of the Director of HR and Customer Services and the Director of Legal and Governance.
- 9. Update on the Annual Audit Progress**
Verbal Update from Ernst and Young (External Auditors).
- 10. Challenges Facing External Audit Nationally** (Pages 69 - 72)
Report of the Head of Strategic Finance.
- 11. Work Programme** (Pages 73 - 78)
Report of the Director of Legal and Governance.
- 12. Dates of Future Meetings**
To note that meetings of the Committee will be held at 5.00 p.m. on:-

Thursday 18th March 2021
Thursday 15th April 2021
Thursday 10th June 2021
Thursday 29th July 2021

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI 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.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - 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 you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, 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. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation 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
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Audit and Standards Committee

Meeting held 21 January 2021

PRESENT: Councillors Sioned-Mair Richards (Chair), Simon Clement-Jones (Deputy Chair), Angela Argenzio, Adam Hurst, Mohammed Mahroof, Dianne Hurst and Alison Howard (Independent Co-Opted Member)

Also in attendance were Jo Cairns and David Waxman, the Councils Independent Persons.

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Josie Paszek.

2. EXCLUSION OF THE PRESS AND PUBLIC

2.1 The Chair (Councillor Sioned-Mair Richards) stated that the report and appendices at agenda item 10 (Strategic Risk Management) (See minute no. 11 below) were not available to the public and press because they contained exempt information described in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) relating to the financial or business affairs of any particular person. Accordingly, the public and press would be excluded from the meeting during consideration of that item of business.

3. DECLARATIONS OF INTEREST

3.1 No declarations of interest were made.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 26th November 2020 were approved as a correct record.

5. ICT INSOURCING FROM CAPITA

5.1 Mike Weston (Assistant Director – ICT Service Delivery) attended the meeting and presented the report.

5.2 Mike informed the Committee that Capita had moved Capita One Education, Integra and AIM Pay 360 to their final hosting locations, but had failed to move Academy Revenues and Benefits to the new Software as a Service Solution and given that the Council was now heading into annual billing, it had been agreed that this will now not move until May 2021 to ensure no adverse impact on the

annual Council Tax Billing process, which started in late December 2020.

- 5.3 The Council's ICT Service had moved all other applications except one from Capita to their new hosting application. The one remaining application – Housing Information at Work – was scheduled to move to Northgate in December 2020, but this was hampered by the availability of Northgate resources and was now scheduled to be completed by 1 February 2021, although the Council was pushing Northgate for an earlier date.
- 5.4 Insourcing ICT had been successful and the Council now had full control of its ICT infrastructure.
- 5.5 Councillor Angela Argenzio asked whether Capita staff had been transferred over to Sheffield City Council via Tupe and whether the insourcing had included archived information. Mike Weston informed Committee that staff had been insourced via Tupe on 4th January 2020 and full consultation had taken place beforehand. It had been difficult to build knowledge while officers were working from home during the pandemic, but a full skills analysis was being carried out. All information, including any archives had been transferred from Capita.
- 5.6 Councillor Adam Hurst thanked Mike for his report and asked what was being done to ensure that service desk helplines were open and available to Members to ensure they were put through to the right person to help them. Mike Weston responded that there was a lot of self help available and communications were going out to encourage people to use the self help where possible. Service Desk was under a lot of strain at the moment and was currently logging calls and then passing them on to the appropriate person to help. Service Desk capacity had been increased, but it was a difficult balance.
- 5.7 Councillor Simon Clement-Jones said that due to the pandemic, there had been a lot of reacting over the last 9 months. How much of it had been planned work and was the department confident in the roll out of IT that had taken place and how future proof was it. Mike Weston responded that prior to the pandemic, Members had agreed to invest in IT. The Tech 2020 project had been established and the pandemic had hastened the roll out. 7000 laptops had been issued and cloud solutions were in place, the Council was moving towards collaborative technology.
- 5.8 Councillor Mohammed Mahroof said a lot had been achieved in a short time and asked if there were any teething problems. Mike Weston noted that there had been teething problems and steps had been taken to rectify them. Remote access to systems had been changed and support was continuing to help people access systems. There were still some problems with remote access that were being investigated by Microsoft.
- 5.9 Councillor Dianne Hurst said that it was inevitable that there would be teething problems, but it seemed to be getting easier. She asked whether there had been any Health and Safety considerations. Members had been offered an equipment upgrade and had there been any analysis of staff and supplying the necessary equipment for keeping them safe. Staff were spending long hours using IT and Zoom. Eugene Walker (Executive Director – Resources) explained that officers

had been asked to carry out Health and Safety risk assessments of their home working area. Equipment such as chairs, keyboards and mice had been delivered to those staff members who required them. For those who struggled with home working, a bookable space had been made available in Moorfoot, but it was currently unavailable for the duration of the current lockdown.

- 5.10 Councillor Angela Argenzio said that she worried about staff having difficulties working from home and the effect it could have on those who struggled to cope. What support was available for staff?

The Chair explained that the Head of Member Services had informed her that all support available to staff was available to Members and would be forwarded to them.

- 5.11 The Chair asked how the transition to home working had gone. Dave Phillips (Head of Strategic Finance) explained that a huge amount of work had gone in to enabling staff to work from home. Technology had vastly improved since November. Gillian Duckworth (Director of Legal and Governance) explained that the difference between the first lockdown and lockdown 3 was incredible.

- 5.12 Councillor Adam Hurst said that the Council needed to be mindful that people's circumstances could change and working from home could become difficult. However, it was much easier to arrange meetings and increased working time.

- 5.13 Councillor Mohammed Mahroof felt that a key concern with staff working from home was security of equipment and information. Mike Weston confirmed that systems had been put in place and data was encrypted. The biggest risk to information security was people, but it was usually accidental. All breaches were reported to the Information Commissioners Office.

- 5.13 **RESOLVED:** That (1) the successful insourcing of the ICT service from Capita and the migration of the vast majority of Council ICT systems to their new locations be noted, and for a final update report to be provided to the Audit and Standards Committee by June 2021 by the Revenues and Benefits Migration Project Lead Officer.

(2) A note of concern from the Audit and Standards Committee be sent to HR to ensure that staff are given full support in both mental health and equipment.

6. UPDATE ON FRAUD PREVENTION ACTIVITIES IN A COVID-19 ENVIRONMENT.

- 6.1 Stephen Bower (Finance Manager) attended the meeting and presented the report.

- 6.2 The report was requested by the Audit and Standards Committee to provide an update on the position of audit work to deal with potentially fraudulent activity during the current Covid-19 crisis.

- 6.3 The audit plan for 2020/21 has been under constant review. As the risks have changed within individual audit reviews, so have the risks that the Council has

examined. Following discussions with management some audits have been added to the plan to replace reviews which due to changes in activity could not take place this year. These new reviews have mainly focused upon areas which were affected by Covid-19. The reviews added included Absence recording, Decision Making, Costs of Covid-19, Use of Credit Cards/Payment Cards, Rough Sleepers, Infection Control, Payments to Providers, Free Early Learning, PPE and Staff Expenses for Covid-19.

- 6.4 It was explained that Payment Cards were used by departments such as Children's Homes, Repairs and Maintenance and Senior Officers for emergencies. The cards were locked down and not able to be used for cash and were well monitored and controlled.
- 6.5 During the first lockdown, the Small Business Grant Fund (SBGF) and the Retail, Hospitality, and Leisure Grant Fund (RHLGF) formed part of the financial support package provided by Central Government which were administered by the Council. The scheme asked that the Council prioritise speed over in-depth checks and the Commercial and Business Development team established and administered the schemes which saw over 9,000 applications accepted and over £98m paid out to eligible businesses. Shortly after the start of the schemes BEIS asked for a digital reporting tool be completed each month and Internal Audit undertook this role. In completing this Internal Audit have examined 174 applications valuing £2m. No evidence of systematic or organised crime fraud had been detected. 0.5% of claims were found to have been paid in error and work was underway to recover these monies. At the end of December, just over £300,000 remained outstanding.
- 6.6 The Fraud Team was very small and provided help and support to officers. The Fraud e-learning was now complete had been forwarded to HR for inclusion on the Development Hub. HR had now received the equipment necessary to convert the programme.
- 6.7 Councillor Simon Clement-Jones thanked officers for the report and asked who scrutinised business continuity. Gillian Duckworth undertook to find out.
- 6.8 The Chair thanked officers and noted it was good to know all checks and balances were being carried out.
- 6.9 **RESOLVED:** That the report be noted.

7. ANNUAL STANDARDS REPORT

- 7.1 Gillian Duckworth (Director of Legal and Governance and Monitoring Officer) presented the report.
- 7.2 The report gave information on the volume of complaints made against councillors during 2019 and 2020. It also set out the role of the Monitoring Officer and the Independent Persons and it was noted that the LGA had now published its Model Code of Conduct and this would be compared against the newly approved Code

of Conduct and brought back to the next committee.

- 7.3 Councillor Angela Argenzio noted that it was good to see the comparison in the number of complaints received against councillors and asked if it was possible to get a breakdown of internal/external complaints and a breakdown by party. Gillian informed the Committee that the information provided was the same as in previous years, but further analysis could be provided in future years providing that the numbers were not so small the identity of the subject would be revealed. Only one complaint had been made by another Councillor. The Monitoring Officer tried to resolve councillor complaints against other councillors. The majority of complaints against councillors were made by members of the public. Of the complaints received this year, 17 were against Sheffield City Councillors and 21 were against Parish Councillors. There were multiple complaints about the same issue.
- 7.4 Councillor Simon Clement-Jones said that there had been a 50% jump in the number of complaints received and asked what was behind the trend. Gillian Duckworth explained that there had been multiple complaints regarding the same incident and the numbers did not reflect the true picture.
- 7.5 The Chair asked the Independent Persons present what their experience was like working with the Council on councillor complaints. David Waxman (Independent Person) informed Committee that it wasn't an onerous task. The volume of complaints wasn't high. The Government Framework needed revising and advised that Members should be more circumspect in their use of social media. Jo Cairns (Independent Person) explained that the information received from officers to consider complaints was second to none. Alison Howard (Independent Co-Opted Member) was pleasantly surprised at the small number of complaints which was a testament to how complaints were handled by the Monitoring Officer.
- 7.6 The Chair felt that more training and development was required for Members. The volume of work had increased and there were now more channels of communication.
- 7.7 Councillor Adam Hurst asked whether the Council was recording informal complaints and how they were dealt with. Gillian Duckworth explained that the report showed all complaints received. An informal resolution could be training or referral to the Whips, for example.
- 7.8 **RESOLVED:** That (1) the Committee receives and notes this report acknowledging the work of the Audit and Standards Committee in 2019 and 2020; and
(2) agrees the actions set out in paragraph 11 of the report for the Monitoring Officer to report back progress to a future committee.

8. WORK PROGRAMME

- 8.1 Abby Brownsword, Principal Committee Secretary, presented the report.

- 8.2 As the Annual Audit Letter and Universal Credit Update would not be ready for the next meeting, it was proposed that the Committee utilise the March committee date.
- 8.3 The Chair informed Committee that she had invited the new CEO to attend the February Committee and requested an update on the progress of the 2020 Annual Audit and the issues around Audit nationally.
- 8.4 **RESOLVED:** That (1) the work programme be noted; and
(2) changes to the work programme be made as detailed above.

9. STRATEGIC RISK MANAGEMENT

- 9.1 Helen Molteno, Finance Manager, attended the meeting and presented the report.
- 9.2 The presentation provided an assessment of the Council's current Risk Management arrangements and the measures implemented to further strengthen and improve them and the current and emerging risks, their impact on service delivery and the controls in place to manage them.
- 9.3 The report and presentation covered the period from July to September 2020. The Finance Manager, Assistant Director of Finance and the Director of Legal and Governance responded to questions from Members of the Committee in relation to the impact of Covid-19 on the closure of leisure facilities and the arts, closures of schools and academies and regeneration schemes.
- 9.4 **RESOLVED:** That; (1) the current assessment of the Council's risk management arrangements be noted and the measures taken to strengthen those arrangements be endorsed and;
(2) the current and emerging risks be noted and the actions being taken to mitigate those risks be endorsed.

10. DATES OF FUTURE MEETINGS

- 10.1 Future meetings of the Audit and Standards Committee would be held on:

Thursday 18th February 2021
Thursday 18th March 2021
Thursday 15th April 2021
Thursday 10th June 2021
Thursday 29th July 2021



Audit and Standards Committee Report

Report of: Monitoring Officer

Date: 18th February 2021

Subject: Model Code of Conduct and Code of Conduct Training for Members

Author of Report: Sarah Cottam/Abby Brownsword

Summary: To consider the LGA Model Code of Conduct and compare with Sheffield City Council's Members Code of Conduct. The purpose of the report is to compare this model code with our recently adopted Code to see if the Committee wish to update it with anything further to reflect the Model Code.

Recommendations:

Members to compare the model code with the Council's current Member's Code of Conduct.

Members to identify any changes needed to the Council's current Code.

Members to note the commissioning of Code related training for the organisation

Background Papers:

1. LGA Model Code of Conduct (Appendix 1)
 2. Current Sheffield City Council Member Code of Conduct (Appendix 2)
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Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO - Cleared by: Dave Phillips
Legal Implications
YES/NO - Cleared by: Gillian Duckworth
Equality of Opportunity Implications
YES/NO - Cleared by:
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
None
Relevant Cabinet Portfolio Member
Councillor Terry Fox, Cabinet Member for Finance, Resources and Governance
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
NO

REPORT TITLE

1.0 INTRODUCTION

- 1.1 The LGA has published a new Model Code of Conduct for councils to consider using.
- 1.2 The model code strengthens the best practise around bullying and harassment and use of social media.

2.0 BACKGROUND

- 2.1 On 26th September 2019, an Ethical Standards Workshop was held to look at whether the Authority was meeting the best practice and what needed to be done in the areas that did not meet best practice.
- 2.2 Invited to the workshop were all members of the Audit and Standards Committee, including the Independent Co-opted Member and Parish Council representatives. Also invited were the Council's two Independent Members. There were seven attendees present at the workshop.
- 2.3 Officers had assessed the 15 areas of best practice against the current practice of the Council and put them into a 'traffic light' system. Following this, recommendations were made to the Members Code of Conduct and subsequently approved by full Council in January 2021.

3.0 MAIN BODY OF THE REPORT

Including Legal, Financial and all other relevant implications (if any)

3.1 LGA Model Code of Conduct

- 3.1.1 The LGA approved and issued a model code on 3rd December 2020, following a consultation process with Councils around the country, Sheffield City Council contributed to this consultation. The LGA advised that the Code and consultation responses would be published on their website in due course. Their next step would be to prepare guidance requested during the consultation exercises to assist with the code.
- 3.1.2 The Code of Conduct approved by Full Council in January 2021 met the best practice established by the Committee on Standards in Public Life on which the LGA has based its model code. It added a definition of bullying and harassment and a section on the use of social media. It also reduced the amount at which a Member has to declare gifts and hospitality to £10, which is in line with the officers code.

- 3.1.3 The LGA model code is written in easy to understand language in the first person.
- 3.1.4 The Council's Independent Members have viewed the model code and made the following comments:
- If an expert has produced model guidance feels right to accept it.
 - There is an inconsistency where the guidance sometimes relates to Councillors and co-opted members and sometimes just Councillors.
 - The Monitoring Officer has the authority to instigate a consideration of a potential breach. Whilst this is detailed elsewhere it would be helpful if explicit in the "Application of the Code" section.
 - Whilst there is a separate document relating to use of social media it would surely strengthen the guidance if the key elements were incorporated into the main Code. Crucially, members sign the Code and not the separate use of social media guidance.
 - There is a separate additional code for members of the Planning Committee. If so, does the revised model impact on that code?
- 3.1.5 Under Section 1, the General Obligation Section of the current code is brief and sets out what is expected of Members. The Model Code looks at each section in detail and provides an explanation of each obligation for the avoidance of doubt.
- 3.1.6 Section 2 of the current code deals with interests, declarations and gifts and hospitality. These are included under the general obligations of the Model Code and interests and declarations are supported by an appendix to the Model Code which includes a definition of the types of interest.
- 3.1.7 The Model Code suggests a limit on Gifts and Hospitality of £50. The current code has reduced this amount to £10, in line with officers, following suggestions made by Members at the Ethical Standards Workshop.
- 3.1.8 The current code has a section on the Equality Duty, this is included briefly under the Bullying and Harassment section of the Model Code.
- 3.1.9 The Council's current code contains information on Bias which the Model Code does not consider.
- 3.1.10 The LGA Model Code is attached at Appendix 1 and the existing Member Code of Conduct is attached at Appendix 2.

3.2 Code of Conduct Training for Members

- 3.2.1 At the last meeting of the Audit and Standards Committee, the issue of

training for Members on the Code of Conduct was raised.

- 3.2.2 A programme of learning for Members is being commissioned that will consider learning from other Local Authorities and external organisations and will support Members understanding of the legal framework, the Code of Conduct and the Monitoring Officer role in the organisation. It will also consider the different roles of Members i.e. part of the Council but also ward representatives and members of political groups and Member/officer relationships This training will also made available for senior officers.

4.0 RECOMMENDATIONS

- 4.1 Members to compare the model code with the Council's current Member's Code of Conduct.
- 4.2 Members to identify any changes needed to the Council's current Code.
- 4.3 Members to note the commissioning of Code related training for the organisation

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Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when:

- you are acting in your capacity as a councillor and/or as a representative of your council
- you are claiming to act as a councillor and/or as a representative of your council
- you are giving the impression that you are acting as a councillor and/or as a representative of your council
- you refer publicly to your role as a councillor or use knowledge you could only obtain in your role as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. *Respect*

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. *Bullying, harassment and discrimination*

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. *Impartiality of officers of the council*

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. *Complying with the Code of Conduct*

As a councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. *Interests*

As a councillor:

9.1 I register and declare my interests.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be declared by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or declare a disclosable pecuniary (i.e. financial) interest is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and declaring interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B

Registering interests

1. Within 28 days of this Code of Conduct being adopted by the local authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests). Disclosable Pecuniary Interests means issues relating to money and finances.
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
3. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor/member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
4. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Declaring interests

5. Where a matter arises at a meeting which directly relates one of your Disclosable Pecuniary Interests, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest, just that you have an interest.
6. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', again you do not have to declare the nature of the interest.
7. Where a matter arises at a meeting which *directly relates* to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room

unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

8. Where a matter arises at a meeting which *affects* –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to declare under Disclosable Pecuniary Interests

you must disclose the interest.

9. Where the matter affects the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. 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 made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licences	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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 councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* '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.

Table 2: Other Registerable Interests

Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;	
Any Body -	(a) exercising functions of a public nature;
	(b) directed to charitable purposes; or
	(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
of which you are a member or in a position of general control or management.	

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

SHEFFIELD CITY COUNCIL – MEMBERS’ CODE OF CONDUCT

Introduction

This Code applies to members of this Authority when you act in your role as a Member and a representative of this Authority and it is your responsibility to comply with the provisions of this Code. Members include all Elected Members and Co-opted Members. It sets out the standards which are required of all Members of the Authority in carrying out their duties, and in their relationships with the Council and its officers.

This Code is based upon the following principles of public life which each member should comply with:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

This Code does not cover matters under the Localism Act 2011 where criminal sanctions will apply.

1. General Obligations

1.1 When acting in your role as a member of the authority you:

- (a) Must treat others with respect.
 - (b) Must not conduct yourself in a manner which is contrary to the Council’s duty to promote and maintain high standards of conduct of members.
 - (c) Must not bully or intimidate any person. In order to help Members understand the types of behavior that might constitute bullying the following definition has been adopted as a guide ‘offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient’.
 - (d) Must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where
 - (i) You have the consent of a person authorised to give it;
 - (ii) You are required by law to do so;
 - (iii) The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) The disclosure is –
 - (A) reasonable and in the public interest;
 - (B) made in good faith and in compliance with the reasonable requirements of the authority; and
 - (C) you have consulted the Monitoring Officer prior to its release.
 - (e) Must not prevent another person from gaining access to information to which that person is entitled by law.
-

- (f) Must not conduct yourself in a manner which would reasonably be regarded as bringing your authority into disrepute.
- (g) Must not use your position to improperly confer or secure an advantage or disadvantage to yourself or any other person.
- (h) Must be clear when communicating with the media or speaking in public that you do not give the impression you are acting in an official capacity when you are acting in a personal capacity.
- (i) Must comply with the Protocol for Member/Officer Relations and respect the impartiality and integrity of the authority’s statutory officers and its other employees.
- (j) Must comply with any standards investigation and any sanctions imposed as a result.
- (k) Must not make trivial, malicious or vexatious allegations against other Councillors/Officers.

1.2 When using or authorising the use by others of the resources of the authority you:-

- (a) Must act in accordance with the authority’s reasonable requirements including the requirements of the authority’s ICT policy and the policies listed at appendix A, copies of which have been provided to you and which you are deemed to have read;
- (b) Must make sure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) Must have regard to any applicable Code of Publicity and take into account the guidance issued to Members on the use of social media.

2. Interests

2.1. *Disclosable Pecuniary Interests (DPI)*

You must -

- (a) comply with the statutory requirements to register, disclose and withdraw (to include leaving the room) from participating in respect of any matter in which you have a DPI.

- (b) ensure that your register of interests is kept up to date at least annually.
- (c) make a verbal declaration of the existence and nature of any DPI 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.

2.2 *Other Interests*

2.2.1 In addition to the requirements relating to DPIs, if you attend a meeting at which any item of business is to be considered and you are aware that you have a personal interest in the matter which does not amount to a DPI 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.

2.2.2 You have a personal interest where –

- (a) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation 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
- (b) it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

(“Meeting” means any meeting organised by or on behalf of the authority, including –

- any meeting of the Council, or a Committee or Sub-Committee of Council;
- any meeting of the Cabinet and any Committee of the Cabinet;
- in taking a decision as a Ward Councillor or as a Member of the Cabinet.)

(Note: A request for a dispensation to participate in the business of the authority where a Member has a Disclosable Pecuniary Interest must be submitted in writing to the Monitoring Officer in accordance with the guidance issued to Members on Declarations of Interests.)

2.3. *Gifts and Hospitality*

2.3.1 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 £10, or accumulatively in excess of £10 from the same source over the four year term of office which you have been offered as a Member from any person or body other than the Authority. 2.3.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.

2.3.3 This duty to notify the Monitoring Officer does not apply where the gift is accepted on behalf of the Council and does not apply to the role of Lord Mayor.

3. **Bias**

3.1. Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you are not prohibited from participating in a decision in your political role as member. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

3.2. When making a decision, you must consider the matter with an open mind and on the facts before the meeting at which the decision is to be taken.

4. **Equalities**

4.1 Members must ensure that they adhere to all related legal requirements, such as the Equality Act 2010 and the Human Rights Act 1998.

4.2 Members must promote equality and inclusion by providing an environment free from harassment, discrimination, and victimisation and bullying and by treating people with respect, regardless of their age, disability, gender, race, religion/ belief, sexual orientation or marriage/ civil partnership status.

- 4.3 Members should be aware of the Council’s Equality Objectives 2019-22 and act in accordance with the Council’s Equality, Diversity and Inclusion Policy and Dignity and Respect at Work Policy.
- 4.4 Members must have regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 to:
- Eliminate discrimination, harassment and victimisation
 - Advance equality of opportunity
 - Foster good relations.

APPENDIX A

LIST OF POLICIES

- Sheffield City Council Electronic Communications Policy
- Members’ ICT Usage Policy
- Equality, Diversity and Inclusion Policy
- Sheffield City Council Equality Objectives 2019-22

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Audit & Standards Committee Report

Report of: Mark Bennett, Director of HR and Customer Services/
Gillian Duckworth, Director of Legal and Governance

Date: 18 February 2021

Subject: Annual Ombudsman Complaints Report 2019/20

Author of Report:

Summary:

This report provides an overview of the complaints received, and formally referred and determined by the three Ombudsmen (Local Government & Social Care Ombudsman, Parliamentary & Health Service Ombudsman and Housing Ombudsman) during the twelve months from 1 April 2019 to 31 March 2020.

The report also identifies future developments and areas for improvement in complaint management.

The report is jointly presented by the Director of Legal Services and the Director of HR and Customer Services, who are respectively the Council's Monitoring Officer, and the Director responsible for managing the Complaints Service.

Recommendations:

The Audit & Standards Committee is asked to consider the Annual Ombudsman Report in order to provide its view on the performance of Ombudsman complaints and the issues raised.

Background Papers:

LGSCO Annual Letter 2019/20 & HO Annual Report 2019/20

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
Legal Implications
Equality of Opportunity Implications
NO
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
None
Relevant Cabinet Portfolio Lead
Cabinet Member for Finance, Resources & Governance
Relevant Scrutiny Committee if decision called in
Not applicable
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
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Annual Report Ombudsman Report

1.0 INTRODUCTION

- 1.1 The effective handling of customer complaints across the organisation enables the Council to be open and transparent, respond in the right way, make the best use of resources, and make well-informed decisions.
- 1.2 We welcome complaints as an opportunity to improve our services. Indeed, our definition of a complaint is “any expression of dissatisfaction whether justified or not”, which is deliberately wide to ensure that complaints are recognised and are properly addressed. We also encourage positive feedback on the services we provide.
- 1.3 The Customer Feedback & Complaints Team in Customer Services is responsible for the development and implementation of policy and procedures on complaints. In addition, the Team acts as the Council’s liaison point with the Local Government & Social Care Ombudsman (LGSCO), Housing Ombudsman (HO) and Parliamentary & Health Service Ombudsman (PHSO).
- 1.4 The Ombudsmen provide a free, independent and impartial service. They consider complaints about the administrative actions of local authorities. They cannot question what a council has done simply because someone does not agree with it. However, if they find something has gone wrong, such as poor service or service failure, and that a person has suffered as a result, they recommend a suitable remedy.
- 1.5 The LGSCO’s powers are set out in the Local Government Act 1974, as amended. The HO’s powers are set out in the Housing Act 1996, as amended. The PHSO’s powers are set out in the 2Parliamentary Commissioner Act 1967, as amended, and the Health Service Commissioners Act 1993, as amended.
- 1.6 Overall, the Council and its strategic delivery partners (Amey and Veolia) dealt with 2,064 complaints through the formal complaints process in 2019/20. The LGSCO received 143 complaints and enquiries about Sheffield City Council and its strategic delivery partners during 2019/20. The Housing Ombudsman received 58 complaints and enquiries.

2.0 SUMMARY

- 2.1 This report provides an overview of the complaints received, and formally referred and determined by the Ombudsmen during the twelve months from 1 April 2019 to 31 March 2020.
- 2.2 The report also identifies future developments and areas for improvement in complaint management.
- 2.3 The report is jointly presented by the Director of Legal Services and the Director of HR and Customer Services, who are respectively the Council’s Monitoring Officer, and the Director responsible for managing the Complaints Service.

3.0 MAIN BODY OF THE REPORT

3.1 Overview

In 2019/20, there were 628 'formal' complaints about Council Portfolios. The highest numbers of 'formal' complaints received were in relation to Children and Families Services (26%); Council Housing and Repairs (24%); Adult Social Care (17%) and Special Educational Needs (8%). There were 1440 'formal' complaints about highways maintenance, revenue and benefits and waste management services delivered by Strategic Partners. Overall numbers are lower than received the previous two years.

	2017/18	2018/19	2019/20
People	375	361	326
Place	238	303	246
Resources (inc. PPC)	70	46	56
Total	683	710	628
Amey	2164	1744	1004
Capita	76	228	101
Veolia	187	360	335
Total inc. partners	3110	3042	2068

3.2 The Council's Customer Feedback & Complaints Team recorded a total of 151 complaints received by the LGSCO and HO during 2019/20, a higher level to the 137 received the previous year. A breakdown by service area is provided at Appendix A (Table 1).

3.3 The LGSCO reported that 143 complaints/enquiries were received about the Council during 2019/20, compared with 165 in 2018/19. The HO reports that 58 complaints/enquiries were received about the Council during 2019/20 compared with 59 in 2018/19. More detailed breakdowns by category are provided at Appendix A (Table 2) and Appendix D.

The numbers reported do not match the number recorded by the Council's Customer Feedback & Complaints Team because they include, for example, people who have made an 'incomplete or invalid' complaint or cases where advice was given but details not shared with the Council.

Complaints/Enquiries Received	2017/18	2018/19	2019/20
LGSCO	186	165	143
HO	48	59	58

3.4 The service areas that generated the largest number of Ombudsman enquiries during 2019/20 were Adult Social Care (23), Repairs and Maintenance (21) and Housing and Neighbourhood Services (18).

3.5 It is important to note that not all Ombudsman enquiries lead to a formal investigation. In fact, of the 151 enquiries recorded by the Council's Customer Feedback & Complaints Team in 2019/20, 78% were concluded without a formal

investigation. Of the 35 that were formally investigated, the highest numbers were about Adult Social Care (12) and Special Educational Needs (8).

- 3.6 The Council's average response time to 118 preliminary ombudsman enquiries in 2019/20 was 6 days.

The average response time to 24 initial formal enquiries made by the LGSCO in 2019/20 was 24 working days with only 7 (29%) meeting the 20 working day target set by the LGSCO. In the LGSCO's Annual Letter, there is specific comment of the fact that two-thirds of the Council's responses to LGSCO enquiries were late and the Council is asked to reflect on this and take steps to improve.

The average response time to 5 initial formal enquiries made by the HO was 14 working days with 4 responses (80%) meeting the 15 working day target set by the HO.

Delays in responding are mainly due to late/incomplete service comments and information. The 7 responses that were over 26 working days were in relation to 3 Adult Social Care related complaints, 2 Children's Social Care related complaints, 1 Special Educational Needs related complaint and 1 Street's Ahead complaint.

Target Response Timescale	Number of Initial Formal enquiries	Number within Target	21-25 days	Over 26 days
LGSCO (20 working days)	24	7 (29%)	10	7
HO (15 working days)	5	4 (80%)	1	0

- 3.7 In resolving complaints, we aim to work with the customer to try to achieve their preferred outcome, and when appropriate we will apologise. When the Council is at fault, we will aim to resolve the complaint by putting the customer back into the position they would have been in had the fault not occurred, or by offering another remedy if this is not possible.
- 3.8 During 2019/20, the LGSCO upheld 34 complaints and the HO upheld 5 complaints. A breakdown of all LGSCO/HO decisions is provided at Appendix A (Table 3 and 4). Further details of the upheld complaints and the remedies and service improvements that were agreed are set out in Appendix B.
- 3.9 The LGSCO issued one public report during 2019/20 about the Council's failure to offer a face-to-face mobility assessment to a blue badge applicant, contrary to its own policy and the guidance in place at the time. Further details are included in Appendix B. The Council was commended in the LGSCO's Annual Letter (Appendix C), for openly accepted fault at an early stage of the investigation; recognising its interim approach to blue badge assessments may have caused injustice to other applicants; and showing it was committed to learning from the complaint.

- 3.10 In total, the Council paid £20,070 in compensatory payments and other reimbursements following Ombudsman enquiries. This compares with £14,750 paid in 2018/19.
- 3.11 Looking at LGSCO involvement and how Sheffield City Council compares with other local authorities (see Appendix A - Table 5 and 6 and Appendix C):
- The LGSCO upheld 89% of the complaints that were formally investigated about Sheffield City Council, which is higher than the 67% average for similar authorities. In 15% of upheld cases however the LGSCO found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman, which is higher than the average of 11% in similar authorities.
 - In terms of LGSCO recommendations, Sheffield City Council, like all the other Core Cities during 2019/20, had a 100% compliance rate but we were 'late' in completing some agreed actions in 8 complaints.
- 3.12 Looking at HO involvement and how Sheffield City Council compares with other local authorities, ALMOs and landlords (see Appendix D):
- The highest categories of complaint received about Sheffield City Council were around property condition (50%) and tenant behaviour (19%) and this is a similar picture across all landlords.
 - The HO closed 76% of complaints received about Sheffield City Council without a formal investigation, this compares with 74% average in respect of all local authorities/ALMOs and 79% average in respect of all landlords.
 - The HO found maladministration in 27% of complaints formally investigated about Sheffield City Council which is lower than the 41% average found across all local authorities/ALMOs and the 39% average found across all landlords.
 - Sheffield City Council has a 100% compliance rate with HO orders.
- 3.13 We aim to learn from complaints, so that we do not repeat the same problem. Appendix B includes details of the remedies, improvements and changes that have been made following Ombudsman investigations. Examples of key learning/service improvements include:
- Guidance and reporting developed around EHCP consultations (*SENDASS*).
 - Reminder issued to staff in early June 2020 and refresher training arranged/guidance issued to ensure officers progress PCN representations that have been made on time, in the proper way (*Parking Services*).
 - Improved reporting to identify when a child has not been in education for 10 consecutive days so that there can be consistent discussion and monitoring with schools in relation to concerns around long term non-attendance (*SENDASS*).

- Reminder issued to relevant staff around of the importance of keeping accurate and complete records of investigations and decision making when conducting enquiries under Section 24 of the Care Act 2014 (*Adult Social Care*).
- Letters to parents redrafted with input from the Parent Carer forum and will enclose EHC Decision Factsheet (*SENDASS*).
- Child Arrangement Order Policy updated to ensure that it clearly sets out the Council's discretionary powers (*Children and Families*).
- Changes made to Blue Badge assessment approach and procurement and award of a new contract to provide physiotherapy assessments (*Customer Services*).
- Public facing information on website about complaints and planning enforcement reviewed and changes made as part of wider review of online form and general complaints pages on website (*Planning & Customer Services*).
- Wording of Section 46 Environmental Protection Act notice reviewed and revised (*Waste Management*).

Future developments

- 3.14 There has been little progress around the proposal to create a single Public Service Ombudsman (PSO) to replace the LGO and the PHSO. The timescale for legislating on this remains unclear.
- 3.15 The following have been identified as actions and areas for improvement during 2020/21:

Service improvements

- Maintain statutory complaint handling (responses to Ombudsman enquiries) despite disruptions to service delivery and challenges of remote working due to Covid-19.
- Reinforce service ownership and embed improved monitoring/open case reporting/escalation routes in order to improve on response times to Ombudsman enquiries.
- Complete self-assessment against the Complaint Handling Code published by the Housing Ombudsman in July 2020.

Organisational improvements

- Sign off new approach to complaints management with the Executive Management Team.
- Development of Customer Relationship Management (CRM) system to improve recording and reporting of complaints.
- Review and develop the information/guidance available to all employees and managers around resolving, investigating, reviewing and responding to complaints.
- Link these changes and improvements to the performance framework.

4.0 RECOMMENDATIONS

- 4.1 The Audit & Standards Committee is asked to consider the Annual Ombudsman Report in order to provide its view on the performance of Ombudsman complaints and the issues raised.

OMBUDSMAN COMPLAINTS

Table 1: This table shows a breakdown of the 151 ombudsman complaints recorded by the Council's Customer Feedback and Complaints Team during 2019/20.

Table 1:

Portfolio/ Partner	Subject	Formal premature referrals	Considered without Investigation	Formal investigation made	Totals 2019/20	Totals 2018/19
People	Social Care – Adults	2	9	12	23	19
	Social Care - Children's	6	8	3	17	12
	Education	4	3	8	15	15
	Libraries	0	0	0	0	1
Place	Bereavement Services	0	1	0	1	2
	Building Control	2	0	0	2	0
	Environmental Services	1	0	0	1	2
	Housing & Neighbourhood Services	11	4	3	18	10
	Licensing	2	0	0	2	1
	Parking Services	0	3	1	4	5
	Parks & Countryside	0	1	0	1	0
	Planning	2	2	3	7	9
	Repairs & Maintenance (Council Housing)	17	1	3	21	13
Resources	Customer Services	2	7	1	10	3
	Legal	0	3	0	3	3
	Business Change & Information Services	0	0	0	0	1
Amey/Client	Streets Ahead	1	13	0	14	25
Capita	Benefits	2	5	1	8	12
	Revenues	0	3	0	3	0
Veolia/Client	Waste Management	0	1	0	1	4
Totals		52	64	35	151	137

Table 2: This table shows a breakdown by subject of the 143 complaints/enquiries received by the LGSCO in 2019/20, compared with the previous two years.

LGO subject category	2017/18	2018/19	2019/20
Adult Social Care	32	28	36
Benefits and Tax	17	17	12
Corporate and other	14	12	14
Education and Children's Services	46	34	25
Environmental Services and Public Protection & Regulation	17	25	12
Highways & Transport	33	21	25
Housing	16	18	13
Planning & Development	11	10	6
Total	186	165	143

Table 3: This table shows a breakdown of LGSCO decisions over the last three years.

LGSCO Decisions	2017/18	2018/19	2019/20
Incomplete or invalid	9	13	8
Advice Given	3	7	7
Referred back for local resolution	62	51	40
Closed after initial enquiries	65	62	53
Investigated – not upheld	11	13	4
Investigation – upheld but remedied by LA			6
Investigated – upheld	22	22	27
Report – Upheld	1	0	1
Total	172	168	146

Table 4: This table shows a breakdown of HO decisions over the last three years.

HO Decisions	2017/18	2018/19	2019/20
Closed after initial enquiries (outside jurisdiction/no further action)	1	3	2
Investigated – not upheld (no maladministration)	3	4	4
Investigated – upheld (maladministration/partial maladministration)	1	2	3
Remedied by LA (redress provided)	0	1	2
Total	5	10	11

Table 5: This table compares complaint numbers across the Core Cities based on information provided by the LGSCO in the Annual Review Letters.

	Number enquiries received 2018/19	Number enquiries received 2019/20	% increase/decrease (+ / -)	Number of enquiries per 1000 population
Birmingham	484	561	+14%	0.49
Bristol	136	130	-5%	0.28
Leeds	187	185	-1%	0.23
Liverpool	136	130	-5%	0.26
Manchester	176	157	-12%	0.29
Newcastle	73	65	-12%	0.22
Nottingham	106	75	-39%	0.23
Sheffield	165	143	-15%	0.25

Table 6: This table compares complaint outcomes across the core cities based on information provided by the LGSCO in the Annual Review Letters.

	Number of detailed investigations 2019/20	Number of complaints upheld 2019/20	Upheld rate 2019/20	Number of complaints where Satisfactory Remedy provided before complaint reached Ombudsman 2019/20 - % of upheld cases		Compliance with Ombudsman Recommendations 2019/20
Birmingham	153	119	78%	5	4%	100%
Bristol	33	20	61%	2	10%	100%
Leeds	49	31	63%	4	13%	100%
Liverpool	25	22	88%	4	18%	100%
Manchester	29	175	59%	2	12%	100%
Newcastle	18	12	67%	3	25%	100%
Nottingham	19	12	63%	1	8%	100%
Sheffield	38	34	89%	5	15%	100%

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Appendix B: A summary of the 39 complaints which were upheld by the LGSCO and HO during 2019/20 is provided below.

	Portfolio/Service	Complaint	Date of Ombudsman Decision	Ombudsman Finding/Investigation Outcome	Agreed Remedy/Service Improvements	Remedy implementation detail and learning outcomes	Ombudsman compliance outcome
1	People - SEN 18 019 236	Mrs B complained about the Council's handling of her request made in October 2017 for an Education, Health and Care Plan (EHC Plan) for her son, Y.	20/03/2020	The LGSCO found fault by the Council in failing to consult schools when Mrs B said she no longer wanted to educate her son at home. This led to delay in issuing a final EHC Plan with a named placement, which delayed the right of appeal.	The Council has agreed a remedy for the loss of educational support and the impact on Mrs B of having to educate her son at home for longer than necessary. Within 1 month the Council has agreed to apologise; make a payment of £200 per month to recognise the lack of school placement and special educational support from the beginning of March 2018 to mid-February 2019 (total of £2,000) ; reimburse Mrs B for any reasonable expenses incurred during this period in providing home education for Y, based on evidence provided; pay Mrs B the £500 already offered to recognise the inconvenience, distress, and anxiety; and pay her £250 to recognise her time and trouble in pursuing her complaint. The Council further agreed to provide the Ombudsman with details of the improvements in procedures it says it has made; and explain how it proposes to ensure it sends out information about the right of appeal with the final EHC Plan and records that it has done so.	28.05.20 - Apology Letter sent . 23.06.20 - Payments of £2000, £250 and £500 paid via BACS. 25.06.20 - Evidence shared with LGSCO to show the current final EHCP letter shows the right of appeal and how to proceed. In addition advised all letters to parents are in the process of being redrafted with input from the Parent Carer Forum and the new letters will have an EHC Decision Factsheet which will clearly show the next steps regarding appeal. 31.07.20 - Letter sent to Parents to request evidence for reimbursement for any reasonable expenses. No contact from Parents following receipt. 11.08.20 - Copy of "SENDARS - S.C.C Quick Guide - Consultations" shared with LGSCO. Part of the Guidance produced identifies the report available to Business Support on how to identify outstanding consultations.	18.08.20 LGSCO issued compliance outcome of "Remedy complete and satisfied".
2	Place - Parking Services 19 012 436	Mrs X complained that the Council has wrongly refused to refund a parking fine and considered she had been treated unfairly.	19/03/2020	Although it was noted the proper place for considering this matter was the Traffic Penalty Tribunal, the LGSCO found the Council did not give Mrs X the opportunity to have her case heard, which is an injustice.	The Council agreed (within one month) to apologise to Mrs X for the faults identified and pay Mrs X the sum of £100 to acknowledge the time and trouble caused by the Council's approach in this case. The Council further agreed (within two months of the final decision) to take steps, including training for relevant staff, to ensure officers progress representations that have been made on time, in the proper way. The Council also went one step further and remedied Mrs X further by cancelling the PCN.	24.03.20 - £100 payment made. 15.06.20 - Apology letter sent to complainant. An email reminder was sent to the team in early June 2020 and refresher training arranged - guidance issued and user guides shared as evidence.	17.07.20 LGSCO issued compliance outcome of 'remedy complete and satisfied'.
3	Resources - Council Tax 19 018 063	Mr X complained about a delay in closing his council tax account and problems getting a refund.	10/03/2020	The LGSCO found the Council had already provided a fair and proportionate response. He had since received a refund and the Council had already apologised for the time taken to close the account and for the failure to make a refund via BACS. It explained the reason for the delay and that it is taking steps to reduce delays. It has also explained that the refund form should not have been sent to Mr X but, given that it was, it has explained the reason for the wording on the form. It also explained that the BACS refund error has been discussed with the officer.	The LGSCO viewed the Council's response as satisfactory and did not consider there to be sufficient injustice to require an investigation.	Not applicable - Council already provided satisfactory response/remedy.	Not applicable
4	Place - Housing and Neighbourhood Services 201905960	Mr X complained about the Council disclosing information to a third party; the handling of his concerns in response to a notice seeking possession issued in December 2018; and the handling of anti-social behaviour from 4 July 2018 to June 2019.	27/02/2020	The HO did not investigate the complaint about disclosing information to a third party concluding this was a complaint for the Information Commissioner's Office. The HO found no maladministration by the Council in its handling of the anti-social behaviour from 4 July 2018 to June 2019 but did find the Council at fault for issuing a defective notice seeking possession in December 2018 and for not responding to his queries and concerns about this within a reasonable time.	The HO ordered the Council to pay Mr X £100 compensation for the distress and inconvenience caused to him by the errors in its handling of the notice seeking possession.	01.04.20 - Service confirmed payment made.	07.04.20 - HO confirmed they are satisfied with remedial action taken.
5	People - ASC 19 009 239	Mr B complained that when the Council placed his mother (Mrs C) in residential care it did not offer at least one accommodation option that was affordable and within the person's personal budget; and there was no genuine choice. Mr B was told that he must pay a top-up or Mrs C must leave the care home which he found threatening and very stressful. He further complained that the Council then delayed in dealing with his complaint.	26/02/2020	The LGSCO found that the Council had wrongly asked for an additional top-up to residential care home fees; and Mr B has been stressed and paid money he should not have had to pay.	The Council recognised an issue of staff not properly addressing the issue of top up fees and is providing retraining to relevant staff. The Council further agreed to take the following action (within 1 month) and evidence its compliance to the LGSCO: a) Apologise to Mr B for wrongly asking him to pay a top-up for Mrs C's care fees, when the Council agreed it was in her best interest for this care home to meet her needs; b) Pay Mr B £250 to acknowledge his distress, time and trouble; c) Refund Mr B the additional top-up payments he has paid to date; d) Pay the full cost of Mrs C's care fees at the current placement, until such time as any best interest decision is made that it is in Mrs C's best interest to move. As with any change in circumstance, the Council must undertake a new assessment before considering this course of action, including consideration of a requirement for an assessment of health needs, and have regard to Mrs C's wellbeing; e) Remind relevant staff that they cannot have an arbitrary ceiling to personal budgets. The £481 is a guide as to what is available within the local market but cannot be the maximum the Council will pay if someone's needs require a more expensive setting, or a setting within that budget is not available.	25.06.20 - Email to staff regarding top-ups and personal budgets. 30.06.20 - Apology letter sent. 02.07.20 - £250 payment made via BACS along with refund of additional top up payments Mr B had paid, plus care fees paid and refund to Mr B for full cost of Mrs C's care fees.	09.07.20 LGSCO issued compliance outcome of 'Remedy complete and satisfied'.

6	Resources - Revenues & Benefits 19 007 744	Complaint about the way the Council has handled Miss B's claim for housing benefit, delays and faults meant did not receive all the benefit to which she was entitled.	26/02/2020	The Ombudsman found that the Council was at fault in the way the it handled Miss B's housing benefit claim.	The Council agreed to pay £200 for the delay in making payments and the stress and for difficulty caused. The Council to review how it contacts claimants when their correspondence has been by email and also review the claimants who signed up for email notifications and take any appropriate action.	16.03.20 - LGSCO confirm contact details for Miss B in order to progress apology 01.05.20 - Payment of £200 made - remittance slip shared with Miss B via email 29.06.20 - Details/evidence of reviews shared with LGSCO. Postal communication with claimants remains correct procedure at this time and is primarily to ensure claimants are residing at the property they are making a claim for and to minimise the risk of fraudulent claims. Option on the online portal that allowed claimants to sign up for e-notifications for Housing Benefit had been enabled in error and was switched off in January 2020. The Service identified all claimants who signed up, when this option was incorrectly available via the portal, for e-notifications and have contacted these claimants to make them aware of the issue and advise they will not receive emails about their claim.	01.07.20 - LGSCO issued compliance outcome 'Remedy complete and satisfied'.
7	People - ASC 18 012 664	Mr X complained about how the Council has sought to meet his care and support needs. In particular the failure to provide funding for transport to enable him to receive the support required to meet his assessed eligible needs.	12/02/2020	The LGSCO found the Council was at fault as it failed to properly consider Mr X's ability to use transport. The LGSCO did not find fault in respect of the other areas of complaint.	The Council has agreed to pay Mr X £250 to acknowledge the distress and uncertainty caused by its failure to properly consider Mr X's requirement for transport support in meeting his eligible need to access community activities.	11.03.20 - Cheque for £250 posted and LGSCO updated.	12.03.20 - LGSCO issued compliance outcome 'Remedy complete and satisfied'
8	People - SEN 19 004 255	Mrs B complained the Council had failed to ensure her three sons (J, V and W) had been given sufficient support in relation to their education; and failed to communicate appropriately with her and address her complaints.	07/02/2020	The LGSCO found fault in the handling of the case relating to her son (J). The LGSCO found there was some delay in issuing U's EHC Plan but the time and trouble it caused was not so significant that a remedy is appropriate. The LGSCO also found the Council failed to take action after U stopped attending school and as a result U missed out on approximately 3 months education; failed to consider whether U could have benefitted from any more education than he was receiving from the alternative provision put in place from February 2019; failed to acknowledge Mrs B's complaint by letter and delayed in responding to her complaint.	The Council agreed (within four weeks) to apologise for the fault identified; make a payment of £900 to Mrs B for U's missed education and £500 for uncertainty since she does not know how much more education U could have benefitted from over the time complained of; and make a payment to Mrs B of £100 for time and trouble in having to chase a response to her complaint. The Council further agreed (within three months) to consider what information it needs from schools when children stop attending and when it should receive this; how it assesses how much education children can access if they are out of school. Its assessments should clearly show what children are receiving and how much more education can be provided; and ensure its complaints handling system is robust enough to keep to its own timescales.	17.02.20 - Apology Letter sent to Parents. 25.03.20 - Payments of £900, £500 and £100 paid via BACS. 25.06.20 - Confirmation sent to LGSCO that service have met to discuss how the attendance strategy is being refreshed to address this and further update to follow. Officer is now in post to progress all complaints in the SEND area. The Officer meets with the Head of SEND on a weekly basis to progress and agree actions for complaints, enabling greater monitoring. 11.08.20 - Copy of notes from June meeting shared with LGSCO - key developments include ensuring report in place using Capita ONE to identify when a child has not been in education for 10 consecutive days so that there can be consistent discussion and monitoring with schools in regards to being aware of concerns around long term non-attendance. The LA has also invested in a school refusal questionnaire in order to identify barriers to attendance and this questionnaire should support the identification of barriers and needed interventions to understand the potential reasons for non-attendance.	24.08.20 LGSCO issued compliance outcome of 'Remedy complete late'.
9	People - SEN 19 006 630	Mrs F complained the Council delayed finalising an EHC Plan for her son, D, and proposed an inappropriate date for the annual review	21/01/2020	The LGSCO found there was fault by the Council when it delayed issuing a final EHC plan from Oct - Dec 2018 but did not consider that D was caused significant injustice by the delay because although there was no final plan, he was receiving the full time one to one support at school that was later set out in his plan.	LGSCO considered an apology to be a sufficient remedy and noting the Council had already apologised to Mrs F, was satisfied the Council has already taken action to remedy the injustice caused and completed her investigation.	Not applicable - Council already taken action to remedy injustice.	Not Applicable
10	People ASC - 19 002 255	Mrs X complained a care home failed to seek appropriate medical advice after her mother became unwell during a Council arranged respite stay.	17/12/2019	The LGSCO found the care provider has accepted it should have been more proactive in seeking medical advice and has taken action to improve its services. LGSCO also found evidence of poor record keeping.	The Council agreed (within one month) to instruct the care provider to write a letter of apology to Mrs X to acknowledge the fault and the distress caused to her; and remind relevant staff of the importance of keeping accurate and complete records of investigations and decision making when conducting enquiries under Section 24 of the Care Act 2014.	18.12.19 - Contracts Team confirm provider contacted and requested to send apology letter. 23.12.19 - Head of Service confirms workshops for staff being run by management/practice development team throughout 2020. 13.02.20 - Update sent to LGSCO sharing copy of email communication circulated to staff on the 31.01.20 highlighting learning arising from the complaint and the need for accurate and timely recording.	18.02.20 - LGSCO issued compliance outcome 'Remedy complete late'.

11	People SEN - 18 016 692	Mr B complained about the way the Council carried out its duty to secure his son, C, who has an Education Health Care Plan, a school place when they moved from another area.	10/12/2019	LGSCO found delays in the Council collating information and its decision making which caused C to be out of education for longer than he should have been and this affected his learning and mental health. This also caused Mr and Mrs B unnecessary distress.	The Council agreed (within 4 weeks) to pay Mr B £800 in recognition of C's missed education caused by the delay securing C a school place. This also recognises the impact this had on C's wellbeing, mental health and access to other support services. The Council also agreed to pay Mr and Mrs B £200 for the distress and uncertainty they experienced due to the delays; to identify C's additional support needs caused by the period he spent out of education and to work with the School, family and any other relevant professionals to create a plan to address these needs.	07.02.20 - £1000 paid by BACS to Mr B. 11.02.20 - Email to LGSCO confirming discussions have taken place with school to ensure C is accessing appropriate support. School conducting regular reviews to assess progress and believe all appropriate support in place to address gaps in his learning. 12.10.20 - Email to LGSCO confirming an early annual review / phase transfer was arranged by school and held (virtually/remotely) for C on the 28 September 2020 where the outcomes of the EHC plan were reviewed and new outcomes identified to support his phase transfer from primary to secondary in September 2021. 03.11.20 - Further details shared to evidence support put in place to address needs caused by period out of education.	09.11.20 - LGSCO issued compliance outcome 'Remedy complete and satisfied - late'.
12	People SEN - 19 002 808	Mrs S complained the Council failed to manage the process of transition to an EHCP for her daughter, T.	10/12/2019	LGSCO found the Council delayed in issuing a finalised EHCP which meant T missed out on services she needed. LGSCO also found Mrs S experienced distress and time and trouble through this process and the Council also delayed in responding to her complaints.	The Council agreed (within 3 months) to make a payment of £500 in recognition of distress and time and trouble she experienced; to make a payment to Mrs S for T's missed provision that she had to make up from the time T should have received her EHCP to the time the school put the provision in place (including reimbursement for the other sessions that T did not receive); and to make a contribution towards Mrs S's private speech and language report (contribution should not be below thirty percent). Council further agreed (within 4 months) to ensure parents are made aware of their right to ask for a full needs assessment where appropriate and to tell Ombudsman of any changes it needs to make to its literature so this message is clear; Work with schools when EHCPs are finalised to ensure all parts can be implemented immediately and tell the Ombudsman what action it will take; Develop a means of following up professionals when they are asked for reports, particularly through SPA, but do not deliver them; Clarify with the trust whether the form requesting information for an EHCP, as it stands, allows SALT to perform a full assessment; and explain what actions it will take, or has taken, in order to answer complaints in accordance with its guidance.	15.01.20 - Payment of £2,310 paid via BACS. 27.01.20 - Apology Letter sent to Parents. 25.03.20 - Payment of £500 paid via BACS. Payment of £120.00 also paid via BACS. (30% of invoice submitted for £400 by Parents.) 17.07.20 - Email to LGSCO to advise all letters to parents are in the process of being redrafted with input from the Parent Carer forum and will have an EHC Decision Factsheet which will clearly show the next steps including how to request a new assessment. Schools are sent a copy of final EHCP and support is given to the school to aid in the provision. The Local Authority will implement a process whereby the Locality Lead is advised of finalised EHC Plans to ensure that appropriate resources are considered to implement them. There will be a CCG appointed nurse assessor who will support in situations such as this Follow up on requests for reports is handled by the Senior Business Support Officers in the Service and service is actively working with the CCG to chase up reporting and more effective ways of requesting the reports. Their IT System Capita One has been updated to allow these involvements to be added. The LA has asked the DCO to ensure that this is reiterated as the template to provide full statutory advice.	24.07.20 LGSCO issued compliance outcome of "Remedy complete and satisfied".
13	People - ASC 17 019 772	Mr C complained about a long delay in carrying out a reassessment of his care needs, from when a support plan was begun in September 2015, to a reassessment being done in July 2018. Mr C's support is jointly funded by the Council and CCG, and he says that the two organisations did not work together to complete the reassessment promptly.	28/11/2019	LGSCO/PHSO found fault with the Council and CCG for delays in reviewing and increasing support for the complainant, Mr C and lack of joined up working to reduce the impact of these assessments on him. This caused Mr C worry and uncertainty for a prolonged period and he is likely to have missed out on some care and support during this time. There was also an impact on Mr C's mother. (Decision issued 28/11/19)	The Council/CCG agreed (within four weeks) to contact Mr C to acknowledge the fault identified in this case and apologise for the impact on him and Mrs C. The Council/CCG also agreed between them (within eight weeks) to pay £1000 to Mr C to acknowledge the loss of the care he is likely to have received had the reassessment been completed in a timely way; to pay £500 to acknowledge the injustice to Mr C in terms of the anxiety and distress caused by the delayed reassessment process, including the delays in the earlier period of 2013-15, and the period of reassessment from 2015 - 2018; and £300 financial remedy to acknowledge the injustice to Mrs C, who had to step in to provide some of the care that should have been funded and provided by the Council and CCG. The Council and CCG agreed to review their local agreement to improve assessment and care and support planning processes for service users whose care is jointly funded. In particular, they should address the way the two organisations communicate and work together to assess and gather information from service users. The Council and CCG will send the Ombudsman evidence that they have completed these actions, and will provide Mr C with a copy of the action plan.	20.12.19 - Apology letter sent to Mr C and copy shared with LGSCO January 2020 - Financial payments made. Meeting between CCG and SCC took place. Agreement made to meet monthly. Next meeting scheduled for 21st February 2020 to discuss complaint and pull together action plan. LGSCO and complainant kept informed of latest position. 06.06.20 Copy of the latest version of joint action plan produced by CCG/SCC shared with LGSCO. Key headline actions included: review of existing documentation; update of induction material and procedures/pathways; development of communication; regular review of feedback and complaints and staff training.	11.06.20 - LGSCO issued compliance outcome 'Remedy complete late'
14	People - Children & Families 18013819	Ms B complained that the Council refused to pay her a child arrangements order allowance for her granddaughter, who lives with her.	13/11/2019	The LGSCO found the Council was at fault for failing to properly consider its discretionary powers in deciding not to provide a child arrangements order allowance to Ms B. The LGSCO further highlighted different parts of the Council's policy are also contradictory about the extent of those discretionary powers.	The Council has agreed (within 2 months) to re-assess granddaughter's needs and write to Ms B, following the needs assessment, with a new decision on her allowance, and an explanation for that decision. The Council has also agreed (within 6 months) to review its child arrangements order allowance policy to ensure that it clearly sets out the Council's discretionary powers.	17.01.20 - Letter sent to Ms B confirming outcome of assessment for financial assistance. Weekly allowance awarded until granddaughter reaches 18 as long as in full time education. Allowance backdated to Sept 2017. 07.12.20 - Local Authority Child Arrangements Order Policy updated/signed off and shared with relevant managers. Copy to be added to the Children's Services Procedure Manual (Tri x).	09.12.20 - LGSCO issued compliance outcome 'Remedy complete and satisfied - late'.

15	People - ASC 19 000 758	Mr C, complained on behalf of his wife Mrs C, that the Council has not carried out financial assessments for home support services correctly. Mr C says that this has resulted in the Council over charging Mrs C.	07/11/2019	The LGSCO found the Council at fault for failing to provide accurate financial assessments about charges for community services which has caused the complainants uncertainty and anxiety. The Council has accepted that Mrs C's charges from October 2018 were wrong and the Ombudsman found fault in the Council's failure to monitor the implications of a new computer system.	The Council agreed (within 1 month) to apologise to Mr and Mrs C for the confusion and uncertainty caused by incorrect invoices; to meet with Mr and Mrs C to undertake a new financial assessment. (Officers to liaise with Mr and Mrs C so they have support during the meeting such as an advocate or a family member if they wish. During the assessment, and with Mr and Mrs C's agreement, the assessors should calculate and explain the charges treating Mrs C both as an individual and part of a couple so they can see the difference, if any, in charge). The Council to consider back dating the charge to the start of Mrs C's service and make a payment of £200 to Mr C for the confusion and anxiety caused by the invoicing error. The Council further agreed (within 2 months) as part of the Council's review of its charging processes to put in place procedures to identify potential system failures; such as random checks.	14.11.19 - Apology letter sent confirming that meeting scheduled for 25th November 29.11.19 - Further update to LGSCO sharing copy of further letter and confirming meeting took place and agreed payment to be made on the 27.11.19 27.01.20 - Further update to LGSCO confirming service have reviewed all processes and incorporated when carrying out a reassessment for someone they will offer both single person and couples assessment where necessary. Service also in the process of updating all factsheets which explain how financial assessments are calculated.	30.01.20 - LGSCO issued compliance outcome of "Remedy complete and satisfied."
16	People - ASC 18 016 372	Ms A complained about the poor care and treatment of her late parents by the care agency Inspire Care UK which was commissioned by the Council to provide care for her elderly parents.	29/10/2019	The LGSCO found the care agency (acting on behalf of the Council) failed to provide safe care for Mr and Mrs X. The care provider it commissioned failed to order medication, left the medication within reach of vulnerable elderly adults, and on one occasion omitted essential medication, causing actual harm to Mr X.	The Council agreed (within 1 month) to let the Ombudsman know the outcome of its review of the way in which it ensures the competency of medication handling and administration by care providers; and the outcome of its review of its compliance with its risk management/escalation process in this instance in particular. The Council also agrees to offer the sum of £2000 to Ms A in recognition of the considerable anxiety and distress caused by its actions.	29.11.19 - Apology letter sent to Ms A. 16.12.19 - Email to LGSCO sharing information provided by Service regarding amber risk assessment rating. 17.01.20 - Cheque for £2000 sent to complainant.	22.01.20 - LGSCO issued compliance outcome of 'remedy complete late'.
17	Resources - Customer Services 19 005 219	Ms B complains that the Council refused to renew her blue badge and that, in assessing her application, it failed to consider all relevant information including her mental health conditions.	08/10/2019	The Ombudsman found that the Council has failed to provide evidence that it properly assessed Ms B's application to renew her blue badge.	To remedy the injustice caused, the Council has already re-considered Ms B's application under the new Regulations and issued a replacement blue badge. The Council further agreed to apologise to Ms B for the failure to retain the documents relating to her application and the failure to respond to her complaint; and pay her £250 for the time and trouble it has put her to.	18.10.19 - Service confirmed payment raised and approved. Apology letter sent and copy shared with LGSCO.	07.11.19 - LGSCO issued compliance outcome of 'remedy complete and satisfied'
18	Resources - Customer Services 18 017 471 (REPORT)	Mrs B complained about the Council's decision not to issue her a blue badge and its failure to offer her a face-to-face mobility assessment.	02/10/2019	The LGSCO found the Council was at fault because it failed to offer Mrs B a face-to-face mobility assessment. This caused Mrs B a significant injustice because she was denied the opportunity of having her application for a blue badge considered properly and she was also put to time and trouble in pursuing the complaint.	The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Ombudsman welcomed the Council's acknowledgement of fault at an early stage of the investigation and the steps it is taking to remedy the injustice caused (Council has already arranged an assessment by a physiotherapist for Mrs B; and identified a further 25 applicants who were also affected by its failure to offer face-to-face assessments and will contact them to offer an assessment by a physiotherapist). The Council has also agreed to review the way it deals with applications for blue badges so that, in future, all applicants will be offered an assessment by a physiotherapist in accordance with the legislation and statutory guidance. In addition, the Council agreed to apologise to Mrs B for the failure to offer her a face-to-face assessment; and pay her £250 for her time and trouble.	30.09.19 - Apology letter sent. 08.10.19 - £250 payment made. 18.12.19 - LGSCO report considered by Cabinet. Covering report confirms changes to assessment approach and procurement and award of a new contract to provide physiotherapy assessments. Also confirms customers identified as having been affected will be prioritised for assessment under this contract. Blue Badge Policy also updated to reflect changes to legislation incorporating hidden disabilities into the eligibility criteria for blue badges and updated guidance issued by Department of Transport. 20.01.20 Evidence supplied to LGSCO of contact made with other 25 affected persons identified.	23.01.20 - LGSCO issued compliance outcome letter confirming LGSCO satisfied with the Council's response in accordance with section 31(2) of the Local Government Act 1974.
19	People - SEN 18 011 479	Ms X complained about the way the Council managed her child's special educational provision.	13/09/2019	The LGSCO found the Council failed to allocate a school place to a child when his mother said she wanted to stop home educating and also failed to update the child's education, health and care (EHC) plan. Although this caused unnecessary time and trouble to Ms X the LGSCO noted Ms X and the Council disagree about the type of school the child should attend, and Ms X wanted to defer school for a year, and so concluded it is likely Ms X would have continued to educate the child at home in any event.	The Council agreed (within four weeks) to apologise for the delay in handling Ms X's child's SEN case and the resulting complaint and make a payment of £250 to Ms X in acknowledgement of her time and trouble bringing the complaint.	20.09.19 - Apology Letter sent to Customer. 10.10.19 - Creditors confirmed payment of £250 cleared on 26.09.19.	10.10.20 LGSCO issued compliance outcome of "Remedy complete and satisfied".
20	People - ASC 18018362	Mr D complained the Council failed to meet his night time care needs from July 2018 to November 2018 and wrongly told him there was a ceiling on the amount of funding available for his care. Mr D also complains about the way the Council dealt with his complaint.	04/09/2019	The LGSCO found the Council failed to meet Mr D's night care needs for three nights per week from July 2018 to November 2018 and this caused avoidable distress to Mr D. The Council had already accepted it was wrong to tell Mr D there was a limit to the amount of funding it could provide for his care and support needs and had rectified this after ten days and apologised. The Council took too long to respond to his complaint and did not address all of his complaint.	The Council has agreed (within 1 month) to apologise to Mr D and make payments totalling £600 (£500 to acknowledge the impact on him of failing to meet his needs and £100 to acknowledge the time and trouble he was caused).	11.09.19 - Apology letter and copy of remit slip sent (confirming £600 payment to be made via BACS) sent in the post. 23.10.19 - Apology letter returned in the post with reason "not called for". Re-sent via first class. 24.10.19 - LGSCO updated.	12.09.19 LGSCO has issued compliance outcome of "Remedy complete and satisfied".

21	Resources – Customer Services 19005826	Mr X complained the Council should give a full refund after he incurred extra fees in relation to giving notice to marry.	03/09/2019	The LGSCO noted the Council has offered to pay 50% of the extra costs.	The LGSCO viewed the Council's offer as a fair and proportionate response and decided not to investigate the complaint for this reason.	Not applicable - Council has already provided satisfactory remedy.	Not applicable
22	People – SEN 18018386	Mrs X complained about the Council's delay in reviewing her daughter, D's, Education Health and Care (EHC) plan and issuing a final amended plan. Mrs X also complained the Council delayed reimbursing her for charges for online tuition for D.	02/09/2019	The LGSCO found the Council has significantly delayed in issuing the final amended plan, and fault for its delay in referring the issue of online tuition to its panel for a decision and its later failure to clarify the position with the school.	The Council agreed to apologise to Mrs X for the delay in issuing the final amended EHC plan and its delay in referring the funding issue to its panel and its failure to clarify whether the school was responsible for funding the online tuition. The Council agreed to pay Mrs X £300 for her time and trouble, and to reflect the fact she was out of pocket in respect of the online tuition costs for several months.	19.08.19 - Apology Letter sent to Customer. 30.08.19 - Creditors confirmed payment of £300 cleared via BACS on 23.08.2019.	02.09.19 LGSCO issued compliance outcome of "Remedy complete and satisfied".
23	Resources-Customer Services 18016030	Mrs X complains the Council has wrongly refused to renew her blue badge. The Council did not carry out an independent face to face mobility assessment.	27/08/2019	LGSCO found the Council failed to carry out an independent face-to-face mobility assessment as required by guidance and its policy, but noted the Council has already agreed to review its approach and has already contacted Mrs X, apologised verbally and arranged a face-to-face assessment for her with a physiotherapist.	The Council agreed (within 1 month) to apologise to Mrs X for the failure to offer her a face-to-face assessment and pay her £250 for her time and trouble.	27.09.19 - Service confirmation that payment authorised on the 23rd September and would be with Mrs X by the end of the week. 30.09.19 - Apology letter sent.	07.10.19 LGSCO issued compliance outcome of "Remedy complete late".
24	People – Children & Families 18015263	Mr E complained that the assessment carried out on his children in 2017 was incorrect and that incorrect information from it was shared with another council.	16/08/2019	The LGSCO found evidence of fault in the Council using incorrect information about him and in not updating its files.	The Council agreed (within 1 month) to apologise to Mr E, in particular around one point of complaint which the LGSCO considers should have been upheld due to information about Mr E's inflexibility having been recorded without appropriate challenge. The Council also agreed to make Mr E an additional £100 payment in addition to £500 already offered and paid for the time and trouble and distress experienced. The Council further agreed (within 2 months) to consider whether it needs specific guidance on emotional abuse for social workers who are carrying out assessments; and to share information (within 1 month) with the other council about matters that affect its assessment of Mr E's other children.	13.09.19 - Apology letter sent to Mr E confirming additional £100 payment made via BACS on 09.09.19. 09.10.19 - Assistant Director confirmed she had followed up as requested with other council. Nov 2019 - Links between social care Tri.X and Safeguarding Board Tri.X added to improve visibility of guidance around emotional abuse.	16.10.19 LGSCO issued compliance outcome of "Remedy complete and satisfied".
25	Resources – Customer Services 19005109	Miss Q complained about the Council's assessment of her blue badge application, which it initially refused.	15/08/2019	The LGSCO noted the Council had accepted there was an administrative error in its handling of Miss Q's application to renew her blue badge and had now approved her application.	The LGSCO viewed the Council's actions as a fair remedy and decided not to investigate the complaint for this reason.	Not applicable - Council already provided satisfactory response/remedy.	Not applicable
26	People – SEN 18014232	Mr X complained the Council delayed in finalising his son's Education, Health and Care Plan. He also complains the Council failed to ensure his son received full time education once he reached compulsory school age.	31/07/2019	The LGSCO found the Council delayed in finalising an Education, Health and Care Plan for his son. The Council missed three opportunities to consider whether to assess C. Once it decided to assess, the Council took twice as long as it should have to issue the plan and this meant his son missed out on provision.	The Council agreed (within one month) to apologise to Mr X and his son for the faults identified in the investigation and make payments totalling £2300 (£1,600 in recognition of lost provision; £450 in recognition of lost opportunities to exercise his appeal rights; and £250 in recognition of his time and trouble in pursuing a needs assessment and later a complaint with the Council). The Council also agreed (within one month) to review its procedures to ensure that when it receives a notification that a child in its area may have special educational needs, it consults parents and other professionals to reach a decision about assessing the child within six weeks; amends its processes to ensure it retains copies of any draft EHCPs issued to parents; and remind officers of the Council's own guidance regarding early referrals for EHCP needs assessments where necessary. Finally, the Council agreed (by end Sept 2019) to issue a reminder to schools in its area about the inappropriate use of 'informal' or 'unofficial' exclusions.	19.08.19 - Apology letter sent to Mr X confirming payments and remedial action. 30.08.19 - Email to LGSCO confirming action taken around reviewing procedures and reminder issued to staff. 05.09.19 - Creditors confirmed that the payment of £2,300 was paid via BACS. 20.09.19 - Email to LGSCO enclosing reminder letter sent to schools. 10.10.19 - Copy of minutes shared with LGSCO from 0-25 Special Educational Needs and Disabilities Service Senior Leadership Team meeting held on 18.09.2019 regarding review of procedures. 29.10.19 LGSCO advised that guidance document being developed but further advice from DfE required. 25.06.20 - Email to LGSCO with a copy of the Position Statement agreed by the Senior Leadership Team. Confirmed Statement uploaded to the Local Offer Site and circulated to the SEND Division Advisory Services.	11.10.19 LGSCO recorded compliance outcome of "Remedy complete and satisfied" but requested copy of guidance when available. Formally concluded involvement 27.06.20.

27	People – Children & Families 18017925	Mr X complained that on two occasions the Council wrongly applied a flag against his name on their care record system, indicating he posed a risk to children.	30/07/2019	The LGSCO found the Council had already accepted it was at fault when it firstly incorrectly recorded a flag against Mr X's name, and secondly when it told him and others there was a flag applied to his name, indicating he posed a risk to children. It had already taken appropriate action to discuss the matter with its officers to ensure the mistake is not repeated and had apologised for its mistakes and offered Mr X £150 compensation.	The Council agreed (within 1 month) to increase the level of payment and pay Mr X £300 as a remedy for the distress caused, the loss of trust and the impact on his family life.	16.08.19 - Apology letter sent to Mr X enclosing cheque for £300.	19.08.19 LGSCO issued compliance outcome of "Remedy complete and satisfied".
28	Place - Council Housing 19 000 700	Mrs X complained about the Council's decision to remove her housing priority.	18/07/2019	LGSCO found that since bringing her complaint to the Ombudsman, the Council had undertaken a further review of her housing need priority and on 19 June 2019 had reinstated Mrs X's Band B priority status.	LGSCO discontinued investigation as Mrs X is happy with the outcome of the Council's review of her housing priority.	No further action required	Not applicable
29	Place – Planning 18007973	Mrs X complained about the Council's response to her concerns about a development next to her property.	16/07/2019	The Council properly investigated planning enforcement concerns on a development. However, it did not handle the complainant's complaints about these matters properly, causing limited injustice.	The Council agreed (within 1 month) to apologise to Mrs X for the faults in handling her complaints and for the confusion and frustration this caused her. The Council further agreed (within 3 months) to review its public-facing information about its corporate complaints process and the enforcement reporting process and provide clear public information on the difference between the two; consider links across from the corporate webpage to the enforcement webpage and provide clarity on what complainants can expect in terms of responses on enforcement matters.	09.08.19 - Apology letter sent to Mrs X. 18.11.19 - Public facing information on website about complaints and planning enforcement reviewed and changes made as part of wider review of online form and general complaints pages on website.	22.11.19 LGSCO issued compliance outcome of "Remedy complete late".
30	Place – Council Housing 201713954	Mr X complained about the Landlord's communication, procedures and record keeping relating to his reports of possible asbestos in the property, and the resulting complaint.	10/07/2019	HO found service failure in the Landlord's communication, procedures and record keeping relating to Mr X's reports of possible asbestos in his property, and in its handling of the resulting complaint.	The Council agreed to pay Mr X payments totalling £200 (£100 for the distress and failure caused by its failure to formally record, manage and monitor the asbestos in his property, as required by its Asbestos Management Plan and £100 for the distress and inconvenience caused by its complaints handling). The Council further agreed to write to Mr X confirming it would be retrospectively creating appropriate records so that these can be maintained for 40 years, as per sections 9.5 and 10 of the Asbestos Management Plan but also explaining that as there is no asbestos in the property (as confirmed by the 2018 survey) there will be no ongoing monitoring.	13.08.19 - Letter sent to customer enclosing latest survey reports and confirming no asbestos containing material (ACM) in property and therefore no reason to regularly re-inspect property for ACMs. 02.09.19 - confirmation from service that payment made to rent account wc 26.08.19.	04.09.19 - Email from HO confirming agreed actions completed and case closed.
31	Partner - Capita (Revs and Bens) 18011905	Ms Y complained about Council errors in her benefits payments, which it then asked her to repay. She also complained about the Council's poor communication about the issue.	02/07/2019	LGSCO found the Council made errors in handling her council tax support and housing benefit claims, which caused her upset, confusion and inconvenience.	The Council agreed (within 1 month) to send Ms Y a written apology for the avoidable uncertainty, inconvenience and trouble caused by its fault in handling her council tax and housing benefit claims; and to confirm in writing Ms Y does not owe payments for recovery of housing benefit or additional council tax following her CTS discount; and it will not seek to recover the DHP overpayment of £200 it made before Ms Y's appeal.	11.07.19 - Apology/clarification letter sent to Ms Y.	05.08.19 LGSCO has recorded compliance outcome of "Remedy complete and satisfied".
32	Place – Council Housing 201812257	Ms X complained about the Council's response to her reports of anti-social behaviour; response to vandalism; and subsequent repairs at the property. Also complained about information provided by the Council about termination of her tenancy and its decision to continue to charge rent	21/06/2019	The Housing Ombudsman found service failure by the Council in respect of its response to the complainant's reports of anti-social behaviour; its response to vandalism, and subsequent repairs, to her property. The Ombudsman found the Council failed to take appropriate action in response to the complainant's reports of ASB and to provide appropriate support. Council's response to repairs issue was inappropriate and officer could have raised/reported repairs on her behalf. The Ombudsman found the Council has made satisfactory redress to the complainant to resolve the complaint about the tenancy termination. Having acknowledged that Ms X had been provided with incorrect information in relation to returning her keys the Council apologised for the inconvenience; offered her £100 in compensation and took steps to ensure that correct information was relayed to residents in the future. Decision to continue charging rent, even though the complainant was residing elsewhere was not inappropriate as the complainant was obliged to pay rent under the tenancy agreement.	The Housing Ombudsman ordered the Council (within 4 weeks) to: 1) Apologise to the complainant that it did not take more action in relation to the repairs that were required at the property ; 2) Pay the complainant £150 for the distress and inconvenience caused to her by the failure to open an ASB call in March 2018, and for the failure to support her in line with its ASB policy and 3) Pay the complainant £150 for distress and inconvenience caused to her by the failure to refer necessary repairs to the relevant team, and to ensure that they were completed in line with its obligations under the tenancy agreement. The Housing Ombudsman also recommended the Council (within 6 weeks) to provide its staff with a reminder of the importance of ensuring that victims of ASB are given appropriate support in line with its policy.	30.07.19 - Apology letter sent to customer (dated 25th July 2019). 17.09.19 - £300 payment made to rent account and letter sent to customer 22.10.19 - Agreed reminder issued to staff via a team meeting event.	19.09.19 - HO confirmed that the case is now closed and Council has complied with the orders.

33	Partner – Streets Ahead 18014180	Mr X complained about light intrusion from a street lamp positioned outside his mother's property. He says the street lamp causes an unacceptable level of light intrusion into her property, which is causing her distress. He wants the Council to move the street lamp or take action to reduce the light intrusion. He also complains about delays in the Council's complaints process.	13/06/2019	The Ombudsman found the Council took appropriate action to reduce the level of light intrusion to within the recommended limits, however there was some delay within the process.	The Council has agreed to apologise to Mr X and his mother for the delay and pay Mrs Y £150 to acknowledge the distress caused.	02.07.19 - Apology letter sent enclosing cheque for £150.	12.07.19 LGSCO issued compliance outcome of "Remedy complete and satisfied".
34	Partner - Veolia/Client Waste Management (1 of 2 similar complaints) 18010216	Ms B complained that when the Council changed its recycling scheme, it introduced a large [brown] bin which she does not want and will not use. She also complained that in response to her complaint the Council issued a notice under the Environmental Protection Act 1990.	05/06/2019	The Ombudsman confirmed that the Council can specify what bin will be used and the implication in law and guidance is the resident will store the bin. There were no exceptional circumstances and therefore the Ombudsman did not find fault by the Council in expecting residents to store and use the bins as required by the scheme. The Council acted in accordance with the law when it issued the Section 46 notice and the Ombudsman did not say it was fault to issue the notice. However, the Council accepted the wording of the notice may have been unclear and will review the wording accordingly. The Council offered to apologise to Ms B for any distress the notice caused.	The Council agreed (within one month) to apologise to Ms B for sending a confusing notice referring to both Sections 46 and 46A of the Environmental Protection Act; and to review the wording of its Section 46 notice, to ensure it is clear for future use.	02.07.19 - Apology letter sent. 23.07.19 - Wording of Section 46 notice reviewed and revised version shared with LGSCO.	09.08.19 LGSCO issued compliance outcome of "Remedy complete and satisfied"
35	Partner - Veolia/Client Waste Management (2 of 2 similar complaints) 18012042	Ms B complained that when the Council changed its recycling scheme, it introduced a large [brown] bin which she does not want and will not use. She also complained that in response to her complaint the Council issued a notice under the Environmental Protection Act 1990.	05/06/2019	The Ombudsman confirmed that the Council can specify what bin will be used and the implication in law and guidance is the resident will store the bin. There were no exceptional circumstances and therefore the Ombudsman did not find fault by the Council in expecting residents to store and use the bins as required by the scheme. The Council acted in accordance with the law when it issued the Section 46 notice and the Ombudsman did not say it was fault to issue the notice. However, the Council accepted the wording of the notice may have been unclear and will review the wording accordingly. The Council offered to apologise to Ms B for any distress the notice caused.	The Council agreed (within one month) to apologise to Ms B for sending a confusing notice referring to both Sections 46 and 46A of the Environmental Protection Act; and to review the wording of its Section 46 notice, to ensure it is clear for future use.	02.07.19 - Apology letter sent. 23.07.19 - Wording of Section 46 notice reviewed and revised version shared with LGSCO.	08.08.19 LGSCO issued compliance outcome of "Remedy complete and satisfied"
36	Place – Council Housing 201715286	Mr X complained about delays in the Council completing programmed works in his property.	31/05/2019	Ombudsman found service failure by the Council. It took a year for the works to be completed, eleven months of which were delays in the works being completed to a satisfactory standard. Although the Council appropriately recognised failures it did not take appropriate steps to put this right and the level of compensation offered was not proportionate to the distress and inconvenience caused nor the time and trouble spent pursuing this matter.	Housing Ombudsman ordered the Council to pay the complainant £350 compensation (in addition to £200 already offered) for the distress, inconvenience and time and trouble these delays caused him. Also if not already done so, pay the complainant the £40 compensation offered for his laundry costs and investigate the complainant's concerns about the sealant that is currently present in his property.	01.08.19 - £590 compensation payment paid 10.10.19 - Letter to customer advising induction pack on file for residents checked prior to work. Also risk assessment on sealant product details low risk and no fibres following use.	21.10.19 - HO confirmed that all of the orders made have been complied with and case now closed.
37	People – Adult Social Care 17002402	Mr Y complained about the Council, the Trust and the CCG's involvement with his mother's care. The complaints in relation to the Council were about: a lack of support to daughter, as carer and to the family; delays in social care assessment and support planning and provision for mother; poor care from Council-commissioned care agencies; Care agencies making what family consider to be false allegations regarding injuries to mother and providing incorrect documentation; poor care from a Council-commissioned day care centre and a residential placement; the suspension of personal assistant without adequate explanation or adequate replacement care; flawed safeguarding investigations; delay in putting in place direct payments.	30/05/2019	The Ombudsman found fault with delays in completing a detailed assessment and although this did not cause an injustice for mother, it did delay daughter from being able to access three nights' additional respite support, which was subsequently addressed. The Ombudsman did not find fault by the Council in relation to the care provided to mother at her home or at the day centre nor about the suspension of the PA and the replacement care it put in place. No fault found in relation to the Council speaking with mother about the safeguarding concerns or that this meant the safeguarding process was flawed. No fault found in investigating and responding to concerns the family raised about mother's care. The Ombudsman did find fault by the Council with delays in arranging direct payments but noted the Council has already acknowledged this and remedied the injustice. The Ombudsman found no fault by the Trust in relation to it withholding equipment or with making safeguarding referrals.	Ombudsman did not recommend any further action – complainants did not want apology for delay completing assessment and injustice identified already remedied by the Council and CCG.	Not applicable - no further action.	Not applicable

38	Place –Repairs and Maintenance 201714860	Ms X complained about the Council's handling of reports of outstanding repairs in the complainant's property and the associated request for compensation.	16/05/2019	The Housing Ombudsman found the Council has made an offer of redress to the complainant which, in the Ombudsman's opinion, resolves the complaint satisfactorily.	Council agreed with Ombudsman's recommendation to re-offer £350 compensation to the complainant if it has not done so already; and to engage with any further correspondence from the complainant with regard to any personal injury or insurance claims she wishes to make or supporting evidence for a claim for reimbursement of utility costs.	10.06.19 - Letter sent to customer re-offering £350 and inviting further contact to discuss insurance claim - no further contact in response.	19.07.19 - HO confirmed satisfied with action taken and case closed.
39	People –SEN 18007951	Mr C complained the Council delayed in producing an education, health and care plan (EHCP) for his child and then failed to ensure the care set out in the EHCP was provided.	01/05/2019	The Ombudsman found fault due to the delays by the Council in issuing EHCP; putting in place provision outlined in Part F and in addressing the complaint.	The Council agreed (within 2wks) to apologise; pay Mr and Mrs C £300 for the time and trouble they were put to and the distress they were caused; and pay £1400 for educational provision lost and the distress caused by that (£200 for each month of inadequate provision). The Council also agreed (within three months) to write to the Ombudsman and explain: a) How many similar complaints it has had since introducing the localities system and how much higher or lower than the previous level, if applicable; b) Its assessment of the success of failure of the localities system; c) The steps it has taken to improve the system since its introduction; and d) Its view on whether it is sensible to approve provision of EHCPs when schools have stated they cannot provide the care set out in them.	17.05.19 - Apology letter sent. 30.05.19 - £1700 payment made by BACS. 03.06.19 - Email sent to LGO responding to questions/points raised by Ombudsman including summary of work to improve system.	07.06.19 LGSCO issued compliance outcome of "Remedy complete and satisfied".

22 July 2020

By email

Ms Adan
Interim Chief Executive
Sheffield City Council

Dear Ms Adan

Annual Review letter 2020

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2020. Given the exceptional pressures under which local authorities have been working over recent months, I thought carefully about whether it was still appropriate to send you this annual update. However, now, more than ever, I believe that it is essential that the public experience of local services is at the heart of our thinking. So, I hope that this feedback, which provides unique insight into the lived experience of your Council's services, will be useful as you continue to deal with the current situation and plan for the future.

Complaint statistics

This year, we continue to place our focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have made several changes over recent years to improve the data we capture and report. We focus our statistics on these three key areas:

Complaints upheld - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.

Compliance with recommendations - We recommend ways for authorities to put things right when faults have caused injustice. Our recommendations try to put people back in the position they were before the fault and we monitor authorities to ensure they comply with our recommendations. Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority - We want to encourage the early resolution of complaints and to credit authorities that have a positive and open approach to resolving complaints. We recognise cases where an authority has taken steps to put things

right before the complaint came to us. The authority upheld the complaint and we agreed with how it offered to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

This data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 29 July 2020, and our Review of Local Government Complaints. For further information on how to interpret our statistics, please visit our [website](#).

This year, I issued a public report about your Council's failure to offer a face-to-face mobility assessment to a blue badge applicant, contrary to its own policy and the guidance in place at the time. I am pleased the Council openly accepted fault at an early stage of the investigation and arranged for the applicant to be assessed by a physiotherapist. It also agreed to carry out our recommendations to apologise to the applicant and pay £250 in recognition of their time and trouble taken in pursuing the complaint.

It is to the Council's credit that it recognised its interim approach to blue badge assessments may have caused injustice to other applicants. It identified those affected and agreed to offer them an assessment by a physiotherapist. The Council showed it was committed to learning from the complaint by agreeing to review the way it deals with applications for blue badges so that, in future, all applicants will be offered an assessment by a physiotherapist in accordance with the legislation and statutory guidance. I commend this approach and hope the change will provide for an improved service for others.

Unfortunately, this year, two-thirds of the Council's responses to our enquiries were late. While most of those late responses were received within a few days of the deadline, eight took more than 25 days. Delayed investigations can add to the frustration experienced by complainants. I ask the Council to reflect on this and take steps to improve its liaison with my office.

Resources to help you get it right

There are a range of resources available that can support you to place the learning from complaints, about your authority and others, at the heart of your system of corporate governance. [Your council's performance](#) launched last year and puts our data and information about councils in one place. Again, the emphasis is on learning, not numbers. You can find the decisions we have made, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the tool with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

Earlier this year, we held our link officer seminars in London, Bristol, Leeds and Birmingham. Attended by 178 delegates from 143 local authorities, we focused on maximising the impact of complaints, making sure the right person is involved with complaints at the right time, and how to overcome common challenges.

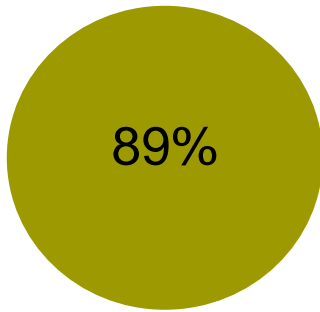
We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. During the year, we delivered 118 courses, training more than 1,400 people. This is 47 more courses than we delivered last year and included more training to adult social care providers than ever before. To find out more visit www.lgo.org.uk/training.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a stylized flourish at the end.

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

Complaints upheld



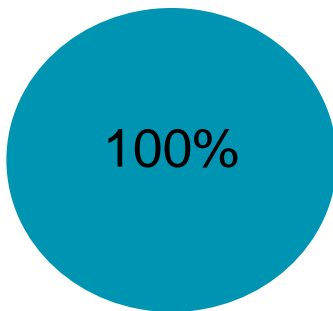
89% of complaints we investigated were upheld.

This compares to an average of **67%** in similar authorities.

34
upheld decisions

Statistics are based on a total of 38 detailed investigations for the period between 1 April 2019 to 31 March 2020

Compliance with Ombudsman recommendations



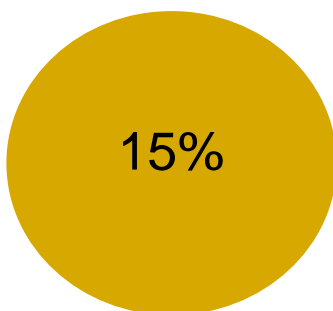
In **100%** of cases we were satisfied the authority had successfully implemented our recommendations.

This compares to an average of **100%** in similar authorities.

Statistics are based on a total of 24 compliance outcomes for the period between 1 April 2019 to 31 March 2020

- Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority



In **15%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **11%** in similar authorities.

5
satisfactory remedy decisions

Statistics are based on a total of 38 detailed investigations for the period between 1 April 2019 to 31 March 2020

Challenges facing external audit nationally

Introduction

At the January 2021 Audit Committee, the Chair of the Committee requested a short paper on the current challenges in delivering external audit (EA) by all audit providers across the public sector.

Discussion

There appears to be the following major reasons why EA is struggling nationally to deliver their workload in a timely manner.

- 1. Increased regulatory requirements**

In response to a series of well publicised private sector company failures, external auditors have faced a significant increase in the regulatory requirements they face, in areas such as professional scepticism and going concern. This has led to an increase in the amount of audit resources and time they need to complete their audits, whilst fee levels have remained squeezed.

Changes in the required audit approach have also had the effect of focusing testing on the figures in the financial statements, with less reliance able to be placed by EA on authorities' financial systems or the work of Internal Audit. This has the effect of increasing the peak in work during the opinion visit.
- 2. Shorter timetables**

At the same time CG has pushed for public sector audits to be completed to shorter timetables, to improve the timeliness of the published information, and to aid Whole of Government Accounts preparation.
- 3. Lower resources**

A combination of the above factors has meant that EA has become a less attractive career option, so the supply of staff has diminished, meaning that EA providers are struggling to resource their audits.

Specific to the public sector, a large pool of trained public sector external auditors was disbursed and generally lost to the sector, when the Audit Commission was abolished.

4. **COVID has further impacted resources and workload**
- Working remotely has been a challenge for auditors and LA accounts staff, with sickness absence and the need for home-schooling etc lengthening the time needed to complete audits. The pandemic has necessitated additional work on a number of judgements and estimates (e.g. bad debt provisions). At the same time, the additional potential financial pressures have meant more audit and regulatory focus on the statutory accounts.
- Some EA firms were hoping to alleviate resource shortfalls by bringing in suitable staff from abroad. However the pandemic has meant that this has not been possible.

5. **Impact of these issues**
- The impact of these issues is that audit opinions for 2018/19 and 2019/20 have been substantially delayed. The tables below illustrate this.

2018/19 opinions. Deadline 31st Jul 2019.

486 opinions due

Opinions not given by:	Number of opinions not given	Percentage (out of 486 audits)
31 July 2019	208	43%
30 th Sept 2019	142	29%
31 st Dec 2019	85	17%
31 st Mar 2020	61	13%
30 th Sept 2020	37	8%
31 st Dec 2020	26	5%

2019/20 opinions. Deadline 30th Nov 2020 (moved back from 31st July 2020 due to Covid).

478 opinions due

Opinions not given by:	Number of opinions not given	Percentage (out of 486 audits)
30 th Nov 2020	265	55%
31 st Dec 2020	202	42%

Within these figures I suggest there will be a tendency for the smaller, more straightforward, audits to be completed sooner. In contrast the larger, more complex, audits, particularly for those audited bodies deemed “Public Benefit Entities” and so subject to additional regulatory scrutiny, are likely to take longer.

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| 6. Additional pressures on LA staff | The additional information and testing needed during final accounts’ visits also increases the workload of the LA staff who prepare the accounts and support the EA visit. |
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| 7. Mitigations – a new regulator | <p>The above factors were highlighted in the recent Redmond review of EA.</p> <p>Among many recommendations was the suggestion that a new Public Sector Audit Regulator, provisionally called OLAR, was created. This body would have an oversight of the whole field of Local Authority audit regulation, improving the currently fragmented system, where PSAA, the NAO, MHCLG, Standards setters and the Treasury all oversee different elements. [update – it appears that MHCLG may not favour this proposal].</p> |
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| 8. Mitigations – simpler accounts, higher fees, and a changed audit focus | Redmond also suggested that accounts should be simplified, fees should be increased, and EA should focus more on the elements of the financial statements that matter to stakeholders, i.e. the overall financial position and resilience of each body, and less on items that do not affect financial performance, such as asset and pension valuations. |
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Recommendation

The Audit and Standards Committee notes the contents of this paper.

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Audit and Standards Committee Report

Report of: Director of Legal and Governance

Date: 18th February 2021

Subject: Work Programme

Author of Report: Abby Brownsword, Democratic Services
(Tel - 0114 273 5033)

Summary:

The report provides details of an outline work programme for the Committee.

Recommendations:

That the Committee:-

(a) considers the Work Programme and identifies any further items for inclusion;
and

(b) approves the work programme.

Background Papers: None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO Cleared by:
Legal Implications
NO Cleared by:
Equality of Opportunity Implications
NO Cleared by:
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
NONE
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
NO

WORK PROGRAMME

1. Purpose of Report

1.1 To consider an outline work programme for the Committee.

2. Work Programme

2.1 It is intended that there will be at least five meetings of the Committee during the year with three additional meetings arranged if required. The work programme includes some items which are dealt with at certain times of the year to meet statutory deadlines, such as the Annual Governance Report and Statement of Accounts, and other items requested by the Committee. In addition, it also includes standards related matters, including an annual review of the Members Code of Conduct and Complaints Procedure and an Annual Report on the complaints received.

2.2 An outline programme is attached and Members are asked to identify any further items for inclusion.

3. Recommendation

3.1 That the Committee:-

- (a) considers the Work Programme and identifies any further items for inclusion;
and
- (b) approves the work programme.

**Gillian Duckworth
Director of Legal and Governance**

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Audit and Standards Work Programme 2019-20- Working Copy

Date	Item	Author
18 March 2021	Annual Audit Letter 2019/20	Ernst and Young (External Auditor)
	Universal Credit Update	Tim Hardie (Director of Finance and Commercial Services)
	Work Programme	Gillian Duckworth (Director of Legal and Governance)
15 April 2021	Internal Audit Plan 2021/22	Linda Hunter (Senior Finance Manager)
	Progress on High Opinion Audit Reports	Linda Hunter (Senior Finance Manager)
	Compliance with International Auditing Standards	Dave Phillips (Head of Strategic Finance)
	Certification of Claims and Returns Annual Report 2019/20	External Auditor (EY)
	External Audit Plan 2020/21	External Auditor (EY)
	Annual Audit Fee Letter 2020/21	External Auditor (EY)
	Formal Response to Audit (ISA 260) Recommendations	Dave Phillips (Head of Strategic Finance)
	Whistleblowing Policy Review and Update	Gillian Duckworth (Director of Legal and Governance)
	Work Programme	Gillian Duckworth (Director of Legal and Governance)
June 2021	Audit Training	External Facilitator (Gary Bandy)
10 June 2021	Summary of Statement of Accounts	Dave Phillips (Head of Strategic Finance)

Audit and Standards Work Programme 2019-20- Working Copy

	Internal Audit Annual Fraud Report	Linda Hunter (Senior Finance Manager)
	Annual Ombudsman Report	Ben Marston (Service Delivery Manager)
	Review of Members' Code of Conduct	Gillian Duckworth (Director of Legal and Governance)
	Review of Standards Complaints Procedure	Gillian Duckworth (Director of Legal and Governance)
	Work Programme	Gillian Duckworth (Director of Legal and Governance)