

# Monitoring Officer Report 2019/20

Audit and Governance Committee  
30<sup>th</sup> July 2020

## 1. Role of the Monitoring Officer

- 1.1. The Monitoring Officer has the specific duty to ensure that the Council, its officers and its elected members maintain the highest standards of conduct in all that they do.
- 1.2. The legal basis for the Monitoring Officer's role is found in Section 5 of the Local Government and Housing Act 1989.
- 1.3. There are three main aspects to the role:
- To report on matters that he/she believes are, or are likely to be, illegal or amount to maladministration;
  - To be responsible for matters relating to the conduct of Councillors and officers; and
  - To be responsible for the operation of the Constitution
- 1.4. Section 5 requires the Monitoring Officer to prepare a report to the authority if it appears that any proposal, decision or omission by the authority (made otherwise than one on behalf of the executive) has given rise to or is likely to or would give rise to:-
- a) A contravention of any enactment or rule of law
  - b) Maladministration or failure as mentioned in Part 3 of the Local Government Act 1974
- 1.5. For these purposes, any committee, or sub-committee of the authority, or any person holding any office or employment under the authority or any joint committee on which the authority are represented constitutes "the authority".
- 1.6. Maladministration or failure under the 1974 Act is a reference to a finding of such made by the Local Government Ombudsman following an investigation undertaken by him.
- 1.7. Additionally, Part III of the Local Government Act 2000 makes the Monitoring Officer responsible for maintaining a Register of Member Interests. The Monitoring Officer also operates the procedures for dealing with Code of Conduct complaints against Cheshire East Borough Council Members and Members of Town and Parish Councils in its area.
- 1.8. Under the requirements set out at 1.2 above, the Monitoring Officer ultimately assumes responsibility for the lawfulness of decision making processes and a number of other governance controls, some of which are the subject of bespoke delegations in the constitution. These key

additional functions are covered in this report. By a combination of these measures and responsibilities, the Monitoring Officer has a key role to play in ensuring corporate governance and in informing the production of each Annual Governance Statement.

- 1.9. The Monitoring Officer must be designated by Full Council and cannot be the Chief Executive (Head of Paid Service) or the Director of Finance / Section 151 officer. The duties of the Monitoring Officer must be performed by him/her personally unless he or she is unable to act by reason of illness or absence, in which case a deputy/deputies, appointed by the Monitoring Officer, may act on his or her behalf.
- 1.10. Irrespective of illness or absence, where the Monitoring Officer is of the view that he or she ought not to perform functions relating to a Code of Conduct matter personally, s/he may delegate those functions to a person nominated by her/him as Deputy Monitoring Officer for that purpose.

## **2. Member's Code of Conduct**

- 2.1. Cheshire East Council adopted a new Code of Conduct<sup>1</sup>, which came into force on 1 January 2018. It is the responsibility of the Audit and Governance Committee to monitor this Code as part of the Committee's responsibility for promoting high standards of ethical behaviour.
- 2.2. The Monitoring Officer undertakes a preliminary assessment of each complaint, consulting one of the Independent Persons where appropriate, before making and notifying the Complainant of his/her decision on whether and how the complaint should proceed. This 'triage' has been introduced to enable complaints which do not engage the Code or are trivial, vexatious or 'Tit for Tat' to be rejected, without the need to convene an assessment meeting.
- 2.3. Between 1<sup>st</sup> April 2019 and 31<sup>st</sup> March 2020 23 complaints were received; 10 complaints concerned a Member of Cheshire East Council whilst 13 were against Members of a town or parish council within the borough.
- 2.4. This compares to 21 complaints received about a Member of Cheshire East Council in the previous year, and 9 complaints received about Members of a town or parish council.
- 2.5. Detail of the complaints received in 2019/20 is shown in the table below

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<sup>1</sup> [https://www.cheshireeast.gov.uk/council\\_and\\_democracy/your\\_council/councillor\\_conduct.aspx](https://www.cheshireeast.gov.uk/council_and_democracy/your_council/councillor_conduct.aspx)

<b>Part A: General Obligations</b>		<b>No. received</b>	
<u>Paragraph</u>		Borough	Town Parish
1	Selflessness	3	5
2	Integrity	5	8
3	Objectivity	6	1
4	Accountability	5	2
5	Openness, sub paragraph (a) transparency	4	0
	Openness, sub paragraph (b) disclosure	3	6
6	Honesty, sub paragraph (a) declaring interests	3	0
	Honesty, sub paragraph (b) use of resources	1	0
7	Respect for others, sub paragraph (a) courtesy	4	12
	Respect for others, sub paragraph (b) equality	0	2
	Respect for others, sub paragraph (c) impartiality	3	5
	Respect for others, sub paragraph (d) bullying	4	11
8	Leadership	9	9
9	Gifts and hospitality	0	0
	Failure to register or declare an interest	3	0

*Note: the numbers may not tally with the number of complaints received as a Complainant may identify none or more than one paragraph in their complaint.*

2.6. The decision of the Monitoring Officer in respect of the complaints received was as follows:

<b>Complaint:</b>	<b>2019/20</b>		<b>2018/19</b>	
	<b>Borough</b>	<b>Town Parish</b>	<b>Borough</b>	<b>Town Parish</b>
Rejected at preliminary assessment stage; failed to meet the assessment criteria	3	1	11	7
Concluded at Initial Assessment Meeting (breach or no breach)	7	12	10	2
Referred for formal external investigation	0	0	*not reported in 18/19	*not reported in 18/19
Referred to Standards hearing Sub Committee	0	0	*not reported in 18/19	*not reported in 18/19
Complaint ongoing	0	0	*not reported in 18/19	*not reported in 18/19

- 2.7. Over the course of the last two years, x cases progressed beyond the preliminary assessment stage, and of the complaints received in this period, x complaints were upheld. No complaints progressed to Standards Sub Hearing.
- 2.8. Code of conduct training is mandatory and has been provided on several occasions as part of this year's new member induction programme as well as 3 detailed sessions open to all members. This will be repeated on an annual basis.

### **3. Register of Member's Interests**

- 3.1. Cheshire East Borough Council Members, and Members of Town and Parish Councils in its area, are required to declare and register certain classes of interests with the Monitoring Officer. They must then conduct themselves accordingly in relation to any interest that arises when transacting business on behalf of their authority.
- 3.2. Registerable interests are explained in the Code of Conduct but comprise, for all Members, Disclosable Pecuniary Interests. Additionally for Cheshire East Members, and from the new municipal year all Town and Parish Council Members, a requirement to declare personal interests.
- 3.3. A failure to declare an interest, and act accordingly in relation to the same, is capable of amounting to a breach of the Code of Conduct. In relation to Disclosable Pecuniary Interests, it can also amount to a criminal offence.
- 3.4. The relevant registers are available on, or through, the Council's website. There is a requirement to register upon taking office, and it is each Member's responsibility to ensure their register remains up to date as and when interests change.
- 3.5. Other than the Code of Conduct complaints (referred to above) which have involved an allegation of a failure to properly register an interest, there have been no issues arising through the year in respect of the registration of interests.
- 3.6. Training in respect of Member interests is covered below.

### **4. Register of Gifts and Hospitality**

- 4.1. Cheshire East Borough Council Members are required to register with the Monitoring Officer details of any gifts or hospitality received where the value is considered to be in excess of £100.

4.2. The register of gifts and hospitality is maintained by the Monitoring Officer and is available for inspection by appointment at the Council's Office in Westfields.

4.3. Gifts and hospitality received by Members were declared to the Monitoring Officer in the following numbers;

2019/20	2018/19	2017/18
2	1	3

4.4. Training in respect of gifts and hospitality is covered below.

## 5. Member Training and Development

5.1. The Member's Code of Conduct is recognised in Cheshire East Council's Member Training and Development Programme as being mandatory and will be repeated on an annual basis. For any member who is elected as a result of a by election a one to one briefing session will be provided.

5.2. Following the Council elections in May 2019, Code of Conduct training was delivered as part of the Induction programme for newly elected Members, with a wider, all Councillor briefing held in the 30 day period between the date of election and the deadline for completion of Members' Register of Interest Forms. Three further code of conduct sessions have been delivered during the course of 2019/20 which were open to all members to attend.

5.3. Plans are in place to review arrangements for training over the next three years, as part of the four-year cycle of training and developments taking into account the recommendations of the Committee on Standards in Public Life, as set out in its report on Local Government Ethical Standards published in January 2019.<sup>2</sup>

5.4. In respect of Town and Parish Councils, a training programme has been devised in association with the Cheshire Association of Local Councils (CHaLC) and has been delivered by CHaLC since the elections in May 2019, with attendance by the Monitoring Officer when required.

## 6. Dispensations

6.1. The Monitoring Officer is empowered to grant dispensations enabling Cheshire East Council Members to take part in council business in

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<sup>2</sup> <https://www.gov.uk/government/collections/local-government-ethical-standards>

which they would otherwise have an interest which would prevent their dispensation.

- 6.2. There are a number of “standing” or general dispensations which apply to all Cheshire East Council Members. These are set out through a link in the Constitution at the end of the Member Code of Conduct<sup>3</sup>.
- 6.3 An urgent decision to grant a new general dispensation taken in January 2020, was reported to the Audit & Governance Committee on 12 March 2020 for noting. This related to the extent that it may amount to a prejudicial or disclosable pecuniary interest, any allowance or other remuneration received from the Council in respect of Council duties or directorships of Council owned ASDVs.
- 6.4 No specific individual dispensations have been granted during the course of 2019/20

## 7. Information and Data Protection

### Data Protection Requests

- 7.1. The table below outlines the number of requests (subject access and disclosure) received under Data Protection legislation during the financial year 2019/20 compared with 2018/19. It also shows the percentage of requests which were responded to within the statutory timescales.

*Table 1 - Data Protection Requests*

	2019/20	2018/19
Data Protection Requests	1462	1,429
Percentage responded to within statutory timescales	93%	91%

- 7.2. Data Protection requests into the Council typically originate from individuals (including care leavers requesting access to their social care records), public authorities (including the Police) and commercial organisations (including insurance companies and solicitors) requesting CCTV footage.
- 7.3 Requests continued to increase slightly (2% increase in 2019/20 on 2018/19) but the percentage of requests responded to within the statutory timescales has improved, despite the fact that information gathered in response to subject access requests and requests for disclosure is often complex and voluminous. Every page in every

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<sup>3</sup> <https://www.cheshireeast.gov.uk/pdf/council-and-democracy/councillors-and-councillor-conduct/members-code-of-conduct.pdf>

document must be carefully reviewed and redacted of third party data before it is released to the requestor.

## Freedom of Information/Environmental Information Requests

7.4. Tables 2, 3, 4 and 5 below outline the number of requests received under the Freedom of Information Act 2000(FOIA) and the Environmental Information Regulations (EIR) 2004. They also detail the type, source and number of requests made to the Council, the response times for individual services and the request outcomes.

*Table 2 – Requests Received under FOIA and EIR's*

Type of Request	2019/20	2018/19
FOIA/EIR Requests	1,648	1,845
EIR Requests to Land Charges <sup>4</sup>	2,809	2,707
<b>Total FOIA/EIR Requests</b>	<b>4,457</b>	<b>4,552</b>

*Table 3 – Source of FOI/EIR Request*

Source	2019/20	2018/19
Commercial	27%	24%
Councillor	1%	1%
Individual	45%	43%
MP	<1%	1%
Other	<1%	1%
Press or media	11%	14%
Pressure Groups	4%	3%
Public Sector	1%	2%
Researchers	2%	3%
What do they know? <sup>5</sup>	8%	9%

*Table 4 – Percentage of requests handled within 20 working days per Directorate (excluding requests directly made to Land Charges)*

Directorate	2019/20	2018/19
Corporate Directorate	97%	96%
People Directorate	97%	96%
Place Directorate	96%	95%
<b>Total</b>	<b>96%</b>	<b>95%</b>



<sup>4</sup> Personal Search Companies make EIR requests directly to the Land Charges Team, who respond directly to the requester. The requests are all completed within the statutory deadline of 20 working days.

<sup>5</sup> ‘What do they know?’ is a website used to make FOI and EIR requests

7.5. The Council provides full information to the requester in the majority of cases; 888 in 2019/20.

7.6. In 153 cases (see Table 6 – FOI/EIR Refusal Notice Reasons) the requests were refused, as the information was already publicly accessible to the applicant without the need to make a request through either FOIA or the EIR’s. Ordinarily, links are provided to the location of the published information. This compares to 96 cases in 2018/19. This increase is a consequence of the proactive publication of information which had historically been disclosed through the FOIA and EIRs processes. Responses are also routinely published in the authority’s FOI Disclosure Log.

7.7. Table 5 details the number of cases where the information has not been released or has not been released in full.

*Table 5 – FOI/EIR Outcomes – 2019/20*

<b>Outcomes</b>	<b>2019/20</b>	<b>2018/19</b>
All information sent	888	1,114
Information not held	192	180
Ongoing Request at year end (outcome not known)	29	79
Some information sent but not all held	137	146
No information sent - all held but exempt	200	137
Some information sent but part exempt	106	71
Exceeds appropriate limit (18 hours) - refused <sup>4</sup>	20	36
Request lapsed – (clarification sought but not provided by requester)	46	51
Some information sent and exceeds appropriate limit	23	20
Neither confirm or deny information held	2	1
Vexatious request	1	4
Repeated request	1	2
Part exempt and exceeds appropriate limit	1	2
Some information sent, part exempt and exceeds limit	2	2
<b>Total</b>	<b>1,648</b>	<b>1,845</b>

<sup>4</sup> The ‘appropriate limit’ is 18 hours, i.e. if it will take more than 18 hours to fulfil the request, then it can be refused. If a requester wishes to pursue the request and the response, then a fees notice can be issued. In the majority of cases the requester will issue a new revised and reduced request.

7.8. 355 FOI Exemptions/EIR Exceptions were applied to refusals issued during 2019/20 compared with 236 during 2018/19, as shown in Table 6 below.

Table 6 – FOI/EIR Refusal Notice Reasons

<b>Refusal Notices issued</b>	<b>2019/20</b>	<b>2018/19</b>
EIRs Regulation (12)(5)(f) Information in Confidence	3	3
EIRs Regulation 12(3) Personal Information	34	18
EIRs Regulation 12(4)(a) Information Not Held	6	3
EIRs Regulation 12(4)(b) Manifestly Unreasonable	15	6
EIRs Regulation 12(4)(c) Formed in too general a manner	1	1
EIRs Regulation 12(4)(d) Draft Information	2	4
EIRs Regulation 12(4)(e) Internal Communications	2	
EIRs Regulation 12(5)(b) Course of Justice	9	2
EIRs Regulation 12(5)(c) Intellectual Property Rights	0	
EIRs Regulation 12(5)(d) Confidentiality of Proceedings	2	1
EIRs Regulation 12(5)(e) Commercial Interests	1	7
EIRs Regulation 12(5)(g) Protection of Environment	1	1
EIRs Regulation 6(1)(b) Publicly Accessible	71	39
FOIA Section 12(1) Compliance Exceeds 18 Hours	20	
FOIA Section 21 Publicly Accessible to applicant	82	57
FOIA Section 22 Intended for Future Publication	31	10
FOIA Section 23 Information from or relating to security bodies	0	1
FOIA Section 30 Investigations & Proceedings	1	3
FOIA Section 32 Court Records etc.	0	1
FOIA Section 31 Law Enforcement	15	7
FOIA Section 33 Audit Functions	0	
FOIA Section 36 Prejudicial to conduct of public affairs	0	
FOIA Section 38 Health & Safety	0	
FOIA Section 40 Personal Information	33	40
FOIA Section 41 Information Provided in Confidence	5	11
FOIA Section 42 Legal Professional Privilege	1	1
FOIA Section 43 Commercial Interests	20	20
<b>TOTAL</b>	<b>355</b>	<b>236</b>

- 7.9. It should be noted that the number of exemptions/exceptions does not match with the number of requests refused (Table 4) because more than one exemption/exception may be used in a refusal notice.

### **Internal reviews and referrals to the Information Commissioner’s Office**

- 7.10. Should a requester be unhappy with the initial response to their request, they have the right to request an internal review. This is conducted by someone independent of the initial response and usually by a senior officer within the Compliance and Customer Relations Team. 70 internal reviews were undertaken in 2019/20 compared with 62 in the previous year.

*Table 7 - Internal Reviews and Outcomes*

<b>Outcome</b>	<b>2019/2020</b>	<b>2018/2019</b>
Not upheld (in favour of Council)	46	38
Ongoing review at end of year	3	3
Upheld – full (in favour of requester)	11	7
Upheld – partial (in favour of requester)	10	15
Withdrawn	0	1
<b>Total</b>	<b>70</b>	<b>62</b>

- 7.11. Should a requester remain unhappy following the internal review, he/she may appeal to the Information Commissioner’s Office for a decision. Table 8 below outlines the outcomes for those requests which were referred to the ICO.

*Table 8 – Referrals to the Information Commissioner’s Office (ICO)*

<b>Complaints to the ICO</b>	<b>2019/20</b>	<b>2018/19</b>
Late Notification		0
Ongoing at year end	1	3
Withdrawn		0
Complaint Upheld	1	0
Complaint Not Upheld	7	5
<b>TOTAL</b>	<b>9</b>	<b>8</b>

### **8. Complaints including Local Government and Social Care Ombudsmen Referrals**

- 8.1. Appendices 1, 2(a) and 2(b) outline the number of cases of formal feedback received from customers during 2019/20 and administered under the Council’s Corporate Compliments, Suggestions and Complaints Policy, as well as the

Council's Adults and Children's Social Care Complaints Policies. A summary of the cases closed during 2019/20 by the Local Government and Social Care Ombudsman is also provided. Figures for 2018/19 are also included for comparison.

- 8.2. During 2019/20 the Council received 3577 instances of customer feedback – 1087 were compliments, 145 were suggestions and 2345 were complaints. Details are attached in Appendix 1.
- 8.3. Complaints increased by 20% in 2019/20 compared with the previous year, when 1956 were received. This increase can be partly attributed to the increase in complaints relating to Waste & Recycling, Highway Operations and Special Educational Needs.
- 8.4. The number of recorded compliments in 2019/20 was 1087, compared with 958 in 2018/19; half of these related to Adult Services. The Council also recorded 145 suggestions (137 in 2018/19). These are neither complaints nor compliments, but often suggested changes to policy or working practice.

#### Stage 2 Corporate Complaints

- 8.5. Of the 2137 corporate (i.e. non social care) complaints received in 2019/20, 127 customers requested a Stage 2 investigation and 12 went straight to Stage 2; for example in cases where there may have already been lengthy e-mail communications between the service and the customer.
- 8.6. This compares with 2018/19, when 102 customers requested a Stage 2 investigation and 24 went straight to Stage 2. The main areas which received requests for Stage 2 investigations were Development Management & Enforcement, Highway Operations, Special Educational Needs and Waste & Recycling.

#### Children's Social Care Complaints Procedure

- 8.7. 87 new complaints were received in 2019/20, compared with 114 in 2018/19. Of the 87 complaints, 9 were dealt with at Stage 2, compared with 4 in 2018/19. One complaint in 2019/20 was considered at Stage 3 of the Children's social care complaints procedure.

#### Adult Social Care Complaints

- 8.8. 109 new complaints were received in 2019/20, compared with 89 in 2018/19. Of the 109 complaints, 4 complaints were dealt with at Stage 2, compared with 5 in 2018/19.

## Local Government and Social Care Ombudsman (LGSCO) referrals

- 8.9. All customers are offered the opportunity to appeal to the LGSCO if they are unhappy with the way in which the Council has handled their complaint.
- 8.10. Appendices 2a and 2b show the number of Decision Notices issued to the Council during 2019/20 (73) and 2018/19 (78). For comparison during 2017/18 the Council received 91 decisions notice and 73 during 2016/17.
- 8.11. During 2019/20, the LGSCO issued Decision Notices on 73 cases. 44 of these cases were closed after the LGSCO conducted their initial enquiry and carried out detailed investigations on 29 cases. In 17 of these cases the detailed investigation found maladministration with injustice and upheld the complaint in the complainant's favour. In 12 cases the detailed investigation found not fault with the Council's actions and were not upheld. This gives the authority an uphold rate of 59% of the detailed investigations decided by the LGSCO in 2019/20 which is an increase from the 50% uphold rate in 2018/19. It is worth noting that the number of cases upheld (17) represents less than 1% of the total number of complaints (2345) the Council received during 2019/20.
- 8.12. There are a number of cases which the Ombudsman received which are rejected on receipt (for example, because they are premature, are recorded as advice calls or because the LGSCO has no jurisdiction over a particular type of complaint). The Council is not always notified of these cases and these figures are published in the LGSCO's annual report, which is usually issued by the end of July following the end of the financial year.
- 8.13. An update report on LGSCO referrals will be submitted to a future Audit & Governance Committee meeting, following the publication of the Ombudsman's Annual Report.

## **9. Regulation of Investigatory Powers (RIPA) Act**

- 9.1. The Council occasionally needs to use directed surveillance and obtain communications data, in order to carry out its enforcement functions effectively, e.g. planning enforcement, licensing enforcement, trading standards, environmental health and community enforcement. RIPA provides a regulatory framework to enable public authorities to obtain information through the use of certain covert investigatory techniques.
- 9.2. It is imperative that, when investigating alleged wrongdoing, certain conditions are met in each case in order that successful prosecutions can be made. In particular, it is essential that covert surveillance is only used when it is necessary and proportionate to do so. Therefore, this must be properly authorised and recorded, the tests of necessity and proportionality must be satisfied, and the potential for collateral intrusion must be considered and minimised.

- 9.3. The Council's Authorising Officers/Designated Persons are:-

Place Directorate

Andrew Ross, Director of Highways & Infrastructure

Peter Skates, Director of Growth & Enterprise

Paul Bayley, Director of Environment & Neighbourhood Services

Corporate Directorate

Alex Thompson, Director of Finance & Customer Services

Jo Brown, Director of Transformation

People Directorate

Jacquie Sims, Director of Children's Social Care

Jill Broomhall, Director of Adult Social Care Operations

Nichola Thompson, Director of Commissioning

- 9.4. Once authorised, all applications need the approval of a Justice of the Peace/Magistrate, as required by the Protection of Freedoms Act 2012. The Act also restricts the use of RIPA authorised surveillance to the investigation of offences which attract a custodial sentence of six months or more. The Director of Governance and Compliance Services assumes responsibility for the integrity of the process to ensure that the Council complies with the legislation.

Use of Covert Human Intelligence Source (CHIS)

- 9.5. Covert human intelligence sources may only be authorised if there are certain additional arrangements in place, including an employee of the Council being responsible for the source's security and welfare and a Senior Officer with general oversight of the use made of the source. Use of a CHIS must be authorised by the Chief Executive before it is approved by a Justice of the Peace/Magistrate.

Applications Authorised

- 9.6. The table below shows the number of applications authorised during 2019/20, compared with previous years.

	<b>Directed surveillance</b>	<b>Communications Data</b>	<b>CHIS</b>
2019 - 20	2	0	0

2018 - 19	1	1	0
2017 - 18	1	0	0

## 10. Whistleblowing

10.1. Cheshire East has an established whistleblowing policy and detailed supporting guidance available on both the Centranet and the Council's website. The current policy was introduced in March 2018 following a review of the Council's arrangements by Public Concern at Work (now known as Protect), the leading advocate for whistleblowing in the UK.

10.2. The policy is based on the model policy recommended by Protect but has been adapted to meet Cheshire East's specific requirements such as members of Audit and Governance Committee being designated contacts under the policy. The policy is kept under review and any changes required to ensure that it remains in line with best practice will be brought back to the Committee for approval and adoption.

10.3. It can be difficult to determine whether an organisation's whistleblowing arrangements are effective as it is important to take into consideration more than simply the volume of reports received. This is because a single, well founded concern received over a number of years more than justifies maintaining the whistleblowing arrangements.

10.4. It is therefore important to ensure that employees, members and external parties working for the Council are aware of the arrangements and provided with assurance that any concerns raised will be taken seriously and that anyone raising concerns will be protected from suffering any detriment as a result of "blowing the whistle".

10.5. To achieve this, the following work has been undertaken since the policy was adapted:

- Publicity and signposting of the policy and supporting information in Team Voice and on Centranet.
- Development and launch of detailed guidance for officers and members in the event that they are approached with a concern.
- Training delivered to Audit and Governance Committee
- Training delivered to Wider Leadership Team, Finance and HR staff.
- Promotion of the Whistleblowing arrangements under the Brighter Futures Culture Workstream communications and events.

10.6 In order to ensure that staff and members are aware of the Whistleblowing Policy and what they should do in the event that someone raises a concern with them, further promotion of the policy and development of the online resource will take place during 2020/21.

Referrals Received

10.6. The table below shows the number of referrals received during 2019/20 along with a breakdown of the outcome and comparative figures for 2018/19:

	<b>2019/20</b>	<b>2018/19</b>
<b>No of Referrals Received</b>	7	5
<b>Met criteria and action taken:</b>		
Unfounded after testing concerns	0	1
Referred for investigation after testing concerns	1	1
<b>Did not meet criteria and action taken:</b>		
Referred to other Council service for resolution	2	1
Referred for disciplinary investigation	1	1
Rejected after testing concerns	3	1

10.7. It is pleasing to note that all of the concerns raised were as a result of what appears to be genuine unease on the part of our staff, and that sufficient information was provided to allow for the concerns raised to be tested in each case.

10.8. Although only a small number of concerns were raised through the whistleblowing policy in both 2018/19 and 2019/20, there is no evidence that staff failed to report concerns because of fear that it would be detrimental to them.

**11. Constitution/Decision Making Process in operation**

11.1. The Constitution is monitored and reviewed at officer level by the Monitoring Officer and at member level by the Constitution Committee. Significant changes are submitted to Council for approval. Minor changes can be made by the Committee or by the Monitoring Officer in consultation with the Chairman and Vice-Chairman of the Committee.

11.2. During 2019/20 there were approximately 35 closed Committee sessions, held under Schedule 12A of the Local Government Act 1972. These included Cabinet, Appeals Sub-Committee, General Licensing Sub-Committee, Investigation and Disciplinary Committee, ASDV Shareholder Committee, LA School Governor Nomination Panel, and the Corporate Parenting Committee.

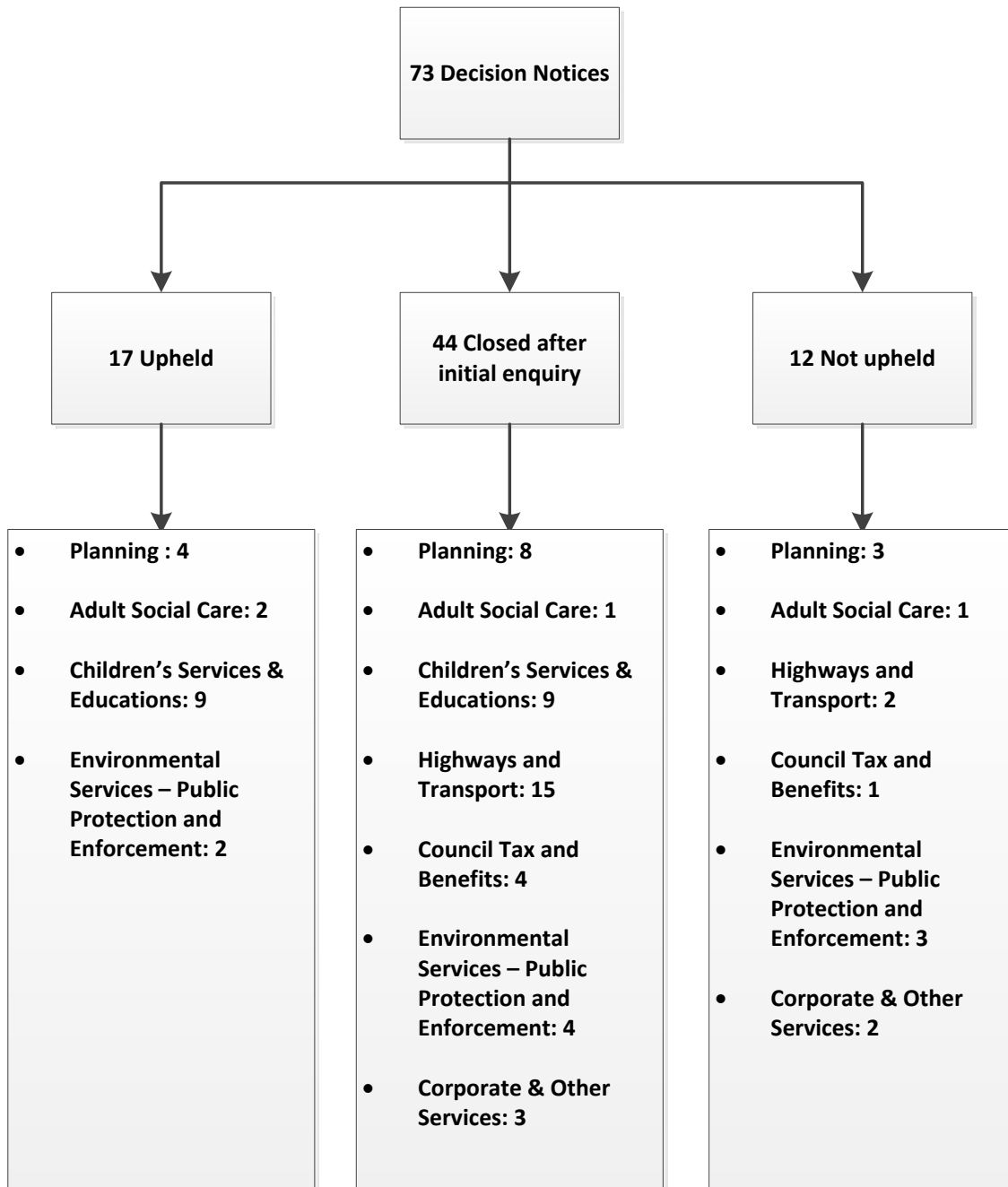


11.3. There was 1 closed Overview and Scrutiny Committee during 2019/20; this was a meeting of the Corporate Overview and Scrutiny Committee.

Feedback received – Appendix 1

Service Area	Complaints Received 2019 / 2020	Complaints Received 2018 / 2019	Compliments Received 2019 / 2020	Compliments Received 2018 / 2019	Suggestions Received 2019 / 2020	Suggestions Received 2018 / 2019
Waste & Recycling	1014	636	61	63	24	20
Highway Operations	353	248	27	35	17	18
Council Tax & Billing	137	179	130	70	2	9
Children's Services*	123	139	23	18	28	49
Development Management & Enforcement	113	123	3	1	2	2
Adult Services*	112	91	539	473	14	19
Special Educational Needs	85	53	18	0	0	0
Parking Enforcement	78	89	3	2	5	2
Customer Services	34	64	78	101	9	3
Grounds Maintenance	29	39	63	66	11	4
Mixed Service Area	29	36	23	10	2	3
Benefits	29	33	6	12	2	0
Community Safety	28	21	2	2	0	0
Transport	24	30	0	2	3	0
Electoral Registration	19	4	0	0	0	0
Environmental Protection	18	21	0	4	0	0
Street Cleansing	16	21	22	32	2	1
Building Control	15	14	0	0	0	0
Gypsies and Traveller Service	11	0	0	0	1	0
Library & Cultural Services	10	4	18	0	2	0
Education	9	11	2	18	1	0
Licensing	8	14	1	0	1	0
Assets	7	15	0	0	1	0
Highways Strategy	6	10	0	1	1	1
Bereavement	5	4	0	0	0	0
Housing	4	12	0	1	1	1
Spatial Planning	4	2	0	0	1	0
Commercial Services	4	0	0	0	0	0
Legal Services	3	3	0	19	0	0
Trading Standards	3	2	3	0	0	0
Business Rates & Billing	2	10	56	20	0	0
Public Rights of Way	2	3	0	0	0	0
Visitor Economy incl. Tatton Park	2	3	0	2	0	1
Animal Welfare	2	2	0	0	0	0
Facilities	1	7	1	1	0	0
ICT	1	1	0	0	3	0
Leisure	1	1	2	1	0	0
Markets	1	1	0	0	0	0
Partnerships Business Manager	1	1	0	0	0	0
Registration	1	1	1	2	1	0
Emergency Planning	1	0	0	0	0	0
Regeneration & Economic Development	0	3	0	0	2	3
Ranger Service	0	2	1	0	1	0
Finance General	0	1	0	0	0	0
HR	0	1	0	1	1	0
Public Health	0	1	1	0	4	0
Communications & PR	0	0	1	0	0	0
Democratic Services	0	0	1	1	2	1
Business Intelligence & Performance	0	0	1	0	0	0
Fleet Management	0	0	0	0	1	0
<b>Total Complaints</b>	<b>2345</b>	<b>1956</b>	<b>1087</b>	<b>958</b>	<b>145</b>	<b>137</b>

OFFICIAL



LGSCO Decision Notices 2019/20 – Appendix 2b

