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6 December 2006

S U M M O N S

MEETING: Standards and Governance Committee
DATE: 14 December 2006
TIME: 6.00pm
PLACE: Committee Room 2, Town Hall, Gosport
Democratic Services contact: Eileen Povey



BOROUGH SOLICITOR

MEMBERS OF THE COMMITTEE

Councillor Gill
Councillor Kimber
Councillor Langdon

Councillor Smith
Councillor Mrs Wright
Councillor Wright

Independent Members:

Mr M J Heritage-Owen (Chairman) Mr R V Perry (Vice Chairman)

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(To be read from the Chair if members of the public are present)

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AGENDA

RECOMMENDED
MINUTE
FORMAT

PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.

3. MINUTES

To approve as a correct record the Minutes of the Committee meeting held on 5 October 2006 (copy attached)

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Tuesday 12 December 2006. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Tuesday 12 December 2006).

6. CPA - USE OF RESOURCES TEST

To consider the revised action plan for the improvement of the Council's Use of Resources score (report attached)

Part II
Peter Wilson
Ext 5301

7. INTERNAL AUDIT – PROGRESS REPORT

- 1. To review the performance of Internal Audit from April to October 2006;*
- 2. To note the Head of Internal Audit's independent audit opinion on the level of assurance relating to the control environment;*
- 3. To note the schedule of the internal audit recommendations reported in both the critical and essential recommendations; and*
- 4. To note the revised target date for the review of Contract Standing Orders. (report attached)*

Part II
Chris Davis
Ext 5306

Standards and Governance Committee
14 December 2006

- | | | |
|-----|--|--------------------------------------|
| 8. | COMPLAINTS PROCEDURES AND ANALYSIS | Part II |
| | <i>1. To consider the operation of the Council's formal complaints procedure and an analysis of complaints for the first 6 months of the current financial year.</i> | Ken Lucking
Ext 5305 |
| | <i>2. To propose a mechanism for the Committee to review the operation of the processes. (report attached)</i> | |
| 9. | MEMBER INTERESTS AND DISPENSATION DETERMINATIONS
<i>(Report to follow)</i> | Part II
Linda Edwards
Ext 5401 |
| 10. | WORK AREAS FOR THE COMMITTEE – 2006/2007
<i>To note and confirm the programme of work for the Committee for the remainder of the 2006-2007 Municipal Year
(Report attached)</i> | Part II
Linda Edwards
Ext 5401 |
| 11. | ANY OTHER ITEMS
<i>-which by reason of special circumstances the Chairman considers should be considered as a matter of urgency</i> | |

**A MEETING OF THE STANDARDS AND GOVERNANCE COMMITTEE
WAS HELD ON 5 OCTOBER 2006**

Membership:

Councillors Gill ,Kimber (P), Langdon (P), Redrup (P), Smith (P) and Wright

Independent Members: Mr M J Heritage-Owen (P)
Mr R V Perry (P)

20. APOLOGIES

Apologies for inability to attend the meeting were received on behalf of Councillors Gill and Wright.

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. MINUTES

RESOLVED: That the Minutes of the meeting of the Standards and Governance Committee held on 14 September 2006 be approved and signed by the Chairman as a true and correct record.

23. DEPUTATIONS

There were no deputations.

24. PUBLIC QUESTIONS

There were no public questions.

25. USE OF RESOURCES

The Committee received a Powerpoint presentation given by the Borough Treasurer to inform Members about the Comprehensive Performance Assessment (CPA) external inspection and the new test for the use of resources.

The new test, stricter than previously, measured the financial management and governance competency of the organisation. There were five themes, divided into eleven key lines of enquiry (KLOEs), each assessed with scores between 1 to 4, with an overall score being given to determine whether the Council was rated as 'poor', 'fair', 'good' or 'excellent'.

The KLOEs were as follows:

- Financial reporting – Annual Accounts/ external accountability;
- Financial Management – Financial Strategy/budget performance/asset base management;
- Financial Standing – managing spending within resources;
- Internal Control – Management of Business risk/internal control arrangements/ arrangements for proper conduct of business; and
- Value for Money – achieving value for money/ pro-active approach to improving and obtaining value for money.

The Council's score for use of resources, at the previous CPA, was 2 (adequate); the aim was to improve to gain a score of 3 by 2008. There was a need to improve in order to underpin the Council's other management initiatives and it was important to eliminate any scores of 1, which would preclude an overall score of 3, a requisite for eventually becoming an 'excellent' council.

The Borough Treasurer reported that six-monthly reviews were being carried out using the CIPFA Financial Management Model and the Use of Resources self-assessment checklist to match and analyse results in order to assess progress.

The Council's Performance Management Framework would assist in recording evidence of improvements; Service Improvement Plans (SIPs) included actions leading to improvements and the Council's Management Team and the Resources Sub Group monitored progress. Reports would be presented to the Committee periodically for Members to also monitor progress.

During the presentation, Members sought clarification of some aspects of the process and expressed particular interest in the present position and progress of the Council's Asset management Plan and Capital Strategy. The Borough Treasurer explained that whilst information and records were available, these needed to be collated and be accessible from one source. External support had been engaged to assist Officers in this regard.

Members reiterated their decision, agreed at the meeting held on 14 September 2006 that progress on asset management should be monitored by them at each meeting.

The Borough Treasurer was thanked for his presentation and for clarification of this complex area of CPA.

RESOLVED: That the information on the Use of Resources, presented by the Borough Treasurer, be noted.

26. WORK AREAS FOR THE COMMITTEE – 2006/2007

Consideration was given to a report advising the Committee on the direction of governance work for the Municipal Year 2006-2007.

The recent local government white paper had called on councils to review their Constitutions at least every five years to ensure that their democratic arrangements delivered an efficient, transparent and accountable council. This review was being carried out in a number of stages and a projected timetable for the completion of projects was detailed in the report.

There were also a number of other governance issues which it was proposed to consider during the year that would be in accordance with targets of good practice set by The Standards Board for England.

The Committee recognised the importance of having appropriate systems in place to deliver high standards of governance which minimised the risk of loss of tangible resources and reputation to the Council.

In answer to a Member's question, the Borough Solicitor and Monitoring Officer explained the breadth of the Committee's responsibilities; some areas would require more involvement than others. There were some elements that were as a result of the agreed Corporate Action Statement (CAS) and others that were statutory requirements.

With regard to the proposed work programme, the Chairman requested that the Committee had sight of the draft 'Statement of Internal Control' and also that Members should be made aware of any outside organisations involved in assessing the performance of the Council. The Head of Internal Audit and Risk Assurance confirmed that any key recommendations from reports would be brought to the Committee's attention. Members agreed that there was also a need to be satisfied that Council grants awarded to outside organisations achieved value for money.

Members recognised that the Committee's responsibilities were to give assurances to the Council that policies and best practice were in place and being implemented.

Consideration was given to the proposed work areas and, in order to facilitate the work programme, the Committee agreed to an additional meeting being held on 14 December 2006.

RESOLVED: That (a) the work programme for the Committee be as set out in Sections 2.2, 2.3 and 2.5 of the report; and

(b) an additional meeting be held on Thursday 14 December at 6.00pm in Committee Room 2 at the Town Hall.

27. ANY OTHER ITEMS

There were no other items, which by reason of special circumstances, were for consideration as a matter of urgency at this meeting.

The meeting commenced at 6.00pm and concluded at 7.28pm

CHAIRMAN

Agenda item no. 6

Board/Committee:	Standards & Governance Committee
Date of meetings:	14 December 2006
Title:	CPA - Use of Resources test
Author:	Deputy Chief Executive & Borough Treasurer
Status:	For Information

Purpose

To consider the revised action plan for the improvement of the Council's Use of Resources score.

Recommendation

The revised Action Plan is reported for information only, although minor amendments can be incorporated if necessary.

1. Introduction

- 1.1 The Council achieved an overall score of 2 in the 2005 assessment.
- 1.2 It is our intention to achieve 3 in the medium term.
- 1.3 The Committee received a presentation on this and considered the situation. It was recommended that Officers should progress with improvements at a realistic pace that could be achieved largely within existing resources and in accordance with local priorities. The Committee also expressed a wish to be kept informed of progress.

2. Update

- 2.1 The current year's assessment should be complete by December 2006 and next year's by September/October 2007, significantly earlier than last reported.
- 2.2 Significant progress has been made across a number of Key Lines of Enquiry (KLOE's) and this has allowed the action plan to be focussed on the remaining areas where improvement is sought.
- 2.3 It will be difficult to achieve 3's across the board for 2007 but an overall 3 is possible. (Some 4's are possible but are not currently a priority.)
- 2.4 The requirements of the Use of Resources test are viewed as good practice, not an imposition, and the revised action plan has been supported by the Council's Management Team (CMT).

3. Action Plan

- 3.1 A revised action plan is attached (Appendix A). It has been streamlined and focussed in accordance with the decisions made in September/October and areas already improved have been omitted.
- 3.2 It should be noted that many of the actions needed to improve our management of assets will require additional resources yet to be quantified. However, this area of work is being progressed and proposals to acquire outside support in order to make improvements will shortly be submitted to Board for approval.
- 3.3 Recent discussions with the Council's auditors confirm that steady progress is being made and that the action plan addresses the priority areas.

4. Conclusion

- 4.1 The action plan to improve our UOR score has been streamlined and now focuses on local priority areas and improvements that can largely be achieved using existing resources.
- 4.2 Evidence of sound asset management practices remains the major weakness and proposals to address this are being progressed.
- 4.3 Progress with the Action Plan will continue to be reported to the Resources Sub-Group of CMT, Leadership and Standards & Governance Board.
- 4.4 Results from future assessments and surveys will be reported with recommendations as appropriate.

Financial Services comments:	Resource implications will be built in to 2006/7 Revised Budget.
Legal Services comments:	None
Service Improvement Plan implications:	Actions required to meet SIP requirements. (On schedule).
Corporate Plan:	Actions required for Pursuit of Excellence.
Risk Assessment:	Risk of damage to CPA rating in the longer term unless improvements are made to Management of the Council's Asset Base and Governance.
Background papers:	None
Appendices/Enclosures:	
Appendix 'A'	Use of Resources - Action Plan
Report author/ Lead Officer:	Peter Wilson 023 9254 5301

APPENDIX A

USE OF RESOURCES – ACTION PLAN

<u>REF.</u>	<u>ACTION</u>	<u>DUE</u>	<u>R.O</u>	<u>NOTES</u>
1	Incorporate into general Financial Awareness Training the following areas:			
1a	Internal Audit	Jan'07	CD	
1b	Balanced budget concept	Jan'07	PW	
1c	MTFS	Jan'07	JB	
1d	Procurement and VFM	Jan'07	CD	
1e	Other specialist services	Jan'07	PW	
2	Provide awareness training and documentation covering:			
2a	Outside bodies and partnerships	Jun'07	LE	
2b	Budget Management	Jun'07	JB	
2c	Ethics	Aug'07	LE	
2d	Project Management	Aug'07	DE	
2e	Financial Information System	Aug'07	JN	
2f	Risk Management	Aug'07	CD	
3	Publicise:			
3a	MTFS and seek comment	Mar'07	JB	
3b	VFM	Mar'07	JB	
3c	Summary accounts	Oct'07	JN	
3d	Anti Fraud & Corruption Policy	Mar'07	CD	
3e	Finance Head of Profession requirements and qualification levels	Mar'07	PW	
4	Review the performance and governance arrangements of key partnerships	Mar'07	PW	

USE OF RESOURCES – ACTION PLAN

<u>REF.</u>	<u>ACTION</u>	<u>DUE</u>	<u>R.O</u>	<u>NOTES</u>
5	Update and issue:			
5a	Capital Strategy	Dec'06	JB	
5b	MTFS	Dec'06	JB	
6	Develop an Assurance Framework	Dec'06	CD	
7	Review the Councils Business Continuity Plan	Mar'07	KL	
8	Risk Management:			
8a	Review and adopt strategy	Mar'07	CD	
8b	Identify significant partnership risks and obtain assurances	Mar'07	CD	
8c	Arrange training for S & G Cmtt.	Mar'07	CD	
9	Asset Base Management (Including links to HRA assets):			
9a	Update Asset Management Plan	Mar'07	MP	Resource requirement
9b	Update & improve asset register	Mar'07	JN	Resource requirement
9c	Improve reporting re: land and buildings portfolio	Jun'07	MP	
9d	Assess maintenance backlog and plan to address	Jan'07	MP	Resource requirement
9e	Prepare an annual maintenance plan based on rolling survey programme	Mar'07	MP	Resource requirement
9f	Prioritise schemes within the capital programme	Jan'07	JB	
9g	Develop local PI's to evaluate asset use re: corporate objectives	Jun'07	MP	
9h	Adopt a whole life costing approach to investment and disposal decision where appropriate	Jun'07	JN	

AGENDA ITEM NO. 7

Board/Committee:	Standards & Governance Committee
Date of Meeting:	14th December 2006
Title:	Internal Audit – Progress Report to 28th October 2006
Author:	Head of Internal Audit & Risk Assurance
Status:	For Decision

Purpose

To table the performance of the Internal Audit Section in the period to week 30 (1st April - 28th October 2006) against the agreed audit plan to the Members with responsibility for governance.

Secondly, to provide an independent internal audit opinion on the overall control environment of those areas reviewed within a brief executive summary.

Finally, to provide the Members with a table of critical and essential internal audit recommendations, Service Managers comments, responsible officers and target implementation dates from the reviews this year. In addition, provide members with the important and advisory internal audit recommendations agreed with management for noting.

Recommendation

That the Committee reviews the performance of Internal Audit from April to October 2006 (Appendix A).

That the Committee note the Head of Internal Audit's independent audit opinion on the level of assurance relating to the control environment.

To note the attached schedule of the internal audit recommendations reported in both the critical and essential recommendations (Appendix B).

To note the revised target date for the review of Contract Standing Orders.

1 Background

1.1 To enhance the Council's corporate governance arrangements, in line with the Use of Resources CPA test, the report outlines the performance of the Internal Audit Section against its overall annual plan as at week 30 (28 October 2006).

1.2 In addition, the work performed by the Internal Audit section allows a judgement on the overall internal control environment as at the same date. Details of agreed recommendations tabled by Internal Audit and responses of the Service Unit Managers are attached in Appendix B.

2 Report

- 2.1 The seven-month position statement (Appendix A) highlights the workload since the last report to Committee (27 July 2006). A further eleven reports have been completed since that period and nine assignments are in progress (an additional column has been added, since the last report, to identify the risk factor associated with the review.) In total twenty-two reviews have been completed to week 30. As reported to the Committee previously the target for 2006/07 is to complete forty- two reports by the 31st March 2007. From the results to date, this target is achievable.
- 2.2 Appendix B lists the agreed internal audit recommendations at both critical and essential (the two higher factors of recommendations) levels. The columns to the right outline the Service Managers comments, responsible Officer and target implementation date. Based on audit work to 28 October 2006 no critical recommendations have been reported and only seven essential recommendations have been agreed with Service Unit Managers. Of the remaining agreed audit recommendations (important and advisory to 28 October 2006) Management have accepted forty-four important and thirty-eight advisory. A total of eighty-nine recommendations.
- 2.3 Based on the work performed to 28 October 2006 the Head of Audit & Risk Assurance is of the opinion that the Council's internal control systems for those areas audited are generally satisfactory. Recommendations made to the above date have been accepted by management and programmed for implementation. A report at the next cycle of the Committee will outline the level of implementation of agreed recommendations.
- 2.4 The Review of Contract Standing Orders (A work area for the Committee as per 5th October 2006) has been delayed due to the CIPFA release of the revised guidance being unavailable at this point of time. It is proposed that an amended completion date of March 2007 be agreed.

3 Risk Assessment

3.1 The report has a minimal direct impact on the overall risk of the Council.

4 Conclusion

- That the Committee notes the performance of the Internal Audit Section to 28th October 2006.
- That the Committee note the opinion of the Head of Internal Audit and Risk Assurance on the level of assurance from the work performed by the Internal Audit Section to 28 October 2006.
- That the Committee note the high level audit recommendations attached within Appendix B that support the overall Statement on Internal Control.

Financial Services comments:	Nil
Legal Services comments:	Nil
Service Improvement Plan implications:	The information provided within the report has a direct link to improving the overall governance arrangements within the Council. The performance of the Internal Audit section is a key operational indicator monitored closely against the agreed Annual Audit Plan.
Corporate Plan:	Internal Audit's work supports all Council Services in pursuit of their overall corporate priorities.
Risk Assessment:	See Section 3
Background papers:	Standards & Governance Committee Report (27 th July 2006 "Three Month Position Statement")
Appendices/Enclosures:	<ul style="list-style-type: none">• Appendix A – Seven Month Position Statement• Appendix B – High level Internal Audit Recommendations
Report author/ Lead Officer:	Chris Davis 023 9254 5306

Appendix A**Seven Month Position Statement**

Subject Area	Risk Factor	Status	Comments
11 completed reviews	Various	Completed	(see previous report 27 th July 06)
Insurance	1	Completed	
Imprest & Floats	2	Completed	
Use of Resources (follow up)	MR	Completed	
Right to Buy Scheme	2	Completed	
NNDR (Domestic rates)	F1	Completed	
Explosion	1	Completed	
Financelink (Ledger)	F1	Completed	
Car parking	1	Completed	
Car Loans	2	Work in progress	95% complete
Food Safety & Hygiene	2	Work in progress	95% complete
BACSiP	2	Completed	
Data Protection/Fol	1	Completed	
Asset Management Plan	1		Suspended
HRA Business Plan	1	Work in progress	15 % complete
Temporary Accommodation	1	Work in progress	25% complete
Fixed Assets	1	Work in progress	50% complete
Market	1	Completed	
Emergency Planning	1	Work in progress	80% complete
Choice Based Letting	1	Work in progress	10% complete
Taxi Licensing	1	Work in progress	20% complete
Benefits	F1	Work in progress	15% complete

Appendix B

AUDIT SUBJECT	RECOMMENDATION CATEGORY	RECOMMENDATION	CLIENT COMMENT	LEAD OFFICER	TARGET DATE
BACSiP	Essential	There should be contingency arrangements in place for sending BACSTEL-iP transmissions in the event of a prolonged loss of internet connectivity.	Agreed	MB	30/11/2006
BACSiP	Essential	Consideration should be given to employing the services of an IT Auditor to carry out an assessment of our IT security arrangements to ensure that we are doing all we can to protect the Authority from an external attack. The fact that Creditor payments will soon be made via BACSTEL-IP, increases the need for greater assurance that our systems are secure.	Agreed as part of a wider security review by external consultant	DE	31/03/2007
Data Protection & FOI	Essential	The recommendation from 2004 is reiterated. An annual audit should be undertaken for the whole of Gosport Borough Council to ensure that all systems are covered under the current notification.	Agreed but resources not currently available.	KL	TBC
Data Protection & FOI	Essential	A review of document retention should be carried out, within each Business Unit, and procedures put in place to ensure that the Authority is complying with the Data Protection Act principle of not keeping data for longer than is necessary.	Agreed	KL	31/03/2007
Data Protection & FOI	Essential	A full review of the collection and disposal of waste collected from the white sacks and blue bins throughout the Town Hall should be carried out, this should include what happens to the paper after it has been collected by the Contractor.	Agreed	KL	31/12/2006

AUDIT SUBJECT	RECOMMENDATION CATEGORY	RECOMMENDATION	CLIENT COMMENT	LEAD OFFICER	TARGET DATE
Data Protection & FOI	Essential	The recommendation from the last audit is reiterated. The Publication scheme should be reviewed on an annual basis as stated in the section entitled 'monitoring and review of the publication scheme'	Agreed but resources not currently available	KL	TBC
Data Protection & FOI	Essential	The following recommendation from the last audit is also reiterated. It may be prudent to carry out an audit of all information held throughout the Authority to ensure that all relevant information has been included in the publication scheme, and to ensure that the Authority is compliant with the Act and can respond promptly to requests within time limits.	Agreed but resources not currently available	KL	TBC

AGENDA ITEM NO. 8

Board/Committee:	STANDARDS AND GOVERNANCE COMMITTEE
Date of Meeting:	14 DECEMBER 2006
Title:	COMPLAINTS PROCEDURES AND ANALYSIS
Author:	CORPORATE SERVICES MANAGER
Status:	FOR RECOMMENDATION

Purpose

To consider the operation of the Council's formal complaints procedure and an analysis of complaints for the first 6 months of the current financial year.
To propose a mechanism for the Committee to review the operation of the processes.

Recommendation

That the Committee:

1. Note the analysis of complaints received in the first 6 months.
2. Agree the proposals for 6 monthly monitoring reports are set out in Paragraph 2.8.
3. Request Officers to include the approval of the Guidance notes referred to in Paragraph 2.6 in the Committee's workplan.

1 Background

- 1.1 Following consideration by Council Management Team the new Customer Complaints procedures, leaflets and website information were introduced in April 2006.
- 1.2 The former Conduct Standards Committee was advised of progress at its meeting on 2 February 2006 and Officers were requested to bring forward options for how Members could be involved in reviewing the operation of the Scheme including the nature of complaints received and remedial action to prevent further complaints in these areas.

2 Report

- 2.1 The principles of the complaints procedure were not changed but a number of documents and processes were introduced including:
 1. Customer Complaints procedures – web site/leaflet – Appendix A
 2. Stage 3 Complaints Panel Hearing – Guidance notes – Appendix B.

The web site facility now includes a link to an On-line Complaints Form, which on submission by a member of the public is

automatically sent to the 'comments, complaints and compliments' in-box for prompt action.

- 2.2 All formal complaints received, either on-line or in writing, are managed and monitored by staff in the Corporate Services Unit. Initially the complaint is dealt with as a Stage 1 and is allocated to the appropriate Service Unit Manager for a response. If the complainant remains dissatisfied, then the complaint progresses to Stage 2 and arrangements are made for an independent Manager to investigate the matter and write directly to the complainant with their findings and conclusions. If the complainant remains dissatisfied after the Stage 2 process they can request that their complaint is considered by a Panel of 3 Councillors (Stage 3). The complainant has an ultimate right to refer their complaint to the Local Government Ombudsman at any time, however, the Ombudsman will not normally consider a complaint until and unless the local authority's internal complaints procedures have been exhausted.
- 2.3 All formal complaints received are logged in a Complaints Register, maintained in the form of a spreadsheet, and this is used to monitor progress and ensure that target dates for responses are met. The Register for the current year is attached as Appendix C. The name and address columns have been excluded for the purposes of this report, to comply with the Data Protection Act 1998.
- 2.4 An analysis of the type of complaints received for the period 01/04/06 to 30/09/06 is attached as Appendix D.
- 2.5 The new procedures have now been in place for approximately 9 months and appear to be operating satisfactorily.

There have been no complaints from the public about the procedure itself.

- 2.6
1. During the period 1/04/06 to 30/09/06 a total of 33 formal complaints were received.
 2. Of the 32 Stage 1 complaints 28 were responded to within the 10 day target time – a performance of 88%.
 3. Six of the complaints moved on to the Stage 2 process, five of which have been completed and one was considered and rejected by the Members' Panel at Stage 3. The complainant has subsequently submitted this complaint to the Local Government Ombudsman.
 4. A number of "complaints" have been received via the "comments" page and these have been forwarded to the relevant Section to be dealt with as a routine enquiry.
- 2.7 This is the first year that details of complaints at all stages have been recorded. Therefore the next monitoring report will include a more

rigorous analysis of trends.

- 2.8 It is suggested that Officers prepare a monitoring report for this Committee on a 6 monthly basis. The Committee will then be in a position to make recommendations to Council on the operation of the Customer Complaint's Procedures, identify trends in complaints and recommend remedial action. Each monitoring report would include progress on any recommendations made by the Committee.

It is also suggested that this Committee should at the next review approve guidance to be issued to Officers involved in investigations into complaints and also guidance to Members involved in the Customer Complaint's Panel, including what actions they may wish to consider as part of their findings.

3 Risk Assessment

- 3.1 It is important that the Council has in place robust processes for dealing with complaints to ensure that it minimises the risk of complaints to the Ombudsman and also minimises the risk of a finding of maladministration. It is also good governance to regularly review complaints received and assess the overall number and nature of complaints and take any necessary remedial action.

Financial Services comments:	There are no financial implications.
Legal Services comments:	None for the purposes of this report.
Service Improvement Plan implications:	There are none.
Corporate Plan:	The effective management of complaints procedures contributes to the strategic priority of enhanced customer service.
Risk Assessment:	There are no business risks associated with this report.
Background papers:	None
Appendices/Enclosures:	
Appendix 'A'	Customer complaints procedure – web site/leaflet
Appendix 'B'	Guidance notes on Complaints Panel Hearings
Appendix 'C'	Complaints Register 2006/7
Appendix 'D'	Analysis of complaints
Appendix 'E'	Local Government Ombudsman Annual Letter 2005/6
Report author/ Lead Officer:	Ken Lucking, Corporate Services Manager

APPENDIX A

Customer Complaints Procedure – Web Site

Introduction

Gosport Borough Council is committed to providing you, our customer, with excellent service.

Council staff always try to provide you with a first class service in a polite, efficient and fair way. If you feel that we have not done this you should tell us. Not only can we deal with your complaint quickly, but we can take action to improve services in the future.

We want to make it easy for you to let us know if you feel that any aspects of our service, procedures or performance are unsatisfactory. Following the procedure in this leaflet will ensure that your complaint will be dealt with quickly.

When we are wrong, we will say so and do our best to resolve the matter to your satisfaction. Council officers will act upon complaints received in writing, by telephone or in person at the Town Hall. Staff will respond to your complaint quickly, effectively and efficiently.

Complaints are also a very useful guide to our performance. They may show weaknesses where services or procedures need to be improved. The more we know about the way you feel about our services, the better informed we are to bring about improvements.

WHAT IS A COMPLAINT?

For **General Service problems** such as missed bin collections, fly-tipping, reports of abandoned vehicles etc. should be e-mailed to enquiries@gosport.gov.uk to ensure a quick response from the Council's contractor.

If you wish to complain about a **Parking Charge Notice (PCN)** please use the following link www.gosport.gov.uk/sections/your-council/council-services/leisure--amenities/contracts--amenities/car-parks/appeals

It is hoped that in most instances any problems that you experience can be resolved in your normal day-to-day dealings with Council Officers or by contacting the appropriate Manager – please refer to the names at the bottom of this guidance note. However, if you feel that you need to make a more formal complaint the three Stage process is set out below.

FORMAL COMPLAINTS

Formal complaints generally fall into one of six categories:

- failure to provide a service at the level or standard expected by the Council;
- unhelpful attitude by an employee of the council;
- neglect or delay in answering a query or responding to a request for service;
- failure by an officer to follow the Council's agreed policies, rules or procedures;

- failure by an officer to tell people their rights;
- malice, bias or discrimination on the part of an officer.

To provide you with an efficient complaints procedure, your Council has devised an easy to follow three-stage process. However, should you require any assistance please contact:

Ken Lucking
Corporate Services Manager
Gosport Borough Council
Town Hall
High Street
Gosport
Hampshire
PO12 1EB

Telephone: 023 9254 5305
E-mail: ken.lucking@gosport.gov.uk

Stage 1

Please write with details of your complaint and address to Ken Lucking as above, or use the **on-line form** below. Your complaint will then be referred to the relevant Manager and you should receive a response within 10 working days.

[Formal Complaints - Online Form - Click here to view](#)

A letter or e-mail (if appropriate) will be sent to you with the conclusions of the Manager. We hope that this will resolve the matter but if you are not satisfied with the response provided you may progress to Stage 2.

Stage 2

If you feel you wish to proceed to Stage 2 or you would like to discuss it further, you can contact Ken Lucking at the above address. He will then arrange for an independent review to be carried out. You should receive a response to a Stage 2 request within 20 working days.

A letter or e-mail (if appropriate) will be sent to you with the conclusions of the independent review.

Stage 3

If you remain dissatisfied, your complaint can go before a Panel of elected Councillors. You should request this through Ken Lucking as above. The Panel should take place within 30 working days of your request at a date convenient for you to attend if you wish.

At this stage of the procedure you will get a letter explaining the decision that has been made in relation to your complaint and the reason for it. If you still feel aggrieved you can then ask the Local Government Ombudsman to investigate your complaint.

THE LOCAL GOVERNMENT OMBUDSMAN

The Local Government Ombudsman is an independent organisation set up by the Government to investigate complaints of maladministration by local authorities.

You may refer your complaint direct to the Local Ombudsman or through a Councillor at any time. We would encourage you, however, to allow your Council to investigate your complaint first to see whether we can sort out the problem locally. If a complaint is referred to the Local Ombudsman before the Council has had an opportunity to look at it, the Local Ombudsman will usually defer any action on the complaint until the Council has investigated the matter.

The [Commission for Local Administration in England](#) publishes a booklet entitled:

[How to complain to the Local Government Ombudsman](#)

Free copies are available at the Town Hall and most libraries.

GUIDE TO SERVICES

Please see overleaf for a brief guide to the services provided by the various service units in your Council, together with the names of the Unit Managers you will need to contact prior to initiating the formal complaints procedure.

CHIEF EXECUTIVE'S UNIT

Chief Executive: Ian Lycett

Corporate Policy and Performance, Crime and Disorder, Economic Prosperity, Internal Audit, Personnel Service, Press and PR.

CORPORATE SERVICES

Manager : Ken Lucking

Customer Complaints Procedure; IT and Telecommunications; Printing and Graphic Design; Reception; Central Purchasing; Cashiers; Public Notice Boards and Emergency Planning.

DEVELOPMENT SERVICES

Manager: Mike Jeffery

Traffic Management:

Bus Shelters; Traffic Regulation Orders

Planning and Building Control Services:

Development Control and Planning Applications; Development Briefs; Building Regulations; Dangerous Structures; Demolitions; Road Names and Postal Numbering, Forward Planning (e.g. Local Plan), Heritage Issues, Property Services

ENVIRONMENTAL SERVICES

Manager: David Jago

Environmental Health:

Food Safety and Hygiene; Health and Safety at Work; Licensing; Pollution Control; Pest Control and Dog Control.

Streetscene:

Car Parks; Litter Cleansing; Refuse Collection and Environmental Issues such as Recycling, Grounds Maintenance, Abandoned Vehicles, Amenity Skips.

FINANCIAL SERVICES:

Manager: Julian Bowcher

Financial management of your Council, including accounting, budgets, invoices, insurance and payroll; Council Tax; Business Rates; Benefits; Community Charge.

HOUSING SERVICES

Manager: Andy Elder

Housing Allocations, Advice and Homelessness, Maintenance of Council Owned Dwellings; General Services to Council Tenants and Leaseholders, and Rent Collection.

LEGAL & DEMOCRATIC SUPPORT

Borough Solicitor: Linda Edwards

Legal work for the Council; Committee Administration and support; Electoral Registration and management of elections; Local Land Charges.

LEISURE AND CULTURAL SERVICES

Manager: David Martin

Ann's Hill Cemetery; Arts and Events; Community Recreation; Countryside Management; Parks and Open Spaces; Play Areas and Sports and Facilities Management, Engineering, Tourism and Explosion! Museum of Naval Firepower.

Gosport Borough Council
Town Hall
High Street
Gosport
Hampshire
PO12 1EB

GUIDANCE NOTES ON CUSTOMER COMPLAINTS PANEL HEARINGS

A. PRESENTING YOUR CASE

1. The normal format to be followed by the Panel (which consists of three Councillors) is to listen to what you and the Council officers have to say regarding your complaint. You may, however, prefer to put your case to the Panel in writing. You may then choose whether or not to attend the meeting of the Panel. If you do not attend, it will not prejudice the impartiality of the Panel but clearly attending would give you a better opportunity of representing yourself properly. Anything that you provide in writing and any supporting documents or photographs will be copied and circulated to all parties involved. Council officers responding to the complaint may comment on anything that you have written.
2. The hearing will be conducted on a fairly informal basis.
3. You may invite a friend to assist with the preparation of a case or when talking to the Panel. It is not, however, expected that you or the Council officers should have any legal representation.
4. Where an investigation has been carried out by an independent Officer as Stage 2 of the complaints procedure, that officer, known as the Investigating Officer, will attend to give an account of the investigation carried out and the findings.

B. PROCEDURE FOR MEETINGS OF THE PANEL

1. Before the Panel proceeds to hear the Complaint (or the first complaint if there is more than one), the Members of the Panel will choose one of their number to act as Chairman.
2. When the Panel is ready to start, the Chairman will invite you or your representative and the Council officers to join the Panel.
3. The procedure is as follows: -
 - (a) the Chairman will introduce Members of the Panel and the Officers and then explain the purpose of the meeting and the procedure to be followed.
 - (b) you will then be given the opportunity to outline your complaint, calling witnesses if required.
 - (c) the Council officers and the Panel may then ask you questions.
 - (d) The Council officers will then respond to the complaint, calling witnesses if required.
 - (e) You and the Panel may then ask questions of the Council officers.

- (f) The Investigating Officer for Stage 2 will then give an account of the investigation and findings.
 - (g) You, the Council officers and Panel may then ask questions of the Investigating Officer.
 - (h) The Council officers may then make their closing remarks to the Panel (if required).
 - (i) You may then make your closing remarks to the Panel (if required).
 - (j) The Panel will then be left alone to consider its findings.
 - (k) You and the Council officers will then be invited back into the meeting room for the Chairman to announce the preliminary findings of the Panel.
4. The Chief Executive or a nominated Officer will write to you setting out the findings of the Panel, giving reasons for those findings and explaining the actions (if any) which the Panel is recommending and the steps that will be necessary to implement them. The letter will contain a statement of your right to have the complaint referred to the Local Government Ombudsman. Copies of this letter will be sent to any Councillor who has been involved in the investigation of the complaint and to any Council officers who have been involved.

C. ATTENDANCE AT MEETINGS OF THE PANEL

- 1. Meetings of the Panel are not open to the general public. However, anyone invited by the Complainant or the Respondent, and any Member of the Council who was either involved in the investigation of the complaint or who represents the Ward on the Council in which the Complainant lives or carries on business may attend (but not speak) at the meeting, except when the Panel retires to consider its findings.
- 2. Only those Members of the Panel who have been present throughout all stages of the proceedings ((a)-(g) in B3 above) may retire with the Panel and participate in the preparation of its findings.
- 3. The Borough Solicitor or some other officer appointed by him/her will act as Secretary to the Panel. The Secretary may assist with the formal introductions and explanations and may ask questions along with Members of the Panel of both yourself and the Council officers. The Secretary may also retire with the Panel to assist it in reaching its findings. In the event of the complaint involving the Legal and Democratic Support Unit, some other Manager or an Officer within another Unit will be appointed to act as Secretary. If there is any doubt as to whether the Officer to be appointed as Secretary has been involved in the subject matter of the complaint, the Chief Executive will write to you to find out whether you have any objection to the proposed Secretary. If you do another Secretary will have to be selected.

D. FINDINGS OF THE PANEL

1. Having investigated the complaint, the Panel may find:-
 - (a) That the complaint is justified, wholly or in part, or
 - (b) That the complaint is not justified.
2. If the Panel concludes that the complaint is justified it may advise
 - (a) That you should be given an apology and/or
 - (b) That you should receive an ex gratia payment.

Any apology will be sent to you by the Chief Executive or nominated officer on behalf of the Council within five working days of the hearing.

Recommendations for payment of compensation shall be dealt with as set out in the next paragraph.

3. Whether or not the complaint is found to be justified, the Panel may recommend that some action should be taken. If it is an action to be taken by an officer of the Council, the Panel's request will be conveyed to the officer by the Chief Executive or nominated officer. In the event of any difficulty, or of action involving more than one Officer, the request will be referred to the Council Management Team. If the action requires the approval of a Board or Sub-Board, the request will be made in the form of a report in the name of the Chairman of the Panel to the next ordinary meeting of the Board or Sub-Board concerned, recommending the action proposed by the Panel.

APPENDIX C

COMPLAINTS REGISTER 2006/7

NO.		RECEIVED DATE	PROBLEM	ACK SENT	STAGE 1 MANAGER	TARGET REPLY DATE	ACTUAL REPLY DATE	STAGE 2 MANAGER	TARGET REPLY DATE	ACTUAL REPLY DATE	STAGE 3 REQUEST DATE	TARGET RESPONSE DATE	ACTUAL HEARING DATE	OMBUDSMAN
COM001	Email	18/04/2006	Fly Tipping	19/04/2006	DJ	02/05/2006	28/04/2006							
COM002	Email	18/04/2006	Freedom of Information	19/04/2006	MJ	03/05/2006	20/04/2006							
COM003	Email	24/04/2006	Refuse collection	25/04/2006	DJ	09/05/2006	18/05/506							
COM004	Letter	22/04/2006	Demolition of 18 Grove Rd, LOS	26/04/2006	MJ	08/05/2006	08/05/2006							
COM005	Email	02/05/2006	Wasp Nest	02/05/2006	DJ	16/05/2006	15/05/2006							
COM006	Email	05/05/2006	Cleanliness at Holbrook	05/05/2006	DM	19/05/2006	18/05/2005							
COM007	Email	05/05/2006	Refuse Collection	05/05/2006	DJ	19/05/2006	22/05/2006							
COM008	Letter	09/05/2006	Switchboard	11/05/2006	KL	25/05/2005	16/05/2006							
COM009	Email	12/05/2006	Basket ball Court	15/05/2006	DM	26/05/2006	26/05/2006							
COM010	Email	16/05.2006	Grass Cutting	16/05/2006	DJ	31/05/2006	06/06/2006							
COM011	Letter	17/05/2006	Housing	17/05/2006	AE	01/06/2006	26/05/2006	MJ	25/07/2006	03/08/2006	18/08/2006	02/10/2006	Complainant Cancelled	
COM012	Letter	15/05/2006	Housing	18/05/2006	AE	02/06/2006	24/05/2006	DM	05/07/2006	29/06/2006	05/07/2006	17/08/2006	12/09/2006	
COM013	Email	18/05/2006	Grass Cutting	18/05/2006	DJ	02/06/2006	02/06/2006							
COM014	Email	30/05/2006	Nuisance neighbours	31/05/2006	AE	14/06/2006	16/06/2006	JB	18/07/2006	14/07/2006				
COM15	Email	06/06/2006	Privett Park	07/06/2006	DJ	03/07/2006	28/06/2006							
COM16	Letter	12/06/2006	Planning	14/06/2006	MJ	27/06/2006	26/06/2006							

NO.		RECEIVED DATE	PROBLEM	ACK SENT	STAGE 1 MANAGER	TARGET REPLY DATE	ACTUAL REPLY DATE	STAGE 2 MANAGER	TARGET REPLY DATE	ACTUAL REPLY DATE	STAGE 3 REQUEST DATE	TARGET RESPONSE DATE	ACTUAL HEARING DATE	OMBUDSMAN
COM17	Email	13/06/2006	Tree Felling	16/06/2006	DJ	30/06/2006	21/06/2006							
COM18	Email	16/06/2006	Benefits	16/06/2006	JB	29/06/2006	21/06/2006							
COM19	Letter	06/07/2006	Housing	20/07/2006	AE	20/07/2006	12/07/2006	PW	29/08/2006	18/08/2006				
COM20	Letter	03/07/2006	Various	25/07/2006	***	***	***	DM	08/09/2006	27/09/2006				
COM21	Letter	06/07/2006	Tourism	10/07/2006	DM	19/07/2006	14/07/2006							
COM22	Email	11/07/2006	Litter	11/07/2006	DJ	25/07/2006	24/07/2006							
COM23	Email	12/07/2006	Refuse collection	13/07/2006	DJ	27/07/2006	19/07/2006							
COM24	Email	06/07/2006	Refuse Bins	20/07/2006	DJ	01/08/2006	01/08/2006							
COM25	Email	21/07/2006	E/H Staff	21/07/2006	DJ	04/08/2006	01/08/2006							
COM26	Email	02/08/2006	Refuse	03/08/2006	DJ	16/08/2006	15/08/2006							
COM27	Letter	04/08/2006	Housing	04/08/2006	AE	18/08/2006	14/08/2006							
COM28	Email	07/08/2006	Housing	10/08/2006	AE	18/08/2006	16/08/2006							
COM29	Email	10/08/2006	Flower Beds/Roundabouts	14/08/2006	DJ	23/08/2006	23/08/2006							
COM30	Letter	20/07/2006	Housing Benefits Payments	14/08/2006	JB	29/08/2006	22/08/2006	KL	26/09/2006	22/09/2006				
COM31	Email	24/07/2006	Disabled Toilets	25/08/2006	DM	11/09/2006	30/08/2006							
COM32	Email	30/08/2006	Football Pitch (Insurance)	05/09/2006	JB	19/09/2006	05/09/2006							
COM33	Email	26/09/2006	Neighbour Noise	27/09/2006	DJ	11/10/2006	11/10/2006							
COM34	Email	08/10/2006	Holbrook (Cleanliness/Facilities)	08/10/2006	DM	24/10/2006	23/10/2006							
COM35	Email	31/10/2006	Lifebelt at Elmore Lake	31/10/2006	DM	14/11/2006								

APPENDIX D

COMPLAINTS ANALYSIS BY TYPE FOR THE PERIOD 01/04/06 TO 30/09/06

Section	Number of complaints
Planning	3
Housing	6 (5 general, 1 nuisance neighbours)
Grass Cutting	2
Flowerbeds	1
Refuse Collection	5
Tree Felling	1
Street litter	1
Fly Tipping	1
Pest Control	1
Noisy neighbours	1
E/H staff	1
Benefits	2 (1 Landlord, 1 Claimant)
Switchboard	1
Leisure (location of new Basketball Court)	1
Holbrook (Cleanliness)	1
Privett Park (Cleanliness)	1
Football pitch hire (Public liability insurance)	1
Tourism (holiday lets)	1
Disabled toilets	1
Other	1 – passed direct to Stage 2

**ANNUAL LETTER 2005/6 FROM THE LOCAL GOVERNMENT
OMBUDSMAN**

21 June 2006

Mr I Lycett
Chief Executive
Gosport Borough Council
Gosport

Our ref: JRW/DJC
(Please quote our reference when contacting us)

**If telephoning please contact Mrs S Vaile on 02476 820033
or e-mail s.vaile@lgo.org.uk**

Dear Mr Lycett

Annual Letter 2005/06

I am writing to give you my reflections on the complaints received against your authority and dealt with by my office over the last year. I hope that in reviewing your own performance you will find this letter a useful addition to other information you hold highlighting how people experience or perceive your services.

This year we will publish the letters on our website and share them with the Audit Commission as there was widespread support from authorities for us to do this. We will wait for four weeks after this letter before making it more widely available in these ways to give you an opportunity to consider and review the letter first. If a letter is found to contain any factual inaccuracy we will reissue it.

In addition to the narrative below there are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

We received just six complaints against your Council this year. This compares to the eleven we received the previous year but we expect to see some fluctuation from year to year. The increase in planning complaints identified in my last annual letter was not sustained. In fact, there were no planning complaints this year at all, despite a rise nationally.

Decisions on complaints

There were decisions on eight complaints this year. Three were referred back to the Council to deal with under its own complaints procedure. When we complete an investigation we must issue a report. But there is a significant proportion of investigations that do not need to be completed because a 'local settlement' is reached during the course of the investigation and it is therefore discontinued. One complaint was discontinued on this basis this year. Here I found that the Council had not disclosed information which might have been pertinent to the complainant's decision to purchase the leasehold of a former Council property.

Although the Council did not accept that it had been at fault, I was able to discontinue my investigation on a satisfactory basis when the Council agreed my recommendation that it pay £750 to the complainant in recognition of his lost opportunity to enter into the purchase in full knowledge of the facts.

I am pleased to see that once again I had no need to issue a formal complaint against the Council.

Your Council's complaints procedure and handling of complaints

Last year we referred three complaints back for the Council to address through its own complaints procedure. None has since been resubmitted to me. This indicates that the complaints procedure continues to function effectively. I note that full details of the procedure and an online form are available on the Council's website.

Training in complaint handling

Our training in complaint handling is proving very popular with authorities and we continue to receive very positive feedback from participants. Over the last year we have delivered more than 100 courses from the range of three courses that we now offer as part of our role in promoting good administrative practice.

Effective Complaint Handling was the first course we developed, aimed at staff who deal with complaints as a significant part of their job. Since then we have introduced courses in complaint handling for front line staff and in handling social services complaints.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the range of courses available together with contact details for enquiries and bookings.

Liaison with LGO

We made enquiries of your Council on four complaints in the last year. I am pleased to see that the average time the Council took to respond to those enquiries improved to 27.8 days, which is within the target for which we asked councils to aim. My officers the quality of the responses was very good and assisted them in the investigation of the complaints. I note that one of your officers attended the link officer seminar we held in Coventry last November. I do hope that he found it useful. We hold these seminars regularly and if you would like to send someone from your Council please contact Susan Vaile.

Conclusions

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services. I would again very much welcome any comments you may have on the form and content of the letter. I would again be happy to consider requests for myself or a senior colleague to visit the Council to present and discuss the letter with councillors or staff. We will do our best to meet the requests within the limits of the resources available to us.

I am also arranging for a copy of this letter and its attachments to be sent to you electronically so that you can distribute it easily within the council and post it on your website should you decide to do this.

Yours sincerely

J R White

Local Government Ombudsman

Enc: statistical data covering a three-year period

a note on interpreting data

information about complaints handling training courses

Agenda item no. 10

Board/Committee:	Standards and Governance Committee
Date of meeting:	14 December 2006
Title:	Work areas for the Committee – 2006/07
Authors:	Borough Solicitor and Monitoring Officer
Status:	FOR DECISION

Purpose

To update the Committee on the development of the work programme for the 2006/07 Municipal Year.

Recommendation

That the Standards and Governance Committee agrees the programme of governance work set out in Section 2.

1. Background

- 1.1 At its meeting on 5 October 2006, the Standards and Governance Committee agreed the work programme which detailed the direction of governance work for the 2006/07 Municipal Year

2. Report

- 2.1 A projected timescale for the completion of each of these projects is detailed below.

Revise Member/Officer protocol	Key Dates	Lead Officer
Start (Preliminary Report to Committee) Meet Head of Personnel and Unison Rep Revise Protocol Report to Standards and Governance Report to Council Complete	Dec 2006 Dec 2006 Jan 2007 Feb 2007 Mar 2007 March 2007	LE

2.3

Review Contract Standing Orders		
Start (Preliminary Report to Committee) Obtain examples of best practice Meet with Head of Internal Audit Revise CSO and report to S&G Committee Report to P & O and Council Complete	Sept 2006 Sept 2006 Sept 2006 Feb 2007 March 2007 March 2007	LE

- 2.4 There are also a number of other governance issues which it is proposed to consider this year and these are set out below.

2.5

Work Area	Report to Meeting	
Member Interests - System to update members and further advice	Dec 2006	LE
Council Complaints Process	Dec 2006	LE
Workshop on the Council's Strategic Business Risks & overview of the Council's Risk Management Strategy	Dec 2006	CD and LL
Executive summaries of Audit reviews	Dec 2006, Feb 2007 & Apr 2007	CD
Overview of Anti Fraud and Corruption policies and practices	Feb 2007	LE and CD
Whistle Blowing Policies	Feb 2007	LE
Conduct of hearings	March 2007	LE
Development of the Annual Audit Plan 07/08	March 2007	CD
Workshop session Hearings	April 2007	LE
Strategic Audit Plan 2007/2012	April 2007	CD
Statement on Internal Control 06/07	April 2007	CD

4. Conclusion

Officers will update the Committee on progress to date and Members are requested to review the work plan for the remainder of the Municipal Year.