

North York Moors National Park Authority Finance, Risk, Audit and Standards Committee

3 February 2014

Annual Standards and Ethical Review

1.	Purpose of the Report
1.1	To provide Members with a review of the Authority's performance on Standards and Ethical Issues.

2. Background

2.1 Following the review of Committees and Governance the Scheme of Delegation to this Authority was amended to include the following;

Standards and Ethics

Without diminishing the responsibility of the Authority as a whole, the Committee will steer the organisation towards the highest ethical standards and the fullest possible compliance with Nolan Principles and the organisation's Values and Codes of Conduct. It will consider how best to communicate achievements in this sphere, and any failings, to the public.

On at least one occasion each year the Committee shall undertake an overall review of standards issues and report on any matters of significance to the Full Authority. This review will involve the Independent Person(s) who may, in addition, be consulted on individual issues as and when required. (Members Handbook - Scheme of Delegation\5 pg 4.5)

It was agreed at the meeting of this Committee on 26 November 2012 that this should be conducted at the February Meeting of this Committee each year.

2.2 The Annual Governance Statement will be based on the discussion relating to this paper and a draft version of this will be presented to the May meeting of this Committee for discussion prior to approval before the end of September.

2.3 The Values are embedded into the culture of the organisation, including Members and increasingly Volunteers as well as the staff. They are displayed in prominent places and form part of the induction and training programme. The Staff Appraisal process has been adjusted to incorporate them into the Competency Framework a number of years ago and the present moment in time Officers are working with the union to update the appraisal process with the aim of putting an even greater emphasis on the values.

2.4 Members receive regular training in governance, standards and ethics issues.

2.5 The Authority had a low number of issues raised through the formal 'Whistleblowing Policy' which provides a mechanism for individuals to report potential fraudulent and other activity in a confidential manner. It is planned to review this in the 2014/15 calendar year with a view to broadening its scope and to promote the policy.

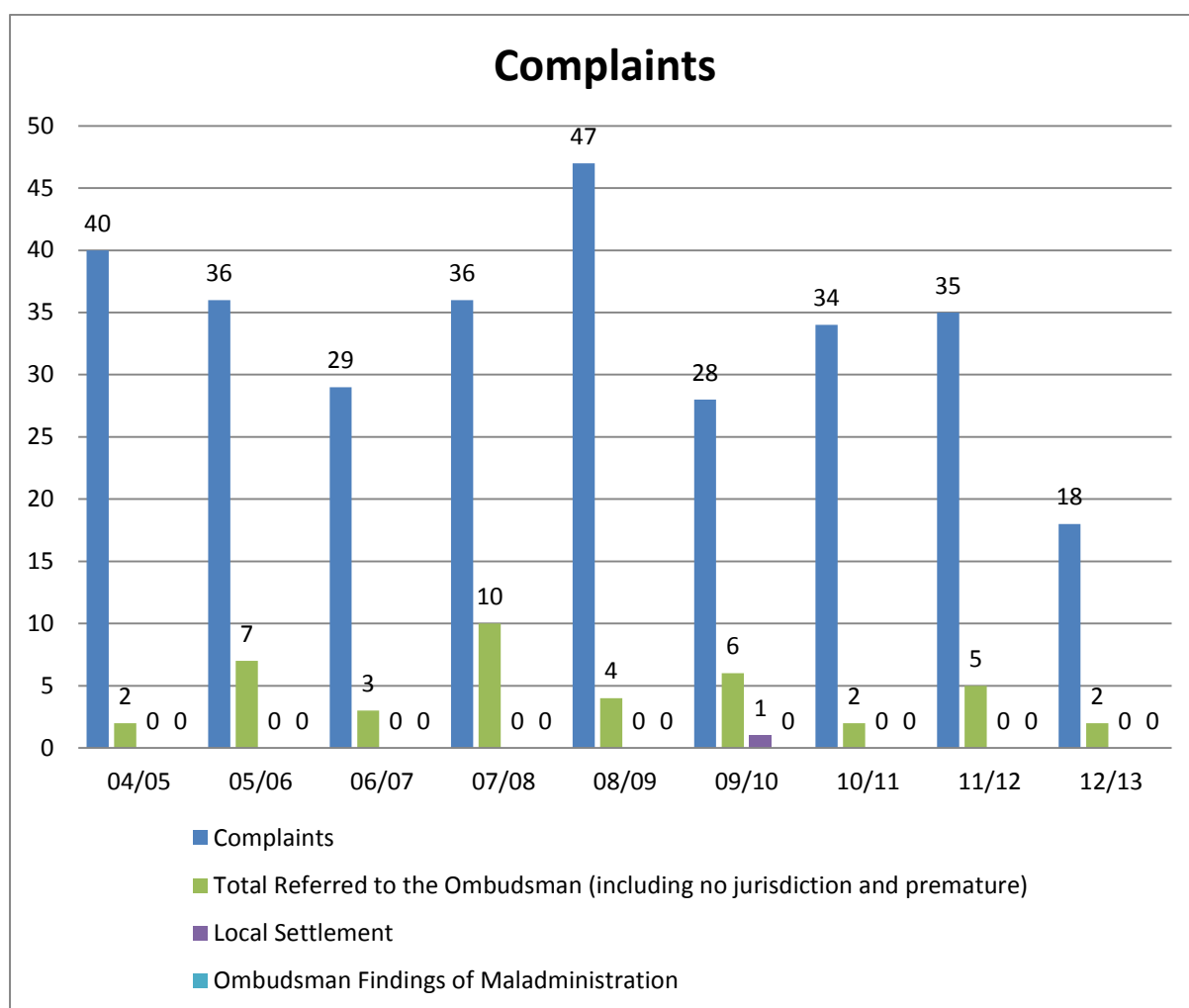
The Authority is also subject to regular review by both internal and external auditors who advise on the adequacy of systems to mitigate the risk of fraud.

2.6 Members will be aware that the Authority has an excellent record in achieving, maintaining and improving performance against the assessment criteria for both Charter Mark (over a thirteen year period) and Customer Service Excellence over the last three years, for the whole organisation. This serves as an external validation of the Authority's approach to customer service.

2.7 Sections 3 to 6 below detail statistics which demonstrate the health of the ethical environment.

3. Complaints and Compliments

3.1 Officers report quarterly on Complaints and Compliments which have been received in year and report on complaints to the Local Government Ombudsman. The graph below details the Complaints registered since 2004/05 and the Ombudsman Complaints. It can be seen that the volume of complaints is relatively low and during this period the Ombudsman has only found against the Authority's position on one occasion and that was agreed as a Local Settlement. The year to date performance for 2013/14 is included in more detail at Item 15, within the private business on this agenda. The total number of compliments received over the same period exceeded one thousand.



4. Member Complaints

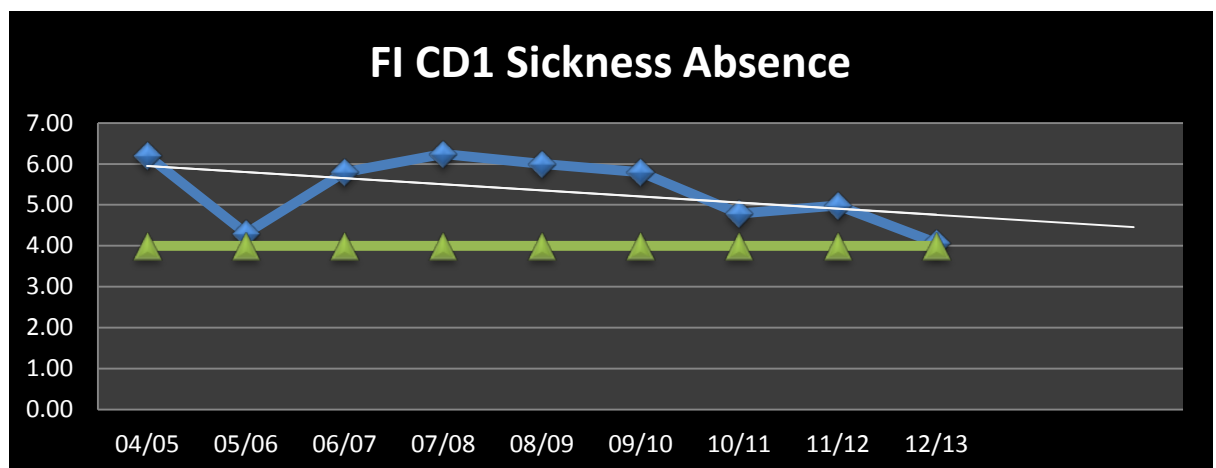
4.1 The Authority has adopted a Member Code of Conduct which was updated in June 2012 in accordance with the new Standards Regime arrangements. It substantially exceeds the minimum requirements of the new legislation. Since the implementation of the new regime the Authority has received allegations that three members had breached the Code of Conduct in relation to the York Potash proposals to build a potash mine within the National Park. One of these complaints was referred to the North Yorkshire Police by the Monitoring Officer as it potentially constituted a criminal offence of failure to disclose a Disclosable Pecuniary Interest (DPI). The police have now indicated that no prosecution would ensue as there was no evidence of criminal intent. The other two complaints were considered by the Monitoring Officer and an Independent Person with decisions deferred pending the police's conclusions. Since the police have now concluded their investigations, and following the appointment of a new Independent Person to the Authority, the Monitoring Officer is preparing a report of the issues arising from these breaches for this Committee. The report will finalise the complaints made against members of the Authority and highlight any areas of good practice or alternatively improvement to the ethical well being of the Authority which may be drawn from these related complaints.

5. Staff Satisfaction

5.1 The number of working days lost to sickness is often considered to be an indicator of the working environment within an organisation and the chart below details the Authority's sickness absence performance indicator since 2004/05. These results compare favourably with other organisations.

5.2 Historically, organisations have found that in times of considerable change sickness absence rates particularly due to stress related illness have increased. This has not been the case within the Authority with absence rates decreasing. In 2012/13, the Authority's absence rate was 4.1 days (1.6%), down from 5.8 days (2.2%) in 2012/13 and is expected to be on target for 2013/14. Taking long term absence out of these figures reveals an underlying absence rate of less than 1% for 2012/13.

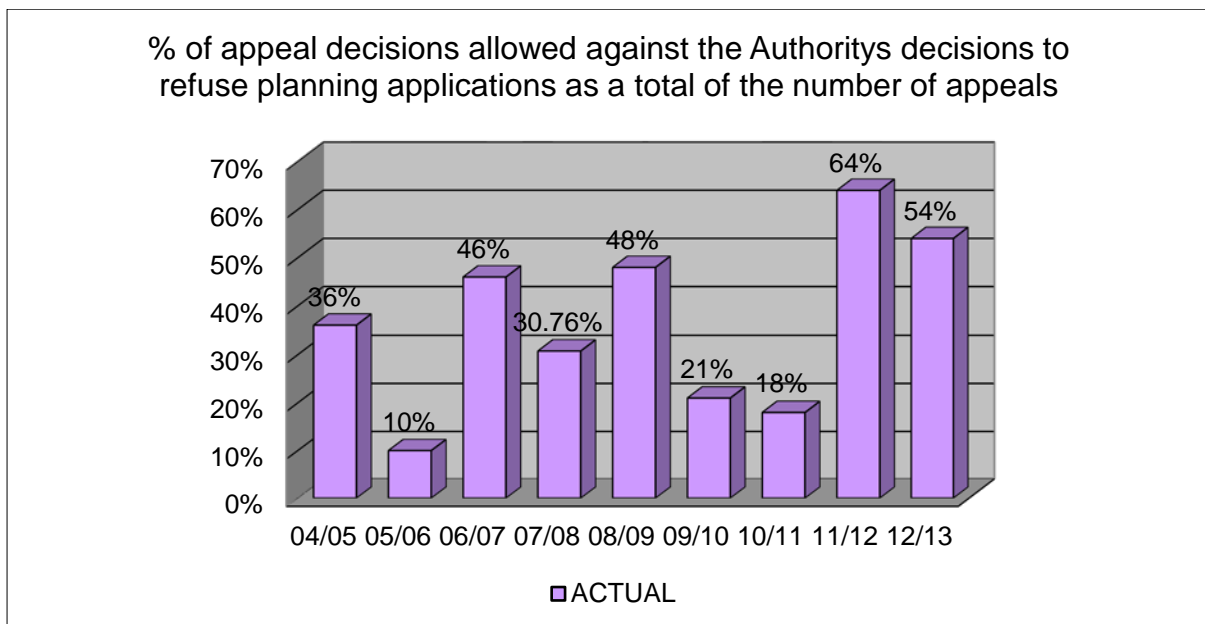
5.3 The Office for National Statistics currently reports that average sickness absence in the public sector across the UK is 7 days per person (2.6%), while the corresponding figure in the private sector is currently 4 days per person (1.5%). While the low absence rates within the Authority are encouraging, the ONS reports that the trend across the UK is similar.



- 5.4 A staff survey was conducted in 2012 and the feedback received has led to a number of changes. In the main, the issues raised by the staff survey have mirrored the issues that have been raised in the Leadership Development Programme. These are mainly around improving the understanding of what others do and how both formal and informal communication channels are working. Some areas of concern, for example pay levels, are largely outside the Authority's current control and staff do generally accept this.
- 5.5 Most significantly the key learning from the Leadership Development programme has continued to be rolled out to all staff with 70 staff having so far taken part in the programme.

6. Planning Performance

- 6.1 The Authority monitors the number of planning appeal decisions allowed against the Authority's decision to refuse planning application. Members are regularly updated on this indicator and the chart below summarises the results from the baseline year of 2004/05. The national average varies over the years but is normally about 35%.



- 6.2 In 2012/13 the Authority undertook a survey of all residents to identify satisfaction with all of the Authority's core services the data reported last year is the current information on this. However, a survey of planning service customers has been undertaken (currently completed every two years). The results were reported to the November 2013 Planning Committee and 87% of customers rated the service as Satisfied and Fairly Satisfied this has been maintained since 2011.

7. Annual Governance Review

- 7.1 The Authority formally approves an Annual Governance Statement for publication alongside the Statement of Accounts. This includes a summary of the work undertaken in the financial year ended the 31 March and it also indicates areas to be addressed in the forthcoming year to further enhance the governance arrangements. Below is an extract from the current statement.

The review of effectiveness has identified the following areas to be addressed in 2013/14

- *The Authority needs to review further the Standing Orders, Scheme of Delegation and Financial Regulations.*
- *The Authority will need to review the adopted Code of Conduct for Members, and procedures and protocols for dealing with complaints about Members, and appoint or make arrangements to share Independent Person(s), to ensure that they are consistent with best practice.*
- *The Authority's corporate Health and Safety framework and policies will be given a fundamental review by an accredited expert to doubly ensure appropriate compliance with legislation.*
- *The Authority will undertake a review of the Ethical Framework and Officer Code of Conduct.*

7.2 A report on the corporate Health and Safety Framework by an independent expert was presented to the Authority in December 2013 and following this discussion processes are being put in place to engage members in the corporate Health and Safety agenda on a more regular basis. Due to work capacity issues and key staff absence the other three items have been delayed and whilst work will have commenced by the end of this financial year it is unlikely that it will have been completed.

7.3 During the year further changes have been made to implement the Committee review including the establishment of a Community Forum to complement the Committee and fora arrangements.

7.4 Defra have conducted a consultation on the review of Governance for all National Park Authorities which will mean that the Authority will reduce its membership in the future as agreed by Members in 2011.

7.5 In terms of the actions for the 2014/15 to be included in the Annual Governance Statement, Officers suggest the following areas for further development;

- Actions delayed from 2013/14 to be carried forward
- Review and promotion of the Whistleblowing Policy
- Discussions and consultation relating to the long term strategic direction of the organisation
- Further embedding of the Volunteers into the Governance Arrangements.

Members may wish to suggest other work which can then be subject to discussion at the meeting.

8. **Financial and Staffing Implications**

8.1 There are no additional financial or staffing implications arising from this report.

9. **Legal Implications**

9.1 There are no legal or sustainability implications arising from this report.

10. **Recommendation**

10.1 That Members comment on the Authority's performance in these areas note the contents of the report, and make suggestions for further work on standards issues particularly around non-quantitative measures of performance.

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Background documents to this report

File Ref.

None.