

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

5 February 2018

Annual Standards and Ethical Review

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

2. Background

2.1 The Scheme of Delegation to this Committee states 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)

2.2 It has previously been agreed that the annual review should be conducted at the February Meeting of this Committee each year.

2.3 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 June meeting of this Committee for discussion prior to approval before the end of September.

2.4 The Values are embedded into the culture of the organisation and influence the way in which Members and, increasingly, Volunteers as well as the staff carry out their work. They are displayed in prominent places and form part of the induction and training programme. The Staff Appraisal process was significantly adjusted for 2016/17 with the behaviours implicit in our Values featuring prominently in the revised Competency Framework.

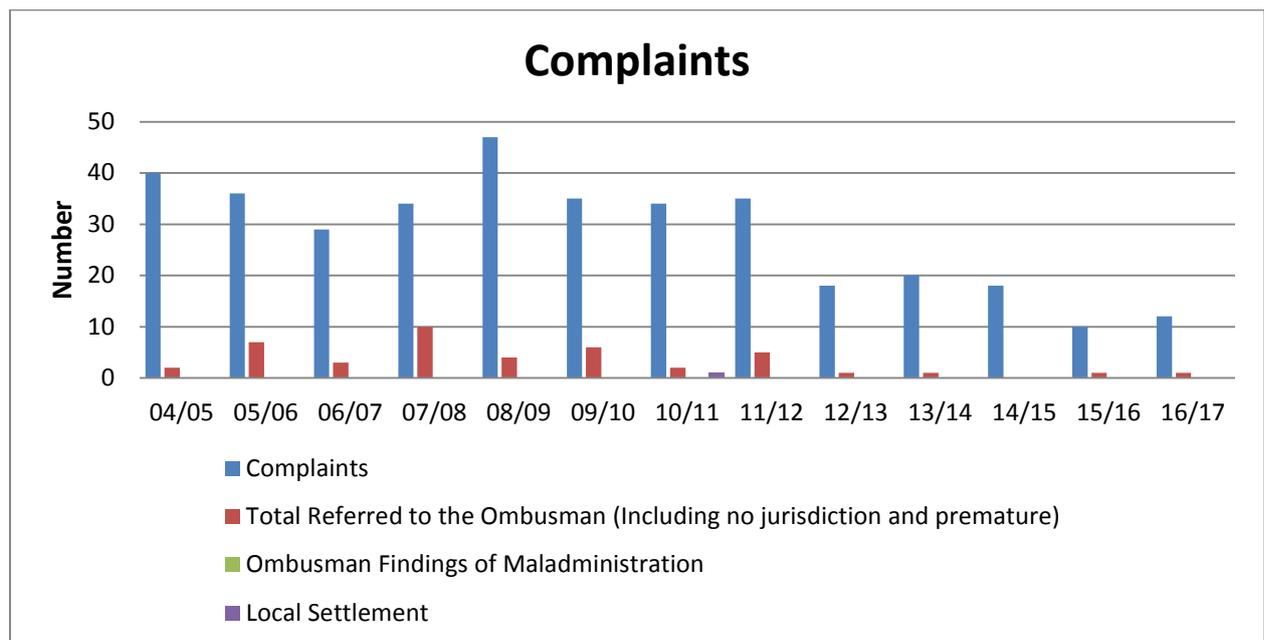
2.5 Members continue to receive training in governance, standards and ethics issues when appropriate.

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

- 2.7 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 fifteen year period) and Customer Service Excellence over the last six years, for the whole organisation. This serves as an external validation of the Authority's approach to customer service and the 2017 assessment resulted in the Authority being fully compliant across all 57 criteria and retaining its 'best practice' assessment in 9 of these.
- 2.8 Sections 3 to 7 below detail statistics which demonstrate that the Authority is operating in a way that is consistent with its Codes of Conduct and Ethical Framework.

3. Complaints and Compliments

- 3.1 Officers report quarterly on Complaints and Compliments which have been received during the year and also report on complaints to the Local Government Ombudsman. The graph below details the Complaints registered between 2004/05 and 2016/17 and the Ombudsman Complaints. 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.
- 3.2 The total number of compliments received over the same period is over 1,500. While there have been changes in the criteria for recording correspondence as a compliment which makes year on year comparisons difficult, the continued high volume of compliments should be seen as highly encouraging.
- 3.3 In 2016/2017 the Authority received 12 complaints of which, 4 were justified or partially justified. In the same time period the Authority also received 66 compliments. The Local Government Ombudsman received one complaint about the Authority in 2016/17 but chose not to investigate.
- 3.4 The year to date performance for 2016/17 is included in more detail at Item 17 on this agenda and full year data will be reported to the May meeting of this committee.



- 3.5 Officers clearly welcome the trend towards a reducing number of formal complaints which does indicate strong levels of service even taking into account the different ways that customers are now likely interact with the Authority. The work being done on the Complaints process will ensure that complaints which ought to have been recorded and dealt with via the complaints process are being 'captured' even though they may have been received via a staff member's email address or social media.
- 3.6 Dealing with Freedom of Information Act (Fol) requests are a regular feature of the Authority's work (17 were responded to in 2016/17 and 21 in the year to date). While these are usually straightforward, there are inevitably more complex requests as well. In answering requests, the Authority is obliged (with certain exceptions) to provide the information that it holds which means that data management systems should be efficient at both retaining and disposing of information. In addition, all staff need to be aware that care should be exercised in the content, tone and language used in all communications as these may need to be released in responding to an FOI request.

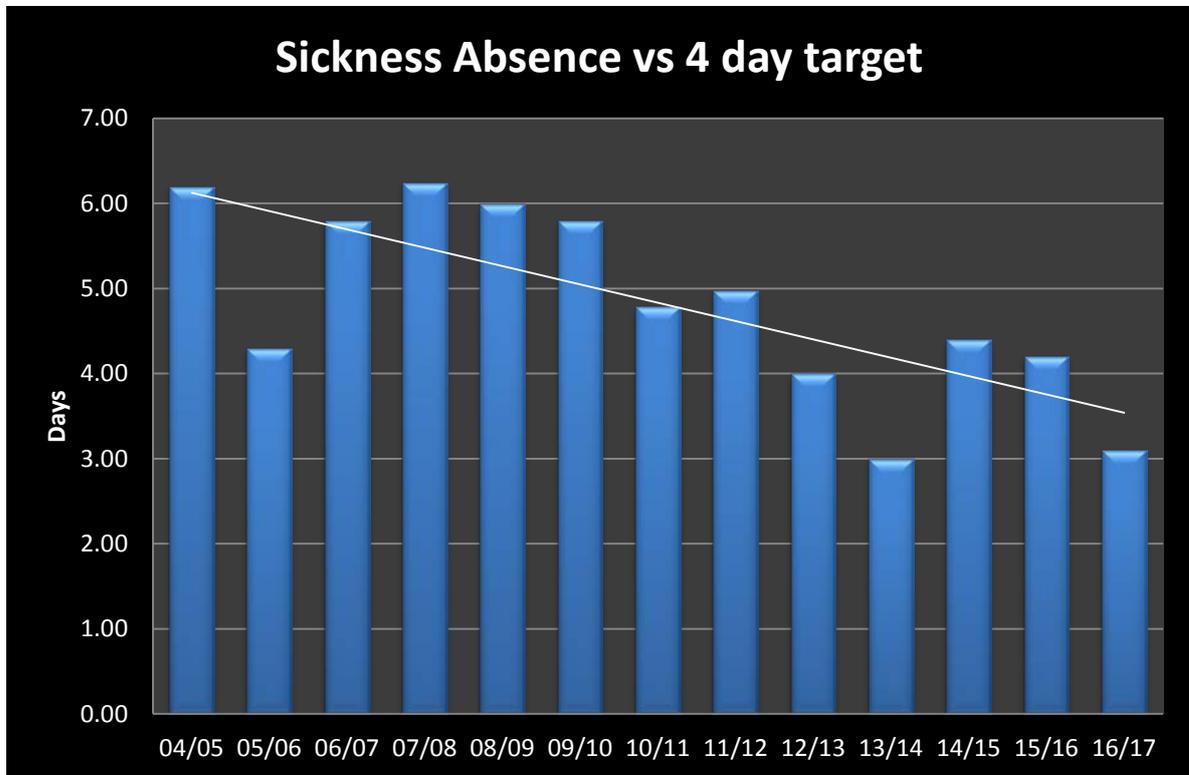
4. Member Complaints

- 4.1 The Authority has 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 legislation. The Monitoring Officer and Independent Person reviewed the Code of Conduct in the light of the outcome of the Member Complaints received in 2013. A number of clarifications were proposed which were approved by the Authority in September 2014.
- 4.2 There was one formal Member complaint in 2017. In accordance with the Member Complaints procedure the Deputy Monitoring Officer carried out an initial assessment of the allegations to determine whether or not they merited a formal investigation. The assessment was that no breach of the Code of Conduct or other applicable rules had occurred, that no parts of the complaint merited formal investigation, and that no further action was necessary. The Independent Person was also involved with and supportive of this assessment. The Complainant submitted further information in support of the complaint. The assessment of that information was that the initial assessment was not altered. The Complainant was notified and the matter ended.
- 4.3 Notwithstanding the outcome of this Member complaint, it serves as a useful reminder that the behaviour of Members is often subject to close scrutiny, particularly in public meetings and in relation to declarations of interests.

5. Staff Health, Safety and Well Being

- 5.1 The number of working days lost to sickness is usually 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 continue to compare favourably with other organisations.
- 5.2 The Authority has a long term target of 4 days absence (1.5%) per full time equivalent. The actual figure achieved in 2016/17 was 3.1 days (1.2%) which represented a small decrease from the previous year's figure. Taking long term absence out of the 2016/17 figures reveals an underlying absence rate of less than 1.0% for the year which is unchanged from the previous year.

- 5.3 The most recent data available from the Office for National Statistics reported that average sickness absence in all organisations across the UK was 4.3 days per person in 2016 (1.7%). The corresponding ONS figure for staff groups most closely aligned to this Authority was Public Administration, Health and Education which had a rate of 7 days (2.7%).



- 5.4 Detailed Health and Safety reports are provided to Members at each FRASC meetings (see agenda item 12) and annually to NPA. The report elsewhere on this agenda deals with performance with regard to accidents, the 2017/18 action plan and proposals for the 2018/19 action plan.

- 5.5 Any confidential HR matters which may have occurred during the year and which could have an impact on standards and ethics will be raised verbally with Members in the private part of this meeting.

6. Planning Performance

- 6.1 The Authority monitors the number of planning appeal decisions allowed against the Authority’s decision to refuse planning applications as this can be an indicator of the quality and consistency of its decision making. Members are regularly updated on this indicator and the chart below illustrates the results on a quarterly basis over recent years. The national average varies from year to year years but is normally about 33- 35%.

- 6.2 The Authority’s target is 33% of appeal decisions allowed. In 2016/17, the number allowed was 1 out of 12, giving the percentage of appeals allowed as 8% and well within target. This represents the best year since the publication of the NPPF in 2012.

- 6.3 The Planning Customer Satisfaction Survey was undertaken in 2015. Results have historically been strong and the Authority’s performance indicator for satisfaction with the planning service is set at a high level of 85%. The result from the 2016 survey gave an overall satisfaction rating of 93%.

This means that the challenging target had again been met and is particularly noteworthy following a year in which pre-application advice charging was introduced. A survey was repeated at the end of 2017 and results will be reported this spring.

7. Media Coverage

- 7.1 The Authority monitors the press coverage received and analyses whether the coverage is positive, negative or neutral. Between 2014/15 and 2015/16 the percentage of positive coverage decreased very slightly from 63% to 56%. However, negative coverage fell from 1% to 0.
- 7.2 In 2016/17 positive coverage increased to 78%, with the remainder all recorded as neutral.
- 7.3 An online system for monitoring media coverage was adopted (in addition to the traditional approach) in October 2016. This system alerts the Authority to any mention of the National Park in newspapers/magazines/online articles across the country. The data from this new system is not included in the results above, but will be reported from 2017/18. However, Members may be interested to know while the number of articles collated annually has now increased approximately ten fold (from around 500 to nearly 5000), leading to a significant increase in the number of neutral (passive) mentions, negative coverage remains <1%.

8. Staff Code of Conduct and Ethical Framework

- 8.1 Both of these documents were reviewed, amendments proposed and subsequently approved by Members at the March 2015 meeting of the National Park Authority. The Code and Framework were well publicised at the time. While there have been no significant issues arising from this, Officers are mindful that there are a number of new staff at all levels and, although this subject is covered in induction, it would be appropriate to give contents of the Staff Code further publicity to all staff.

9. Volunteer Strategy

- 9.1 Members approved a new Volunteers Strategy in early 2015, reviewed progress in 2016 and a considerable amount of work has been undertaken to implement this. One of the outcomes has been closer engagement with volunteers, including a number of them attending staff meetings and engaging in staff training days. This involvement has proved to be very useful as volunteers are effectively 'semi-independent' and they have been able to stimulate good debate with their comments and questions.
- 9.2 The management of the Volunteer Service is now on a sound footing. Surveys of volunteers were undertaken in 2017 relating separately to satisfaction and health and safety. The outcomes of both surveys were positive with only minor issues raised.

10. Annual Governance Review

- 10.1 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 ending on 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.
- 10.2 The review of effectiveness has identified the following areas to be addressed in 2017/18:

- Completion of the work on the review of Financial Regulations, Standing Orders and Scheme of Delegation in particular to reflect the impact of the ongoing collaborative working with North Yorkshire County Council and other minor changes which have been identified by Officers.
- Conduct a review and implement any agreed actions relating to Fraud and Corruption Risk.
- Give increased prominence to the Officers' Code of Conduct to ensure that Officers are clear about its contents and fully comply with their obligations.
- Improve Officers' awareness of their obligations with regard to the Freedom of Information and Data Protection Acts. In particular, this relates to both the retention/disposal of data and to reinforce the message that care needs to be used in the language used and opinions expressed in all email messages.
- Update the Authority's Customer Service Standards to reflect the changed ways in which our customers want to interact with us – for example the current standards refer extensively to how we should reply to written correspondence and while there is some guidance on email communication, no mention is made of social media.
- Review the complaints process to ensure that complaints coming into the Authority from a wide variety of sources (including social media and emails) are being properly captured to give certainty that they are dealt with effectively and any opportunities for improving the way in which we work are taken.
- Given the expansion of the Authority's operations, notably in delivering externally funded projects and in undertaking mitigation work via the Sirius Minerals Section 106 Agreement, ensure that the resources deployed in key areas are sufficient to support the greater volume of legal and governance work.
- Continue to integrate volunteers into all of the Authority's work teams and ensure that volunteers are properly considered and consulted when key decisions are made.
- Continue the development of the financial collaborative working arrangements with NYCC to deliver high quality information to facilitate Member and officer decision making.

10.3 Excellent progress has been on the majority of these items during 2017/18. The Finance Regulations are being revised and updated versions of the Scheme of Delegation and Standing Orders will be presented to the March Authority meeting; considerable work has been done on the Authority's archives to ensure full and proper compliance with the Retention policy; the Customer Service Standards have been updated as has the Clear Communications Guide. Briefing sessions for staff on the latter are planned shortly; Volunteers are working in teams across the whole Authority and are delivering a very significant range of work; the Complaints process is in the process of being reviewed, although no major changes are anticipated; Financial Collaboration agreement has delivered high quality support as anticipated. Staff absence has limited the work on Fraud and Corruption following the paper presented to this Committee in June last year, but Officers do not consider this to be a major problem.

10.4 In terms of the actions for 2018/19 to be included in the Annual Governance Statement, Officers suggest the following areas for further development;

- Completion of the work and associated training in relation to the Finance Regulations, Scheme of Delegation and Standing Orders;
- Prepare the Authority's systems for the implementation of the General Data Protection Regulations in May and associated training for staff;
- Ensure that all new staff in particular are familiar with the Officers' Code of Conduct and fully comply with their obligations.

- Given the continued expansion of the Authority's operations, notably in delivering a variety of externally funded projects, ensure that the resources deployed in key areas are sufficient to support the greater volume of legal and corporate support work

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

11. **Financial and Staffing Implications**

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

12. **Legal Implications**

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

13. **Recommendation**

13.1 That Members comment on the Authority's performance in these areas, note the contents of the report, make suggestions for further work on the draft content of the annual governance statement.

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Background documents to this report

File Ref.

Statement of Final Accounts 2016/17 – NPA September 2017