

Legal and Support Services  
Town Hall  
St Nicholas Street  
Scarborough  
YO11 2HG  
Head of Service  
Ian Anderson

Contact: Mrs G Wilkinson  
Tel: 01723 232303  
Fax: 0870 2384159  
e-mail: gill.wilkinson@  
Scarborough.gov.uk  
Web site: www.scarborough.gov.uk  
DX: 719232 Scarborough 5

Mr Hardwicke Carruthers

Your Ref:  
Our Ref: GW/REB

23 December 2008

Dear Mr Hardwicke Carruthers

Thank you for your recent request under the Freedom of Information Act. You asked a series of questions which are printed below together with the Council's replies.

*I would like to know the average proportion of time the elected representatives of your authority spend as part of their duties for 2005/2006, 2006/2007 and 2007/2008 on their main activities. The activities that form their duties (employment) as an elected representative are:*

*1 directly resolving complaints against the executive (Council Staff) of the Council by residents; 2 sitting on committee's; 3 acting for the political parties that they represent and/or ceremonial duties (i.e. all time not spent on sitting on a Committee or resolving a complaint against the executive);*

*The total time spent by an elected representative for a Council on these three activities should be 100 per cent of the time they spend 'working for a Council' as an elected representative.*

Your description of the duties and work of a councillor is incomplete since it excludes case work and meeting with constituents, and may exclude other administrative work (for example, consultation work with Council Services). I have also established that councillors do not monitor their time using time sheets and do not therefore provide this information to the Council (in addition, time spent on political activities would not be the business of this Council but of the councillor's political party). In terms of your request for time spent there is therefore no recorded information to provide. You may however wish to look at the information on elected members on our website as this provides more information about their specific areas of work. It can be found here: <http://democracy.scarborough.gov.uk/mqMemberIndex.aspx?bcr=1>

*I would additionally like to know how much in total was paid to local councillors to meet all their duties (including expenses) for 2005/2006, 2006/2007 and 2007/2008 by your authority, and how many elected representatives are (and were) represented on your authority for these years.*

There are 50 Councillors on Scarborough Borough Council. Details of allowances paid to members can be found on our website at <http://www.scarborough.gov.uk/Default.aspx?page=12242>

*I would also like to know how many Complaints in total were submitted to your Council in 2005/2006, 2006/2007 and 2007/2008 for each year. I would further like to know how many of these complaints were formally considered by an elected representative for each of these years.*

2005/6 (Apr-Mar) - 84  
2006/7 (Apr-Mar) - 67  
2007/8 (Apr-Mar) - 70

No complaints were formally considered by Councillors.

*I would further like to know how many complaints against the Executive (Council staff) led to the elected representatives formally identifying that the Executive had acted wrongly for the years 2005/2006, 2006/2007 and 2007/2008, and how many of these formal determinations by the elected representatives identify that there was no wrong-doing by the Executive. How many staff employed by your authority in 2005/2006, 2006/2007 and 2007/2008 ceased to be employed by your authority as a direct result of a complaint against the Executive, and the Councillors identifying this to be the case.*

Complaints against council staff are not investigated by Councillors thus there are no statistics for this.

*I would further like to know how much money the Council has paid to a complainant (i.e. victim of a Council's wrongdoing) through its own complaints system (i.e. excluding any intervention by the Local Government Ombudsman, Valuation Tribunal or similar body) in 2005/2006, 2006/2007 and 2007/2008.*

2005/6 (Apr-Mar) - £20  
2006/7 (Apr-Mar) - £0  
2007/8 (Apr-Mar) - £300

*I would like to know how much money either in the form of local settlement or additional formal finding of maladministration causing injustice the Local Government Ombudsman has recommended that your Council pay in 2005/2006, 2006/2007 and 2007/2008 (for each year) and if the Local Government Ombudsman's recommendations have been met in full (including any non-financial recommendations for each year)). Please detail any recommendation that has not been met in full and provide a copy of the Elected representatives decision. Please additionally identify if these costs were met directly by Council Tax Payers or the Council's insurers (excluding self insurance by a Council)*

2005/6 (Apr-Mar) - £0  
2006/7 (Apr-Mar) - £1000  
2007/8 (Apr-Mar) - £900

These costs were met by the service that was the subject of the complaint. Councillors did not make these decisions.

*Finally, please provide details of the financial cost of administering all your complaints systems (including Fol and DP) by the Executive for 2005/2006, 2006/2007 and 2007/2008 and the number of staff employed in administering complaints and resolving these (Full time equivalent staffing levels). Please also provide details of your total administrative costs for 2005/2006, 2006/2007 and 2007/2008 and the total number of staff employed by your authority, as well as any pay increase (including increments) made to the Council's Chief Executive (Head of Paid Service) in pounds sterling for each of these years. Please additionally identify if the Chief Executives wages included performance related payments.*

Our authority employs between 850 and 1200 staff dependent upon the season as many of our staff are employed on a temporary basis during the holiday season. The administration of complaints is included in several member's of staff job descriptions but they do not work on this full time. It is not possible to give a cost for this service as this is not recorded. The council does not operate a performance related pay scheme.

*If you do not have this reasonably basic management information related to complaints and/or identify that the costs of accessing the information requested will be more than £450 please state this and identify that your Authority does not have either a functioning or accountable complaints system, and does not maintain any basic management information related to this issue.*

*If you have a complaints system not fit for purpose please identify which political party currently controls your Council, and if this political party has appointed the current Electoral Registration and Returning Officer through its control of the Council (with date of their formal appointment). Please name the current Electoral Registration and Returning Officer, and identify if they are also Head of Paid Service, and Clerk to your Authority. Please additionally provide any documentation maintained by your Local Authorities Head of Paid Service identifying that they personally do not believe it to be appropriate for your Council to have a complaints system that is fit for purpose. This documentation should be in existence due to the provisions of s4 of the Local Government Act 1989.*

The Council does have a complaints system fit for purpose, but in answering your questions which I note were conditional upon my making an assessment that the Council do not have a system fit for purpose, the political party currently in control of the Council is the Conservative Party. Our Electoral Registration and Returning Officer is Mr Jim Dillon who is also the Chief Executive of the Council.

Continued...  
Mr Hardwicke Carruthers  
23 December 2008

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We hope you are happy with our service. But if you are not satisfied with the way your request has been handled, please contact—

Janet Deacon  
Customer Services Manager  
Town Hall, St Nicholas Street, Scarborough, North Yorkshire YO11 2HG  
or email [xxxxx.xxxxxx@xxxxxxxxxxxxx.xxx.xx](mailto:xxxxx.xxxxxx@xxxxxxxxxxxxx.xxx.xx)

and your complaint will be considered under the Council's complaints procedures.

If, after that procedure, you are still not happy, you may appeal to—

The Information Commissioner  
Wycliffe House, Water Lane,  
Wilmslow, Cheshire SK9 5AF  
Tel: 01625 545745 Fax: 01625 524510  
e-mail: [xxxx@xxxxxxxxxxxxxxxxxxx.xx](mailto:xxxx@xxxxxxxxxxxxxxxxxxx.xx)  
website: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Yours sincerely



Gill Wilkinson  
Democratic and Administrative Services Manager