



## STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK  
ON 9TH OCTOBER 2019 AT 2.00 P.M.

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PRESENT:

Mrs D. Holdroyd - Chair  
D. Lewis - Vice-Chair

Independent lay members: P. Brunt, C Finn

Councillor Mrs D. Price

Together with:

R. Tranter (Head of Legal Services and Monitoring Officer), L. Lane (Head of Democratic Services and deputy Monitoring Officer ), T Stephens, Planning Services Manager, C. Evans (Committee Services Officer)

### 1. APOLOGIES

Apologies for absence were received from Councillors C Mann, M. Sargent and Mrs M. Evans.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

### 3. MINUTES – 12TH FEBRUARY 2019

RESOLVED that the minutes of the meeting held on the 12th February 2019 be approved as a correct record and signed by the Chair.

## REPORTS OF OFFICERS

### 4. PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL LETTER 2018/19

The report informed members of the Standards Committee of the publication of the Public Services Ombudsman for Wales Annual Report and Annual Letter (2018/19) in respect of Caerphilly County Borough Council by the Public Services Ombudsman for Wales.

It was noted that the Public Services Ombudsman for Wales (PSOW) issues an Annual Letter to each Local Authority in Wales which sets out a clear and concise breakdown of all complaints received and investigated by the PSOW during 2018/19 specifically related to the Authority. The Annual Letter in respect of Caerphilly was appended to the report at Appendix 1.

The Committee noted that the number of complaints received by the Public Services Ombudsman for Wales in respect of Caerphilly had increased this year to 65, compared to the 40 received last year. Of the 65 complaints received, 26 were made prematurely (an increase of 19 from last year), 6 were out of jurisdiction, and 26 cases were closed after initial consideration (an increase of 4 from last year). In addition, it was noted that there were 9 early resolutions and 1 complaint upheld/ partially upheld.

The report also detailed that in respect of Code of Conduct complaints received by the Ombudsman, 3 complaints related to Caerphilly County Borough Councillors , all of which were closed after initial consideration. In respect of Town and Community Councillors 4 complaints were received, in relation to Darran Valley Community Council, all of which were closed after initial consideration.

The Monitoring Officer also referred the Standards Committee to the Annual Letter which detailed the introduction of the Public Services Ombudsman (Wales) Act 2019 , which affords new powers aimed at improving access to the office of the PSOW; providing a seamless mechanism for complaint handling when a patient's NHS care is inextricably linked with private healthcare; allowing the PSOW to undertake own initiative investigations when required in the public interest and ensuring that complaints data from across Wales may be used to drive improvement in public services for citizens in Wales.

The Standards Committee thanked the Officers for the report and discussion ensued.

A Committee Member sought clarification on table C of the report (Appendix 1, Page 12) and the complaints categorised as out of jurisdiction. Officers explained that there could be a number of reasons such as complaints received outside of 12 month complaint period or complaints about, for example, a refusal of a planning permission which has been sent directly to the Ombudsman but should follow the statutory process of lodging a formal appeal to the Planning Inspectorate Wales.

Discussions took place around the increase in the number of complaints and interventions and the reasons for this. Officers explained that there has been an increase in the number of complaints received, which could be due to the impact of austerity measures on services, culture changes and heightened awareness of the complaint process. Further discussions took place around practices in neighbouring authorities and it was noted that there are similar increases in complaints received; however the areas for complaints vary depending on the Authority.

Members were advised that as part of this Council's reporting process the Annual Letter would be presented to the next meeting of Council.

Having fully discussed its content the Standards Committee unanimously noted the report.

## **5. EXEMPT MATTER**

Members considered the public interest test certificate from the Proper Officer and concluded that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and it was moved and seconded that the public interest test be accepted and the meeting move into exempt session.

RESOLVED that In accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remainder of the meeting because of the likely disclosure to them of exempt information as identified in paragraph of Part 13 of Part 1 of Schedule 12A of the Local Government Act 1972.

**6. COMPLAINT MADE TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES – UPDATE ON COMPLIANCE WITH THE RECOMMENDATION.**

The report provided the Standards Committee with an update on compliance against a recommendation from the Public Services Ombudsman for Wales, following the receipt of a complaint.

Following consideration and discussion it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report, the recommendation at paragraph 3.1 be endorsed.

Having concluded exempt business, the Monitoring Officer confirmed that the meeting was once again in open session.

**7. ANY OTHER BUSINESS – OMBUDSMAN REFERRAL**

The Monitoring Officer outlined to members that following media reports on the matter they would no doubt be aware that Councillor David Poole has recently made a self referral to the Public Services Ombudsman for Wales in relation to alleged breaches of the Code of Conduct and advised the Committee that the Ombudsman has decided to investigate the referral. He further advised that whilst it would not be appropriate to discuss the details of the matter due to the ongoing investigation, by way of information at this stage, dependant on the outcome of the investigation the Ombudsman could refer the matter back to the Standards Committee for further consideration.

The Committee duly noted the update.

**8. RETIREMENT OF MRS D. HOLDROYD AND MRS M. EVANS**

Before closing the meeting, the Monitoring Officer thanked the Chair, Mrs Holdroyd for her dedicated service and hard work over her term of office both as a lay member and Chair of the Committee and wished her well for the future. These sentiments were echoed by the Committee who also expressed their gratitude to her and her professionalism throughout her term. As this was also the last meeting of Mrs Evans, who was unfortunately unable to attend the meeting, the Monitoring Officer, with the endorsement of the Committee agreed he would write on their behalf to express their appreciation to Mrs Evans.

The meeting closed at 2.44 pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on they were signed by the Chair.

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CHAIR