



## STANDARDS COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON WEDNESDAY 7TH OCTOBER 2010 AT 2.00 P.M.

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PRESENT:

M.G. Warrender - Chairman

Councillors J. B. Criddle and L.R. Rees

Messrs L.C. Davies, K.C. Mock, D.R.G. Parry and Mrs. E.J. Rowlands

Community Councillor I. Racz

Together with:

D. Perkins (Head of Legal Services/Monitoring Officer), G. Williams (Deputy Monitoring Officer), S. Richards (Corporate Support Officer), J. Jones (Scrutiny and Members' Services Manager), H. Morgan (Senior Committee Services Officer)

Also in attendance for agenda item number 4:

I. Evans (Contracts Manager - Corporate Services), S. Couzins (Head of Building Maintenance), J. Reynolds (Acting Neighbourhood Area Manager), J. Morgans (Customer Services and Performance Co-ordinator), J. Moore (Service Manager, Children's Services)

#### 1. DECLARATIONS OF INTEREST

The Chairman informed the committee that his son works for Caerphilly County Borough Council's social services. Following advice from the Monitoring Officer, it was determined that there was no prejudicial interest to be declared.

No further declarations of interest were made at the beginning or during the course of the meeting.

#### 2. MINUTES - 22ND JULY 2010

RESOLVED that the minutes of the meeting held on 22nd July 2010 (minute nos. 1 - 11, on page nos. 1 - 6), be approved as a correct record and signed by the Chairman.

### **3. COMPLAINTS TO THE OMBUDSMAN**

The report on complaints made to the Ombudsman which had been rejected by him as not accepted for formal investigation (or re-opened) or that he was satisfied with the action taken, those complaints which remained at the enquiry stage or were awaiting determination and those complaints which were not upheld or upheld in part, were noted.

### **4. REPORTS FROM PUBLIC SERVICES OMBUDSMAN FOR WALES**

Consideration was given to the following reports of the Monitoring Officer with that of the Public Services Ombudsman for Wales regarding maladministration complaints made against Caerphilly County Borough Council.

#### **4.1 Case of Maladministration - Mr. A.**

A detailed discussion took place on the report which had been issued under Section 21 of the Public Services Ombudsman (Wales) Act 2005. Members noted that the Ombudsman felt that a public report was not required in regard to the complaint made under Section 21 of the Act, as the matter has been satisfactorily resolved.

Members noted the findings of the Ombudsman and his recommendation as set out in the report and that the complaint of Mr. A. was partially upheld.

The Contracts Manager - Corporate Services was present to respond to the questions asked and to advise on the action taken to ensure that internal procedures were improved to avoid a recurrence of similar issues in the future. He confirmed that the recommendations of the Ombudsman have been accepted and implemented.

RESOLVED that the Ombudsman report including his recommendations be accepted.

#### **4.2 Case of Maladministration - Ms AB.**

A detailed discussion took place on the report which had been issued under Section 21 of the Public Services Ombudsman (Wales) Act 2005. Members noted that the Ombudsman felt that a public report was not required in regard to the complaint made under Section 21 of the Act, as the matter has been satisfactorily resolved.

Members noted the findings of the Ombudsman and his recommendation as set out in the report and that several aspects of Ms AB's complaint were not upheld.

The Head of Building Maintenance and Acting Neighbourhood Area Manager) were present to respond to questions asked and to advise on the action taken to ensure that internal procedures were improved to avoid a recurrence of similar issues in the future.

RESOLVED that the Ombudsman report including his recommendations be accepted.

#### **4.3 Case of Maladministration - Ms A.**

A detailed discussion took place on the report which had been issued under Section 21 of the Public Services Ombudsman (Wales) Act 2005. Members noted that the Ombudsman felt that a public report was not required in regard to the complaint made under Section 21 of the Act, as the matter has been satisfactorily resolved.

Members noted the findings of the Ombudsman and his recommendation as set out in the report and that certain parts of the complaint of Ms A were upheld.

The Customer Services and Performance Co-ordinator and Senior Manager - Children's Services were present to respond to the questions asked and to advise on the action taken to ensure that internal procedures were improved to avoid a recurrence of similar issues in the future.

RESOLVED that the Ombudsman report including his recommendations be accepted.

**5. MANAGEMENT OF THE CARE ALLOWANCE**

The report detailed the management of the care allowance process and the controls introduced to provide clarity for Members making claims. The Scrutiny and Members Services Manager detailed the controls that had been introduced to ensure proper accountability and it was pointed out that until the publication of its latest annual report (dated December 2009), the Independent Remuneration Panel was of the opinion that the Care Allowance contributed towards caring costs rather than be a reimbursement of actual costs. However, the Panel now consider the Care Allowance shall only be payable for actual and receipted costs. The Panel's determination helpfully clarifies the legal framework and will ensure that receipts support future claims for the Care Allowance. Members were informed of the change when the last annual scheme of allowances report was considered and approved by full Council.

Members noted the content of the report and the controls introduced.

**6. CHAIRMAN**

In noting that Mr. Warrender would be standing down, the Head of Legal Services requested that should any lay Members wish to be considered for the position of Chairman or Vice Chairman they should notify himself or the Deputy Monitoring Officer in order that any nominations can be considered at the next meeting.

**7. TRAINING/RETRAINING SESSIONS**

It was noted that as Mr. Warrender, Mr. Mock and Mrs. J Rowlands would be standing down there is a requirement to undertake training/retraining sessions on the code of conduct for those new Members on the Committee. Arrangements would be made in the near future.

**8. CHAIRMAN - MR. M WARRENDER**

In closing the meeting the Chairman advised that it was the last meeting he, Mr. Mock and Mrs. J. Rowlands would be attending.

He paid tribute to those who had served with him on the Standards Committee and thanked them for their support during his ten-year period of office. Mr. Warrender made special reference to the Officers who had offered valued guidance over many years and for always dealing with matters in a professional and helpful manner. He wished the new lay Members, Miranda Evans, Professor Sylvia Griffiths, Diane Holdroyd and substitute Member Community Councillor P. Blight (who were present as observers) every success in their new role.

In response, and on behalf of the county borough, the Head of Legal Services made reference to the manner in which the meetings had been chaired and paid tribute to the assistance and support given by the other lay Members to enable the committee to fulfil its role. They were all wished well for the future.

The meeting closed at 3.00 p.m.