



## **STANDARDS COMMITTEE**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON FRIDAY, 12TH OCTOBER 2012 AT 10.00 A.M.**

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#### **PRESENT:**

Mr. L.C. Davies - Chairman  
Professor S. M. Griffiths – Vice-Chairman

Councillors Mrs. A. Collins and Mrs. P. Cook

Mrs. M. Evans, Mrs. D. Holdroyd, Mr. P. Morgan and Community Councillor Mrs. G. Davies

#### **Together with:**

G. Williams (Deputy Monitoring Officer), R.J. Thomas (Committee Services Officer)

#### **Also in attendance for agenda item number 4:**

J. Morgans (Customer Services and Performance Manager)

#### **Also in attendance to observe:**

Councillor C. Durham

### **APOLOGIES**

An apology for absence was received from Councillor H.W. David.

### **CHAIRMAN'S WELCOME**

The Chairman welcomed Councillors Mrs. A. Collins, Mrs. P. Cook and C. Durham to the meeting. Councillor Cook was standing in for Councillor David and it was the first Standards Committee meeting that she had attended, while Councillor Durham was present to observe.

### **1. DECLARATIONS OF INTEREST**

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

**2. MINUTES - 1ST AUGUST 2012**

RESOLVED that the minutes of the meeting held on 1st August 2012 (minute nos. 1 - 7 on page nos. 1 - 3) be approved as a correct record.

**3. REPORT FROM PUBLIC SERVICES OMBUDSMAN FOR WALES**

Consideration was given to the report from the Public Services Ombudsman for Wales in relation to a maladministration complaint made against Caerphilly County Borough Council, the Aneurin Bevan Health Board and Cwm Taf Health Board.

A detailed discussion took place on the report that 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.

The Customer Services and Performance Manager was present to respond to the questions asked and to advise on the action already taken to ensure that internal procedures had been improved to avoid a recurrence of similar issues in the future.

RESOLVED that :-

- (1) the analysis and conclusions of the Public Services Ombudsman for Wales, as set out in the paragraphs 150 -185 of the report, and the recommendations as set out at paragraphs 186 and 187 be noted;
- (2) the Deputy Monitoring Officer highlight concerns with the Public Services Ombudsman for Wales regarding the possible identification of the complainants.

**4. ANNUAL LETTER FROM THE PUBLIC SERVICES OMBUDSMAN FOR WALES (2011/12)**

Consideration was given to the annual letter received from the Public Services Ombudsman for Wales that provided a breakdown of all complaints received and investigated by his office during 2011/12 and the response times to requests for information.

Members discussed the letter that detailed the Ombudsman did not issue any 'upheld' reports against the Council during 2011/12.

Members were asked to note that there was an increase in the number of Member against Member complaints received, however the Deputy Monitoring Officer confirmed that this was not unusual in the lead up to an election and complaint levels had now returned to normal. She also reminded the Committee that the Authority had retained its housing stock and this service area was known for producing a high number of complaints.

Reference was then made to the implementation of the new Complaints Policy, as recommended by the Ombudsman, and it was noted that this work is currently being undertaken, in the meantime the Council's current policy remains in place.

The Standards Committee discussed and noted the contents of the Public Services Ombudsman for Wales's Annual Letter.

**5. ANY OTHER BUSINESS**

**Standards Conference Wales 2013**

This would be held on 19th April 2013 in Llandudno, North Wales and would focus on balancing rights and responsibilities. The Deputy Monitoring Officer informed Members that Caerphilly would be offered 5 places.

**Councillor Code of Conduct**

The Deputy Monitoring Officer provided a verbal update on a recent decision of the High Court on a case regarding the Code of Conduct for Members. A Member recently challenged the findings of the Adjudication Panel for Wales to uphold the decision of his Council's Standards Committee's decision to censure him for breaching the Code of Conduct. At appeal the Court set aside the decision to censure. The Court held that the comments made by the Member amounted to political expression and no account had been taken by the Panel of the need for politicians to have "thicker skins". In light of this decision the Ombudsman has issued revised guidance in relation to the investigation of allegations of failing to show respect and consideration.

A final mop up training session for Members on the Code of Conduct was planned for 24th October at 5.15 p.m. The Deputy Monitoring Officer will update Members on the Code of Conduct training at the next meeting of the Standards Committee.

The meeting closed at 11.10 a.m.

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CHAIRMAN