



STANDARDS COMMITTEE – 26TH FEBRUARY 2014

SUBJECT: PROTOCOL FOR REFERRAL OF REPORTS FROM THE PUBLIC SERVICES OMBUDSMAN FOR WALES FROM THE STANDARDS COMMITTEE TO THE RELEVANT SUBJECT SCRUTINY COMMITTEE

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & SECTION 151 OFFICER

1. **PURPOSE OF REPORT**

- 1.1 Following the decision made by Council on 8th October 2103 to seek the approval of the Standards Committee to the Protocol for the referral of a Report of the Public Services Ombudsman for Wales from the Standards Committee to the relevant subject Scrutiny Committee.

2. **SUMMARY**

- 2.1 This report seeks the approval of the Standards Committee to the Protocol relating to the referral of a Report of the Public Services Ombudsman for Wales from the Standards Committee to the relevant subject Scrutiny Committee in accordance with the decision of Full Council at its meeting held on 8th October 2013.
- 2.2 The protocol is intended to assist members in determining which reports should be referred.

3. **LINKS TO STRATEGY**

- 3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation.

4. **THE REPORT**

- 4.1 Wales Audit Office (WAO) carried out a national Scrutiny Improvement Study during 2012/13, involving local authorities undertaking a self-evaluation and peer learning exchange. The feedback resulted in a self-evaluation report and a Scrutiny Improvement Action Plan. This was approved by full Council on 8th October 2014. The Scrutiny Improvement Action Plan included an action to 'Develop links between Standards Committee and Scrutiny process'. In particular, this could be achieved by referring reports from the Public Services Ombudsman for Wales to Scrutiny Committees where relevant.
- 4.2 The referral of a Report received from the Public Services Ombudsman for Wales to the relevant scrutiny committee will enable its Members to understand the nature of serious complaints made against the Council and give members an opportunity to examine any underlying circumstances. This process will allow scrutiny Members to focus on improving the Council's services. It is entirely a matter for the Standards Committee to decide if a report

should be referred to a scrutiny committee, in accordance with the following protocol:-

Protocol

- 4.3 The Standards Committee should consider referring a report from the Ombudsman to the appropriate Scrutiny Committee, where in the opinion of the Standards Committee there has been a serious failure in service delivery that would benefit from further consideration by the appropriate Scrutiny Committee.
- 4.4 A report setting out the reason for referral will be presented to the relevant Scrutiny Committee along with the Report from the Ombudsman. The Chair of Standards Committee (or a nominee) will be invited to attend the respective Scrutiny Committee when the report is presented.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no direct equalities implications arising from this Report.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications not contained in the report.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications not contained in the report.

8. CONSULTATIONS

- 8.1 There are no consultation responses not contained in the report.

9. RECOMMENDATIONS

- 9.1 That Standards Committee agree to the suggested protocol for the referral of Ombudsman reports to Scrutiny Committees.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To implement the Scrutiny Improvement Action Plan.

11. STATUTORY POWER

- 11.1 Section 21 of the Local Government Act 2000.

Author: Catherine Forbes-Thompson, Scrutiny Research Officer
Consultees: Stuart Rosser, Interim Chief Executive
Nicole Scammell, Acting Director Corporate Services & Section 151 Officer
Gail Williams, Acting Monitoring Officer
Dan Perkins, Head of Legal & Democratic Services
Jonathan Jones, Democratic Services Manager
David A. Thomas, Senior Policy Officer (Equalities & Welsh Language)
Cllr. C. Forehead, Cabinet Member HR & Governance/Business Manager

Cllr. L. Ackerman, Chair, Health Social Care & Wellbeing Scrutiny Committee
Cllr. W. David, Chair, Education for Life Scrutiny Committee
Cllr. H. David, Chair, Policy & Resources Scrutiny Committee
Cllr. D.T. Davies, Chair, Regeneration & Environment Scrutiny Committee
Cllr. C. Mann, Chair, Democratic Services Committee
Cllr. D. Rees, Chair, Audit Committee
Cllr. E. Aldworth, Vice Chair, Regeneration & Environment Scrutiny Committee
Cllr. B. Jones, Vice Chair, Health Social Care & Wellbeing Scrutiny Committee
Cllr. D. Preece, Vice Chair, Education for Life Scrutiny Committee
Cllr. J. Summers, Vice Chair Policy & Resources Scrutiny Committee
Cllr. D. Havard, Vice Chair, Audit Committee
Mrs. D. Holdroyd, Chair, Standards Committee
Mr. V. Brickley, Vice Chair, Standards Committee