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For all enquiries relating to this agenda please contact Helen Morgan
(Tel: 01443 864267 Email: morgah@caerphilly.gov.uk)

Date: 28th October 2015

Dear Sir/Madam,

A meeting of the **Standards Committee** will be held in the **Rhymney Room, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 4th November, 2015** at **1.30 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

AGENDA

	Pages
1 To receive apologies for absence.	
2 Declarations of interest. Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.	
To approve and sign the following minutes: -	
3 Standards Committee held on 21st September 2015.	1 - 6

A greener place Man gwyrddach



- | | | |
|---|--|---------|
| 4 | To receive a report on Members' Declarations of Gifts and Hospitality - January to September 2015. | 7 - 10 |
| 5 | Annual Letter from the Public Services Ombudsman for Wales 2014/15. | 11 - 26 |
| 6 | To receive a presentation on the Councils Constitution/Rules of Consultation. | |

Circulation:

Councillors: Mrs P. Cook and C.P. Mann

Mr V. Brickley, Mrs M. Evans, Mrs D. Holdroyd and Mr D. Lewis

Community Councillor Mrs G. Davies

Copy for information only to:

Councillors H. David and Mrs M.E. Sargent. Community Councillor C. Choo Yin

And Appropriate Officers



STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON 21ST SEPTEMBER 2015 AT 1.30 P.M.

PRESENT:

Mrs D. Holdroyd - Chair
Mr V. Brickley - Vice Chair

Mrs M. Evans, D. Lewis

Community Councillor Mrs G. Davies

Councillors Mrs P. Cook, C.P. Mann

Also Present - Councillor Mrs A. Blackman, D. Havard and Mrs M.E. Sargent

Together with:

G. Williams (Interim Head of Legal Services and Monitoring Officer), L. Lane (Solicitor),
C. Forbes-Thompson (Scrutiny Research Officer), H. Morgan (Senior Committee Services
Officer)

Also in attendance for agenda item number 4:

Shaun Couzens (Chief Housing Officer) and Craig Singler (Allocations Officer)

1. **DECLARATIONS OF INTEREST**

Councillors Mrs. P Cook and C. P. Mann sought advice as to whether, as they sat on Community Centre Management Committee, they were required to declare an interest in the report on Applications for Dispensation for Members of the Education for Life Scrutiny Committee. They were advised that as the interest was personal and not prejudicial they were not required to declare an interest.

An interest was declared in this item during the course of the meeting and is minuted with the respective item.

2. **MINUTES - 18TH JUNE 2015**

RESOLVED that the minutes of the meeting held on 18th June 2015 (minute nos. 1 - 6, on page nos. 1 - 3), be approved as a correct record.

3. UPDATE OF PROGRESS ON COMPLIANCE WITH RECOMMENDATIONS IN THE REPORT PUBLISHED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES - CASE NUMBER 201400849

The report provided an update on the progress made on compliance with the outstanding recommendations contained in the Ombudsman Report, which was the subject of a report to the Standards Committee on the 18th June 2015. It also sought guidance as to whether it should be referred to the appropriate scrutiny committee.

It was noted that at the meeting in June, further detailed discussion had taken place on the report which had been issued under Section 21 of the Public Services Ombudsman (Wales) Act 2005. The complainant's complaint centred on the Council's handling of his homeless application and his subsequent suspension and removal from the housing list and the complainant had expressed dissatisfaction with the way the Council had dealt with his complaint.

The Ombudsman's found that the authority failed to properly consider Mr A's Homelessness status and failed to recognise the threshold for homelessness enquiries as set out in the relevant legislation and had made a number of recommendation, each with a timescale for compliance. In view of the timescale for compliance with the recommendations, particularly those to be complied with within four months, Members had requested a further report be presented to the Standards Committee after the four month period to update members on the progress made.

Consideration was given to the report which provided an update on the actions that had been taken within the one month and two month compliance (which had already been a considered by the Committee) and Shaun Couzens (Chief Housing Officer) and Craig Singler (Allocations Officer) gave an overview of those that had been outstanding since that time.

A number of queries were raised in relation to the implementation of the outstanding recommendations, which have now been complied with, and it was explained that staff within the Housing Allocations and Advice Team have attended detailed training on the new homelessness legislation that was introduced on the 27th April, 2015 as part of the Housing Wales Act 2014. Presentation slides have been provided by the trainer and these were submitted to the Ombudsman together with an attendance log to evidence compliance with this recommendation. The training slides will also be used to provide and support further training in-house, refresher training and when new appointments are made. The Performance Development Review process will determine whether any further training is required.

With regards to the review of the record keeping methods, a staff meeting has been held to remind officers that they must maintain appropriate contemporaneous records of all contact with housing applicants. To support this requirement the Council is considering the possibility of installing a telephone recording system for the Homelessness and Housing Advice Team and introducing a new Common Housing Register will assist with maintaining records within a centralised database for applicants and tenant information being stored on the Corporate IDOX system. Changes to existing I.T. systems have been identified which are being progressed corporately to assist with retention and disposal procedures. An internal review undertaken did not identify the need for an overarching procedural document, although specific individual procedures have been changed in some areas and e-learning training in relation to the Protection of Personal Information and Corporate Record Management training has been undertaken.

Members were advised that as part of the preparation for the new housing allocations scheme, a review of the Special Housing Needs Procedure and Occupational Therapist Assessment will be incorporated as part of the Equalities Impact Assessment. Due to delays surrounding the procurement of a new IT system this will not be in place until July 2016. The Ombudsman has been advised as to how his recommendation will be dealt with in the meantime. The Equalities Impact Assessment (EIA) in respect of the new Allocations Policy,

its underlying processes and procedures is underway and has been reviewed by Tai Pawb. They have also assisted Officers in drafting the new Allocations Policy. Officers have been invited to their annual conference in November to give a presentation on the scheme.

In preparation for the introduction of the new Common Housing Register, the Housing department are in the process of recruiting additional officers to undertake the re-banding exercise which is aimed to commence in November 2015. With regards to the assessment of applicants having disclosed mental health conditions, arrangements have been made for a dedicated Mental Health specialist worker to be based within the Allocations Team on a full time basis from August 2015 specifically to assist with the re-banding exercise and to assist with any communication issues in relation to customers with mental health issues.

The Interim Head of Legal Services and Monitoring Officer advised that at present, the Standards Committee can determine whether the matter should be referred to the relevant scrutiny committee or Audit Committee. She advised that as part of the Scrutiny Review it is proposed that the Scrutiny Leadership Group is consulted on whether the referral should be to the relevant Scrutiny Committee or Audit Committee and that a report is being presented to Council in October. Mrs Williams advised that the grounds for referral are 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.

After due consideration it was agreed that in view of the progress made against the recommendations, there is no requirement for the report to be referred to the relevant scrutiny committee or Audit Committee.

It was moved and seconded that subject to the forgoing, the content of the report and the progress made in respect of the recommendations contained in the Ombudsman's report be noted. By show of hands this was unanimously agreed.

RESOLVED that:-

- (i) the content of the report and the progress made in respect of all the recommendations contained in the Ombudsman's report be noted;
- (ii) in view of the progress made against the recommendations, there is no requirement for the report to be referred to the appropriate scrutiny.

4. APPLICATIONS FOR DISPENSATION FOR MEMBERS OF THE EDUCATION FOR LIFE SCRUTINY COMMITTEE

Councillors Mrs A. Blackman, D. Havard and Mrs M.E. Sargent attended for this item in order to detail their application for dispensation.

Community Councillor Mrs G. Davies declared an interest (as one of the applicants is known to her) and left the meeting during consideration of this item.

Consideration was given to the report which detailed applications for dispensation by members of the Education for Life Scrutiny Committee in relation to the consideration of a report from a Task and Finish Group on community centres. It also considered whether to allow dispensation to speak and vote to any Members declaring an interest because of their Membership of a Management Committee of a community centre, when considering recommendations in reports from the Education for Life Scrutiny Committee, on any or all of the statutory grounds listed in this report.

It was explained that the Education for Life Scrutiny Committee set up a Task and Finish Group comprising nine members of the Scrutiny Committee to undertake a review of community centres to identify which centres may be suitable for asset transfer or where levels

and proximity to other facilities suggest that closure merits consideration. Six out of the nine members of the Task and Finish Group applied for a dispensation to participate on the Task and Finish Group which were granted by the Chair and Mr. Lewis on the 6th July 2015. As they were only granted in respect of the review undertaken by the Task and Finish Group, further applications for dispensation have been submitted by Members to enable them to participate when the report on the review is being considered by the Education for Life Scrutiny Committee.

Mrs C. Forbes-Thompson, Scrutiny Research Officer, gave an overview of the role of the Task and Finish Group, as detailed in the appendix to the report and advised that its recommendations will be considered by the Education for Life Scrutiny Committee on 22nd September 2015. Should the recommendations be adopted they will be referred to Cabinet for consideration and it will be after that meeting, and depending on the decisions taken, that formal consultation will be undertaken with individual management committees and user groups. She explained the main criteria, including community centre location and proximity and the occupancy levels that had been taken into consideration by the Group during their deliberations.

Members were reminded of the statutory grounds on which the Committee can grant dispensation and considered the applications detailed in the report (with the respective statutory grounds) from 11 of the 16 members who sit on the Education for Life Scrutiny Committee. They heard evidence as presented by Councillors Mrs A. Blackman, D. Havard and Mrs M.E. Sargent as to their request for dispensation.

These Members were then requested to leave the meeting while the Committee considered the 11 applications as detailed in the report.

The Committee then considered whether the 11 applications should be granted and if the dispensation to speak and vote should be extended to any Members declaring an interest because of Membership of a Management Committee of a community centre, when considering recommendations in reports from the Education for Life Scrutiny Committee, on any or all of the statutory grounds.

After due deliberation it was moved and seconded that the applications for dispensation from the named Members detailed in the report be approved but that the benefit of any such dispensation should not be extended to any other Member declaring an interest on this item. Further applications would be required to be submitted if required. It was also agreed that a presentation be made on the decision making process within the Council and the rules of consultation, as set out in the Council Constitution. By show of hands this was unanimously agreed.

RESOLVED that:-

- (i) the applications for dispensation from the named Members detailed in the report be approved;
- (ii) dispensation to speak and vote not be extended to any other Member declaring an interest because of Membership of a Management Committee of a community centre, when considering recommendations in reports from the Education for Life Scrutiny Committee, on any or all of the statutory grounds above, and as such further applications would need to be submitted if required.

Councillors Mrs A. Blackman, D. Havard and Mrs M.E. Sargent were invited to re-join the meeting and were advised that their applications had been successful.

5. APPLICATIONS FOR DISPENSATION - INFORMATION ITEM

Consideration was given to the report which detailed the decision of the Chair and Independent Member, Mr. Lewis, in relation to applications for dispensations made by Councillors P.J. Bevan, Mrs A. Blackman, W. David, D. Havard, J.A. Pritchard and Mrs G. Oliver.

Due to their involvement on Management Committees of various community centres, the Members had applied to the Standards Committee for a dispensation to enable them to participate fully in the Task and Finish Group set up by the Education for Life Scrutiny Committee to review Community Centres.

In accordance with the provisions of the Council's Constitution an urgent meeting was convened on the 6th July, 2015 with the Chair and Independent Member to discuss the applications for dispensation. The applications were duly considered and were granted to enable those Members to undertake the review by the Task and Finish Group only. Any subsequent involvement by Members in the review of community centres would require fresh applications for dispensation.

Members noted the decision taken.

6. ANNUAL LETTER FROM THE PUBLIC SERVICE OMBUDSMAN FOR WALES 2014-15

It was noted that the annual letter, which details complaints received and investigated by the Ombudsman, has been received and would be presented to the next meeting.

7. STANDARDS COMMITTEE VACANCY FOR LAY MEMBER

It was noted that an advertisement has been placed seeking applications from members of the public to sit as an independent member on the Standards Committee with a closing date of 1st October 2015. Arrangements will be made for interviews to be undertaken and any subsequent recommendation to be ratified by Council.

The meeting closed at 14.40

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

CHAIR

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STANDARDS COMMITTEE – 4TH NOVEMBER 2015

SUBJECT: MEMBERS' DECLARATIONS OF GIFTS & HOSPITALITY JANUARY TO SEPTEMBER 2015 - INFORMATION ITEM

REPORT BY: INTERIM HEAD OF LEGAL SERVICES/MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To advise Members of the Standards Committee of the gifts and hospitality declared by elected Members for the period 1st January to 30th September 2015.

2. SUMMARY

- 2.1 Attached at Appendix 1 is a list of gifts and hospitality declared by elected Members for the period 1st January to 30th September 2015.

3. LINKS TO STRATEGY

- 3.1 The Authority acting through this Committee has an obligation to maintain high standards and probity and conduct throughout the Council and the Community Councils within the County Borough area.

4. THE REPORT

- 4.1 Following a report to the Standards Committee on 3rd October, 2013, Members will be aware that as part of the drive to strengthen governance arrangements across the Authority, the informal arrangements of reporting gifts and hospitality declared by elected Members has been replaced by the presentation of a quarterly report to the Standards Committee. Quarterly reports have proved unnecessary as the numbers of gifts declared has been very low.
- 4.2 The Standards Committee last received a report on Members Declarations of Gifts and Hospitality at the meeting held on the 2nd March, 2015 which related to declarations for the period 1st January 2014 to 31st December, 2014.
- 4.3 The Appendix attached lists the gifts and hospitality as declared by elected Members for the period 1st January 2015 to 30th September 2015. Members will note that there has been only one declaration and this was received in September 2015.

5. EQUALITIES IMPLICATIONS

- 5.1 None. This report is for information only.

6. FINANCIAL IMPLICATIONS

6.1 None. This report is for information only.

7. PERSONAL IMPLICATIONS

7.1 None. This report is for information only.

8. CONSULTATIONS

8.1 None. This report has been prepared for information only.

9. RECOMMENDATIONS

9.1 None this is an information item only.

10. REASONS FOR THE RECOMMENDATIONS

10.1 None this is an information item only.

11. STATUTORY POWER

11.1 Local Government Act 1972 and 2000.

Author: Gail Williams, Interim Head of Legal Services/Monitoring Officer
Consultees: Chris Burns, Interim Chief Executive
Nicole Scammell, Acting Director of Corporate Services
Angharad Price, Interim Deputy Monitoring Officer & Head of Democratic Services
Councillor B. Jones, Deputy Leader & Cabinet Member to Corporate Services
Councillor C. Forehead, Cabinet Member for Human Resources & Governance

Background Papers:
Report to Standards Committee 3rd October, 2013

Appendices:
Appendix 1 Members Declarations of Gifts and Hospitality

Councillor

Details of Declaration

Councillor E.M. Aldworth

A gift of carnations and small bag of chocolates received via Royal Mail from a resident to the estimated value of under £20.00.

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STANDARDS COMMITTEE – 4TH NOVEMBER 2015

SUBJECT: ANNUAL LETTER FROM PUBLIC SERVICES OMBUDSMAN FOR WALES 2014-2015

REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To update the Standards Committee on the Annual Letter (2014-2015) from the Public Services Ombudsman for Wales regarding complaints received and investigated by the Ombudsman. The report will also be placed before Council on the 17th November 2015.

2. SUMMARY

- 2.1 To inform Members of the Public Services Ombudsman for Wales Annual Letter 2014/15.

3. LINKS TO STRATEGY

- 3.1 The duty to oversee complaints received and investigated by the Ombudsman is within the terms of reference of this Committee.

4. THE REPORT

- 4.1 The Annual Letter setting out a clear and concise breakdown of all complaints received and investigated by the Public Services Ombudsman for Wales during 2014/15 in relation to Caerphilly was received in August 2015. Since that date officers have been corresponding with the Ombudsman's office in relation to queries regarding the data. An amended Letter is to be provided shortly.
- 4.2 A copy of the original Annual Letter is attached at Appendix 1 to the Report. The amended Letter has not yet been received.
- 4.3 Members will note that the data attached as an appendix to the Annual Letter includes a detailed breakdown of complaints received and investigated, and response times to requests for information.
- 4.4 This data is self-explanatory and therefore no further comment is offered other than to ask the Committee to formally note the following:
- 4.4.1 In relation to Caerphilly, whilst there has been a noticeable increase in the number of complaints received by the Ombudsman compared with 2013/14 this figure remains below the Local Authority average.

- 4.4.2 The figures show that the Authority's largest area of complaint is Planning and Building Control with the number of complaints received at the Ombudsman's office for this year totalling 12, compared with 3 the previous year. This is slightly above the Local Authority average. However the data has been analysed and of the 12 complaints, 5 were made prematurely i.e. had been referred to the Ombudsman before exhausting the Council's Corporate Complaints Process.
- 4.4.3 Members will note that overall 19 premature complaints were received by the Ombudsman. This is equal to the Local Authority average and is beyond the control of the Authority.
- 4.4.4 Members attention is drawn to the response times of the Authority when responding to requests for information by the Ombudsman. Members will note that the graph on page 8 of the Annual Letter indicates that all responses were received more than four weeks after the request. This data relates to two complaints investigated by the Ombudsman. Following clarification with the Ombudsman's office it has been agreed to amend the letter to clarify that one response was received by the time limit agreed with the investigator. However this will not change the graph at Appendix G.
- 4.4.5 The Ombudsman has "upheld" one report against the Council issued in October 2014. This matter has been the subject of a Report to the Standards Committee on 24th November 2014, Policy and Resources Scrutiny Committee on the 3rd March 2015 and Audit Committee on the 15th June 2015. In addition the Ombudsman has not upheld one report issued in February 2015. Details of both reports are contained in Section I of the Annual Letter.
- 4.4.6 Details of the Code of Conduct complaints for elected Members will be found at Section H of the appendix to the letter. The Ombudsman decided not to investigate four matters, and one was discontinued. There were no findings against any elected Members.

5. FINANCIAL IMPLICATIONS

- 5.1 None.

6. PERSONNEL IMPLICATIONS

- 6.1 None.

7. EQUALITIES IMPLICATIONS

- 7.1 None.

8. CONSULTATIONS

- 8.1 This Report reflects the contents of the Annual Letter and therefore has been no formal consultation on the contents of this Report. A copy of the Report has been provided to the consultees listed below.

9. RECOMMENDATIONS

- 9.1 It is recommended that the Committee note the report. The report will be placed before Council on the 17th November 2015.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To satisfy the Council's statutory duties under the Public Services Ombudsman (Wales) Act 2005.

11. STATUTORY POWER

11.1 Public Services Ombudsman (Wales) Act 2005, Local Government Act 1974.

Author: Gail Williams, Interim Head of Legal Services/Monitoring Officer
Consultees: For information only
Chris Burns, Interim Chief Executive
Christina HARRY, Corporate Director Communities
Dave Street, Corporate Director, Social Services
Nicole Scammell, Acting Director of Corporate Services and Section 151 Officer
Councillor Keith Reynolds, Leader of the Council
Councillor Chris Forehead, Cabinet Member, HR Governance/Business Manager
Chair of Standards Committee

Background papers:

Report to Standards Committee on 24th November 2014, Report to Policy & Resources Scrutiny Committee on 3rd March 2015, Report to Audit Committee on 10th June 2015, re: Complaint made to the Public Services Ombudsman for Wales: case no. 201301753

Appendices:

Appendix 1 Annual Letter from Public Services Ombudsman

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Our ref: NB/jm

Ask for: James Merrifield

Your ref:



01656 644 200

Date: 3 August 2015



James.Merrifield@ombudsman-wales.org.uk

Mr Chris Burns
Interim Chief Executive
Caerphilly County Borough Council
Penallta House
Tredomen Park
Ystrad Mynach
Hengoed
CF82 7PG

Dear Mr Burns

Annual Letter 2014/15

Following the recent publication of my Annual Report, I am pleased to provide you with the Annual Letter (2014/15) for Caerphilly County Borough Council.

I have referred to the stark reality of the volume of increases in enquires and complaints in the Annual Report. Comparing the position against 2013/14, there has been a 7% increase in the number of public body complaints received by my office. The Health and Local Authority sectors account for 83% of the complaints received by my office; over the past five years, there has been a 126% and 10% increase in complaints respectively.

Traditionally, county councils have generated the largest number of complaints to this office and the last year has seen a 5% increase. Whilst Housing and Planning are consistently the largest areas of complaint for Local Authorities, the data for 2014/15 shows notable increases in complaints about Complaint-handling, Environment and Environmental Health, and Finance and Taxation, compared with 2013/14.

In reference to the outcomes of complaints, I am pleased that my office has issued fewer upheld reports against Local Authorities, compared with 2013/14. I have issued one Public Interest report against a body in the Local Authority sector. The report identified numerous failings concerning the way in which the Local Authority investigated concerns about the welfare of the complainant's daughter. The report also identified poor complaint-handling, a common feature amongst complaints across all sectors.

The complaint data shows a small decrease in the number of Quick Fixes and Voluntary Settlements achieved with Local Authorities, compared with 2013/14. I am

keen to ensure that, wherever possible and appropriate, my office works with bodies from all sectors to resolve complaints as quickly and effectively as possible. In this regard, I am concerned that the time taken in responding to requests for information from this office has significantly worsened; 45% of responses across Local Authorities took more than six weeks in 2014/15.

This figure is noticeable worse than the equivalent figure for the Health sector, despite my office making appreciably more requests for information to Health Boards. Against this background, I take this opportunity to reinforce the content of the letter I sent to you in April 2015 setting out a number of changes in the way that my office will work with your organisation in handling complaints. The changes included amending the time given to bodies to provide complaint files to two weeks, as well as new arrangements in granting additional time to bodies to provide information meaning that requests for extensions which are made with very limited justification will no longer be agreed.

In reference to your Local Authority, there has been a notable increase in the number of complaints received compared to 2013/14, although this figure remains below the average. The largest area of complaint is Planning and Building Control. My office investigated two complaints in 2014/15. In reference to the time taken in responding to requests for information from my office, all responses took between four and five weeks.

My office is working in a number of ways to address the upward trend in complaints. We will be looking to engage more directly with county councils to promote improvement. We will also be placing greater emphasis on the data which we gather, initially in relation to complaints about the Health sector, to further identify trends and patterns. My office will also be taking a more proactive role in measuring compliance with recommendations and settlements, which may result in requests to visit your offices to discuss and examine changes that you have implemented. In addition to this work, you will be aware that following its inquiry, the Assembly's Finance Committee issued a report in May 2015, making a number of recommendations for revised or additional powers for the Public Services Ombudsman for Wales. I very much hope that those recommendations will come to fruition in the form of a new Act within the next year or so.

This correspondence has been copied to the Leader of the Council. I will also be sending a copy of this correspondence to your contact officer within your organisation and would again reiterate the importance of this role. Finally, a copy of all annual letters will be published on the PSOW's website.

Yours sincerely



Nick Bennett
Ombudsman

Copy: Leader, Caerphilly County Borough Council

Appendix

Explanatory Notes

Section A compares the number of complaints against the Council which were received by my office during 2014/15, with the Local Authority average (adjusted for population distribution) during the same period.

Section B provides a breakdown of the number of complaints about the Council which were received by my office during 2014/15. Section C compares the number of complaints against the Council which were received by my office during 2014/15, with the Local Authority average for the same period. The figures are broken down into subject categories.

Section D provides the number of complaints against the Council which were taken into investigation by my office during 2014/15. Section E compares the number of complaints taken into investigation with the Local Authority average (adjusted for population distribution) during the same period.

Section F compares the complaint outcomes for the Council during 2014/15, with the average outcome (adjusted for population distribution) during the same period. Public Interest reports issued under section 16 of the Public Services Ombudsman (Wales) Act 2005 are recorded as 'Section 16'.

Section G compares the Council's response times during 2014/15 with the average response times for all Local Authorities, and all public bodies in Wales during the same period. This graph measures the time between the date my office issued an 'investigation commencement' letter, and the date my office receives a full response to that letter from the public body.

Section H provides a breakdown of all Code of Conduct complaints received against Councillors during 2014/15. Finally, Section 'I' contains the summaries of all reports issued in relation to the Council during 2014/15.

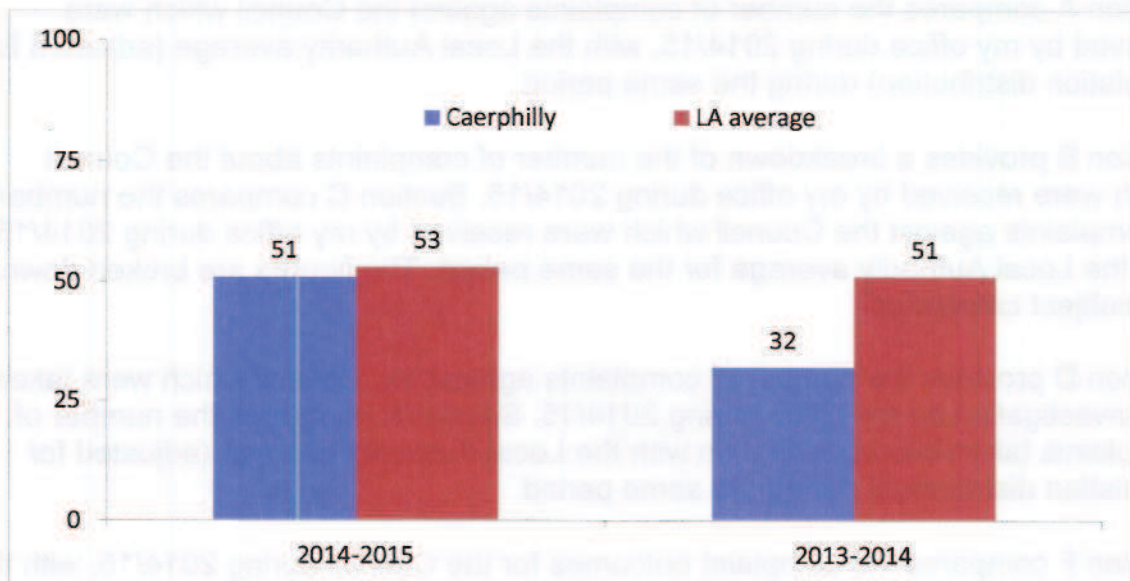
Housing Stock

As with previous exercises, the figures for 2014/15 have not been adjusted to take account of the transfer of housing stock. However, it is noted that there is likely to be a higher proportion of Housing complaints where Local Authorities have retained their housing stock.

Feedback

We welcome your feedback on the enclosed information, including suggestions for any information to be enclosed in future annual summaries. Any feedback or queries should be sent to james.merrifield@ombudsman-wales.org.uk.

A: Comparison of complaints received by my office with average, adjusted for population distribution

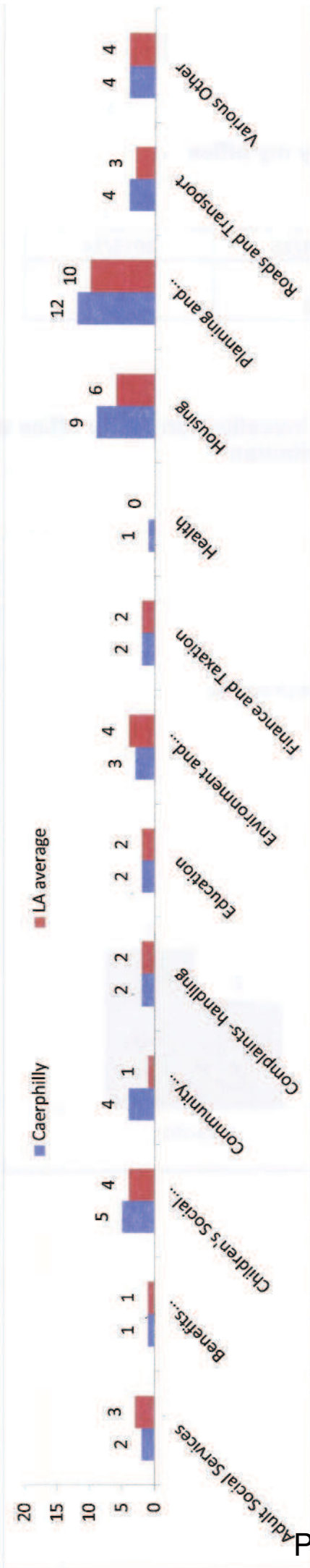


B: Complaints received by my office

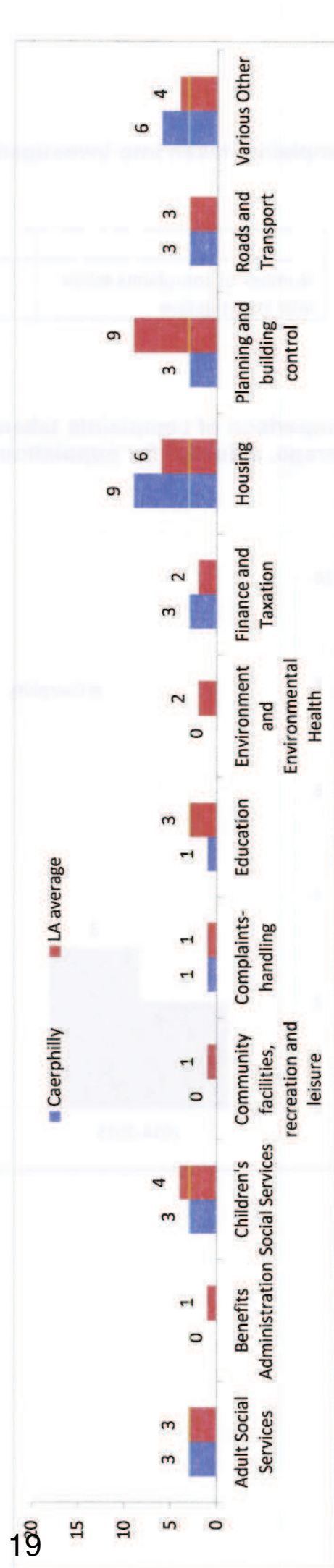
Subject	2014/15	2013/14
Adult Social Services	2	3
Benefits Administration	1	0
Children's Social Services	5	3
Community facilities, recreation and leisure	4	0
Complaints-handling	2	1
Education	2	1
Environment and Environmental Health	3	0
Finance and Taxation	2	3
Health	1	0
Housing	9	9
Planning and building control	12	3
Roads and Transport	4	3
Various Other	4	6
Total	51	32

C: Comparison of complaints by subject category with LA average

2014/15



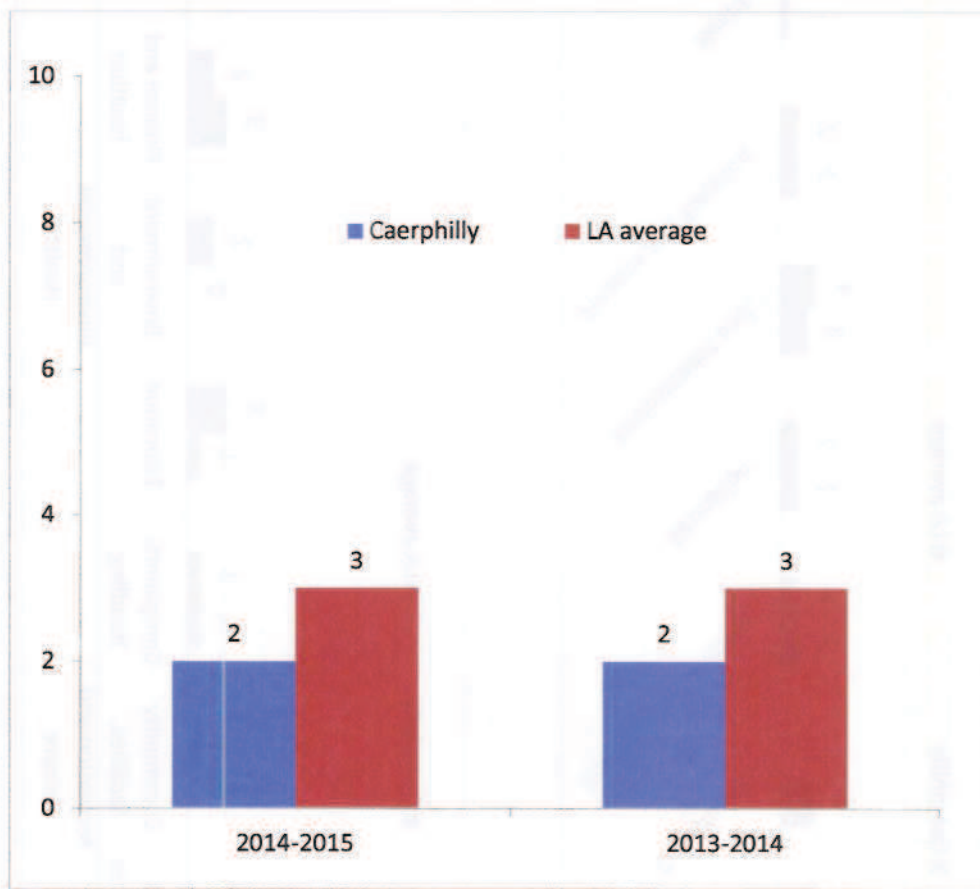
2013/14



D: Complaints taken into investigation by my office

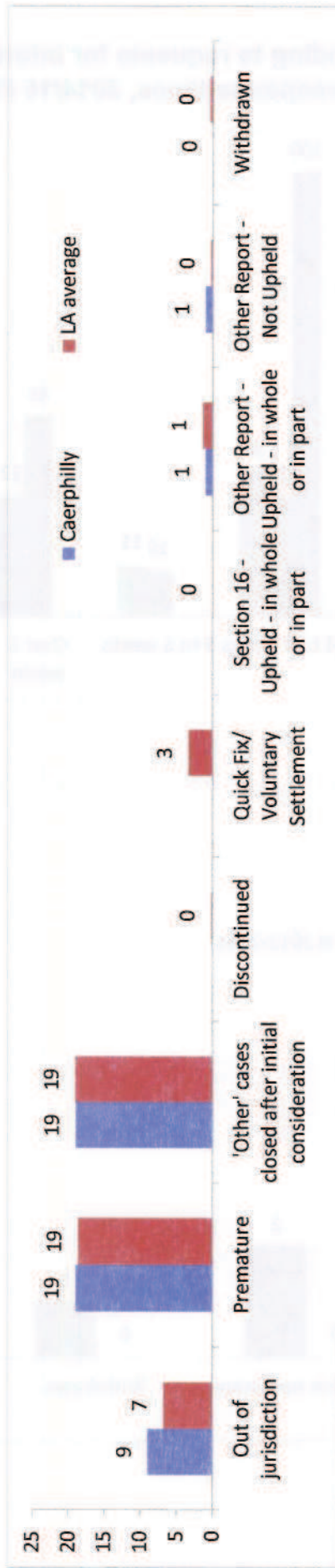
	2014/15	2013/14
Number of complaints taken into investigation	2	2

E: Comparison of complaints taken into investigation by my office with average, adjusted for population distribution

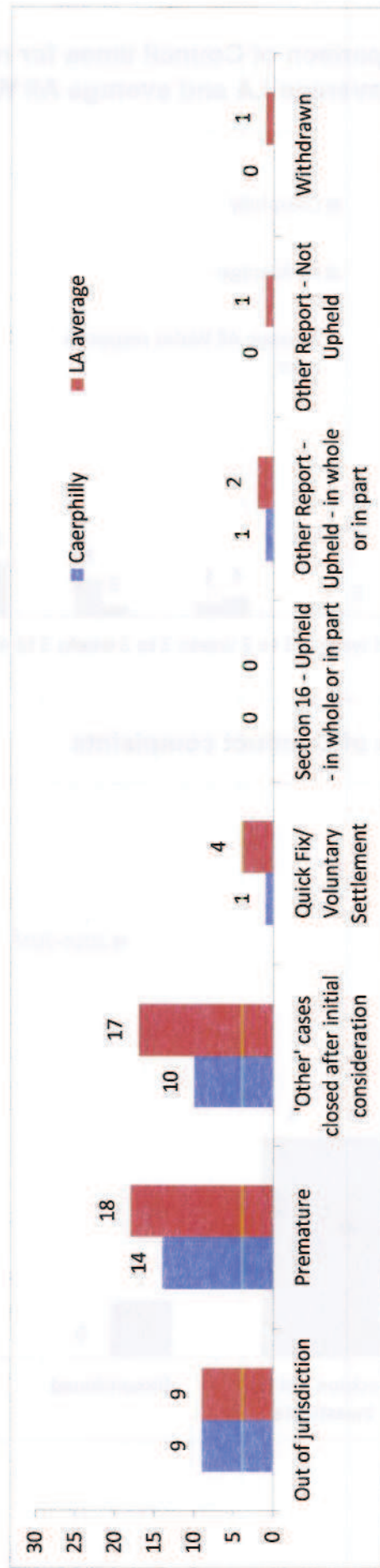


F: Comparison of complaint outcomes with average outcomes, adjusted for population distribution

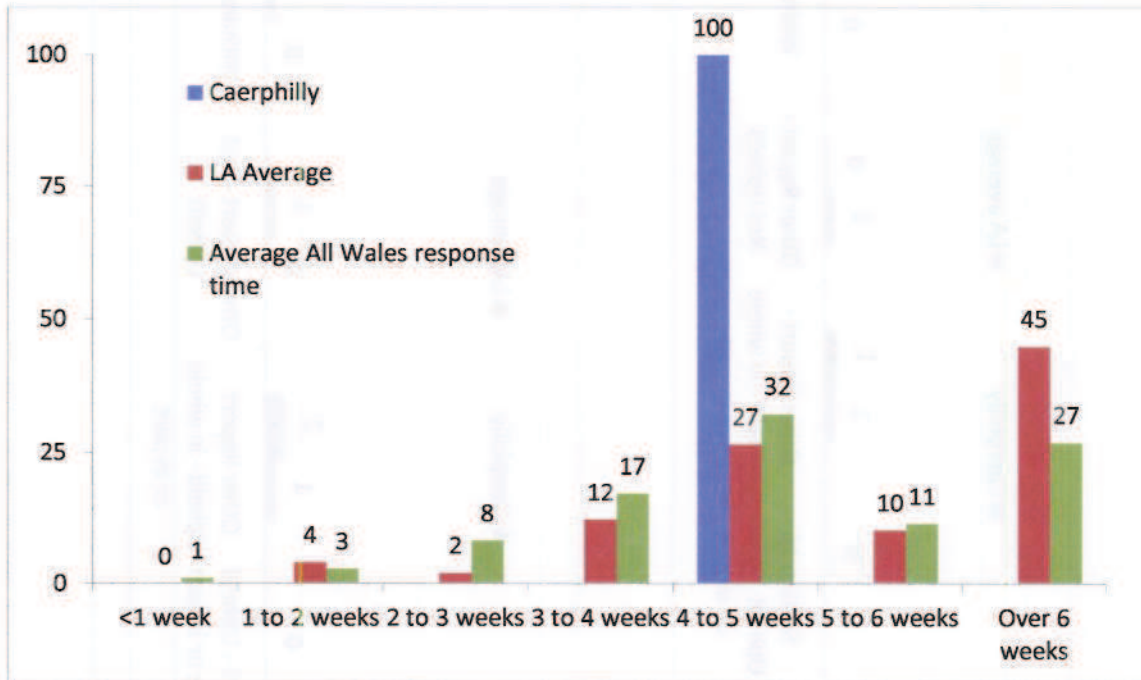
2014/15



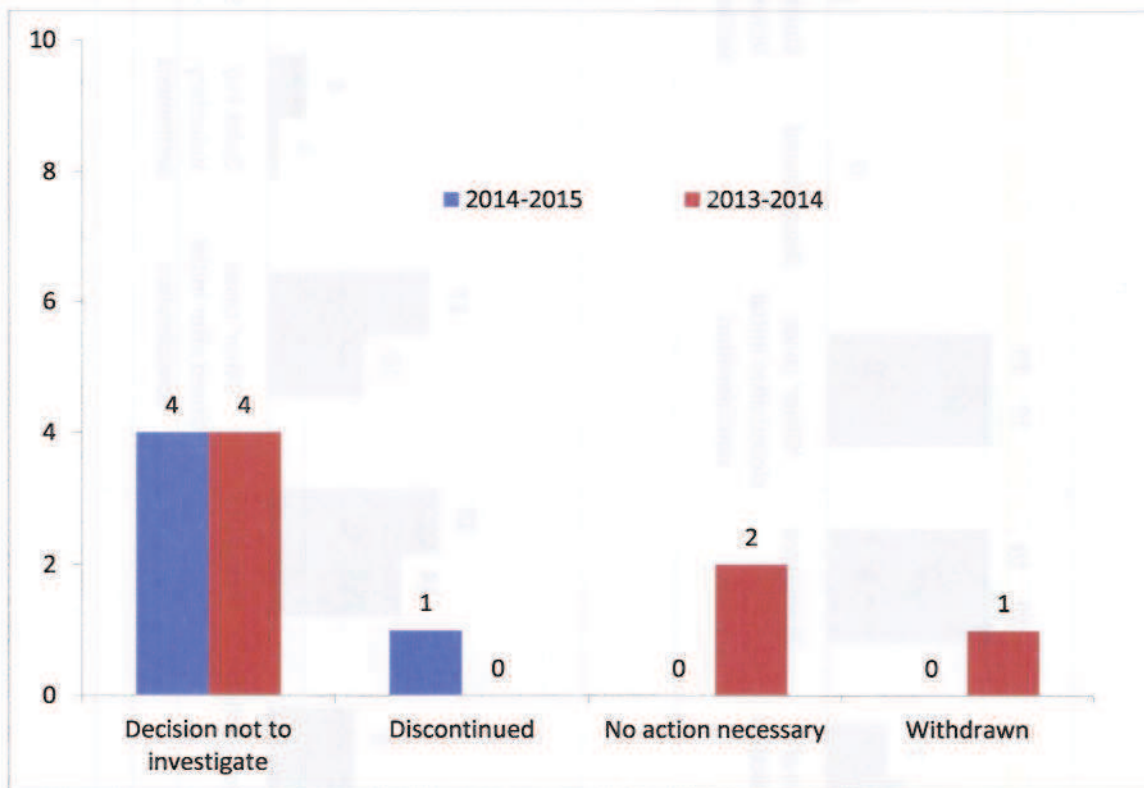
2013/14



G: Comparison of Council times for responding to requests for information with average LA and average All Wales response times, 2014/15 (%)



H: Code of Conduct complaints



I: Summaries

Education

Other reports – Upheld

Caerphilly County Borough Council – Applications, allocations, transfer and exchanges

Case reference 201301753 – Report issued October 2014

Miss A's complaint centred on the Council's handling of her housing application over the preceding years and the way it had let properties on "Street 1". Miss A's caring responsibilities meant she only wished to be considered for accommodation in "Street 1". Miss A also expressed dissatisfaction with the way the Council had dealt with her complaint.

The Ombudsman's investigation identified shortcomings in the Council's administration of Miss A's housing application which led to periods when her housing application was not dealt with as efficiently or effectively as it should have been. Such administrative inadequacies included documentation being mislaid, Miss A's housing application not being appropriately pointed, as well as instances of poor record keeping.

The Ombudsman's investigation also found evidence that Miss A's housing application had, for a period of time, been erroneously cancelled (in 2002) and this was coupled with other administrative failings. To the extent set out in the report Miss A's complaint was upheld. The Ombudsman identified periods in respect of Miss A's housing application where, although there were administrative failings, this did not cause Miss A personal injustice. In those instances, Miss A's complaint was not upheld.

The investigation also found that there was a failure by the Council to recognise when its statutory homelessness duties were engaged and, to that extent, this aspect of Miss A's complaint was upheld.

Finally, given the failings identified, the Ombudsman concluded that the Council's response to Miss A's complaint had not been as robust, transparent, or open as it could have been in acknowledging failings in the administration of her housing application. The Ombudsman therefore upheld this aspect of her complaint.

The Ombudsman recommended the following:

- a) within one month of the report being finalised, the Council's Acting Chief Executive should apologise to Miss A for the failings identified. In addition, the Council should in recognition of the impact of those failings on Miss A, which included the uncertainty as to whether she may have been offered accommodation in 2002, make a payment to her of £500;
- b) within one month of the report being finalised, the Council's Housing Services should remind its housing allocation staff of the importance of ensuring, where supported by the facts, enquiries were made where

- necessary to ensure applicants' housing applications are correctly pointed in accordance with its lettings policy;
- c) within one month of the report being finalised, the Council should provide appropriate training to relevant housing staff on the Council's Corporate Records Management Policy;
 - d) within two months of the report being finalised, the Council's Housing Services should develop guidance on the factors for consideration when considering applying discretion in relation to the removal of time points;
 - e) once the guidance was in place, the Council's Housing Services should remind its housing allocation staff of the need to consider applying discretion at the point when the discretionary decision on the removal of time points was being exercised. Housing allocation staff should also be reminded of the need to demonstrate that discretion has been considered;
 - f) within three months of this report being finalised, if it had not already done so, the Council's Housing Services should provide training to relevant housing staff, including allocation staff, on the circumstances when the Council's homelessness duties may be triggered and the steps that should be taken. The Council's Housing Services should also review its documentation to satisfy itself that it supported the early recognition of when the Council's homelessness duties may be triggered and thus engaged;
 - g) the Council should within the timescales specified within the recommendations provide documentary evidence to this office of compliance with the recommendations above; and,
 - h) finally, in the interim period before the Council's Housing Services introduced its new lettings policy in 2015, where its housing allocation staff had reason to review a housing application that had had time points removed, the application should be reviewed against the guidance developed at (d) above.

Other reports – Not upheld

Caerphilly County Borough Council – Other Case reference 201306043 – Report issued February 2015

Miss A complained that Caerphilly County Borough Council, as local education authority (“LEA”), had failed to provide adequate support to enable her son, B, to sit his exams when he was not able to attend school regularly during year 11 due to intermittent stomach pains.

The Ombudsman noted that, on the basis of the medical evidence the LEA had received, B did not meet the criteria for home tuition. A range of alternative provision was offered for B, including work being sent home for B, B attending school for reduced hours and receiving extra support in school, and rest breaks in exams and controlled assessments. The Ombudsman concluded that the LEA’s actions were reasonable, and that it could not have done more to assist the school and B. He noted that the LEA had no obligation to provide education for B once he was no longer of compulsory school age, and therefore its agreement to fund some distance learning for B was reasonable. He did not uphold the complaint.

County Council - Other
Case reference: 2012/0001 - (Schools) (Education)

After a complaint that County Council (CC) was not doing enough to ensure that the school was providing a high quality education for its pupils, the Local Education Authority (LEA) was asked to investigate the school's performance. The LEA found that the school was not providing a high quality education for its pupils and that the school was not doing enough to ensure that the school was providing a high quality education for its pupils.

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