



STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON THURSDAY 18TH JUNE 2015 AT 1 P.M.

PRESENT:

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

D. Lewis and Community Councillor Mrs G. Davies

Together with:

G. Williams (Interim Head of Legal Services and Monitoring Officer), L. Lane (Solicitor),
C. Evans (Committee Services Officer)

Also in attendance for agenda item number 4:

S. Couzens (Chief Housing Officer), C. Singler (Allocations Officer), K. Williams (Private Sector Housing Manager), S. Cousins (Principal Housing Officer)

APOLOGIES

Apologies for absence were received from Mrs M. Evans and Councillors Mrs P. Cook, H. David (substitute member), C.P. Mann and Mrs M.E. Sargent (substitute member).

1. DECLARATIONS OF INTEREST

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

2. MINUTES - 2ND MARCH 2015

RESOLVED that the minutes of the meeting held on 2nd March 2015 (minute nos. 1-8, on page nos. 1 - 4), be approved as a correct record.

3. REPORT FROM PUBLIC SERVICES OMBUDSMAN FOR WALES

Consideration was given to the report of the Monitoring Officer with that of the Public Services Ombudsman for Wales, regarding a complaint made against Caerphilly County Borough Council. The report also provided an update on the actions taken in respect of the recommendations contained in the Ombudsman's report and, in noting the course of action; Members were required to determine whether or not to refer the matter to the appropriate Scrutiny Committee/Audit Committee.

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

The Ombudsman found that the Authority failed to properly consider Mr A's homelessness status and failed to recognise the threshold for homelessness inquiries, as set out in the relevant legislation. Furthermore, the Ombudsman found that there was delay in the Authority's consideration of Mr A's application and it was suspended several times without him being informed. It also criticised the Authority's consideration of Mr A's mental and physical health conditions (as part of the application process. The investigation concluded that the time taken by the Authority to consider Mr A's housing application was out of kilter with the aims of the Equality Act. Whilst the Ombudsman found that Authority's record keeping and its handling of Mr A's complaints was also flawed, it did not find evidence that the Authority victimised Mr A. He did however conclude that it should have made more effort to communicate with him in a way that he was more able to adapt to.

Reference was then made to the recommendations of the Ombudsman. The Chief Housing Officer, Allocations Officer, Private Sector Housing Manager and Principal Housing Officer were present to respond to the questions asked by Members of the Committee and the Chief Housing Officer circulated the Action Plan which aims to meet the recommendations of the Ombudsman and discussed the process.

Members raised concerns around the process and the conduct with the applicant. Officers highlighted that the applicant's conduct during the process had at times been very challenging and there had been a reluctance to provide the information required to complete the application process. It was noted that considerable progress had now been made to meet the recommendations of the Ombudsman, a letter of apology has been sent to the applicant and a number of staff training sessions has been arranged, both in-house, and with the assistance of Gofal, which aim to provide staff with the skills to deal with applicants with Mental Health issues. In addition, the implementation of a telephone recording system is under consideration.

It was moved and seconded that, in view of the timelines set by the Ombudsman to comply with the required recommendations (particularly those that are required to be complied with within 4 months), it was agreed that a further report be presented to the Standards Committee after that time to update members on progress made. By show of hands this was unanimously agreed.

RESOLVED that:-

- (i) the contents of the report and progress made to date in respect of the recommendations contained in the Ombudsman's report and action to be taken regarding outstanding recommendations be noted;
- (ii) in view of the timelines set by the Ombudsman, a further report be presented to the Standards Committee to update members on progress made in due course.

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

Consideration was given to the report which sought approval to amend that part of the terms of reference of the Standards Committee which established a Protocol for referral of Reports from the Public Services Ombudsman for Wales from the Standards Committee to the relevant subject scrutiny. The amendment proposed will allow the Standards Committee to refer such a report to either the subject Scrutiny Committee and/or the Audit Committee.

It was noted that the report from the Public Services Ombudsman for Wales, which had been considered by the Standards Committee 24th November 2014, had been referred to the Policy and Resources Scrutiny Committee in accordance with the protocol. At its meeting on 3rd March 2015, Members of the Policy and Resources Scrutiny Committee suggested that the report should be referred to the Audit Committee in order that the implementation of the recommendations can be monitored and, if required, recommendations be brought back to the Scrutiny Committee. If this is to be the case, there is a requirement to amend the protocol accordingly.

It was proposed and seconded that the recommendation in the report be endorsed. By a show of hands this was unanimously agreed.

RESOLVED that for the reason contained in the report, it be recommended to Council that the protocol, referred to in the terms of reference of the Standards Committee be amended to include the ability to make a referral to the subject Scrutiny Committee and or Audit Committee.

6. CONSIDERATION OF POWERS: PUBLIC SERVICES OMBUDSMAN FOR WALES - REPORT OF NATIONAL ASSEMBLY FOR WALES FINANCE COMMITTEE

Consideration was given to the report which provided an overview of the report published by the National Assembly for Wales Finance Committee in May 2015 entitled "Consideration of Powers: Public Services Ombudsman for Wales".

The Interim Head of Legal Services and Monitoring Officer advised that the Finance Committee report sets out 18 recommendations to strengthen the role of the Public Services Ombudsman for Wales. It recommends the following areas be extended to the Ombudsman through legislative change: own initiative investigation powers; oral complaints; complaints handling across public services; and jurisdiction over private healthcare providers (in certain circumstances).

Members discussed the report and recommendations and noted the extension of the Ombudsman's jurisdiction and the additional work as a result. Officers assured the Standards Committee that monitoring and progress of this development would be conducted and regular feedback provided to Members.

Members noted the content of the report.

The meeting closed at 1.59 pm.

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