



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