



STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK
ON 12TH FEBRUARY 2019 AT 10.00A.M.

PRESENT:

Mrs D. Holdroyd - Chair
D. Lewis - Vice-Chair

P. Brunt, Mrs M. Evans

Community Councillor Mrs G. Davies

Substitute – Councillor Mrs M.E. Sargent

Together with:

R. Tranter (Head of Legal Services and Monitoring Officer), L. Lane (Corporate Solicitor and Deputy Monitoring Officer), T. Stephens (Development Control Manager), A. Jones (Complaints Officer) and E. Sullivan (Senior Committee Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors D. Price, J. Gale and C.P. Mann it was noted that Councillor Mrs M.E. Sargent was in attendance as substitute for Councillor Mann.

2. DECLARATIONS OF INTEREST

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

3. MINUTES – 2ND NOVEMBER 2018

RESOLVED that the minutes of the meeting held on the 2nd November 2018 be approved as a correct record and signed by the Chair.

REPORTS OF OFFICERS

4. PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL LETTER 2017/18

Consideration was given to the report which advised the Standards Committee of the Public Services Ombudsman for Wales Annual Letter 2017/18 regarding complaints received and investigated by the Public Services Ombudsman for Wales.

Members were advised that the annual letter sets out a clear and concise breakdown of all complaints received and investigated by the Ombudsman for Caerphilly. It was noted that the number of complaints received had reduced in the past year by 26% from 54 to 40. Complaints in relation to Housing had dropped from 12 to 8 and complaints concerning Adult Social Services had also dropped from 8 to 5.

Planning and Building Control complaints had remained high at 10, compared to 9 last year, however on analysing the data it had been noted that two complaints were referred on 3 and 2 separate occasions respectively which accounted for 5 out of the 10 complaints and of the remaining 5 complaints one had been deemed as premature (referred to the Ombudsman before exhausting the Council's Corporate Complaints Procedure).

It was further noted that in terms of an overview of complaints there had been a 4% decrease in public body complaints, despite complaints against the NHS bodies increasing by 7%. There had also been a 10% reduction in complaints against Councils. The number of Code of Conduct complaints increased by 14% in the past year but this had been attributed to a 33% increase in Code of Conduct complaints involving Community Councils.

Finally Members were referred to Table C on page 14 of the agenda pack which provided a comparison of complaint outcomes for Local Authorities.

The Standards Committee were pleased to note the overall downward trend for complaints and expressed concern in relation to the increase of Planning and Development Control complaints. The Officer confirmed that the statistics incorporated the same 2 complaints being referred on 5 separate occasions.

Having fully discussed its content the Standards Committee noted the report.

5. ANNUAL WHISTLEBLOWING REPORT

Consideration was given to the report which provided an anonymised summary of whistleblowing investigations undertaken during the period 1st April 2017 to the 31st March 2018.

The Standards Committee were advised that the Whistleblowing Policy provides a method for employees to raise concerns about the running of the Council without fear of victimisation, all employees have access to this policy which is regularly publicised to staff.

It was noted that there have been two formal whistleblowing investigations undertaken during the course of 2017/18 and an anonymised summary of those investigations were attached at Appendix 1 of the Officer's report.

Members noted the nature of the concerns and the outcome of the investigations and clarification was sought in relation to the Council's agreed Safeguarding procedure. The multi-disciplinary approach taken to safeguarding matters was explained and assurance given that the appropriate action would have been taken as a result of that process.

The Standards Committee expressed their confidence in the robustness of the systems in place for both Whistleblowing and Safeguarding.

Having fully discussed its contents the Standards Committee noted the report.

6. UPDATE ON THE NEW INDEPENDENT MEMBER FOR THE STANDARD COMMITTEE

The Head of Legal Services and Monitoring Officer provided a verbal update on the recruitment process for the new Independent Member for the Standards Committee.

The composition of the Appointment Panel was confirmed and it was noted that the High Sheriff of Gwent had acted as the Independent Member. Mr Tranter confirmed that one immediate appointment had been made and would subsequently be recommended to Council on the 21st February 2019 for approval.

Furthermore from the candidate pool it had been possible to recommend two further nominations to act as reserves in case of further vacancies and this would also be recommended to Council.

It was noted that Mrs Holdroyd and Mrs Evans having served the maximum two terms allowable would be coming to the end of their service in October this year, and the two reserves suggested would be able to be brought in when those vacancies arose later in the year.

Having considered the information presented the Standards Committee noted the update.

7. COMPLAINT MADE TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

Consideration was given to the report from the Public Services Ombudsman for Wales' complaint against Caerphilly County Borough Council and provided an anonymised update on the progress made to date in respect of the recommendations contained therein. The Standards Committee were also asked to take a view on whether the matter would benefit from further consideration by an appropriate Scrutiny Committee.

The Monitoring Officer provided advice regarding the difference between the publicly available report and the full Ombudsman report attached at Appendix 1B which was exempt. He advised Members of the need to be mindful of the areas of questioning open to them in order to safeguard the continued anonymity of the complainant whilst in public session.

The Standards Committee discussed the nature of the questioning likely to occur and felt that on balance they would prefer to consider the public interest test before commencing any further debate on the matter.

Members considered the public interest test certificate attached at Appendix 1A from the Proper Officer and concluded that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and it was moved and seconded that the public interest test be accepted and the meeting move into exempt session.

RESOLVED that In accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remainder of the meeting because of the likely disclosure to them of exempt information as identified in paragraph of Part 13 of Part 1 of Schedule 12A of the Local Government Act 1972.

Having considered the report from the Public Services Ombudsman for Wales' (Appendix 1B) the Standards Committee unanimously RESOLVED that:-

- (i) the report of the Public Services Ombudsman for Wales be noted;
- (ii) the recommendations of the Public Services Ombudsman for Wales be accepted and the progress made to date in respect of those recommendations be noted;
- (ii) the matter should not be referred to an appropriate Scrutiny Committee as the

Standards Committee were satisfied with the course of action being taken, progress made and actions to be taken regarding outstanding recommendations;

- (iii) a further report be brought back to the Standards Committee on completion of the outstanding recommendations.

The meeting closed at 11.30am

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 9th October 2019 they were signed by the Chair.

CHAIR