



## STANDARDS COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON TUESDAY 23RD SEPTEMBER 2014 AT 10.00 AM

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#### PRESENT:

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

Mrs M. Evans, D. Lewis, Mr. P. Morgan

Community Councillor Mrs G. Davies

Councillors Mrs P. Cook, C.P. Mann

#### Together with:

G. Williams (Interim Head of Legal Services and Monitoring Officer), L. Lane (Solicitor),  
H. Morgan (Senior Committee Services Officer)

#### 1. APOLOGIES

An apology for absence was received from Councillor H.W. David.

#### 2. DECLARATIONS OF INTEREST

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

#### 3. MINUTES - 26TH FEBRUARY 2014

RESOLVED that the minutes of the meeting held on 26th February 2014 (minute nos. 1 - 8) be approved as a correct record.

#### MATTERS ARISING BY WAY OF UPDATE

#### 4. Member Training and Support Protocol (minute no. 5)

The Interim Head of Legal Services and Monitoring Officer advised that the protocol, which details the actions to be taken in the event that a Member does not undertake mandatory training, had been considered at Council on 22nd April 2014. The views of the Standards

Committee and Democratic Services Committee had been presented at that time and it had been agreed that the protocol be approved subject to a minor amendment to reflect that it would be those Members who refuse to attend Mandatory Training or who do not have good reasons for being unable to attend Mandatory Training who would be reported to the Standards Committee. It will be a matter for the Standards Committee to consider what course of action it considers appropriate.

The Committee noted the change and were advised that this amendment has been reflected in the terms of reference of the Standards Committee and referrals will be made as appropriate.

**5. Protocol for Referral of Reports from The Public Services Ombudsman for Wales from The Standards Committee to the Relevant Subject Scrutiny Committee (minute no. 6)**

The Interim Head of Legal Services and Monitoring Officer advised that the relevant changes have now been incorporated within the terms of reference of the Standards Committee and the Constitution amended accordingly. As such Standards Committee can now 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 that Scrutiny Committee. It is proposed that a report setting out the reasons for referral will be presented to the relevant Scrutiny Committee along with the Report from the Ombudsman and the Chair of Standards Committee (or a nominee) will be invited to attend the respective Scrutiny Committee when the report is presented.

With regards to the length of time the Ombudsman can take in determining a case, especially with multi agency complaints, the Interim Head of Legal Services and Monitoring Officer advised that she had not been able to attend the earlier meeting of the All Wales Monitoring Officers Group to raise the matter but would do so at the next meeting (scheduled for 3rd October 2014). By way of an update she advised that there has been a permanent appointment to the Office of the Ombudsman and an Officer will now attend the All Wales Corporate Complaints Meeting and that it would no doubt be raised through that Forum.

**6. ANNUAL LETTER FROM PUBLIC SERVICE OMBUDSMAN FOR WALES 2013-14**

Consideration was given to the Annual Letter received from the Public Services Ombudsman for Wales that provided a breakdown of all complaints received and investigated by his Office during 2013/14 and the response times to requests for information.

The Interim Head of Legal Services and Monitoring Officer advised that in relation to Caerphilly, there has been a decrease in the number of complaints received by the Ombudsman compared with 2012/13 whilst the number of complaints investigated has remained at the same level. Both figures are below the local authority average. The figures show that the Ombudsman has received an above average number of complaints relating to Housing whilst there has been a noticeable drop in the number of complaints relating to Planning and Building Control.

In relation to the number of Housing complaints, Members attention was drawn to the paragraph headed Housing Stock on page 3 of the Annual Letter, which states that *"as with previous exercises the figures for 2013/14 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"*. In this respect, Members were reminded that this Authority has retained its housing stock.

Members were informed that the second paragraph of the Annual Letter makes reference to "a noticeable increase in social services complaints". It was noted that whilst there has been

an increase in Caerphilly, the Council is still below the Wales average. With regard to the new statutory social services complaints procedure, this was implemented in August. The new procedure reduces the numbers of stages prior to a referral to the Ombudsman from three to two. It is recognised that this change has the potential to increase the number of referrals to the Ombudsman and the relevant Officers are actively monitoring this issue.

The Ombudsman also made reference to the response times of the Authority when responding to requests for information. It was noted that the graph on page 8 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 it has been ascertained that the information is incorrect, one complaint was responded to within four weeks, the second was responded to within four weeks, but unfortunately the response was received one day late, hence is correctly referred to in the data. In the circumstances the Council has asked the Ombudsman to issue an amended Letter to reflect the correct response time.

It was noted that the Ombudsman has "upheld" one report against the Council and this figure is below the local authority average. This matter has been the subject of a report to the Standards Committee on 10th June and Council on 11th June 2013.

The Standards Committee noted the content of the Annual Letter which will now be placed before Council on the 7th October 2014.

## **ANY OTHER BUSINESS**

### **7. Corporate Complaints Policy**

Following debate on the above item, a query was raised as to the number of complaints that are received that are dealt with under the corporate complaints policy and as such are not required to be referred to the Ombudsman or subsequently the Standards Committee. It was noted that regular reports are presented to the Audit Committee on the number of complaints received and an overview of the response timescales and that there are also proposals to present an annual report after 31st March 2015. It was agreed that arrangements would be made for these reports to be presented to the Standards Committee for information. In noting that details of the complaints process are available on the website and in leaflet format, it was requested that an overview detailing the rights of the complainant, stages of the process and timescales for response be presented to the next meeting.

By way of an update the Interim Head of Legal Services and Monitoring Officer advised that the Council implemented a new Corporate Complaints Policy in order to reflect the model policy introduced by the Welsh Government, which has introduced a two-stage complaints policy. A Learning from Complaints Group has been established to ensure that the corporate complaints received are monitored in order to provide information on the level of satisfaction of the services provided corporately by the Council. The result of the monitoring enables each department to focus on areas of concern, to improve services and to monitor performance and ensure that any trends in issues raised are identified and dealt with so as to be avoided in the future. Where appropriate policies and procedures are reviewed to reflect the findings. Further details would be included in the report that is to be presented to the next meeting.

### **8. Items for Future Meeting/Training Sessions**

Notwithstanding the request for a report on the Corporate Complaints Policy, it was agreed that an update be provided on whistle blowing and information governance, and, with regards to the latter, in particular exempt information and data protection. Arrangements would be made accordingly.

The meeting closed at 10.30am

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.

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CHAIR