



STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON MONDAY 24TH NOVEMBER 2014 AT 2PM.

PRESENT:

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

D. Lewis and Community Councillor Mrs G. Davies

Councillors Mrs P. Cook and Mrs M.E. Sargent

Together with:

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

Also in attendance for agenda item number 4:

Graham North (Public Sector Housing Manager) and Craig Singler (Allocations Officer)

1. **APOLOGIES**

Apologies for absence were received from Mrs M. Evans and Councillors H.W. David and C.P. Mann.

2. **DECLARATIONS OF INTEREST**

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

3. **MINUTES - 23RD SEPTEMBER 2014**

RESOLVED that the minutes of the meeting held on 23rd September 2014 (minute nos. 1 - 8) be approved as a correct record.

4. **COMPLAINT MADE TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES - CASE NUMBER 201301753**

Consideration was given to the report of the Monitoring Officer with that of the Public Services Ombudsman for Wales regarding a maladministration complaints made against Caerphilly County Borough Council. It also detailed the action to be taken regarding outstanding recommendations.

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 her housing application over the preceding years and the way it had let properties on Street 1. Her caring responsibilities meant she only wished to be considered for accommodation in Street 1. Furthermore the complainant expressed dissatisfaction with the way the Council had dealt with her complaint.

The Ombudsman's investigation identified shortcomings in the Council's administration of the complainant's housing application and 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 the complaint was upheld. Given the failings identified, the Ombudsman concluded that the Council's response to the complainant 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.

Reference was then made to the recommendations of the Ombudsman. The Public Sector Housing Manager and Allocations Officer were present to respond to the questions asked by Members of the Committee and to advise on the action taken to ensure that internal procedures were improved to avoid a recurrence of similar issues in the future. By way of background information, an explanation was given on the current allocation policy, the points system, the annual review process, the choice of an individual in selecting a specific area and to the information which is provided for each applicant. It was confirmed to Members by Officer's that the Council's website also provides information on how to apply for council housing, the allocation scheme and the prospects of being rehoused in different areas and property types.

It was noted that the Housing Department have accepted the findings and have agreed to implement the recommendations. It was explained that of the recommendations, three were required to be actioned within one month of the receipt of the report and have been completed. Of those that remain (with a two or three month timescale) all are being progressed. Guidance is being developed on the factors when considering applying discretion in relation to the removal of time points and training will be provided for housing allocation staff. Training is also in situ on the circumstances when the Council's homelessness duties may be triggered and the steps that should be taken. Housing Services have reviewed its documentation to satisfy itself that it supported the early recognition of when the Council's homelessness duties may be triggered and thus engaged. Managers have also held team meetings with staff to highlight the importance of the Corporate Records Management Policy and made specific reference to good record keeping within their offices.

It was noted that in the interim period before the Council's Housing Services introduces its new lettings policy in 2015, where its housing allocation staff have reason to review a housing application that has had time points removed, the application will be reviewed against the guidance that is being developed.

The Interim Head of Legal Services and Monitoring Officer advised that the Standards Committee can determine whether the matter should be referred to the appropriate Scrutiny Committee. Whilst 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, it was agreed that as several of the recommendations refer to implementation within two/three months from the receipt of the report, it would be beneficial for Members to monitor progress at the meeting of the Policy and Resources Scrutiny Committee in January.

It was moved and seconded that the recommendations in the report be approved and that the report be referred to the Policy and Resources Scrutiny Committee. By show of hands this was unanimously agreed.

RESOLVED that for the reasons contained therein:-

- (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) the report be referred to the Policy and Resources Scrutiny Committee for consideration.

5. OVERVIEW OF THE COUNCIL'S CORPORATE COMPLAINTS POLICY

Consideration was given to the report which provided an overview of the Council's Corporate Complaints Policy and detailed how it links to the Standards Committee when considering and referring reports from the Public Services Ombudsman for Wales.

The Interim Head of Legal Services and Monitoring Officer advised that on 1st April 2013 the Council implemented a new Corporate Complaints in order to reflect the model policy introduced by the Welsh Government. It was introduced to ensure that complaints are dealt with in a consistent manner across Wales.

The Policy has introduced a two-stage process - stage 1 complaints are intended to be dealt with within 10 working days and Stage 2 within 20 working days. If a complainant remains dissatisfied with the outcome of a Stage 2 response, he/she will have the opportunity to refer the matter to the Public Ombudsman for Wales. Members were advised that the Corporate Complaints Policy is available to view on the Council's website. In addition, a booklet entitled "How to Make a Complaint" has been published and is available from Council offices, libraries, customer first centres etc. Complainants can make a complaint in a number of ways including by telephone, by post in writing, by using the complaint form included in the booklet or by email.

To coincide with the implementation of the new Policy a Learning from Complaints Group was established. The Group is chaired by the Interim Head of Legal Services and Monitoring Officer, and includes Complaints Officers from across the Council, a representative from the Council's Performance Management Unit and the Council's Senior Policy Officer Equalities and Welsh Language. The Group meet on a quarterly basis and details of its Terms of Reference were noted.

Reports are regularly presented to the Audit Committee and detail the total number of corporate complaints received across the authority during the specific reporting period and a breakdown of the number of complaints received at Stage 1 and 2 in each of the Directorates. It also advises whether the target response times have been met and the outcomes of each complaint ie. whether the complaint has been upheld, not upheld or partially upheld and complaints referred to the Ombudsman. A copy of the most recent report had been sent to the members of the Standards Committee for information and it was agreed that this practice would continue.

As previously discussed, the terms of reference of the Standards Committee have been recently expanded and the Committee may now consider referring a report from the Public Services Ombudsman for Wales, where there is a finding of maladministration, 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 the appropriate Scrutiny Committee.

During the course of the debate, and in noting that it had been agreed that the previous report (Case number 201301753) be referred to the Policy and Resources Scrutiny Committee, it was agreed that a further report be presented to the Standards Committee in order that Members can be reassured that those recommendations that have a longer timescale have been implemented.

In agreeing the forgoing, Members noted the content of the report.

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