

STANDARDS COMMITTEE

2ND OCTOBER, 2018

PRESENT: Mr. R. Alexander (CHAIR)

Councillors M. Moore
G. Thomas
J. Wilkins

Mr. J.B. Evans
Mr. E. Hackling
Mr. J. Price

WITH: Head of Legal and Corporate Compliance
Data Protection & Governance Officer

SIMULTANEOUS TRANSLATION

No requests for the simultaneous translation service had been received.

WELCOME & APOLOGIES

The Chair welcomed everyone to the meeting and introductions were made.

Apologies for absence were received from Miss Helen Roberts and Town Councillor Jacqueline Thomas.

DECLARATIONS OF INTEREST AND DISPENSATIONS

No declarations of interest or dispensations were reported.

MINUTES OF PREVIOUS MEETING

The minutes of the Standards Committee held on the 8th September, 2017 were submitted, whereupon:-

Training

In response to a question raised regarding 'refresher training' the Data Protection & Governance Officer confirmed that he had contacted the Head of Legal of Torfaen CBC regarding the possibility of undertaking a joint training session, but he had yet to receive a response. He undertook to contact the Head of Legal again and also look at other various options for providing training.

A member commented that a more pro-active approach should be taken in approaching other Local Authorities, and the Head of Legal & Corporate Compliance said recent discussions had been held with other LA's regarding specialist training from an external provider on Standards Committee matters, but this had not yet come to fruition.

The Standards Committee agreed, subject to the foregoing, that the minutes be accepted as a true record of proceedings.

STANDARDS COMMITTEE CONFERENCE

The Chair provided feedback from the Standards Committee Conference that he had attended on 14th September, 2018 in Aberystwyth, which was co-hosted by Ceredigion County Council and Powys County Council. He reported that the presentation slides were available to view on the Conference website, and copies would be circulated with the minutes for information.

The Conference included three main presentations delivered by Nick Bennett of the Public Service Ombudsman for Wales; Claire Sharp of the Adjudication Panel for Wales and Eifion Evans the Chief Executive of Ceredigion County Council. A number of workshops were also held covering various topics.

The Chair gave a brief summary of discussions that had taken place as follows:

- It was reported that there had been a 24% reduction in complaints received by the Public Service Ombudsman for Wales over the last 6 years, and Code of Conduct complaints had reduced by 35% over the past 10 years, and he felt this was indicative of the success of the Local Resolution Procedures.
- Conversely health complaints had increased significantly, and these were mainly in relation to the way in which complaints were handled, and not about actual treatment within the Health Service.
- There was also a Public Service Ombudsman for Wales Bill going through the National Assembly with proposals to modernise the complaints service. One issue that was highlighted was the fact that there was currently no automatic right for persons to make a complaint verbally, and the Public Service Ombudsman was keen to accept oral complaints.

- The new Sanctions Guidance issued on the 1st September, 2018 by the Adjudication Panel for Wales.
- The impact of austerity on Local Authorities, and the potential impact of Brexit, and the increased need for regional working.
- There was a workshop in sharing good practice between Standards Committees, and generally there was emphasis on the need to raise the profile of Standards Committees, and discussion around the scope and functions of Standards Committees.

A Member asked whether there was any mention of greater regional working, and the Chair said he was aware that in North Wales the Chairs and Vice-Chairs of Standards Committees met regularly to look at issues of common procedures. He confirmed that he had discussed this matter with the Head of Legal & Corporate Compliance, and the possibility of similar arrangements for South Wales.

In response to a question raised, the Chair said the only guidance available to Standards Committees was the Code of Practice, however, there were still variations in operational procedures across Local Authorities. He said there was no model example in place as this would remove the local democracy element, but he agreed that there should be commonality of procedures in place.

The Head of Legal & Corporate Compliance undertook to provide an electronic copy of the new Sanctions Guidance to Members.

CODE OF CONDUCT COMPLAINTS/OMBUDSMAN REFERRALS

The Head of Legal & Corporate Compliance provided a verbal update on the Code of Conduct complaints received by the Council during the previous year.

There was currently 1 formal complaint with the Ombudsman for investigation. This had been ongoing since the beginning of 2018, and whilst it was a complex issue concern had been raised regarding the amount of time taken for the Ombudsman investigation to be completed, and the impact on the Member in question. The Officer confirmed that the delay in investigations had been raised with the Public Services Ombudsman for Wales through the Monitoring Officer Group, and the response received was that priority was being given to Health Board complaints.

The Head of Legal & Corporate Compliance reported that 3 other matters had been successfully resolved through the Local Resolution Procedures. However, the Officer pointed out that this system could only be used for complaints by Officers/Members, and would not be suitable for members of the public or other agencies. The Ombudsman was keen for Local Resolution Procedures to be developed across all LA's, and Blaenau Gwent had adopted it quite successfully. The key to success in the process was understanding the issues and having early resolution dialogue.

The Officer concluded that there were 2 separate matters ongoing, against 1 Member that had not been resolved through the Local Resolution Procedures, and would be coming before the Standards Committee in due course.

OMBUDSMAN ANNUAL REPORT 2017/18

At the invitation of the Chair the Head of Legal & Corporate Compliance gave a verbal summary of the Ombudsman Annual Report 2017/2018 for Blaenau Gwent.

The Annual Report mainly related to service complaints that did not sit within the remit of Standards Committees. To summarise for 2017/18 for Wales the numbers of Code of Conduct investigations increased from the previous year, but this was mainly complaints involving Community Councils.

The Ombudsman was keen to get Local Resolution Procedures embedded in Community Councils, and the Head of Legal & Corporate Compliance confirmed that Town & Community Councils in Blaenau Gwent, Town & Community Councils were interested in advancing this concept. However, the Council was unable to offer any resources or capacity in terms of training or support.

The Ombudsman had indicated that it was difficult to identify why complaints in Town & Community Councils had increased, but he was keen to promote the concept of Local Resolution Procedures and was encouraged by the effectiveness of One Voice Wales.

The Head of Legal & Corporate Compliance then went through the report and highlighted points contained, and confirmed that full report was available on the Public Services Ombudsman for Wales website.

A Member referred to the fact that the Ombudsman was keen to have Local Resolution Procedures in place in Town & Community Councils, and

expressed concern that there were no resources available to assist them in the process.

In response the Officer reported that support and training opportunities were provided by One Voice Wales, and she understood that Town & Community Councils paid a subscription to that body, and the Town Clerks would be responsible for organising and overseeing development of training etc.

In response to a question raised the Officer explained that the implementation of Local Resolution Procedures was not mandatory, and the take up rate by Town & Community Councils was varied.

The Standards Committee RESOLVED that the Ombudsman Annual report for 2016/2017 be accepted and the information contained therein be noted.

ANY OTHER BUSINESS

No other business was reported.

The Chair thereupon thanked everyone for attending and declared the meeting closed.
