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THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

24th January 2020

Dear Sir/Madam

STANDARDS COMMITTEE

A meeting of the Standards Committee will be held in Executive Room, Civic Centre, Ebbw Vale on Wednesday, 29th January, 2020 at 3.00 pm.

Yours faithfully

Michelle Morris
Managing Director

AGENDA

Pages

1. **SIMULTANEOUS TRANSLATION**
2. **WELCOME AND APOLOGIES**
3. **DECLARATIONS OF INTEREST AND DISPENSATIONS**

To receive.

4. **MINUTES OF PREVIOUS MEETING**

3 - 8

We welcome correspondence in the medium of Welsh or English. / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

To receive the minutes of the Standards Committee held on 5th July, 2019.

5. **OMBUDSMAN'S ANNUAL REPORT (CONDUCT ELEMENT)** 9 - 16
6. **CONSIDERATION OF EXAMPLES FROM OMBUDSMAN'S CASEBOOK**
7. **UPDATE RE: OTHER COUNCIL STANDARDS COMMITTEE**
8. **FUTURE WORK PLAN/TRAINING REQUIREMENTS**
9. **AOB / DATE OF NEXT MEETING**

To: Councillor K. Hayden
Councillor M. Moore
Councillor G. Thomas

All other Members (for information)
Manager Director
Chief Officers

STANDARDS COMMITTEE

5TH JULY, 2019

PRESENT: Mr. R. Alexander (CHAIR)

Councillor K. Hayden

Mr. J.B. Evans

Mr. S. Williams

Mr. J. Price

Miss. H. Roberts

Town Councillor J. Thomas

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

1. **SIMULTANEOUS TRANSLATION**

No requests for the simultaneous translation service had been received.

2. **WELCOME & APOLOGIES**

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

Apologies for absence were received from Councillor G. Thomas.

3. **DECLARATIONS OF INTEREST AND DISPENSATIONS**

No declarations of interest or dispensations were reported.

The Chair reported that since the last meeting he had become a member of the South Wales Fire & Rescue Standards Committee and also the Vale of Glamorgan Standards Committee.

4. **NOMINATION AND APPOINTMENT OF VICE-CHAIR**

The Chair nominated Miss Helen Roberts for the role of Vice-Chair.

It was AGREED that Miss Helen Roberts be appointed as Vice-Chair of the Standards Committee.

5. **MINUTES OF PREVIOUS MEETING**

The minutes of the Standards Committee held on the 8th September, 2017 were submitted.

It was AGREED that the minutes be accepted as a true record of proceedings.

6. MONITORING OFFICER'S OVERVIEW OF MEMBER CONDUCT 2018

The Head of Legal & Corporate Compliance provided a verbal update on Member Conduct during 2018. She reported that since the annual meeting held in October last year, the complaint that was referred to in the minutes of the meeting had now been investigated by the Ombudsman Office. The conclusion of the Ombudsman was that there was no breach of the code of conduct. As no breach was found, the Officer was unable to report on the details of the investigation, but confirmed that a complaint was made by a member of the public. She confirmed that since the conclusion of the investigation discussions have taken place with the Member concerned, and training was offered, and this was accepted by the Member.

In terms of the data for the Local Resolution Protocol, the Officer confirmed that one case had recently been investigated where a Member inadvertently caused offence, and this was resolved by way of an apology.

Overall conduct within the Council was excellent and standards continued to rise at Blaenau Gwent. The majority of Members sought advice and followed the advice provided, particularly in relation to declarations of interest.

A Member said this was a very positive report, and it was clear that Members were working with Officers to ensure they maintained the highest standards. It was also pleasing that the individual referred to the Ombudsman had taken on board the issues and accepted training, and the Local Resolution Policy was also helping the Council to ensure the highest standards are kept. She commended the Officers involved and said she was very pleased to receive such a positive report from the Monitoring Officer.

Another Member said he was aware of several complaints of Officers conduct with the community that was not reported, and he felt that people were unaware of the Standards Committee, and their right to complaint.

In response the Head of Legal & Corporate Compliance said Officer conduct was not within the remit of the Standards Committee, however, she was confident that the Council's corporate complaints procedures were sufficiently highlighted on the Council's website, with a 'complaints and

compliments' section with information about how to report a complaint. In addition, the Head of Legal and Corporate Compliance was willing to have a discussion with the Member regarding the appropriate route to register his concerns.

A Member said there was plenty of information on the roles of Committees on the Blaenau Gwent website, including the Standards Committee, and people always had the option to report a complaint via the telephone.

AGENDA ORDER

It was AGREED that the Item No. 8 would be considered next on the agenda.

8. FUTURE WORK PROGRAMME

The Head of Corporate & Legal Compliance said this agenda item was open for Members to suggest any training they feel may be beneficial, or work they considered appropriate for the Standards Committee. There had been some discussion previously regarding Members of other Councils' Standards Committees observing Council meetings. However, the Officer felt this would not be a particular requirement for Blaenau Gwent, as she attended various Council meetings and any concerns of conduct would be addressed very quickly.

The Chair reported that both the South Wales Fire & Rescue Standards Committee and the Vale of Glamorgan Standards Committee were currently both considering the appropriateness of visiting other Council meetings, and hopefully he would be in a position to report back on this in due course.

A Member said having spoken to many people at the training event held for members of Standards Committees, particularly Councillors, it was his opinion that Standards Committees needed some form of additional remit.

Another Member said she found the information provided by Officers was extremely useful, particularly the information provided from the Public Service Ombudsman for Wales and links to case studies.

In response to a question raised by the Chair regarding the new Public Services Ombudsman (Wales) Bill, the Officer said she understood that the implementation date was the end of the month, and the Ombudsman office was currently rolling out training and highlighting the new Bill. The Officer explained that the Bill was geared more towards service complaints rather than conduct, but there were some elements crossing over, e.g. they would now accept oral complaints in some circumstances;

and were now also able to investigate some elements of private medical health care as well as public health care. However, the impact on the Standards regime was minimal at the moment.

The Chair asked when the Public Services Ombudsman Annual Report was published, and the Officer said this was usually received at the end of the Summer beginning of the Autumn, which conflicted with the timing of the Standards Committee held in July. She said a change in the meeting cycle to September/October may be of benefit to coincide with publication of the Ombudsman Annual Report, or another option was to consider it virtually. Alternatively, consideration could be given to another meeting being held in November to receive the Annual Report, and part of that could include a training session to review the Ombudsman case book.

A Member expressed concern regarding the number of Standards Committees that had been held during his time as a Member, and felt that the Standards Committee could be better used to support other work of the Council.

7. THE FUNCTION OF THE STANDARDS COMMITTEE AND REVIEW OF OTHER COUNCIL COMMITTEE ROLES

A Member said he felt that the Standards Committee had a lack of ambition, whereas other Standards Committees seemed more proactive and met more regularly. He referred to a suggestion made previously to meet with Monmouthshire County Council Standards Committee and asked why this was deemed as having no value.

In response the Head of Legal & Corporate Compliance stated that the Standards Committee dealt with business when required. If behaviour was poor within the Council, then more meetings of the Standards Committee would be required to address problems, but fortunately behaviour in Blaenau Gwent was good. She said resources were limited, and it would be inappropriate to call a meeting unless there was a real need to do so.

In terms of the comment that the Standards Committee had a lack of ambition, she disagreed and pointed out that a joint training session was held with Torfaen CBC and Monmouthshire CC which was an excellent opportunity for Members to speak with other Members of Standards Committees, and it was agreed that this joint approach would continue.

Another Member said the training session was extremely beneficial and provided opportunity to discuss best practice with other Members.

In response to a question raised, the Officer explained that the Council's Constitution indicated that the Standards Committee should meet at least once a year.

A discussion ensued when a Member said she understood that the remit of the Standards Committee was governed by regulations made by Welsh Government. The Officer said the fact that other Standards Committees met more regularly, was likely due to a greater need, whereas Blaenau Gwent did not have that need.

A Member said that Blaenau Gwent Standards Committee was being conducted very much like other Standards Committee she had been a member of, i.e. meetings called when there was business to be conducted.

In response to a question raised regarding training, the Officer confirmed that Members of the Committee had attended WLGA Standards Committee training, and a refresher of that would be rolled out in due course. Training on the Council's Constitution had also offered to Members.

A further discussion ensued when the Officer said she could make enquiries via the All Wales Monitoring Officers Group in terms of how often other Standards Committee met, and the nature of their business, and report back to Members.

A Member then proposed that further consideration be given to a meeting with Monmouthshire County Council.

Upon a vote being taken the Standards Committee AGREED the following:-

- I. That the Head of Legal & Corporate Compliance make enquiries regarding the position of other Standards Committee as to their frequency of meeting and nature of business and report back
- II. The Chair provide feedback from the South Wales Fire & Rescue Standards Committee, and the Vale of Glamorgan Standards Committee when practicable to do so
- III. A meeting be held early in the New Year for the purposes of training and consideration of the Ombudsman Annual report; and
- IV. Information be provided on the terms of office for all Members of the Standards Committee.

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Our ref: NB

Ask for: Communications



01656 641150

Date: 7 August 2019



communications

@ombudsman-wales.org.uk

Nigel Daniels
Council Leader
Blaenau Gwent County Borough Council

By Email Only
nigel.daniels@blaenau-gwent.gov.uk

Dear Councillor Nigel Daniels

Annual Letter 2018/19

I am pleased to provide you with the Annual letter (2018/19) for Blaenau Gwent County Borough Council. This year I am publishing my Annual Letters as part of my Annual Report and Accounts. I hope the Council finds this helpful and I trust this will enable it to review its own complaint handling performance in the context of other public bodies performing similar functions across Wales.

Whilst overall the number of complaints received relating to local authorities across Wales increased from 794 to 912, I am pleased that local authorities continue to work with my office to resolve many of these complaints at an early stage. This provides complainants with appropriate and timely remedies avoiding the need for my office to fully investigate complaints.

A summary of the complaints of maladministration/service failure received relating to the Council is attached.

Also attached is a summary of the Code of Conduct complaints relating to members of the Council and the Town & Community Councils in your area.

Page 1 of 7



The Public Services Ombudsman (Wales) Act 2019 has now been introduced. I am delighted that the Assembly has approved this legislation giving the office new powers aimed at:

- Improving access to my office
- Providing a seamless mechanism for complaint handling when a patient's NHS care is inextricably linked with private healthcare
- Allowing me to undertake own initiative investigations when required in the public interest
- Ensuring that complaints data from across Wales may be used to drive improvement in public services for citizens in Wales.

I am very much looking forward to implementing these new powers over the coming year.

Action for the Council to take:

- Present my Annual Letter to the Cabinet to assist Members in their scrutiny of the Council's performance
- Work to reduce the number of cases which require intervention by my office
- Inform me of the outcome of the Council's considerations and proposed actions on the above matters by **31 October 2019**.

This correspondence is copied to the Chief Executive of your Council and to your Contact Officer. Finally, a copy of all Annual Letters will be published on my website.

Yours sincerely



Nick Bennett
Public Services Ombudsman for Wales

CC: Michelle Morris, Managing Director
Angela O'Leary, Contact Officer

Factsheet

A. Complaints Received and Investigated with Local Authority average adjusted for population distribution

Local Authority	Complaints Received	Average	Complaints Investigated	Average
Blaenau Gwent County Borough Council 2018/19	8	20	0	0
Blaenau Gwent County Borough Council 2017/18	10	17	0	0
Bridgend County Borough Council	33	41	0	1
Caerphilly County Borough Council	65	51	1	1
Cardiff Council	115	103	0	2
Carmarthenshire County Council	49	53	1	1
Ceredigion County Council	23	21	0	0
City and County of Swansea	83	70	0	2
Conwy County Borough Council	41	33	2	1
Denbighshire County Council	26	27	1	1
Flintshire County Council	50	44	2	1
Gwynedd Council	32	35	2	1
Isle of Anglesey County Council	31	20	2	0
Merthyr Tydfil County Borough Council	15	17	0	0
Monmouthshire County Council	20	27	0	1
Neath Port Talbot County Borough Council	38	40	1	1
Newport City Council	38	43	0	1
Pembrokeshire County Council	35	35	0	1
Powys County Council	67	38	4	1
Rhondda Cynon Taf County Borough Council	36	68	0	2
Torfaen County Borough Council	12	26	1	1
Vale of Glamorgan Council	24	37	0	1
Wrexham County Borough Council	45	38	3	1
Grand Total	886		20	

B. Complaints Received by Subject

Blaenau Gwent	Complaints Received
Children Social Services	1
Complaint Handling	2
Environment and Environmental Health	2
Planning and Building Control	1
Roads and Transport	1
Various Other	1

C. Comparison of complaint outcome with average outcome for Local Authorities, adjusted for population distribution

Local Authority	Out of Jurisdiction	Premature	Other cases closed after initial consideration	Early Resolution / Voluntary settlement	Discontinued	Other Report - Not upheld	Other Report - Upheld in whole or in part	Public Interest Reports
2018/19								
Blaenau Gwent	2	2	1	2	-	-	-	-
Blaenau Gwent (adjusted)	4	6	7	3	0	0	0	0
2017/18								
Blaenau Gwent	2	3	3	1	0	0	2	0
Blaenau Gwent (adjusted)	3	5	6	2	0	0	0	0

D. Number of cases with PSOW intervention

Local Authority	No. of complaints with PSOW intervention	Total number of complaints closed	% of cases with PSOW intervention
Blaenau Gwent County Borough Council 2018/19	2	7	29%
Blaenau Gwent County Borough Council 2017/18	3	11	27%
Bridgend County Borough Council	6	36	17%
Caerphilly County Borough Council	8	68	12%
Cardiff Council	19	110	17%
Carmarthenshire County Council	4	48	8%
Ceredigion County Council	5	24	21%
City and County Swansea	10	80	13%
Conwy County Borough Council	5	39	13%
Denbighshire County Council	4	30	13%
Flintshire County Council	16	56	29%
Gwynedd Council	6	35	17%
Isle of Anglesey County Council	5	31	16%
Merthyr Tydfil County Borough Council	0	14	0%
Monmouthshire County Council	0	23	0%
Neath Port Talbot County Borough Council	4	40	10%
Newport City Council	7	43	16%
Pembrokeshire County Council	6	33	18%
Powys County Council	11	64	17%
Rhondda Cynon Taf County Borough Council	4	34	12%
Torfaen County Borough Council	1	12	8%
Vale of Glamorgan Council	7	30	23%
Wrexham County Borough Council	8	43	19%

E. Code of Conduct Complaints Closed

Local Authority	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total
2018/19								
Blaenau Gwent	-	-	1	-	-	-	-	1
2017/18								
Blaenau Gwent	3	1	-	-	-	-	-	4

F. Town/Community Council Code of Conduct Complaints

Town/Community Council	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total
Abertillery & Llanhilleth CC	-	-	1	-	-	-	-	1

Appendix

Explanatory Notes

Section A compares the number of complaints against the Local Authority which were received and investigated by my office during 2018/19, with the Local Authority average (adjusted for population distribution) during the same period.

Section B provides a breakdown of the number of complaints about the Local Authority which were received by my office during 2018/19. The figures are broken down into subject categories.

Section C compares the complaint outcomes for the Local Authority during 2018/19, with the average outcome (adjusted for population distribution) during the same period.

Section D provides the numbers and percentages of cases received by my office in which an intervention has occurred. This includes all upheld complaints, early resolutions and voluntary settlements.

Section E provides a breakdown of all Code of Conduct complaint outcomes against Councillors during 2018/19.

Section F provides a breakdown of all Code of Conduct complaint outcomes against town or community councils.

Feedback

We welcome your feedback on the enclosed information, including suggestions for any information to be enclosed in future annual summaries. Any feedback or queries should be sent via email to communications@ombudsman-wales.org.uk

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