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County Hall
Rhadyr
Usk
NP15 1GA

Friday, 15 September 2017

Notice of meeting

Standards Committee

Monday, 25th September, 2017 at 10.00 am,
Council Chamber - Council Chamber

AGENDA

Item No	Item	Pages
1.	Apologies for Absence	
2.	Declarations of Interest	
3.	To receive the minutes of the meeting held on 12th June 2017	1 - 2
4.	Applications for Dispensations to Members	
4.1.	Application from Cllr Stallard	3 - 14
4.2.	Application from Cllr Oliver	15 - 20
5.	PSOW Annual Report	21 - 30
6.	To note the date and time of next meeting as Monday 27th November 2017	

Paul Matthews
Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

D. Evans
J.Pratt
S. Woodhouse
T. Auld (Independent Representative)
R. Stow (Independent Representative)
G. Preece (Independent Representative)
M. Sutton (Independent Representative)
R. McGonigle (Independent Representative)
I. Cameron (Community Representative)

Public Information

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Welsh Language

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Aims and Values of Monmouthshire County Council

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

People Are Confident, Capable and Involved

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

Our County Thrives

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation
- Maintaining locally accessible services

Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held
at Council Chamber - Council Chamber on Monday, 12th June, 2017 at 10.00 am

PRESENT: County Councillors: D. Evans, J.Pratt and S. Woodhouse

OFFICERS IN ATTENDANCE:

Robert Tranter
Nicola Perry

Head of Legal Services & Monitoring Officer
Senior Democracy Officer

APOLOGIES:

None Received

1. Election of Chair

Mr. Trevor Auld was elected as Chairman of Standards Committee.

2. Appointment of Vice-Chair

We appointed Mr. R. Stow as Vice-Chair of Standards Committee.

3. Declarations of interest

There were no declarations of interest made by Members.

4. To receive the minutes of the meeting held on 27th February 2017

The minutes of the meeting held on 27th February 2017 were confirmed as a correct record and signed by the Chairman.

The Monitoring Officer added that the training package had proved a worthwhile exercise and had been used in the induction of the newly elected councillors. An extra decision would be held in due course for those who had missed the first session.

5. Granting Dispensation to Members

We received a report in order for the Committee to consider a discussion paper prepared by Trevor Auld, Independent Member of the Standards Committee, on the process of granting dispensations to members. Members were asked to decide whether the current process in granting dispensations needs to be adapted or amended.

During discussion we noted that the dispensation takes into account the one scenario, and Members must declare an interest at the start of the meeting and state that a dispensation has been granted.

It was recognised that there may be issues with timelines in terms of agenda despatch, which officers would aim to resolve in order for the dispensation to be granted. Where necessary an extra meeting of Standards Committee could be arranged.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at Council Chamber - Council Chamber on Monday, 12th June, 2017 at 10.00 am

Members resolved to accept the recommendation, adding that:

Councillors who apply for dispensations are required to report back, in writing, to Standards Committee, following use of the dispensation.

6. Whistleblowing Policy

We received a report in order for Standards Committee to consider the Council's latest version of its whistleblowing policy as one of the roles and functions of the Standards Committee is to ensure that the Council's whistle blowing procedure operates effectively.

We heard that the main changes to the policy were that it was now a global policy across the Council, rather than a separate policy for Schools and Council. The new policy is based on Welsh Government guidance.

The unions had been involved in the thorough consultation process and there had been no negative comments.

It was suggested there may be an issue where people felt unable to go to their line manager or senior officer and it was questioned if there were alternative options. The Monitoring Officer would investigate further.

We were advised that people at escalation points received appropriate training.

A Member added that that the policy should be extended to agency staff and sub-contractors.

7. To exclude the press and public from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information

8. Recent Decision of Public Services Ombudsman for Wales not to investigate

We received an exempt report consider a request from the Public Services Ombudsman for Wales ("Ombudsman") to consider whether further training is required in respect of the Community Council's general understanding of the application of the Code of Conduct and the Ombudsman's role in considering such complaints.

Following discussion the Committee resolved to accept the recommendation in the report:

To ask the Monitoring Officer to write to the Clerk to the Community Council to clarify the role of the Ombudsman in investigating alleged breaches of the code of conduct for members and offer any training as appropriate.

9. To note the date and time of next meeting as Monday 25th September 2017 at 10.00am

We agreed the date and time of next meeting as 25th September 2017 at 10am.

The meeting ended at 11.45 am

SUBJECT: Application for dispensation – Rogiet Community Council

MEETING: Standards Committee

DATE: 25th September 2017

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

To consider an application for a dispensation to speak and vote by Cllr Stallard of Rogiet Community Council.

2. RECOMMENDATIONS:

To decide whether to grant the dispensation.

3. KEY ISSUES:

The Standards Committee has the power to grant a dispensation to an elected member to vote and/or speak on a matter where the member would otherwise be unable to do so on the basis that the elected member has a personal and a prejudicial interest.

Attached to the report at appendix A is the application by Cllr Robert Stallard of Rogiet Community Council to speak and vote at a meeting of the community council on 4th October 2017 when the co-option of his wife onto the community council will be considered. Rogiet Community Council should have 11 elected members: it currently has only 4 members and in order to increase the number of members on the council, the council wants to co-opt two further members onto the council, one of which is Cllr Stallard's wife. Cllr Stallard is likely to have a personal interest in the item on the agenda in respect of his wife's co-option under paragraph 10(2)(c)(i) of the code of conduct for members – *You must regard yourself as having a personal interest in any business of your authority if a decision upon it might reasonably be regarded as affecting your well-being or financial position or that of a person with whom you live or any person with whom you have a close personal association to a greater extent than the majority of other council tax payers, rate payers or inhabitants of the electoral division or ward.*

Further it is likely that this personal interest would be considered to be prejudicial under paragraph 12(1) of the code of conduct - *....where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest* so Cllr Stallard would be unable to take part on the co-option agenda item and declare a personal and prejudicial interest and leave the council chamber, taking no part in the item.

As the quorum of the community council is 4, without Cllr Stallard being present to consider the co-option item at the council meeting on 4th October 2017, the council would be inquorate and would be unable to consider the item.

The application for dispensation form highlights paragraphs (d) - *where the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business* and (i) *where the member asks the Standards Committee to determine that it appears to the committee to be in the interests of the inhabitants of the area of the Authority that the disability should be removed* as possible grounds to grant dispensation. Further Standards Committee members may also consider paragraph (j) – *where it appears to the Standards Committee to be otherwise appropriate to grant a dispensation* to be a potential ground to consider a dispensation.

At appendix B is attached the Standards Committee's policy framework for considering applications for dispensations and at appendix C, members will find the grounds on which dispensations may be granted.

4. REASONS:

In order for Rogiet Community Council to increase its number of elected members it wants to co-opt a further 2 members onto the council so it has some margin of error when a member is absent for whatever reason.

5. RESOURCE IMPLICATIONS: None

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

No significant equality impacts have been identified in the contents of the report. Sustainability principles are met in that it is in the interests of the Rogiet community to have a functioning and robust community council.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:

NONE

8. CONSULTEES: None

9. BACKGROUND PAPERS: None

10. AUTHOR: Robert Tranter, Monitoring Officer

11. CONTACT DETAILS:

Tel: 01633 644064

E-mail: roberttranter@monmouthshire.gov.uk

MONMOUTHSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

FORM FOR APPLICATION FOR DISPENSATION

Note

Under Section 81 of the Local Government Act 2000, a member who has a personal and prejudicial interest in a matter which is under consideration may not participate in the consideration of that matter by the Council, Cabinet, Committee, Sub-Committee or other meeting unless he/she has first obtained a dispensation from the Standards Committee. The Committee may grant dispensation to vote and/or speak as appropriate.

You may apply for a dispensation by completing this form and sending it to the Monitoring Officer not less than two weeks before the date when the matter is to be considered.

1.	Member's name:	ROBERT FREDERICK STALLARD
2.	What is the matter which is shortly to be considered and in respect of which you seek a dispensation?	CO-OPTION ONTO ROBIET COMMUNITY COUNCIL OF MY WIFE
3.	What body (Council, Cabinet, Committee Sub-Committee, working group etc) is due to consider this matter?	ROBIET COMMUNITY COUNCIL
4.	What is the nature of your personal interest?	WIFE

5.	What is the date of the meeting at which this matter is to be considered?	4 th OCTOBER 2017
6.	Under which of the following grounds do you seek the dispensation :	
(a)	Where no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	
(b)	Where no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;	
(c)	Where in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;	
(d)	Where the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;	✓
(e)	Where the interest is common to the member and a significant proportion of the general public;	

(f)	Where the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	
(g)	The business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and a member's interest is not a pecuniary interest;	
(h)	Where the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the Authority and the member has no other interest in that business (NOTE – any dispensation on this ground may not extend to being able to vote)	
(i)	Where the member asks the Standards Committee to determine that it appears to the committee to be in the interests of the inhabitants of the area of the Authority that the disability should be removed.	✓
(j)	Where it appears to the Standards Committee to be otherwise appropriate to grant a dispensation. A dispensation granted under paragraph (j) must be reviewed by the Standards Committee once in every 12 months from the date on which the dispensation was first granted to determine whether the dispensation should continue to have effect.	
7.	Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period not exceeding one calendar year.	ONE MEETING ONLY

8. Please set out below the reasons why you consider that the Standards Committee should grant you this dispensation:

DESPITE NUMEROUS
RECRUITMENT EFFORTS
ROGIE T COMMUNITY
COUNCIL ONLY CONSISTS
OF 4 MEMBERS.

QUORATE IS 4 COUNCILLORS
DISPENSATION IS BEING
REQUESTED IN ORDER
TO ALLOW ME TO VOTE
ON THE CO-OPTION OF
MY WIFE.

Signed:

Date:

.....5ⁿ SEPTEMBER 2017

Date:

.....

Circumstances when a standards committee may grant dispensations

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 (as amended) specify that a standards committee of a relevant authority may grant dispensations under Section 81 of the Act where:

- a. no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;
- b. no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;
- c. in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;
- d. the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;
- e. the interest is common to the member and a significant proportion of the general public;
- f. the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
- g. the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and a member's interest is not a pecuniary interest;
- h. the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or
- i. it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed.
- j. it appears to the committee to be otherwise appropriate to grant a dispensation. A dispensation granted under paragraph (j) must be reviewed by the Standards Committee once in every 12 month period beginning from the date on which the dispensation was first granted to determine whether the dispensation should continue to have effect.

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POLICY FRAMEWORK FOR CONSIDERING APPLICATIONS FOR DISPENSATION

When considering applications for dispensation, the Council's Standards Committee will take into account the following matters:-

- (a) safeguarding the ability of Councillors and co-opted members to represent their community properly
- (b) the need for Councillors in particular to be able to participate in the working of relevant outside bodies, including School Governors, Community Associations, Companies and Trusts formed with the specific purpose of furthering Council objectives
- (c) the ability to distinguish between interests that are of a more technical nature and those which are likely to substantially influence the judgement and objectivity of individual Councillors or co-opted members
- (d) when members have a personal financial or other pecuniary interest in an issue, it will rarely be possible to grant dispensation when the matter under discussion impacts directly upon that interest

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SUBJECT: Application for dispensation – Rogiet Community Council

MEETING: Standards Committee

DATE: 25th September 2017

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

To consider an application for a dispensation to speak and vote by Cllr Oliver of Rogiet Community Council.

2. RECOMMENDATIONS:

To decide whether to grant the dispensation.

3. KEY ISSUES:

The Standards Committee has the power to grant a dispensation to an elected member to vote and/or speak on a matter where the member would otherwise be unable to do so on the basis that the elected member has a personal and a prejudicial interest.

Attached to the report at appendix A is the application by Cllr Susan Oliver of Rogiet Community Council to speak and vote at a meeting of the community council on 4th October 2017 when the co-option of her husband onto the community council will be considered. Rogiet Community Council should have 11 elected members: it currently has only 4 members and in order to increase the number of members on the council, the council wants to co-opt two further members onto the council, one of which is Cllr Oliver's husband. Cllr Oliver is likely to have a personal interest in the item on the agenda in respect of her husband's co-option under paragraph 10(2)(c)(i) of the code of conduct for members – *You must regard yourself as having a personal interest in any business of your authority if a decision upon it might reasonably be regarded as affecting your well-being or financial position or that of a person with whom you live or any person with whom you have a close personal association to a greater extent than the majority of other council tax payers, rate payers or inhabitants of the electoral division or ward.*

Further it is likely that this personal interest would be considered to be prejudicial under paragraph 12(1) of the code of conduct - *....where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest* so Cllr Oliver would be unable to take part on the co-option agenda item and declare a personal and prejudicial interest and leave the council chamber, taking no part in the item.

As the quorum of the community council is 4, without Cllr Oliver being present to consider the co-option item at the council meeting on 4th October 2017, the council would be inquorate and would be unable to consider the item.

The application for dispensation form highlights paragraph (d) - *where the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business* as a possible ground to grant the dispensation. Standards Committee members may also consider paragraphs (i) - *where the member asks the Standards Committee to determine that it appears to the committee to be in the interests of the inhabitants of the area of the Authority that the disability should be removed* and paragraph (j) – *where it appears to the Standards Committee to be otherwise appropriate to grant a dispensation* to be further potential grounds on which to consider the request for a dispensation.

At appendix B is attached the Standards Committee's policy framework for considering applications for dispensations and at appendix C, members will find the grounds on which dispensations may be granted.

4. REASONS:

In order for Rogiet Community Council to increase its number of elected members it wants to co-opt a further 2 members onto the council so it has some margin of error when a member is absent for whatever reason.

5. RESOURCE IMPLICATIONS: None

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

No significant equality impacts have been identified in the contents of the report. Sustainability principles are met in that it is in the interests of the Rogiet community to have a functioning and robust community council.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:

NONE

8. CONSULTEES: None

9. BACKGROUND PAPERS: None

10. AUTHOR: Robert Tranter, Monitoring Officer

11. CONTACT DETAILS:

Tel: 01633 644064

E-mail: roberttranter@monmouthshire.gov.uk

MONMOUTHSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

FORM FOR APPLICATION FOR DISPENSATION

Note

Under Section 81 of the Local Government Act 2000, a member who has a personal and prejudicial interest in a matter which is under consideration may not participate in the consideration of that matter by the Council, Cabinet, Committee, Sub-Committee or other meeting unless he/she has first obtained a dispensation from the Standards Committee. The Committee may grant dispensation to vote and/or speak as appropriate.

You may apply for a dispensation by completing this form and sending it to the Monitoring Officer not less than two weeks before the date when the matter is to be considered.

1.	Member's name:	SUSAN OLIVER
2.	What is the matter which is shortly to be considered and in respect of which you seek a dispensation?	I NEED THE ABILITY TO VOTE IN A MEETING TO ELECT A NEW COUNCILLOR, WHERE I WOULD NORMALLY NOT BE ALLOWED TO.
3.	What body (Council, Cabinet, Committee Sub-Committee, working group etc) is due to consider this matter?	RCC / MCC ROGIET COMMUNITY COUNCIL.
4.	What is the nature of your personal interest?	I AM THE WIFE OF A COMMUNITY COUNCIL CANDIDATE I

5.	What is the date of the meeting at which this matter is to be considered?	25/9/17
6.	Under which of the following grounds do you seek the dispensation :	
(a)	Where no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	
(b)	Where no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;	
(c)	Where in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;	
(d)	Where the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;	✓
(e)	Where the interest is common to the member and a significant proportion of the general public;	

(f)	Where the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	
(g)	The business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and a member's interest is not a pecuniary interest;	
(h)	Where the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the Authority and the member has no other interest in that business (NOTE – any dispensation on this ground may not extend to being able to vote)	
(i)	Where the member asks the Standards Committee to determine that it appears to the committee to be in the interests of the inhabitants of the area of the Authority that the disability should be removed.	
(j)	Where it appears to the Standards Committee to be otherwise appropriate to grant a dispensation. A dispensation granted under paragraph (j) must be reviewed by the Standards Committee once in every 12 months from the date on which the dispensation was first granted to determine whether the dispensation should continue to have effect.	
7.	Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period not exceeding one calendar year.	ONE MEETING

8.	Please set out below the reasons why you consider that the Standards Committee should grant you this dispensation: BECAUSE WITHOUT MY ABILITY TO VOTE, WE CANNOT VOTE MY HUSBAND ONTO THE COUNCIL AS WE DO NOT HAVE ENOUGH COUNCILLORS	

Signed:

Date.

6/9/17.

SUBJECT: Annual Letter 2016/17 from the Public Services Ombudsman for Wales

MEETING: Standards Committee

DATE: 25th September 2017

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

To receive the annual letter for 2016/17 from the Public Services Ombudsman for Wales in respect of Monmouthshire County Council.

2. RECOMMENDATIONS:

To note the contents of the annual letter 2016/17.

3. KEY ISSUES:

In the council's constitution, at Article 9, the roles and functions of the Standards Committee include at (d) – *monitoring and from time to time reviewing the operation of the members' code of conduct*, and (l) – *ensuring the council's complaints procedures operate effectively....*

Members will find attached to this report at appendix A the annual letter for 2016/17 of the Public Services Ombudsman for Wales for matters involving Monmouthshire County Council. The letter gives the numbers of complaints received by the Ombudsman in respect of the services provided by Monmouthshire County Council – "maladministration complaints" and those received in respect of alleged breaches of the members' code of conduct. In respect of the maladministration complaints by service users, the number of complaints received by the Ombudsman has reduced from 27 in 2015/16 to 18 in 2016/17 with only one complaint taken forward to investigation. Roads and Transport was the subject area with the highest number of complaints with four and only 14% of complaints required intervention by the Ombudsman.

In respect of allegations that elected members breached the members' code of conduct, the Ombudsman closed 8 complaints, 7 after initial consideration and 1 after concluding that there was no evidence of a breach. In 2015/16, the Ombudsman closed 3 allegations that the code of conduct had been breached – 2 after initial consideration and 1 on the basis that no action was necessary.

4. REASONS:

The consideration of the annual report of the Ombudsman is within the role and function of the Standards Committee.

5. RESOURCE IMPLICATIONS: None

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The report does not raise any significant sustainable development or equality implications.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS: NONE

8. CONSULTEES: None

9. BACKGROUND PAPERS: None

10. AUTHOR: Robert Tranter, Monitoring Officer

11. CONTACT DETAILS:

Tel: 01633 644064

E-mail: roberttranter@monmouthshire.gov.uk

Our ref: NB/LJ/MA



lucy.john@ombudsman-wales.org.uk

matthew.aplin@ombudsman-wales.org.uk

1 September 2017

Sent by email: Mr Paul Matthews, paulmatthews@monmouthshire.gov.uk

Dear Mr Matthews

Annual Letter 2016/17

Following the recent publication of my Annual Report I am delighted to provide you with the Annual Letter (2016/17) for **Monmouthshire County Council**

Overall my office's caseload has increased by 13% this year, with public body complaints seeing a 3% increase.

Once again there has been a further rise in the percentage of health complaints, from 36% to 38%. Housing (13%), social services (9%) and planning and building control (8%) remain other significant areas of complaint.

The number of code of conducts complaints decreased by 14% from 2015/16 and I am particularly pleased about this as historically my office experiences a surge in complaints in the year leading up to local elections.

It is concerning that of the 18 local authorities that agreed with my office to implement recommendations, only 10 of them complied 100% within the target time set. My office will be looking closely at compliance levels over the coming year.

During 2016/17, I produced six public interest reports and one 'special report'. All but one of the investigations were health related and, worryingly, three of the cases were against the same hospital – Ysbyty Glan Clwyd run by Betsi Cadwaladr University Health Board. The special report, issued against Hywel Dda University Health Board for failing to implement my recommendations following an early resolution, was the first of its kind against a health board but underlines the need to comply with commitments made through early resolution in the same way as I would expect for recommendations arising from upheld complaints.

The remaining public interest report related to a local authority's role in overseeing the savings of looked after children.

Earlier this year I issued a thematic report entitled [Ending Groundhog Day: Lessons from Poor Complaints Handling](#). This highlighted cases from across devolved public services in Wales where investigations by public bodies have been inadequate and failed the service user. The report emphasised the need for effective governance across the Welsh public sector, robust staff training and improved methods of data collection. If you have not considered the report I would encourage you to do so.

I continue to place importance on the improvement function of my office. Last year I assigned Improvement Officers to several bodies and this will continue in 2017/18. In engaging with these bodies we hope to see ongoing improvements in complaints handling, learning and putting things right, along with the governance arrangements necessary for continuous improvement.

I am hopeful that the National Assembly will shortly be introducing new Ombudsman legislation that will help drive up standards. It is important that Wales continues to adopt best practice in complaint handling and public service improvement and does not get left behind.

In reference to your local authority, the number of complaints received by my office has reduced from 27 in 2015/16 to 18 in 2017/18. Only one was taken forward to investigation. Roads and Transport was the subject area with the highest number of complaints with four. Only 14% of complaints required PSOW intervention.

You will find below a factsheet giving a breakdown of complaints data relating to your Local Authority. This year we have included a new set of statistics regarding Ombudsman interventions. These include all cases upheld by my office as well as early resolutions and voluntary settlements.

This correspondence has been copied to the Leader of the Council for consideration by the cabinet. I will also be sending a copy to your contact officer within your organisation and would again reiterate the importance of this role. Finally, a copy of all annual letters will be published on my website.

Yours sincerely



Nick Bennett

Public Services Ombudsman for Wales

CC: Cllr Peter Fox, Leader

Robert Tranter, Contact Officer

Factsheet

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

Local Authority	Complaints Received	Average	Complaints Investigated	Average
Blaenau Gwent County Borough Council	12	19	2	1
Bridgend County Borough Council	44	39	2	2
Caerphilly County Borough Council	54	50	2	2
Cardiff Council	143	99	3	4
Carmarthenshire County Council	44	51	2	2
Ceredigion County Council	32	21	2	1
City and County of Swansea	52	67	3	3
Conwy County Borough Council	28	32	1	1
Denbighshire County Council	24	26	0	1
Flintshire County Council	39	43	4	2
Gwynedd Council	32	34	1	1
Isle of Anglesey County Council	24	19	0	1
Merthyr Tydfil County Borough Council	10	16	1	1
Monmouthshire County Council	18	26	1	1
Neath Port Talbot County Borough Council	38	39	0	2
Newport City Council	26	41	1	2
Pembrokeshire County Council	29	34	1	1
Powys County Council	54	37	4	1
Rhondda Cynon Taf County Borough Council	47	66	0	3
Torfaen County Borough Council	23	25	1	1
Vale of Glamorgan Council	41	35	1	1
Wrexham County Borough Council	46	38	1	1

B. Complaints Received by Subject with Local Authority average

Monmouthshire County Borough Council	Complaints Received	Local Authority Average
Adult Social Services	2	4
Children's Social Services	3	4
Complaints Handling	2	3
Education	1	3
Planning and Building Control	3	7
Roads and Transport	4	3
Various Other	3	3

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

	Out of Jurisdiction	Premature	'Other' cases closed after initial consideration	Discontinued	Early Resolution/ Voluntary Settlement	S16 Report - Upheld in whole or in part	Other Report Upheld - in whole or in part	Other Report - Not Upheld	Withdrawn	Total Cases Closed
Monmouthshire	7	2	10	0	1	0	2	0	0	22
Monmouthshire (adjusted)	5	8	9	0	3	0	1	0	0	26

D. Number of cases with PSOW intervention

Local Authority	Number of complaints with PSOW intervention	Total number of closed complaints	% of complaints with PSOW intervention
Blaenau Gwent County Borough Council	3	12	25
Bridgend County Borough Council	5	42	12
Caerphilly County Borough Council	4	55	7
Cardiff Council	19	133	14
Carmarthenshire County Council	6	47	13
Ceredigion County Council	8	39	21
City and County of Swansea	4	54	7
Conwy County Borough Council	4	33	12
Denbighshire County Council	0	27	0
Flintshire County Council	13	41	32
Gwynedd Council	5	33	15
Isle of Anglesey County Council	3	27	11
Merthyr Tydfil County Borough Council	3	10	30
Monmouthshire County Council	3	22	14
Neath Port Talbot County Borough Council	3	38	8
Newport City Council	7	30	23
Pembrokeshire County Council	4	33	12
Powys County Council	9	53	17
Rhondda Cynon Taf County Borough Council	6	48	13
Torfaen County Borough Council	2	22	9
Vale of Glamorgan Council	9	39	23
Wrexham County Borough Council	13	47	28

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 Cases Closed
Monmouthshire	7	0	1	0	0	0	0	8

Appendix

Explanatory Notes

Section A compares the number of complaints against the Local Authority which were received and investigated by my office during 2016/17, 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 2016/17 with the Local Authority average for the same period. The figures are broken down into subject categories.

Section C compares the complaint outcomes for the Local Authority during 2016/17, with the average outcome (adjusted for population distribution) during the same period. Public Interest reports issued under section 16 of the Public Services Ombudsman (Wales) Act 2005 are recorded as 'Section 16'.

Section D provides the numbers and percentages of cases received by the PSOW 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 2016/17.

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 to lucy.john@ombudsman-wales.org.uk or matthew.aplin@ombudsman-wales.org.uk

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