

# Agenda Item 5

## Notes from the North Wales Standards Committee Forum

### Llangefni October 17<sup>th</sup> 2016

The Chair (Ed Hughes) and Vice Chair Rob Dewey attended to represent FCC Standards Committee. Representatives of five out of the six Counties and the NW Fire & Rescue and Snowdonia National Park Authorities. The meeting was chaired by the host authority, Anglesey County Council.

The first part of the meeting was a presentation by Nick Bennett, Ombudsman who commented that he was very pleased that all authorities (CC) had now signed up to a Local Resolution procedure. This was yet to be used by Town & Community Councils (T&CC)

His office had received approx. 6000 enquiries last year compared with around 2000 ten years earlier. Around 100 related to Counties and 150 to T&C. No less than 50 of the T&C complaints came from just three community councils. Half of all complaints come from Health (35 %) & Housing (15 %). Whilst there has been an average 10% more complaints coming through his Office, the number investigated has remained low which shows the measures including public interest are working. Five complaints had been investigated and 5 had been referred to the adjudication panel for Wales.

He has a budget of around £4M and employs 58 staff.

He is clearly very supportive of the Forum (which is not repeated in South Wales).

Twenty questions had been submitted by the Standards Committees.

1. Local resolution protocol (LRP) : he welcomes this although it has no enforcement powers, but does allow self-regulation which is clearly preferable.
2. He does not see the LRP being limited only to T&CP who have demonstrated competence under the Future Generations & Wellbeing Act 2015. One Voice Wales (OVW) has prepared a draft process to assist.
3. If conflicts of interest occur for Monitoring Officers or Standards Committee he suggests that matters could be referred to another Authority's Committee.
4. Number of complaints has fallen possibly as a result of LRP but is expected to rise again.
5. He does not have resources to arrange mediation training to assist LRP.
6. He has no proposal to provide standard LRP protocols to encourage consistency but recommends OVW protocols.
7. Concern about wide variety of resources available to T&CC. This is a matter for WG. Some T&CC cover more population than smaller CC. Some don't have computers.
8. Timescales for completion of investigations are improved (84% within 9 months) and he wishes to speed up still further without cutting corners. It is worth CC considering having improvement officer in-house to encourage better behaviours avoiding complaints. 25 % complaints relate to 5 or 6 authorities.

9. Guidance on appropriate sanctions is not proposed but the adjudication panel have some. (see also 13).
10. Suggestion that some members might avoid full force of sanctions by careful timing near election date. Thought not to be a real issue.
11. No change is proposed to bring in the English model where conduct of members is not controlled. Investigations are limited to service delivery only.
12. There is no expectation that it will fall to MO to make complaints if T&CC local resolution is encouraged.
13. A library of Standards decisions is being proposed to allow historic decisions to be examined.
14. Requirement for T&CC web sites: enforcement should be by WG but failure could lead to a complaint of maladministration.
15. Timescales have improved but reason may also be due to improved cultural changes and to authorities demonstrating that they are listening to customers. It is important that where there is "no choice" in service provision, there should be a "voice" available to customers.
16. New ground for dispensations available but not clear what this means. Ombudsman's guidance appears to refer solely to "disability". He would welcome any other interpretations.

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#### **FCC Questions**

17. Resources for local resolution relating to T&CC. None is proposed from Ombudsman's budget. Authorities should divert resources from elsewhere to protect their reputations. Mediation skills training would help to reduce the workload.
  18. Improved presentation of annual report to give more over view of changes/patterns of complaints. This is accepted and will be done.
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19. Concern that there would be loss of confidence if complaints are treated as frivolous/trivial when they can be of importance to the complainant. Consideration that these could be looked at by Standards Committees so that people will feel that they have been listened to. ("had their day in court".) Suggested that record should be kept accessible so that if repeat complaints are made it is possible to view and take them into account.
  20. Would mandatory training for clerks to T&CC be worthwhile? But no resources available although OVW may help and Ombudsman would attend meetings to assist. The problem is the good clerks (who don't need training attend) and the poor ones (who do) don't.  
\*\* perhaps we could invite him to the next annual meeting of our committee with T&CC\*\*

After the Ombudsman's presentation a number of other points were raised:-

Agreed the meetings are worthwhile – agreed to arrange 2 per annum, various venues. Host Authority to arrange date/venue/agenda/paperwork.

Concern that declarations on line cannot be made in Welsh. The system in question was MODGOV? Answers can be made in Welsh but the questions are in English. Anglesey expressed a concern that it could put Welsh speaker off declaring an interest and therefore leaving themselves vulnerable. MODGOV said the issues could be rectified but at a cost of £10k. Anglesey asked whether Councils would be

happy to share costs? Prior to any agreement it was decided each Council should check their own contract as if the bilingual function was procured then this should be done as a contractual matter. Also the issue would be national rather than just North Wales. Other Councils stated it had never been raised as an issue in their areas so there might be reluctance to pay for fixes given current financial climate.

Mediation training for members – all to investigate possible in-house training or sources of grant aids. If one Authority had a trained mediator in-house, they could offer training at the next regional forum?

Issue of training for T & C clerks. Those that are motivated, engaged and doing a good job are usually the ones that turn up for additional training. There was a short discussion about eLearning modules and the possibility of the Councils looking at joint funding opportunities that could be done collaboratively.

RAD and EH 17.Oct 2016

FCC Standards Forum Report

