



## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **STANDARDS COMMITTEE**

**22<sup>ND</sup> OCTOBER 2018**

#### **COMPLAINT BY A MEMBER UNDER THE COUNCIL'S LOCAL PROTOCOL - STANDARDS OF CONDUCT EXPECTED BY MEMBERS**

#### **REPORT OF THE MONITORING OFFICER**

**Author:** Mr. Andy Wilkins – Head of Legal – Corporate & Democratic Services & Deputy Monitoring Officer

#### **1. PURPOSE OF THE REPORT**

To enable the Committee to consider a complaint made by a Member that another Member has failed to comply with the Council's Local Protocol – Standards of Conduct Expected by Members.

#### **2. RECOMMENDATIONS**

It is recommended that:

- 2.1 Members adopt the procedure outlined in paragraph 4.12 of this report as to the conduct of the meeting; and
- 2.2 Consider whether or not the Member who is the subject of the complaint has failed to comply with the Council's Local Protocol – Standards of Conduct expected by Members and, if there is basis to the complaint, whether that Member should be censured or that no further action is required.

#### **3. BACKGROUND**

- 3.1 On 12<sup>th</sup> January 2011 Council approved the Local Protocol – Standards of Conduct Expected by Members (the 'Protocol'), a copy of which is appended at Appendix 1 to this report. The Protocol was revised in July 2013.
- 3.2 A complaint has been made under the Protocol by County Borough Councillor P. Jarman against County Borough Councillor R. Yeo.

- 3.3 The basis of Councillor Jarman's complaint relates to remarks alleged to have been made by Councillor Yeo at a meeting of the Overview and Scrutiny Committee held on Monday 30<sup>th</sup> April 2018. The background to the complaint is as follows.
- 3.4 On the 16<sup>th</sup> April 2018, the Council's Health and Well-being Scrutiny Committee, for which Councillor Yeo is the Chair, received a report in respect of the 'Development of Community Hubs in Rhondda Cynon Taf'. In relation to this item the Committee resolved the following:
- *To acknowledge the contents of the report;*
  - *To request that Cabinet at its meeting on 19<sup>th</sup> April 2018 defer consideration of the consultation responses and other recommendations in respect of the report relating to the proposed Community Hub in Mountain Ash in view of the concerns raised by the Health & Wellbeing Scrutiny Committee; and*
  - *That the Health & Wellbeing Scrutiny Committee undertakes further scrutiny of the proposed Mountain Ash Community Hub model to ensure it reflects the needs of the community and report its findings back to Cabinet.*

The minutes of this meeting are attached at Appendix 2 to this report.

- 3.5 At the Cabinet meeting on the 19<sup>th</sup> April 2018 consideration was given to the report titled 'Developing Community Hubs in RCT'. At that meeting Cabinet took the decision to proceed with developing two Community Hubs in the Ferndale and Mountain Ash areas of the County Borough.
- 3.6 The majority of decisions made by Cabinet, once taken, cannot be implemented for a stated period of time in order to afford non-executive members an opportunity to 'call-in' the decision. If a call-in request is made in accordance with the relevant procedures a meeting of the Overview & Scrutiny Committee is then convened to consider the call-in request and reasons for call-in and the Committee must determine whether or not to refer the relevant Cabinet decision back to Cabinet for reconsideration.
- 3.7 The Cabinet decision referred to in paragraph 3.5 above was 'called-in' in accordance with the relevant procedures. A meeting of the Overview and Scrutiny Committee was held on Monday 30<sup>th</sup> April 2018 to deal with the call-in request (the 'Call-In Meeting'). Councillor Jarman was in attendance as a member of the Overview & Scrutiny Committee and as one of the signatory's to the call-in itself. Councillor Yeo was in attendance as a non-committee Member. The minutes of the Call-In Meeting are attached at Appendix 3 to this report. Following consideration the Committee resolved that the decision not be referred back to the Cabinet for reconsideration and that the decision taken on the 19<sup>th</sup> April 2018 take effect as from the close of that meeting.

#### 4. **COMPLAINT**

4.1 Councillor Jarman alleges that at the Call-In Meeting Councillor Yeo made remarks about the conduct of the three Plaid Cymru Members who were present at the Health and Wellbeing Scrutiny Committee meeting on the 16<sup>th</sup> April 2018. Councillor Jarman considers the remarks were made for no reason other than to bring those Councillors' reputations into disrepute. Councillor Jarman further considers that Councillor Yeo's alleged threat that they will not get away with a decision like that in the future was said for no reason or purpose other than to threaten or bully them as Members of the Health and Well-being Scrutiny Committee and that he may not have liked the decision of that Committee on the 16<sup>th</sup> April 2018 but it does not entitle him to disrespect their judgement.

4.2 As Committee Members will be aware the Protocol is formulated as a two stage procedure. Stage 1 is an informal resolution process. In this particular case and as part of the Stage 1 procedures Councillor Jarman indicated she would accept the following:

*"I would expect Councillor Yeo to send his apologies to the three Members of the Plaid Cymru Group who serve on the Health and Wellbeing Committee for publicly bringing their reputations into disrepute by his remarks at the Overview and Scrutiny call in meeting. I understand that another Member may also be entitled to an apology but he is not a Member of the Plaid Cymru Group."*

4.3 Following correspondence with the Council's Monitoring Officer, Councillor Yeo agreed to send a letter to the Plaid Cymru Members Councillor Jarman referred to above. A copy of the letter sent by Councillor Yeo is attached at Appendix 4 to this report.

4.4 Following receipt of that letter Councillor Jarman confirmed to the Monitoring Officer that the Paid Cymru Members to whom it was addressed were not satisfied Councillor Yeo's letter constituted an apology. Councillor Jarman stated:

*"Unless he can sincerely apologise for the comments he made instead of saying that he apologises if they misinterpreted what he said, then he leaves me with no alternative but to proceed to Standards."*

4.5 Councillor Jarman's above comments were communicated to Councillor Yeo who confirmed he did not have anything further to add to his original letter. This therefore concluded Stage 1 of the Protocol process and no informal resolution was reached.

4.6 Having been made aware of Councillor Yeo's position Councillor Jarman subsequently submitted a complaint under Stage 2 of the Protocol process.

4.7 In her complaint Councillor Jarman has specified which parts of the Protocol she alleges Councillor Yeo has breached namely:

## **“2. The standards of conduct**

### **Members shall: -**

#### **2.1 Public Behaviour**

- (a) Show respect to each other
- (b) Not make personal abusive comments about each other
- (d) Not make malicious allegations against each other
- (e) Not publish or spread any false information about each other

#### **2.2 Behaviour in Meetings**

- (a) Behave with dignity
- (c) Not use indecent language nor make racial remarks or remarks which prejudice or may be deemed to be offensive to any section of society”.

- 4.8 Both Councillor Jarman and Councillor Yeo confirmed they did not wish to submit any additional written representations as part of the Stage 2 Protocol process beyond what has been set out above.
- 4.9 As requested by Councillor Jarman her complaint now comes before this Committee for consideration and determination. Both Councillors have been invited to attend the Committee hearing.
- 4.10 Councillor Jarman has confirmed she will be calling the following witnesses, namely County Borough Councillors L. Walker (Signatory to the call-in and present at the Call-In Meeting), J. Williams (Signatory to the call-in, present at the Call-In Meeting and member of the Health & Well-being Scrutiny Committee), E. Stephens (Member of the Overview & Scrutiny Committee present at the Call-In Meeting), D. Grehan (Non-committee Member in attendance at the Call-In Meeting), L. Jones (Member of the Health & Well-being Scrutiny Committee), and J. Davies (Member of the Health & Well-being Scrutiny Committee).
- 4.11 Councillor Yeo has confirmed he will be calling the following witnesses, namely County Borough Councillors G. Thomas (who at the relevant time was Vice-Chair of the Overview & Scrutiny Committee and Chair of the Call-In Meeting; M. Webber (Cabinet Member/Deputy Leader in attendance at the Call-In Meeting) and S. Bradwick (Non-committee Member in attendance at the Call-In Meeting).
- 4.12 As it is not a formal hearing under the procedures adopted in respect of an alleged breach of the Members Code of Conduct, it is suggested that the following simplified procedure be adopted for hearing this complaint in accordance with the Protocol Procedures:
  - i) Opening address by the Chair;
  - ii) Councillor Jarman be invited to address the Committee;
  - iii) Questions by Committee Members;
  - iv) Councillor Yeo be invited to address the Committee;
  - v) Questions by Committee Members;

- vi) Witnesses for Councillor Jarman;
- vii) Questions by Committee Members;
- viii) Witnesses for Councillor Yeo;
- ix) Questions by Committee Members;
- x) Councillor Jarman be invited to address the Committee with any closing remarks;
- xi) Councillor Yeo be invited to address the Committee with any closing remarks;
- xii) Committee to retire to deliberate in private on the representations and decide whether or not Councillor Yeo has failed to comply with the Protocol and what sanction, if any, to impose; and
- xiii) Committee to reconvene in public for the Chair to announce the Committee's finding.

N.B. Each of the parties will address the Committee individually and there will be no cross examination of the parties save for questions asked by Committee Members.

4.13 The Committee can come to any of the following decisions:

- 1. That there is no basis to the complaint.
- 2. That there is a basis to the complaint but that no further action is required.
- 3. That there is a basis to the complaint and that the Member should be censured.

4.14 In accordance with the Protocol the decision made by the Committee will be minuted.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**STANDARDS COMMITTEE**

**22<sup>nd</sup> OCTOBER 2018**

**REPORT OF THE MONITORING OFFICER**

**Background Papers:** Report to Council, Local Protocol - 12<sup>th</sup> January 2011

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LOCAL PROTOCOL – STANDARDS OF CONDUCT TO BE FOLLOWED  
BY MEMBERS**

**1. Introduction**

This protocol sets out the standards of conduct to be followed by Members of Rhondda Cynon Taf CBC in dealing with each other. It should be read in conjunction with the Members' Code of Conduct and the Member-Officer protocol. It adds to these documents and does not detract from them.

**2. The standards of conduct**

**Members shall: -**

**2.1 Public Behaviour**

- (a) Show respect to each other
- (b) Not make personal abusive comments about each other
- (c) Not publish anything insulting about each other
- (d) Not make malicious allegations against each other
- (e) Not publish or spread any false information about each other
- (f) Show respect to diversity and equality
- (g) Use social media responsibly and in accordance with the Members' Code of Conduct and this protocol

**2.2 Behaviour in Meetings**

- (a) Behave with dignity
- (b) Show respect to the Chair and obey his/her decisions and conversely Members can expect the Chair to show mutual respect to Members
- (c) Not use indecent language nor make racial remarks or remarks which prejudice or may be deemed to be offensive to any section of society

**2.3 Confidentiality**

- (a) Keep the confidentiality of exempt papers and any other documents which are not public
- (b) Not release confidential information to the press or the public
- (c) Not use confidential information for purposes other than intended

## **2.4 Local Members**

- (a) Work with Members of adjoining wards for the benefit of the locality
- (b) If dealing with any matter relating to another ward:  
Explain to anyone seeking assistance that he/she is not the local Member and inform the local Member, unless it would lead to a breach of confidentiality

## **3. Rules of procedure**

### **Rules of Procedure for dealing with complaints under the Local Protocol**

- 3.1 Legislation sets out a statutory regime whereby complaints for breaches of the Members' Code of Conduct are referred to the Public Services Ombudsman for Wales (the Ombudsman).
- 3.2 The Ombudsman has the discretion to decide whether allegations of breaches of the Members' Code of Conduct will be investigated. This protocol is designed to deal effectively with those complaints which are not suitable for reference to the Ombudsman or which would benefit from a local determination.
- 3.3 Allegations by a Member(s) of a breach of one (or more) of the standards of conduct set out in paragraph 2 of the protocol by another Member(s) will be dealt with in accordance with the procedures set out below.
- 3.4 It is important that any allegations made under the protocol are dealt with quickly and effectively with the co-operation of all parties involved. Each party must make themselves available to attend a hearing held thereunder as a matter of priority and within the timescales set out in this protocol.
- 3.5 Should, following commencement of the protocol process, any Member elect at anytime to refer the matter to the Ombudsman for investigation the protocol process will be discontinued and cannot subsequently be resumed.

## **3.6**

### **Stage One – Making the Complaint and informal resolution**

- (i) Any Member who wishes to submit an allegation under the protocol should send the complaint to the Monitoring Officer. The complaint must be submitted to the Monitoring Officer within one month of the event that has given rise to the complaint occurring or; within one month of the substance of the complaint coming to the attention of the Member submitting the allegation.
- (ii) Following receipt of the complaint the Monitoring Officer will advise whether the allegation falls within the protocol or whether the complainant(s) should consider referral to the Ombudsman as an allegation of breach of the Members' Code of Conduct.



- (iii) If there is a formal referral to the Ombudsman then legislation and regulations set out how the Ombudsman may investigate that matter and if appropriate refer the result of any investigation to the Standards Committee so that the Committee may determine that complaint.
- (iv) If the Monitoring Officer determines that the allegation falls within the protocol he/she will seek to try and resolve the matter informally.
- (v) If following Stage One the Monitoring Officer cannot resolve the matter informally between the parties and the Member(s) wishes to proceed with the allegation under the protocol the matter will be referred to a hearing before the Standards Committee under Stage Two.

N.B. The Monitoring Officer may choose not to deal with the allegation at this stage in order to be able to advise the Committee later in the process, in which case the Deputy Monitoring Officer or a Legal Officer will advise the Member complainant(s).

### 3.7

#### **Stage Two – Standards Committee hearing**

- (i) Stage Two is a hearing before the Standards Committee.
- (ii) The Member(s) making the complaint will be asked to re-confirm the substance of the complaint in writing to the Monitoring Officer (including identifying which standard(s) of conduct set out in paragraph 2 above is/are alleged to have been breached) together with all the written evidence they wish to submit for consideration at the hearing within two weeks of notifying the Monitoring Officer they wish the complaint to be dealt with by way of hearing before the Standards Committee.
- (iii) The Member(s) who is the subject of that complaint must provide a written response to that complaint within one month of receipt of notification of it together with all written evidence they wish to submit for consideration at the hearing.
- (iv) The Monitoring Officer if he/she participated in Stage One will notify the deputy monitoring officer or a legal officer of receipt of the complaint who shall thereafter have conduct of the matter (the 'Investigating Officer').
- (v) If the Monitoring Officer chose not to deal with the allegation at Stage One he/she shall be the Investigating Officer.
- (vi) Both the Member(s) making the complaint and the Member(s) against whom the allegation(s) has been made must respond promptly to all correspondence relating to the matter including requests to confirm availability in respect of scheduling the hearing itself. Member(s) will be

given dates within a two month window in which they must confirm a date they are available to attend the hearing.

- (vii) The papers referred to in paragraph 3.7(ii) and 3.7(iii) will be distributed to the Members of the Committee in accordance with the Council's Access to Information Rules.
- (viii) No additional evidence may be produced without the prior consent of the Chair of the Committee.
- (ix) Each Member must give notification in writing to the Investigating Officer of any witnesses they intend to call to give evidence at the hearing. It is the responsibility of the Member calling the witness to ensure that witness is available to attend on the agreed date.
- (x) If either side wishes not to be present or fails to attend, the hearing may be held in their absence.
- (xi) Should they deem it appropriate the Standards Committee may invite Council officers to attend the hearing to answer any questions they may have any relevant to the matter before it.
- (xii) The proceedings at the Standards Committee hearing itself shall be conducted as follows: -
  - a) Opening address by the Chair;
  - b) Member(s) who submitted the complaint be invited to address the Committee;
  - c) Questions by Committee Members;
  - d) Member(s) who the allegations have been made against be invited to address the Committee;
  - e) Questions by Committee Members;
  - f) Witnesses for Member(s) who submitted the complaint address the Committee
  - g) Questions by Committee Members;
  - h) Witnesses for Member(s) who the allegations have been made against be invited to address the Committee;
  - i) Questions by Committee Members;
  - j) The Member(s) who has made the complaint be invited to address the Committee with any closing remarks;
  - k) The Member(s) who is/are the subject of the complaint be invited to address the Committee with any closing remarks
  - l) Questions by Committee Members (if any) to Council Officers who have been invited to attend by the Committee
  - m) Committee to retire to deliberate in private on the representations and decide whether or not the Member(s) who the allegations have been made against has failed to comply with the protocol and what sanction, if any, to impose;
  - n) Committee to reconvene in public for the Chair to announce the Committee's finding.

N.B. There will be no cross examination of any of the parties save for questions asked by Committee members.

- (xiii) The Investigating Officer will be available to advise the Committee.
- (xiv) The Committee can come to one of three conclusions, namely:-
  - (a) That there is no basis to the complaint.
  - (b) That there is a basis to the complaint but that no further action is required.
  - (c) That there is a basis to the complaint and that the Member should be censured.
- (xv) The conclusion reached by the Committee will be minuted. In addition, the Committee can make recommendations to Council regarding changes to the protocol or taking any further action.

**3.8** N.B. The time-limits and deadlines set out in these procedures are subject to there being flexibility in exceptional circumstances as determined by the Chair.

#### **4. Other matters**

**4.1** The protocol is not designed for use by members of the Public. If there is a complaint by a member of the public against officer conduct or Member conduct, then that should follow normal processes, either through a complaint to the Chief Executive or relevant Chief Officer in respect of an officer or to the Monitoring Officer and/or the Ombudsman in respect of a Member.

Mae'r cofnodion hyn yn amodol ar gymeradwyaeth yng nghyfarfod priodol nesaf y  
Pwyllgor

These Minutes are subject to approval at the next appropriate meeting of the  
Overview & Scrutiny Committee

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY COMMITTEE**

**Minutes** of the Special Meeting of the Overview and Scrutiny Committee held at the  
County Borough Council Offices, The Pavilions, Cambrian Park, Clydach Vale on  
Monday, 30<sup>th</sup> April, 2018 at 10 a.m.

**PRESENT:**

County Borough Councillor G.Thomas - in the Chair

**County Borough Councillors**

H.Boggis                      J.Harries  
J.Bonetto                     E.Stephens  
J.Brencher

**Members Making the Call-In  
County Borough Councillors**

P.Jarman and L.Walker (also Members of the Committee), J.Williams

**Cabinet Members  
County Borough Councillors**

R.Lewis – Deputy Cabinet Member for Prosperity & Well-Being  
M.Webber – Deputy Leader/Cabinet Member for Council Business

**County Borough Councillors in Attendance**

S.Bradwick, D.Grehan and R.Yeo

**Officers in Attendance**

Mr.C.B.Jones - Director, Legal & Democratic Services  
Mr.C.Hanagan – Director, Cabinet & Public Relations  
Mr.P.Mee – Director, Public Health, Protection & Community Services  
Ms.W.Edwards – Head of Community Services  
Ms.K.May – Head of Democratic Services

In the absence of the Chair, County Borough Councillor L.M.Adams, the Vice-Chair, County Borough Councillor G.Thomas took the Chair.

**56 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors L.M.Adams and E.George.

**57 DECLARATIONS OF INTEREST**

**RESOLVED** – to note that there were no declarations of interest made at the meeting pertaining to the agenda.

**58 CALL-IN – DEVELOPING COMMUNITY HUBS IN RHONDDA CYNON TAF**

The Chair welcomed everyone to the special meeting of the Committee and called on the Director, Legal & Democratic Services to outline the procedure for the call-in process as adopted at the Council's Annual Meeting in May, 2017 and subsequently incorporated in the Council's Constitution (Part 4, paragraph 17.1B).

The Chair informed the Committee, that the Deputy Cabinet Member for Prosperity & Well-Being had requested to address the Committee, which he had granted. He then invited the three Members who had made the call-in to make their submissions to the Committee as summarised below:-

***County Borough Councillor P.Jarman***

County Borough Councillor referred Members to the Decision Notice of the Cabinet dated 19<sup>th</sup> April, 2018 as attached to the report at Appendix B and where she raised concerns that no reference had been made to the request of Members of the Health & Well-Being Scrutiny Committee at its meeting held on the 16<sup>th</sup> April, 2018 when during consideration of the report of the Director of Public Health, Protection & Community Services in respect of the "Development of Community Hubs in Rhondda Cynon Taf" the following was agreed (Minute No.45 (2)& (3) refers)):

- To request that Cabinet at its meeting on the 19<sup>th</sup> April, 2018 defer consideration of the consultation responses and other recommendations in respect of the report relating to the proposed Community Hub in Mountain Ash in view of the concerns raised by the Health & Wellbeing Scrutiny Committee; and
- That the Health & Wellbeing Scrutiny Committee undertakes further scrutiny of the proposed Mountain Ash Community Hub model to ensure it reflects the needs of the community and report its findings back to Cabinet.

Councillor Jarman raised further concerns that the report that was presented to the Health & Wellbeing Scrutiny Committee on the 16<sup>th</sup> April, 2018 was an abridged version to that which was presented to the Cabinet on the 19<sup>th</sup> April, 2018.

***County Borough Councillor L.Walker***

County Borough Councillor L.Walker informed Members that on the previous Call-Ins that he has put his name to, he has always visited the subject area prior to the meeting, Unfortunately, he was unable to visit the site on this occasion. However, he had read the documents that had been presented to today's meeting together with the report and minutes of the meeting of the Health & Wellbeing Scrutiny Committee and he was of the view that there were alternatives that could be considered, for example the use of another building for the Community Hub such as the Town Hall in Mountain Ash. These considerations should not be dismissed and Members of the Health & Wellbeing Scrutiny Committee should be given the opportunity to look at the alternatives and report back to the Cabinet with their findings; as in his view the public of Mountain Ash and the people of RCT deserve the matter to be scrutinised.

***County Borough Councillor J.Williams***

County Borough Councillor J.Williams stated that she is a Member of the Health & Wellbeing Scrutiny Committee and was present at the meeting held on the 16<sup>th</sup> April, 2018 and voted in favour of what was agreed at that meeting and as referred to earlier in the meeting by Councillor Jarman. Councillor further reported that she is not opposed to the development of Community Hubs but the views of the prospective users should be sought and therefore she hoped that Members of the Overview & Scrutiny Committee would support the resolution of the Health & Wellbeing Scrutiny Committee and refer the matter back to the Cabinet.

Following the addresses made by the three Members, the Chair called upon the Director, Public Health, Protection & Community Services to comment on the issues raised.

The Director, Public Health, Protection & Community Services reported that the proposal had been developed over a period of time and brought to the attention of Members on a number of occasions. He reported that in the Autumn of 2017, Members scrutinised the Corporate Plan and supported the approach. On the 29<sup>th</sup> November, 2017 at the meeting of full Council, Members considered the Corporate Investment Priorities and the matter was also included on the Cabinet's Work Programme. The matter was reported to the Health & Wellbeing Scrutiny Committee on the 16<sup>th</sup> April following the request of the Chair who had asked for an update and therefore, Members of that Committee had the opportunity to consider the report in advance of the Cabinet meeting. No alternative proposals were put forward by Members of that Committee other than to request Cabinet to defer consideration of the matter.

The Director, Public Health, Protection & Community Services referred to the Cabinet meeting that was held on the 19<sup>th</sup> April, 2018, where consideration was given to the responses. In terms of looking at alternatives, he reported that a mapping exercise of assets was undertaken and various site visits were held, which included the Town Hall when it was found that the Day Centre was the most suitable building.

In concluding his comments, the Director, Public Health, Protection & Community Services reported on the consultation process that was undertaken, which included the availability of detailed plans and information to help the public in formulating their responses.

The Director, Cabinet & Public Relations reassured Members that whilst the request of the Members of the Health & Wellbeing Scrutiny Committee were not included in the decision notice of the Cabinet, it will be reflected in the minutes of the Cabinet that are soon to be published.

Following the comments made by the Director, Public Health, Protection & Community Services and the Director, Cabinet & Public Relations, the Chair invited the Deputy Cabinet Member for Prosperity & Well-Being to address the Committee.

The Deputy Cabinet Member for Prosperity & Well-Being stated that it was pleasing to hear that the Members who were present in the Chamber at today's meeting were in support of the wider Community Hub programme and that a large element will be around core location and making the Hubs accessible, which will be shaped by local circumstances.

He reported that there were a number of occasions where the Community Hub programme had been reported to previous Cabinet meetings thus giving the opportunity for scrutinisation and Call-in. He was also content with the consultation process and that the responses had been considered by both the Cabinet and himself as the portfolio holder.

Having heard the arguments from those Members who had made the Call-in and the responses from the Director, Public Health, Protection & Community Services and the Deputy Cabinet Member for Prosperity & Well-Being, the Chair then invited the Committee to ask any questions they may have.

The Committee having debated the issue, the Chair invited County Borough Councillor P.Jarman to sum up the argument in favour of referring the Cabinet decision back to the Cabinet for reconsideration.

Following consideration of the issues, it was **RESOLVED** – that the matter not be referred back to the Cabinet for reconsideration and that the decision taken on the 19<sup>th</sup> April, 2018 take effect as from the close of this meeting.

**G.THOMAS  
CHAIR**

**The meeting closed at 11.05 a.m.**



Mae'r cofnodion hyn yn amodol ar gymeradwyaeth yng nghyfarfod priodol nesaf y Pwyllgor.

These Minutes are subject to approval at the next appropriate meeting of the Committee.

## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **HEALTH & WELLBEING SCRUTINY COMMITTEE**

**Minutes** of the meeting of the Health & Wellbeing Scrutiny Committee held at the County Borough Council Offices, The Pavilions, Cambrian Park, Clydach Vale on Monday, 16<sup>th</sup> April, 2018 at 5 p.m.

#### **Present**

County Borough Councillor R.Yeo – in the Chair

#### **County Borough Councillors**

J. Davies	W. Owen	J. Williams
S. Evans	L. Jones	C. J. Willis

#### **In Attendance**

County Borough Councillor R. Lewis – Deputy Cabinet Member for Prosperity and Wellbeing

County Borough Councillor G. Thomas – Vice Chair of Overview and Scrutiny

#### **Officers**

Mr G. Isingrini – Group Director, Community & Children's

Mr. P. Mee – Director, Public Health, Protection & Community Services

Mr N. Elliott – Service Director, Adult Services

Mr A. Wilkins – Head of Legal - Corporate and Democratic Services

#### **41 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors J. Elliott, L. De Vet, M. Forey and A. Roberts

#### **42 DECLARATIONS OF INTEREST**

**RESOLVED** – that in accordance with the Members Code of Conduct, there were no personal interests made at the meeting pertaining to the agenda.

#### **43 MINUTES**

**RESOLVED** – To approve as an accurate record the minutes of the meeting of the Health & Wellbeing Scrutiny Committee held on the:-

- 30<sup>th</sup> January 2018
- 20<sup>th</sup> February 2018

#### **44 CHANGE TO THE ORDER OF THE AGENDA**

The Committee agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

#### **45 THE DEVELOPMENT OF COMMUNITY HUBS IN RHONDDA CYNON TAF**

The Director for Public Health, Protection & Community Services presented his report with the purpose of updating Scrutiny on the development of Community Hubs across Rhondda Cynon Taf.

The Director outlined the background to the Council's approach to building resilient communities through the promotion of early intervention and prevention services which includes the development of the Community Hubs. The Hubs represent the bringing together of services and partnerships which will better serve the communities of Rhondda Cynon Taf and enable residents to access a range of services and support at an early stage from within one or a number of closely located buildings.

Members were informed that the proposal to develop the Community Hubs has derived from a number of strategic priorities such as the Well-being of Future Generations (Wales) Act 2015, the Cwm Taf Regional Plan 2018-23 and the Our Valleys, Our Future Delivery Plan. The latter having been established in July 2016 by the First Minister which created a Ministerial Taskforce for the South Wales Valleys and published its high-level action plan 'Our Valleys, Our Future', setting out three key priorities which centres around bringing together existing or creating new community hubs. It was also confirmed that following an expression of interest to Welsh Government by the Cwm Taf Public Services Board (PSB) which was approved in June 2017, Cwm Taf is now one of five Children First pioneer areas in Wales and will develop and pilot two Community Zones in Gurnos, Merthyr Tydfil and Ferndale in Rhondda Cynon Taf.

The Director referred to the Funding Flexibilities Pathfinder Project, of which Rhondda Cynon Taf is one of eight Local Authorities in Wales to participate with Welsh Government. The project merges several funding streams into the Early Intervention and Prevention Support Grant. The ten programmes included in the pathfinder projects were listed together with five programmes where it has been proposed the flexible funding should be best directed.

The Director explained the objectives and expected outcomes of developing the Community Hubs within Rhondda Cynon Taf, to make better use of community assets, to identify opportunities for further partnership working and to explore different ways of working so that better public services are joined up and accessible. Scrutiny was advised of the specific progress made within several locations across the County Borough such as Mountain Ash where it is proposed to develop the existing Day Centre as a Community Hub. This will enable the co location of services for the benefit of local residents together with a library

service and ICT suite which would provide support for employment and skills development. A four week consultation was undertaken in respect of the Mountain Ash proposal from the 26<sup>th</sup> February 2018, the results of which will be considered by Cabinet on the 19<sup>th</sup> April 2018. Likewise it was reported that a four week focussed consultation had been undertaken in respect of the proposal in Ferndale which would also be considered at the same Cabinet meeting.

The Director for Public Health, Protection & Community Services concluded his report by reiterating the key advantages of the community hubs to align community services under one location to facilitate local partnerships and internal community networks and support a community led approach. He added that the Community Hubs represent a good use of local assets where the Council will explore opportunities to work alongside the third sector to enhance the support offered to the local community.

Following the presentation the Director invited Members to scrutinise the contents of the report.

In response to a query concerning how the neighbourhood networks and location of the Hubs would be identified the Director referred Members to the report which set out the proposed catchment areas and he explained that they had been determined based on a number of criteria such as population size, identifiable communities and existing community support. It was explained that a mapping exercise would be carried out to identify Hub buildings from existing public and third sector assets and services together with input from the community and Elected Members who would be able to provide local information and knowledge concerning their community needs.

The Deputy Cabinet Member for Prosperity and Wellbeing explained that funding would be shaped by local circumstances and is very much dependent on existing facilities and assets within the individual areas. He added that the Council would look to target resources in areas of greatest need.

A Member expressed concern in respect of the proposal to develop the existing Mountain Ash Day Centre as a Community Hub, specifically concerns about the space allocated to the library provision in the Community Hub being less than in its current location. Further comments were made in respect of Cabinet considering the responses to the consultation exercise at its meeting on the 19<sup>th</sup> April 2018 and, subject to consideration of that consultation exercise, Cabinet being recommended to approve the development of the proposed Community Hub at Mountain Ash Day Centre as the model going forward. Some Members considered that this specific proposal warranted further scrutiny by the Health & Wellbeing Scrutiny Committee to ensure it reflects the needs of the local community.

Scrutiny was informed that each, individual proposal would be based on the needs of that particular community and that each model would be determined by many local factors and importantly needed to be sustainable in the long term.

Following consideration of the report, it was **RESOLVED**:-

1. To acknowledge the contents of the report;
2. To request that Cabinet at its meeting on 19<sup>th</sup> April 2018 defer consideration of the consultation responses and other recommendations in respect of the report relating to the proposed Community Hub in Mountain Ash in view of the concerns raised by the Health & Wellbeing Scrutiny Committee; and
3. That the Health & Wellbeing Scrutiny Committee undertakes further scrutiny of the proposed Mountain Ash Community Hub model to ensure it reflects the needs of the community and report its findings back to Cabinet.

#### **46 UPDATE IN RESPECT OF THE IMPLEMENTING THE SOCIAL SERVICES AND WELL-BEING ACT**

The Service Director of Adult Social Services presented the report of the Group Director, Community & Children's Services in respect of progress made and robust self assessment process in place following the implementation of the Social Services Well-Being (Wales) Act, 2014.

Scrutiny was reminded that in 2014 and 2015 Rhondda Cynon Taf undertook a significant programme to prepare for the commencement of the new legislation from April 2016 and since that time the Local Authority has been able to demonstrate a commitment to the changes required. The Service Director explained that reports evidencing the good progress have previously been presented to the Health & Wellbeing Scrutiny Committee in relation to the preparation leading up to and including the implementation of the Act.

The Service Director reported on the long term objectives facing the Local Authority, many of which are being carried out in conjunction with other organisations and he referred to some of the challenges ahead such as balancing an increasing demand for care and support with available resources and further improving the Council's Quality Assurance and Risk Assessment arrangements. Scrutiny was provided with a summary of progress to date which had been encompassed through the report delivered by the Cabinet Member for Adult and Children's Community Services at a recent Scrutiny meeting.

In conclusion the Service Director of Adult Social Services delivered a summary of performance within some of the individual Service Areas such as the Stay Well@Home Service which has demonstrated that initial performance is very positive, evidencing that the new service is having a significant impact on reducing hospital admissions and the length of stay at both hospital sites of the Royal Glamorgan Hospital in Llantrisant and Prince Charles Hospital in Merthyr Tydfil. In view of the success of the initiative Scrutiny requested a visit to the Stay Well@Home Service to see first hand how it operates.

Following consideration of the report it was **RESOLVED**:-

1. To acknowledge the good progress made and robust self assessment process in place following the implementation of the Social Services and Well-Being (Wales) Act 2014; and
2. That Scrutiny undertakes a visit to the Stay Well@Home Service.

**Cllr R. Yeo**  
**Chair**

**The Meeting closed at 5.45p.m.**

The Plaid Cymru Members  
Health & Well Being Committee,  
Rhondda Cynon Taf CBC

Dear Councillors,

From conversations with the Monitoring Officer, I understand that the Leader of your Group has raised concerns in respect of comments I made when contributing to the debate relating to the call-in of the Cabinet decision concerning Community Hubs in Ferndale & Mountain Ash at the Overview & Scrutiny Committee (held on the 30<sup>th</sup> April).

Mr. Jones has outlined the essence of your concerns, and I would like to place on record that they were in no way intended in the way I am led to believe you have perceived them. My comments related purely to my own personal view that the contributions and comments made at the Health and Well-Being Scrutiny Committee on the 16<sup>th</sup> April 2018, when we discussed the report from the Director of Public Health in respect of the Development of Community Hubs in Rhondda Cynon Taf, were inherently political in nature and did not assist the discussions of the committee on the wider content of the report.

I am firmly of the view that members of Scrutiny from all political persuasions should seek to carefully scrutinize and challenge the policy proposals we are engaging with, but my point was that when this pole is used in a partisan way, it does not support the wider objectives of policy development or the ideas that all members of Scrutiny across the Council are seeking to develop and enhance.

I trust that this email clarifies my comments, and I am happy to apologise if they have been misinterpreted in an unintended way.

Yours Sincerely,

Richard Yeo  
Chair  
Health & Well Being Scrutiny Committee