



RHONDA CYNON TAF COUNTY BOROUGH COUNCIL

STANDARDS COMMITTEE

18 SEPTEMBER 2018

**LOCAL RESOLUTION PROCEDURE FOR COMMUNITY AND TOWN COUNCILS
– ONE VOICE WALES**

REPORT OF THE MONITORING OFFICER

1. PURPOSE OF THE REPORT

- 1.1 To provide Members with information and seek the Committee's endorsement in respect of One Voice Wales' Local Resolution Procedure for Community and Town Councils.

2. RECOMMENDATIONS

- 2.1 That the Committee endorses the One Voice Wales Local Resolution Procedure and notes its level of adoption by Community and Town Councils within Rhondda Cynon Taf.

3. BACKGROUND

- 3.1 For some time the Public Services Ombudsman for Wales (PSOW) has been concerned about the growing number of, generally, low level complaints under the Code. His office has instituted a two stage test to carve out those cases not worthy of investigation, so that only the most serious are allocated scarce investigation resources.
- 3.2 The Ombudsman's guidance on the Code of Conduct for Community and Town Councils encourages the use of local resolution for low level complaints. This Council adopted a local protocol in January 2011 which was revised in July 2013. That protocol and associated procedures would not have been appropriate for Community and Town Councils and until recently there was no suitable precedent for them to adopt.
- 3.3 One Voice Wales have now produced a protocol, attached as Appendix 1 to this report. It is relatively simple in nature, which should make it easy to use and/or adopt to local circumstance. The procedure will only work where both parties try to make it work, and the same is true with Rhondda Cynon Taf's own local resolution process. Failure to cooperate might therefore be a factor in favour of referral to the PSOW for formal investigation.

- 3.4 The procedure is intended for use where complaints are low level and have been made by an officer (not the clerk) or another member. Serious complaints, or those made by the clerk or a member of the public are recommended for referral to the PSOW.
- 3.5 The simple nature of the document does mean that some flexibility and a willingness to make the process work will be required. Experience with our own local protocol indicates that it works best with willing participants as well. If one party refuses to cooperate then it is still open, and perhaps preferable, to refer the matter to the PSOW.
- 3.6 The Committee is therefore asked to endorse the procedure. An oral update will be provided at the meeting in respect of the current adoption rate of the procedure by Rhondda Cynon Taf Community and Town Councils.

4. LEGAL IMPLICATIONS

- 4.1 There are no legal implications arising from this report.

5. CONSULTATION

- 5.1 There are no consultation implications arising from this report.

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 There are no equality and diversity implications arising from this report.

7. FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 Council officers give governance advice to town and community councils. Resources are insufficient to operate such a local resolution process for other councils. Town and community councils will therefore have to operate this process themselves. There would therefore be minimal resource implications for this Council.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Background Papers: Freestanding matter

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