
STANDARDS COMMITTEE 9 FEBRUARY 2010

PRESENT: ELECTED MEMBERS: Councillors: Keith Greenly-Jones, Stephen Churchman.

INDEPENDENT MEMBERS: Mr John Pollard (Chairman), Mr Gwilym Ellis-Evans, Mr Malcolm Jones, Mr Sam Soysa and Mr Gwyn Williams.

ALSO PRESENT: Harry Thomas (Chief Executive), Dilys Phillips (Monitoring Officer), Siôn Huws (Propriety Officer) and Ioan Hughes (Committee Officer).

APOLOGIES: Councillor Margaret Griffith (Elected Member), Mr David Clay (Member of Community Committee)

WELCOME A special welcome was extended to the Chief Executive to the meeting and members of the committee introduced themselves individually.

1. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any member present.

2. MINUTES

The Chairman signed the minutes of the previous meeting of this Committee held on 23 November 2009, as a true record.

3. THE STANDARDS COMMITTEE'S WORK PROGRAMME

Submitted – the report of the Monitoring Officer outlining the draft work programme for the Standards Committee.

The officer noted that the Work Programme would be part of efforts to raise the profile of the Standards Committee and that this derived from the Wales Standards Conference, held in Cardiff on 15 October 2009.

The work programme submitted referred to meetings to be held on 5 July 2010, 11 October 2010, 17 January 2011 and 4 April 2011. Matters to be considered at the various meetings were noted, however, the officer noted that these were only ideas and that it was all flexible.

The officer referred in particular to the possibility of meeting with the Council's political group leaders at its meeting on 5 July 2010, and she believed that this would be very valuable.

There was a suggestion of the possibility of submitting an annual report at the meeting on 11 October 2010 and the officer was of the opinion that the report could be released to the press. For the meeting on 4 April 2011, there was reference to a 'half term' report which would take an overview of conduct

and governance standards issues. The officer suggested that it would be possible to submit such a report on a quarterly basis.

Members welcomed the idea and believed that the work programme would be a definite step forward. The flexibility was appreciated, and the need to use the work programme as a way of strengthening the link between the Standards Committee and Gwynedd Council was noted.

The idea of organising training for members of the Standards Committee was welcomed, along with the proposal to approve a training format for the remainder of the Council.

A member suggested the possibility of receiving an address by the Ombudsman and that Môn and Conwy councils could join for this if possible.

The idea of meeting with Leaders of the Political Groups was welcomed and it was noted that the meeting could be used to discuss how differences in political opinions could be voiced whilst still maintaining standards of conduct, and also what the role of leaders was in promoting and maintaining standards.

The intention to establish a Work Programme was welcomed by the Chief Executive and he referred to the importance of the duties of the Standards Committee. He emphasised this further and noted that there were special expectations in relation to conduct within a council the size of Gwynedd which had an annual turnover of £400million.

He added that Gwynedd was quite unique as there were five political parties represented within the Council and that adaptations needed to be made for this. And in welcoming the Work Programme he called for the cooperation of the Standards Committee in the interests of Gwynedd and wanted them to voice an opinion as and when necessary.

RESOLVED to approve the definite work programme for the coming year with a meeting with political group leaders to be included on the meeting agenda on 5 July 2010.

4. LOCAL PROTOCOL

Submitted – the report of the Monitoring Officer and members were reminded of the Member-Officer Relations Protocol which had already been adopted by the full Council.

Attached to the Protocol was a local procedure for resolving disputes when it was not considered that the offence was serious enough to be brought to the attention of the Ombudsman.

The Officer added that discussions had been held with Leaders of the Political Groups and it was believed that there was support to develop some kind of 'Gwynedd standard' in order to resolve complaints of misconduct by a member against another member.

The Officer further noted that it would be possible to clearly note the behaviour expected from Gwynedd Council members which, possibly, would go further than what the Ombudsman would be willing to investigate under the Code of Conduct.

It was noted that complaints that the standard had been breached would go to the Standards Committee. In addition, it was believed that establishing such a local arrangement would be a way of explaining the Standards Committee's powers.

The officer added that the vast majority of the standards within Gwynedd Council were more than acceptable but that some complaints did exist and the intention was to aim for improvement. She explained that the procedure would be for a draft to be discussed and adopted before the full Council considered the recommendation.

In response to an enquiry, the officer explained that it was not possible to prevent a member of the Council from submitting a complaint to the Ombudsman, however, a procedure such as 'Gwynedd Standard' would create an opportunity for steps to be taken within the Council.

In terms of the level of punishment which the Standards Committee could impose, it was explained that a reprimand would be most likely, however, a member suggested that consideration could be given to suspending a councillor for a period of time.

The Chief Executive said that the majority of the members accepted the need to follow the minimum standards. However, he said that complaints did exist and that they needed to respond to this. Therefore, he believed that a local protocol would be useful.

In response to an enquiry, the Chief Executive added that fewer complaints had been received since the Member-Officer Relations Protocol had been adopted and that it had certainly had an effect.

The majority of members believed that a Local Protocol to deal with cases of misconduct by a member against another member would be beneficial. However, some concern was expressed by one of the elected members regarding the possibilities of a split being created between councillors who served on the Standards Committee and those facing a complaint. However, he was supportive of the principle of establishing a local protocol.

RESOLVED to support the principle of developing a local arrangement and that a draft of the Protocol be considered further at the next meeting of the Standards Committee.

5. DRAFT GUIDELINES ON THE CODE OF CONDUCT

Submitted – the report of the Monitoring Officer noting that draft guidelines for the Code of Conduct had been issued by the Public Services

Ombudsman for Wales in November 2009. As the guidelines were the subject of a consultation, members of the Standards Committee would have an opportunity to discuss them and agree on a response to be sent to the Ombudsman on behalf of the Council.

The officer added that she had considered the draft guidelines with other monitoring officers and the Ombudsman, and she hoped that a further meeting would be held and that the final guidelines were expected to be issued towards the end of March.

Members had received a copy of the draft guidelines and the Monitoring Officer submitted observations for consideration.

In terms of the presentation, the Monitoring Officer suggested that emphasis should be placed on training in relation to the Code of Conduct and ensuring that the role of the Standards Committee was entirely clear. She added that attention should be drawn to the importance of understanding and adhering to the Code.

The officer was of the opinion that the paragraph dealing with 'Treating Others With Respect' would be one of the ones attracting the most attention and she wanted the guidelines on this to be absolutely clear and unambiguous. Members reiterated this, and it was noted that it should be appreciated that there was a difference between criticising policies and making personal comments.

The Monitoring Officer expanded upon this and observations were suggested on some matters, including:

- Bullying and intimidation
- Compromising the impartiality of officers of the authority
- Disclosing confidential information
- Preventing access to information
- Disrepute
- Notifying of breaches of the code
- Personal interest
- Who is a member of your family or close associate?
- Prejudicial interests
- What to do when you have a prejudicial interest?
- Gifts and hospitality.

RESOLVED to support the observations of the Monitoring Officer and to send the response to the Ombudsman on behalf of the Council.

6. APPLICATION FOR DISPENSATION

The Propriety Officer submitted information about an application made by Councillor John Pughe Roberts (member for Corris/Mawddwy) for dispensation in relation to primary schools reorganisation in the Ysgol y Berwyn, Bala catchment area.

The officer added that the application was being submitted as the councillor's

daughter was a pupil at one of the primary schools in the catchment area, namely Ysgol Bro Tegid, Bala. He further explained that the councillor was not a member of the Catchment Panel and that he was making an application to be able to speak only on the matter in a Council meeting.

Members referred to regulations set out and they were of the opinion that the councillor's connection with the specific matter was too close and that dispensation could not be given.

RESOLVED to refuse the application of Councillor John Pughe Roberts for dispensation on grounds that the connection between him and a specific school in the Ysgol y Berwyn, Bala catchment area is too close.

The meeting commenced at 2pm and concluded at 3.40pm.

CHAIRMAN